

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee A</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Monday 14<sup>th</sup> May 2018</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Domus, 28-30 Bristol Street, Birmingham, B5 7AA</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
<p>To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 10:00am until 05:30am (Monday to Sunday).</p> <p>The provision of Regulated Entertainment consisting of plays, films, indoor sporting events, boxing or wrestling entertainments, live music, recorded music, performances of dance, and anything of a similar description, to operate indoors only from 10:00am until 05:30am (Monday to Sunday).</p> <p>To permit the provision of Late Night Refreshment to operate from 11:00pm until 05:00am (Monday to Sunday).</p> <p>Premises to remain open to the public from 10:00am until 06:00am (Monday to Sunday).</p>

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

<b>3. Brief Summary of Report:</b>
<p>An application for a Premises Licence was received on 22<sup>nd</sup> March 2018, in respect of Domus, 28-30 Bristol Street, Birmingham, B5 7AA.</p> <p>A representation has been received from West Midlands Police, as a responsible authority.</p>

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<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>
<b>5. Relevant background/chronology of key events:</b>
<p>Petros Liatis applied on 22<sup>nd</sup> March 2018 for the grant of a Premises Licence for Domus, 28-30 Bristol Street, Birmingham, B5 7AA.</p> <p>A representation has been received from West Midlands Police, as a responsible authority, see Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>Conditions have been agreed with Environmental Health and the applicant, which are attached at Appendix 3</p> <p>Site Location Plans at Appendix 4.</p> <p>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:-</p> <ul style="list-style-type: none"> <li>a. The prevention of crime and disorder;</li> <li>b. Public safety;</li> <li>c. The prevention of public nuisance; and</li> <li>d. The protection of children from harm.</li> </ul>
<b>6. List of background documents:</b>
<p>Copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Conditions agreed with Environmental Health, Appendix 3</p> <p>Site Location Plans, Appendix 4</p>
<b>7. Options available</b>
<p>To Grant the licence in accordance with the application.</p> <p>To Reject the application.</p> <p>To Grant the licence subject to conditions modified to such an extent as considered appropriate.</p> <p>Exclude from the licence any of the licensable activities to which the application relates.</p> <p>Refuse to specify a person in the licence as the premises supervisor.</p>

## Appendix 1

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**From:** Abdool Rohomon -  
**Sent:** 10 April 2018 16:06  
**To:** Licensing  
**Cc:**  
**Subject:** Premise Licence application - Domus

Dear Licensing,

West Midlands Police have received the application submitted on behalf of Petros Liatis for a premises called Domus, 28/30 Bristol Street. This application has been submitted following the decision by Birmingham city licensing committee to revoke the previous premise licence which was called Prisma.

This application seeks to mirror the previous premise licence all be it with a new owner and security company.

West Midlands Police object to this application on the grounds of the prevention of crime and disorder objective and public safety objective within the act. The application seeks to replicate what they had before, in a meeting with the applicant he stated that he saw this as a business opportunity and had promoters that had been operating in the premises before waiting to put nights back in for the venue. This was a massive concern to West Midlands Police as it showed the clear intentions with this application to carry on where the premises had left off before.

The applicant has made it clear that he is new into the Night time club management and that his previous experience is in the catering side of the trade. These premises have had a troubled past and have been reviewed on more than one occasion and so it can said that they are a difficult business to manage and promote safely, the applicants lack of experience in this field will not assist this situation.

It is acknowledged that a new DPS and security company are sought, however this offers little confidence as the DPS and security company can easily leave the premises, which is a situation experienced recently in other premises that have experienced the same issues.

As stated these premises has recently had its premise licence revoked following a serious incident where a firearm was shown inside the premises following serious disorder. That was not the first serious incident at these premises, before the last incident there was serious criminality taking place at the premises, this was in 2015. For West Midlands Police it is clear that this is a problematic premises irrelevant of whom the licence holder is. With it not being within the main stream night time economy area, it does not benefit from any passing trade and as such has to rely solely on promoted nights and events. This means that to make the premises viable they would have to have a variety of events on and so the risk escalates considerably.

The conditions proposed in the application offer no more than what would be expected from running a licensed premises, and in the opinion of West Midlands Police cannot address the issues with this premise. West Midlands Police have been very open with the applicant, solicitor and DPS and stated throughout that it would be unlikely that West Midlands Police would support an application that sought to replicate the previous licence and we advocated that a substantial change of the premise was needed.

West Midlands Police do not feel this is a fresh application, the reason for saying this is the fact that the proposed DPS, security company and additional conditions were all part of the package proposed by the previous licence holder, in an attempt to save their premise licence. This package was put to West Midlands Police just before the premise licence holder decided not to pursue any argument before the licensing subcommittee during the full review.

On these grounds West Midlands Police object to this application and seek a hearing

Kind regards

**Abs Rohomon**

**PC 4075 Rohomon  
BW Licensing  
Police headquarters  
Lloyd House  
Colmore Circus  
Birmingham  
B4 6NQ**

**Internal : :  
External : '**

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**West Midlands Police**

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## Appendix 2

### Application for a premises licence to be granted under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **PETROS LIATIS**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description		BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  2 2 MAR 2018  REF NO .....	
Domus 28 – 30 Bristol Street			
Post town	Birmingham	Postcode	BS 7AA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	

#### Part 2 – Applicant details

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input type="checkbox"/>            | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body                             | <input type="checkbox"/>            | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>LIATIS</b>			First names <b>PETROS</b>		
Date of birth over			I am 18 years old or <input checked="" type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	0	4	2	0	1	8

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

DD		MM		YYYY			
1	1	1	1	1	1	1	1

Please give a general description of the premises (please read guidance note 1)

The premises have been licensed for a number of years and were refurbished about six years ago and the fire precautions brought up to date and noise issues addressed and agreed with Paul Samms of Environmental Health. The premises are fully soundproofed and operate on two floors with the main entrance from Bristol Street. There is a bar and toilets on each floor which can accommodate individual functions or events or can operate as one with maximum numbers on the ground floor of 270 persons and the first floor 330. There is no kitchen but food can be brought in as and when required. There is a first class CCTV system with 32 cameras and a monitor in the basement and the outside area on Bristol Street is fully covered. The turnstile at the entrance to the premises and the raised dancefloor on the ground floor have both been removed and the plan accurately represents what is to be found there.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☒
- b) films (if ticking yes, fill in box B) ☒
- c) indoor sporting events (if ticking yes, fill in box C) ☒
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☒
- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☒
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☒

**Provision of late night refreshment** (if ticking yes, fill in box I)

☒

**Supply of alcohol** (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

# A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30			
Thur	10:00	05:30	<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Fri	10:00	05:30			
Sat	10:00	05:30	<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun	10:00	05:30			
			On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

# B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30			
Wed	10:00	05:30			
Thur	10:00	05:30	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Fri	10:00	05:30			
Sat	10:00	05:30	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun	10:00	05:30			
			On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00		<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
		05:30	
Tue	10:00		
		05:30	<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Wed	10:00		
		05:30	
Thur	10:00		On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.
		05:30	
Fri	10:00		
		05:30	
Sat	10:00		
		05:30	
Sun	10:00		
		05:30	

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon	10:00					
		05:30	<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)			
Tue	10:00					
		05:30	<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)  On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.			
Wed	10:00					
		05:30				
Thur	10:00					
		05:30				
Fri	10:00					
		05:30				
Sat	10:00					
		05:30				
Sun	10:00					
		05:30				

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00		<b><u>Please give further details here</u></b> (please read guidance note 4)		
		05:30			
Tue	10:00				
		05:30			
Wed	10:00		<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
		05:30			
Thur	10:00				
		05:30			
Fri	10:00		<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
		05:30			
Sat	10:00		On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
		05:30			
Sun	10:00				
		05:30			

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00		<b><u>Please give further details here</u></b> (please read guidance note 4)		
		05:30			
Tue	10:00				
		05:30			
Wed	10:00		<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
		05:30			
Thur	10:00				
		05:30			
Fri	10:00		<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
		05:30			
Sat	10:00		On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
		05:30			
Sun	10:00				
		05:30			

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	10:00	05:30			
Tue	10:00	05:30	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed	10:00	05:30			
Thur	10:00	05:30	<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	10:00	05:30			
Sat	10:00	05:30	On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
Sun	10:00	05:30			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	05:30		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue	10:00	05:30	<b>Please give further details here</b> (please read guidance note 4)		
Wed	10:00	05:30			
Thur	10:00	05:30	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri	10:00	05:30			
Sat	10:00	05:30	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun	10:00	05:30			
			On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		

# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00		<b>Please give further details here</b> (please read guidance note 4)		
		05:00			
Tue	23:00				
		05:00			
Wed	23:00		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
		05:00			
Thur	23:00				
		05:00			
Fri	23:00		<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
		05:00			
Sat	23:00		On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
		05:00			
Sun	23:00				
		05:00			

# J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
		05:30			
Tue	10:00				
		05:30			
Wed	10:00				
		05:30			
Thur	10:00		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
		05:30			
Fri	10:00		On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.		
		05:30			
Sat	10:00				
		05:30			
Sun	10:00				
		05:30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Paul David BURROWS	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

## K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

Can hold events of an adult nature once a month not exceeding 11 times a year.

## L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)</p> <p>On the occasion of the commencement of British Summer Time each year licensable activities shall be permitted to continue between the hours of 01:00 and 02:00 on whichever date this change of hours falls.</p>
Mon	10:00	06:00	
Tue	10:00	06:00	
Wed	10:00	06:00	
Thur	10:00	06:00	
Fri	10:00	06:00	
Sat	10:00	06:00	
Sun	10:00	06:00	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

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

The number of Personal Licence holders on the premises when operational shall be at least one or such other number as is agreed from time to time with West Midlands Police. The Licence Holder shall ensure that if any adult entertainment is introduced to the premises, then it will only be done after giving at least 14 days' notice to the Police Authority.

**b) The prevention of crime and disorder**

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

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

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

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

Digital CCTV and appropriate recording equipment is to be installed operated and maintained throughout the premises internally and externally providing full coverage. Such CCTV footage will be stored for a minimum of 28 days and the management will give full and immediate cooperation and technical assistance to the police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. For the avoidance of doubt such footage as West Midlands Police require will be made available by a trained operator at the time of the request. CCTV cameras and monitors are to be installed and in positions agreed with West Midlands Police.

The Licence Holder shall ensure that all SIA badges will be displayed in arm bands worn by the door supervisors and shall be valid and up to date. All door supervisors who are working at the premises or have worked at the premises within the last three months shall have a profile of themselves kept in a secure location within the premises. This profile will be proof of address (utility bill, bank statement, phone bill, etc) which is dated within the last six months and proof of identify (passport, driving licence or copy of SIA badge). If proof of ID is photo driving licence there is no requirement for proof of address. The Licence Holder shall ensure that all door supervisors will sign on duty as they start work and off duty when they are leaving. Fluorescent jackets or tabards shall be worn by all door supervisors.

The premises is to maintain door staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months. The door staff profile will consist of identification for the member of staff

- A copy of his/her SIA badge,
- Passport or driving Licence.

If the proof of identification is anything other than the photo driving Licence, then the member of staff will need proof of address, which must be a copy of a utility bill and be dated within the last six months.

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

arm sleeve.

A C.C.T.V. system has been installed at the premises to the specification agreed with the Licensing Department at Lloyd House. C.C.T.V. is to be operational whilst the premises are open and be recording continually. If a hard drive system is used the recordings are to be kept for minimum of 31 days.

CCTV images to be made available to any responsible authority immediately on request. Entrance and queuing area to be covered by CCTV.

The premises must supply a full month's list of events in writing to Licensing Department at Lloyd House a month in advance save where there is last minute booking and with consent of West Midlands Police the time limit may be relaxed.

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

Premises to supply a risk assessment for all events held at premises. 28 days' notice is required save where there is last minute booking and with consent of West Midlands Police the time limit may be relaxed. Included in risk assessment is a search policy which will reflect the event risk and Security deployment plan.

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

No persons under the age of 18 years of age shall be permitted in any circumstances into the premises while they are being used for Licensable activities save with the agreement of West Midlands Police.

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

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

**FURTHER PROPOSED CONDITIONS FOLLOWING THE INCIDENT ON 28 JANUARY 2018.**

All persons entering the premises shall be individually and comprehensively searched in accordance with the search policy in force. The door staff will also subject everyone to a hand held wand or metal detecting hand mitts.

Incident Handling - There will be bound books held at the central security office on the premises, under the responsibility of designated Security Manager for the purposes of recording incidents that take place on the premises. All incidents involving violence, drugs, disorder, weapons, illness requiring medical attention and ejections shall be recorded as soon as practicable in the Incident Book. Any incident book must be made available for inspection to an officer of a responsible authority upon request.

All members of staff and employees shall be fully trained in child sexual exploitation and customer vulnerability and this will be regularly refreshed and records kept.

Only alcohol provided by Premises Licence Holder shall be sold or supplied to customers at the premises.

The number of door staff on the premises on any one occasion shall be indicated on the event risk assessment.

Any incident of crime or disorder shall be reported forthwith to West Midlands Police Licensing Department at Lloyds House and if by telephone it shall be followed up by a

confirmatory email and a weekly Monday morning report shall be submitted to West Midlands Police Licensing Department whether there has been an incident to report or not.

At all times there shall be kept at the premises policies relating to different aspects of the operation dealing with search policies, public safety and other relevant matters which are in three bound volumes prepared by Mr Carl Moore of CNA Risk Management Limited.

**c) Public safety**

First aid training will be given to employees prior to the premises reopening to the public. Health and Safety risk assessment carried out regularly. Electrics, gas fire and relevant equipment, checked and maintained in working order and tested annually. Fire risk assessment carried out weekly.

The Licence Holder shall ensure that the maximum number of persons on the premises at any one time shall not exceed the number agreed with West Midlands Fire Service and West Midlands.

A professionally prepared fire risk assessment will be produced which will propose maximum numbers which will thereafter be agreed with West Midlands Fire Service and West Midlands Police and become the maximum number for the premises and such capacity will not be exceeded.

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

**d) The prevention of public nuisance**

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

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

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

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

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

**e) The protection of children from harm**

The premises shall adopt the Challenge 25 Scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar service. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry to the premises who appears to be under 25 will be asked for photographic ID to prove their age. The only ID that will be accepted is a passport, driving licence with a photograph or an accredited proof of age card bearing the PASS mark hologram.

The licence holder shall ensure that ongoing staff training highlights the importance of making sure that people under the age of 18 years are not able to obtain access to alcohol and all staff will be trained in prevention of child exploitation and all training shall be refreshed at least every six months.

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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

**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.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• 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)</li></ul>
--------------------	---

Signature	
Date	22 MARCH 2018
Capacity	APPLICANT'S SOLICITORS

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

MR ANDREW POTTS  
WRIGHT HASSALL LLP  
OLYMPUS AVENUE

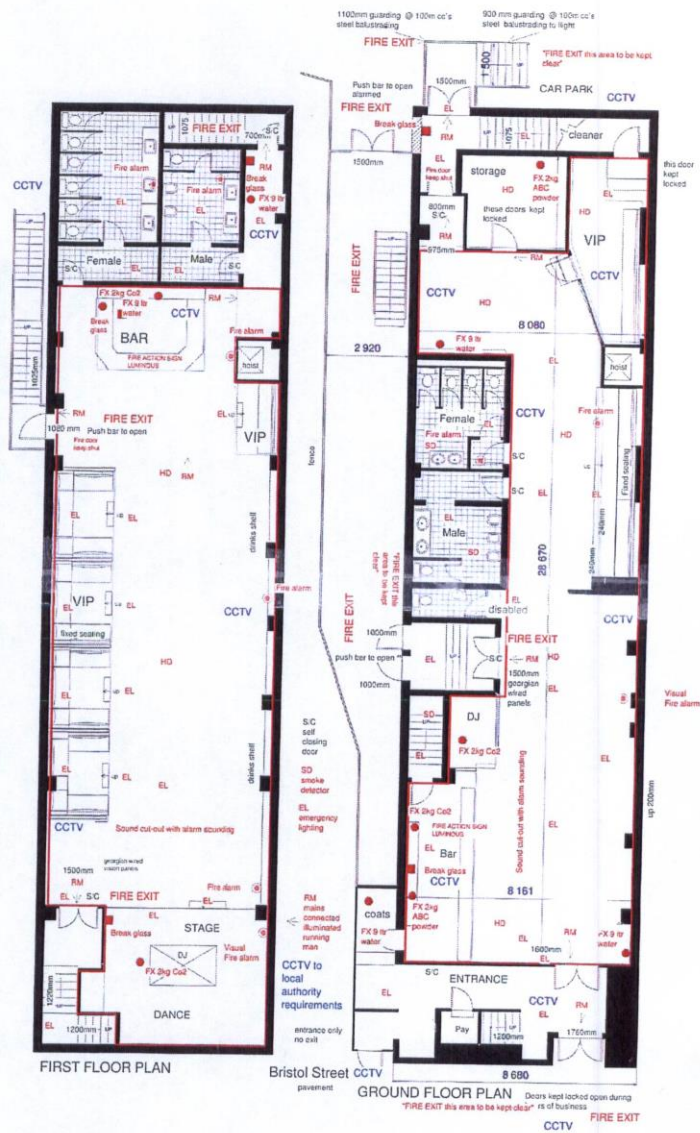
Post town	LEAMINGTON SPA	Postcode	CV34 6BF
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

- Describe 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.
- 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:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.



Domus  
28-30 Bristol Street  
Birmingham  
B5 7AA



Scale 1:100 @ A2  
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March 2018

## Appendix 3

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**From:** Suzanne Oatley behalf of Andrew Potts  
<Andrew.Potts  
**Sent:** 27 April 2018 15:16  
**To:** Amanda Clover  
**Cc:** Licensing  
**Subject:** RE: Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Dear Amanda

I refer to our telephone conversation yesterday and can confirm that I now have instructions from the Applicant to agree all the conditions that you have enumerated replacing the ones in the portion of the operating schedule that deals with "Prevention of Public Nuisance" on page 13 of that document. You will see I have sent a copy of this email to Licensing.

Regards

**Andrew Potts**  
Consultant  
Licensing Department

**From:** Amanda Clover  
**Sent:** 24 April 2018 15:46  
**To:** Andrew Potts  
**Subject:** FW: Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Good afternoon Andrew,

Apologies for chasing you on this but I wondered if you have had a chance to look at the information detailed below.

If all seems acceptable I can get back to our licensing section with agreed conditions.


Regards  
Amanda Clover

Amanda Clover, MIOA  
Environmental Protection Officer

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Environmental Health | Regulation & Enforcement Division

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 Please consider the environment before printing this email

**From:** Amanda Clover  
**Sent:** Friday, April 20, 2018 2:38 PM  
**To:** 'andrew.potts'  
**Subject:** Domus, 28 - 30 Bristol Street, Birmingham - Premises Licence Application

Afternoon Andrew,

Thank you for getting back to me so very promptly.

I am hoping you can confirm that your client would not object to the following licence conditions being attached to their premises licence (for the premises / licence application detailed above).

I await your response / update so that I can inform our licensing section in due course.

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

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

NUISANCE The Licensee shall ensure that a written agreement is made with reputable taxi companies to ensure that when taxi's pick up and drop off customers from the licensed premises noise from these vehicles does not cause a nuisance to local residents.

NUISANCE Customers who require a taxi from the site shall be advised by staff to use taxi companies specified by the licensee.

NUISANCE Notices shall be displayed within the licensed premises for customers to view giving details of taxi companies to use.

NUISANCE Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect local residents and to leave the premises quietly.

NUISANCE The Designated Premises Supervisor shall ensure door supervisors shall supervise and if necessary take appropriate action to control the behaviour of those patrons who wish to smoke outside the premises on Bristol Street ensuring patrons do not cause a noise nuisance to residents and if necessary restrict the number of people smoking outside the premises at any one time.

NUISANCE All external doors to remain closed during regulated entertainment except for access, egress and emergency

NUISANCE The Designated Premises Supervisor shall submit a management plan detailing how external doors shall be kept closed during regulated entertainment. The scheme shall be agreed in writing by the Environmental Protection Unit and implemented prior to regulated entertainment taking place.

NUISANCE The Designated Premises Supervisor shall ensure that no patrons are allowed to access the external areas at the side or back of the premises at any time, except during an emergency. If staff wish to eject patrons, they are to be ejected through the front door.

NUISANCE The Designated Premises Supervisor shall ensure management conduct documented audibility checks at the nearest noise sensitive premises when regulated entertainment is provided to ensure that this does not constitute a noise nuisance.

NUISANCE The Licensee shall ensure that a scheme of noise insulation is submitted to and agreed in writing by the Environmental Protection Unit. The scheme shall be implemented before regulated entertainment takes place and shall include: a. Plans to have all glazed areas on external walls bricked up and sealed. b. The acoustic specification of vents on the side and rear facades of the premises. c. The proposed roof structure.

A Noise Limiting Device (NLD) of a type approved by the Environmental Protection Unit of Birmingham City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection Section, to ensure the volume of music is pre-set so as not to cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section at least 14 days before its' initial operation and shall fulfil the following criteria: a. The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given b. The device shall be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the

Environmental Protection Unit or shall be capable of maintaining the volume of the music at the pre-set level determined by the Environmental Protection Unit and shall not restore power to the sound system until the NLD is reset by the licensee or their nominated person. c. The amplification system shall only be operated through the sockets/power points linked to and controlled by the NLD at all times. d. The NLD shall be maintained in full working order and at the approved pre-set volume during regulated entertainment. e. Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.

Many thanks for your assistance in this matter.

Regards  
Amanda

Amanda Clover, MIOA  
Environmental Protection Officer

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Environmental Health | Regulation & Enforcement Division

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

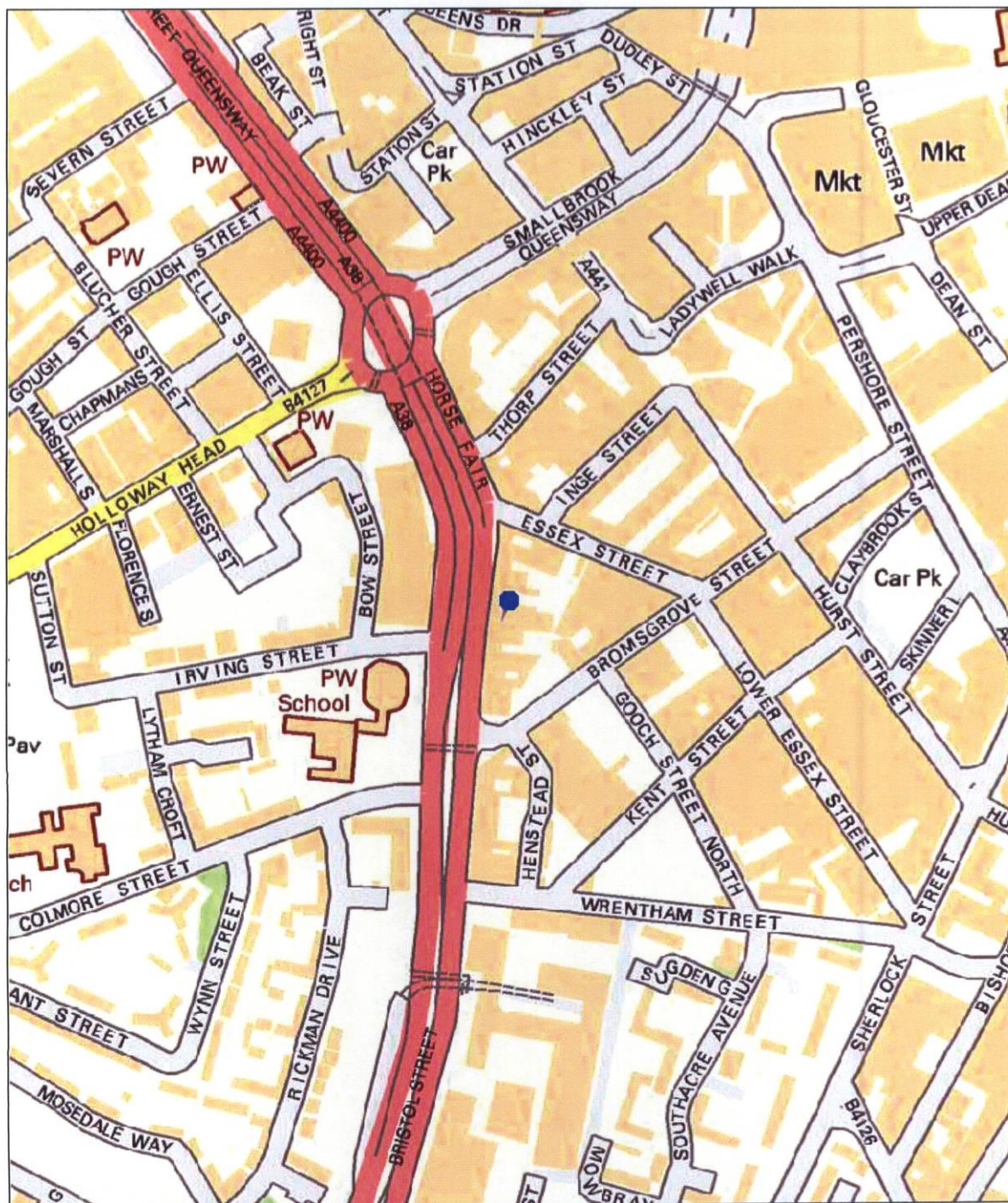
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## Appendix 4



**Birmingham City Council** Map Created By:

Date of Map Creation: 17/04/2018

**Notes**

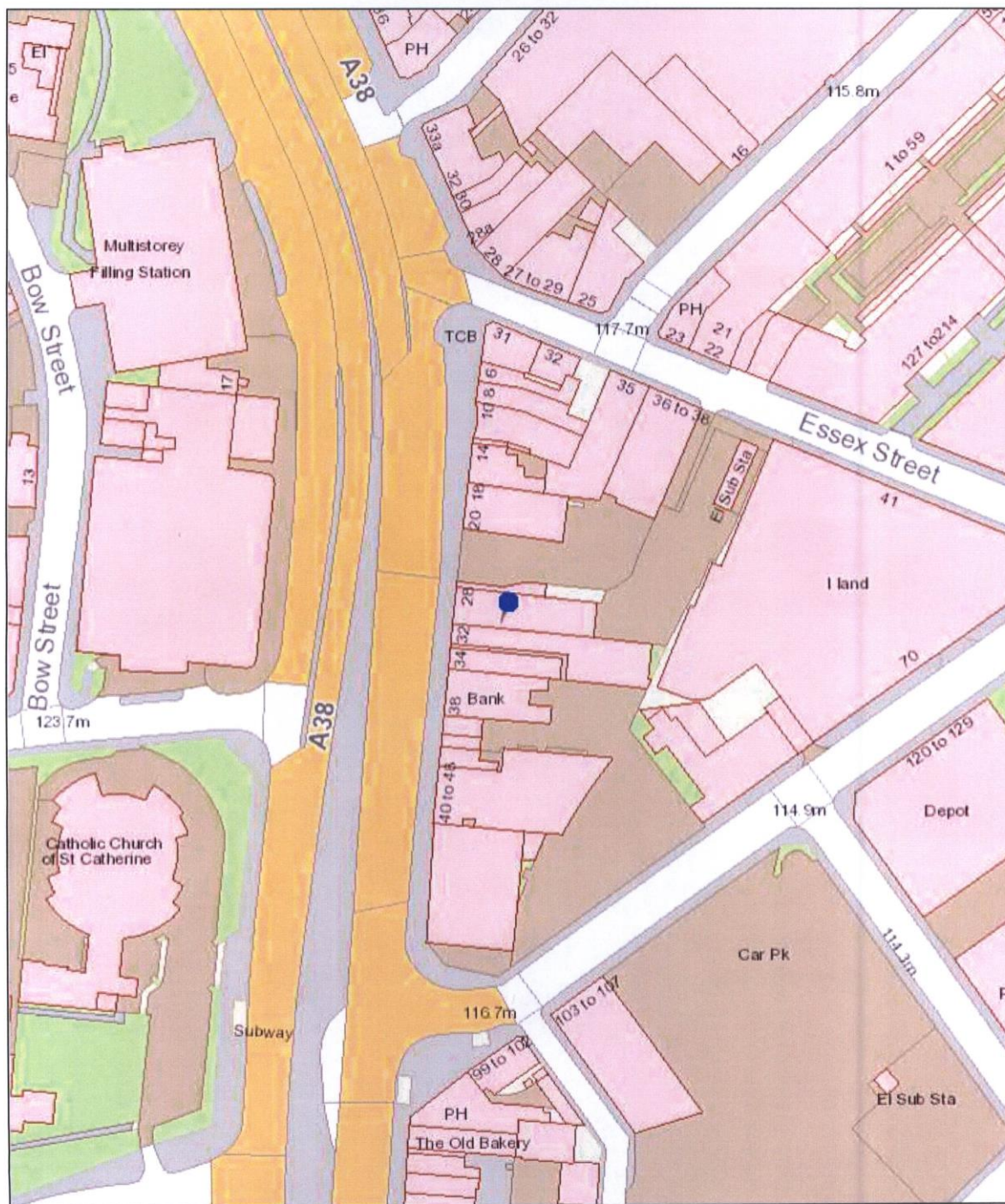


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Notes



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