

BIRMINGHAM CITY COUNCIL
PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 18th September 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Hatter's Hostel Birmingham, 89-95 Livery Street, Birmingham, B3 1RJ
Ward affected:	Soho & Jewellery Quarter
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have 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 24 hours (Monday to Sunday).

The sale of alcohol on the premises for non-residents (other than the bona fide guests of residents) shall cease at 11:00pm (Sunday to Thursday) and 12:00midnight (Friday and Saturday).

The provision of Regulated Entertainment consisting of films, live music, recorded music, performances of dance and anything of a similar description, to operate indoors only, from 10:00am until 11:00pm (Sunday to Thursday) and 10:00am until 12:00midnight (Friday and Saturday).

To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 12:00midnight (Friday and Saturday).

Premises to remain open to the public 24 hours (Monday to Sunday). Non-residents (other than bona fide guests of residents) shall be required to leave the premises by 11:30pm (Sunday to Thursday) and 12:30am (Friday and Saturday).

Other dates and times as specified in the application form.

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

An application for a Premises Licence was received on 5th July 2019 in respect of Hatter's Hostel Birmingham, 89-95 Livery Street, Birmingham, B3 1RJ.

Representations have been received from Environmental Health as a responsible authority and from other persons.

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:
<p>Hatter's Hostel Ltd applied on 5th July 2019 for the grant of a Premises Licence for Hatter's Hostel Birmingham, 89-95 Livery Street, Birmingham, B3 1RJ.</p> <p>A representation has been received from Environmental Health as a responsible authority. See Appendix 1.</p> <p>Representations have been received from other persons. See Appendices 2 – 19.</p> <p>The application is attached at Appendix 20.</p> <p>Site Location Plans at Appendix 21.</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"> 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:
<p>Copy of the representations as detailed in Appendices 1 – 19</p> <p>Application Form, Appendix 20</p> <p>Site Location Plans, Appendix 21</p>
7. Options available
<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>

Entered
2

From: Martin Key
Sent: 02 August 2019 00:54
To: Licensing;
Cc: Pollution Team
Subject: Premises Licence Application - Hatters Hostels Ltd, 92 - 95 Livery Street, Birmingham, B3 1RJ

Importance: High

Hi

I, Martin Key, as a representative of Environmental Health, formally raise a representation on the above premises licence application. My representation(s) concern the likely effect of the grant of the licence on the promotion of the licensing objectives relating to the prevention of public nuisance.

I am concerned that the grant of the licence would potentially result in noise nuisance to neighbouring properties due to noise breakout from the building, external live and recorded music and patrons accessing and egressing the premises. This is a revised application and I am pleased to see a reduction in requested hours and offered conditions but I am still concerned that this will not be adequate to control risk of public nuisance. I have been unable to contact to applicant due prior to the date for representations and I am now on leave and not returning until 12 August 2019.

The application is for:-

- Indoor film, live and recorded music and similar activities from 10.00 23.00 Sunday to Thursday and 10.00 – 00.00 on Friday and Saturday
- Late night refreshment from 23.00 – 0.00 on Friday and Saturday
- Alcohol for on and off sales from 00.00 – 23.59

I have a number of concerns about this application. The drawings are requesting that all of the building areas on the plans are licensed but I am not sure what some of these areas and some are bedrooms and would obviously not be appropriate for regulated entertainment. I would request a clear plan identifying which areas are proposed to be used for regulated entertainment as I am not able to effectively assess the application on the basis of the current plan. I would also seek to amend the offered condition for 21 days' notice to the police to also include the Environmental Protection Unit of Birmingham City Council on the same basis.

I do not believe that this concern can be dealt with solely by the use of appropriate conditions as there needs to be further clarification of the extent of the areas proposed for regulated entertainment but I would be prepared to

reconsider my representation of the applicant agrees to the amended condition referred to earlier, assuming clarification of the extent of the area proposed for regulated entertainment is acceptable and subject to agreement to the following conditions being attached to any licence issued (note that condition 7 is dependent on the areas being proposed to be used for regulated entertainment and may be amended once further clarity has been provided on the areas proposed for such entertainment):-

1. All external doors and windows shall be kept closed during live music or amplified music, speech or sound except as necessary for safe and effective access and egress.
2. There shall be no speakers used for amplified music, speech or sound outside the building at any time.
3. There shall be no alcohol consumed in the external courtyard area or other external areas of the premises between the hours of 22.00 and 10.00
4. The Premises Licence Holder shall in writing a noise management plan for approval by the Environmental Protection Unit of Birmingham City Council. The noise management plan shall include a noise risk assessment and outline the measures to be adopted to reduce the noise impact of activities associated with the premises including music, deliveries, recycling and refuse collections, smoking areas, customers, car parking and taxi pick up. The noise management plan shall be reviewed regularly and where the review and risk assessment identifies that the noise impact or necessary operational controls for the event need to be revised from the approved noise management plan the revised noise management plan shall be submitted to the Environmental Protection Unit of Birmingham City Council for approval before any future event takes place. All operational controls and management actions required by the approved noise management plan shall be instigated at all times and all staff shall be adequately trained in their role in implementing the plan. There shall be no licensed activity involving live or recorded music, speech or sound carried out until the noise management plan has been approved in writing by the Environmental Protection Unit of Birmingham City Council.
5. To avoid nuisance being caused to nearby noise sensitive premises the Premises Licence Holder, or other nominated person/staff, shall monitor the external areas of the premises whenever licensed activities are being undertaken and also until all patrons have been effectively dispersed. If necessary, they shall remind customers to be respectful of neighbours.
6. No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.
7. There shall be no licensed activity involving live or recorded music, speech or sound carried out until an assessment of the building design and structure and a proposed scheme of noise insulation and attenuation has been produced by a suitably qualified and experienced noise consultant. The scheme shall include consideration of the need for upgrading of the building structure in terms of noise insulation, the need for an acoustic lobby to the main entrance doors and the need for a noise limiting device. This scheme shall be submitted in writing to the Environmental Protection Unit of Birmingham City Council and no regulated entertainment involving live or recorded music, speech or sound shall take place in this room until the mitigation measures that have been approved in writing by the Environmental Protection Unit of Birmingham City Council have been implemented. The noise mitigation measures shall be thereafter maintained.
8. Any Noise limiting Devices (NLD's) that are installed to meet the requirements of the licence they shall be of a type approved by the Birmingham City Council Environmental Health Department and shall be fitted to the amplification system and set at a level approved by the Birmingham City Council Environmental Health Department, 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 Unit 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 whilst the amplification system is operational.
- 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.

Best Regards

Martin Key on behalf of Pollution Team
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

✉: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE
(Office Site: Environmental Protection, 1st Floor, 40 Moat Lane, Birmingham, B5 5BD)
🌐: www.birmingham.gov.uk/eh | Facebook: ehbbham | Twitter: @ehbbham

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

ENTERED 2

From: Councillor Chaman Lal
Sent: 01 August 2019 21:14
To: Licensing
Cc: Councillor Sybil Spence; GRAHAM MCNICHOLL; Norman Cherry
Subject: RE: Objection to Licensing application ref:- 111837 Hatters Hostel B3IRJ

Dear Licensing

I wish to strongly object to the Licensing application reference 111837 in support of the local residents objecting to this application on the grounds of prevention of public nuisance in a quiet peaceful residential area.

Kind regards

Entered

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From:
Sent: 17 July 2019 09:01
To: Licensing
Subject: Objection to Hatters Hostel alcohol, late night live music and dancing licenses

Dear Sir/Madam,

I am writing to object to the new license applications from Hatters Hostel on Livery St, I previously wrote to yourselves in writing in response to the previous licensing application - all of my key concerns and points are still relevant.

The new application will still result: in loud late night music, urination by partygoers in the private car park entrance, glass bottles, junk food and vomit in the streets, disorderly behaviour et al - all resulting in us unable to sleep as our bedroom and bathroom windows overlook the street.

The license should not be granted as the premises is too close to residential buildings and the building itself overlooks our private quarters which is an invasion of privacy.

Please refer to my previous physical letter as my points above are expanded upon.

Thank you for your time and I hope this issue is resolved swiftly.

Kind Regards,

Queen's Court, Cox St

Entered
N.

From:
Sent: 18 July 2019 13:33
To: Licensing
Subject: Hatters Hostel, 89/95 Livery Street, Birmingham

Hello,

I understand that Hatters Hostel has applied for a new alcohol license which will allow for late night drinking, music and dancing.

I wish to oppose the application as a resident at Queen's Court on Cox Street. The Hostel is already a nuisance in terms of noise and litter and the granting of a license would make things a lot worse.

The residents of the hostel are very raucous and loud at times resulting in many a complaint against the business but nothing ever appears to change. The additional noise and disturbance will be beyond what we already experience or experienced when the venue was unlicensed.

My neighbours recently lost their tenant due to the noise from the venue as he worked shifts and couldn't sleep when he needed to do so.

We welcome a visit from yourselves to experience the noise.

Regards,

ENTERED

R

From:
Sent: 22 July 2019 21:03
To: Licensing
Subject: Hatters/Selina Licensing Application

Dear Sir/Madam

I write to express strong objections to the application recently submitted by Hatters (Livery Street) for alcohol and live music.

The upper end of Livery Street is now predominantly a residential area, with many flats and houses giving directly onto the street, and the noise and disturbance are likely to be detrimental to the peace and well-being of me and my fellow residents as well as to the value of our properties.

In the past, the same premises had a similar licence which was withdrawn following disturbance in the neighbourhood. There is no indication that the new owners will approach the business differently. Please give due consideration to the wishes of we, the council tax payers of Livery Street.

yours

QUEENS COURT [BIRMINGHAM] MANAGEMENT COMPANY LTD
Queens Court, Cox Street, Birmingham B3 1RD

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

REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED	
23 JUL 2019	
REF NO	Entered RV
INITIALS	22nd July 2019

Licence Application 111837 Hatters Hostel Ltd

We write on behalf of the residents of Queens Court, a development of 22 purpose built flats at the corner of Livery Street and Cox Street adjoining Hatters Hostel. We wish to raise the following objections to the licence application.

Prevention of Public Nuisance.

Residents of Queens Court/Kings Court/Saphire Court which front on to Livery Street would certainly be affected as all vehicular traffic in Livery Street has to pass these blocks of flats due to the one way system in operation.

It is inevitable that noise and disturbance to neighbouring residents would be increased by licenced premises abutting their dwellings.

The site of Hatters Hostel is currently unlicensed.

The request for 24hr alcohol licence 7 days per week for residents and guests would lead to an increase in parking and vehicular traffic throughout the evenings and the early hours of every day. In particular, disturbance would affect those properties with bedrooms overlooking Livery Street, caused by patrons arriving and dispersing by taxis and private cars. If 24hr alcohol availability for guests as well as residents was granted that would lead, in our view, to an all night drinking venue with the unsocial implications for this part of the Jewellery Quarter Conservation Area.

The entrance to Hatters Hostel as shown on the plan is only two or three metres from the adjoining flats and the car park access to our dwellings. Clearly any guests, patrons or others standing outside this area would cause noise and disturbance where none exists at present.

Noise Disturbance from Live/Amplified Music

The property occupied by Hatters Hostel was built in Victorian times and Grade II listed. The site was originally constructed as two factories manufacturing for the jewellery trade and consequently the fabric of the building is old and not conducive to maintaining a moderate noise level.

In addition there is an outside rear courtyard which is included in the plan for licensed activities. With close proximity [about 10 metres] to the flats at Queens Court noise from this courtyard would clearly be heard in all dwellings.

We would also ask you to take in to account the fact that previous Licence Applications on this property have been refused and revoked in recent times. There have been three previous instances where a licence for live music and dancing has been refused or revoked on 89/91 Livery Street which is part of the existing property occupied by Hatters Hostel.

Entered N

From:
Sent: 25 July 2019 16:24
To: Licensing
Subject: Hatters, Livery Street - application 111026

Dear Sirs,

Further to the above licencing application, I understand that the applicant has now submitted a new application.

Further to my previous email of 28/05/19, I wish to uphold my objection on the basis of the additional nuisance, noise and disturbance this will create along Livery Street.

I attended the evening hosted by the applicant on 2nd July and on the basis of the revised application can only conclude that this was purely perfunctory. At the evening we were told that the license would be restricted until 10pm on weekdays and we were told that the below ground area would be a restaurant with occasional dance classes; clearly this was just to try and appease residents and bears no relation to the application or the planned use.

We were also advised by the manager that soundproofing would be installed to the bar and "restaurant" areas, but the application has no details of this. Please can you advise how this will be dealt with?

We were referred to the Applicant's website which describes its bar areas as "playgrounds". If this is their business model, then their premises would be better located on Broad Street rather than an area which is predominantly residential. I can see no reason why a 24 hour licence is necessary for residents and guests, particularly when there is a well documented history of disturbance from these premises.

Also, there is nothing within the application to reassure neighbours that there will not be any future application to attempt to increase the licensed hours. Accepting that some licensed activity is inevitable, how will this be restricted to prevent ongoing nuisance for neighbours?

Yours faithfully,

ENTERED
8/

Kings Court, Livery Street, Birmingham B3 1RR

25th July 2019

Re: Licensing Application: Hatters Hostel, 89 - 95 Livery Street

Sir/Madam,

I write to register our strong objections to the re-submitted Licensing Application from 'Selina', the new owners of 'Hatters Hostel', a company registered overseas having no relationship to either the immediate community in the Jewellery Quarter or the city of Birmingham.

A licensing application at the same property was cancelled in 2011 due to noise and disturbance issues. We fail to see how this application substantially differs from the one rejected in 2011.

The area of Cox Street and this end of Livery Street comprise a number of well run, attractive and secure apartment complexities. We already have to put up with disruption from vehicles flouting the one way system and late night noise from passing revellers, a factor acknowledged by the New Manager of Hatters himself. There have also been incidents of theft from cars, from persons, drug deals and car crashes, on average once every 3 weeks, on the corner of Northwood Street and Livery Street. Yet Kings Court is the 'home' of professional tenants and owner occupiers: including families, with school-age children, the elderly and emergency services' personnel working shifts.

To grant a license for alcohol and live entertainment would substantially increase the risk of noise and disruption from music and increased vehicular and pedestrian traffic. 'Hatters' Hostel' is an old property and no amount of sound insulation would curtail noise to an acceptable level, and as residential properties abut the site it is inevitable that potentially anti-social behaviour immediately outside and in the adjacent streets would increase during late evenings and early mornings.

Being less than 100 yards from the proposed site will mean that, together with the adjacent Queens Court, residents of Kings Court will be at the mercy of intolerable noise and disturbances.

I sincerely hope that in viewing this application you will have regard for the considered views of immediate neighbours of 89 - 95 Livery Street.

Faithfully yours

Owner / Occupier

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED	
REF NO	_____
INITIALS	_____

ENTERED
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From:
Sent: 25 July 2019 20:35
To: Licensing
Subject: Objection to Hatters Hostel licensing application

Dear sirs

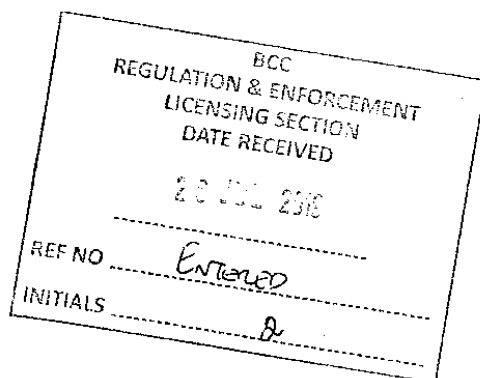
I wrote in objection to the Hatters Hostel original licensing application which was withdrawn. They have resubmitted an application with only minor differences. All of my original concerns still stand.

This is a residential area and noise disturbance and anti-social behaviour increases caused by this application deeply concern me. It will affect the quality of life of myself and other residents, not only within Queens Court, but also in the other developments in the immediate vicinity.

The hostel borders our communal garden and noise caused by this could severely impact on the ability to enjoy and relax in our homes.

Please note that I wish my original objections to also be taken into account.

Many thanks



Flat Queens Court
Birmingham B3 1RD

Dear Sirs,

24th July 2019

Ref 111837 Hatters Hostel 89/95 Livery Street

I wish to object to the licensing hours requested in the current
Licence application for the above property.

This venue, being next door to my home, if granted 24hr
alcohol licence for residents and guests, would result in
major disturbance and noise below my bedroom window from
private cars and taxis being used by patrons.

My bedroom is approx. 15 metres from the entrance to Hatters
Hostel on Livery Street.

The property at 92/95 is not presently licensed. Being next
door to the block of flats in which I live, there would also be
noise and disturbance from live music and dancing up to midnight
at weekends. The building housing Hatters is of Victorian
construction, the fabric of which would be virtually impossible to
sound proof at the rear overlooking Queens Court.

Yours Faithfully,

ENTERED RJ

From:
Sent: 27 July 2019 12:32
To: Licensing
Subject: Hatters / Selina Licensing Application

Re: Hatters / Selina Licensing Application
Hatters Hostel 89 – 95 Livery Street B3 1RJ
Revised Licensing Application No 111026

Dear Sir/ Madam,

I am writing in relation to the proposals to offer Hatters Hostel licensing consent to play music and serve alcohol until late at night during certain weekdays and at weekends.

I own a property in Kings Court which is very close to the proposed site and I chose to buy a property there due to its quiet city centre location.

I have concerns over the significant increase in noise levels around Kings Court, not only coming from the venue but also from the inevitable street disturbance from people and vehicles leaving late at night and through the early hours of the morning.

Kings Court is a quiet residence and granting Hatters Hostel a licence to open late at night will compromise that. I therefore object to the current licensing application.

Kind Regards,

Birmingham City Council,
Licensing Section,
PO Box 17013,
Birmingham,
B6 9ES.
26 July 2019.

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
21 JUL 2019	
REF NO	ENTERED
INITIALS	

Dear Sir,

Application for Premises Licence by Hatters Hostel Limited, 89-95 Livery Street, Birmingham, B3 1RJ.

We note that an application has been submitted to the council for the grant of a new premises licence at the above property which would allow for the provision of films, recorded and live music, performance of dance and any similar entertainment from 10:00am to 23:00pm Sunday to Thursday and 10:00am to midnight Friday and Saturday, opening hours and sale of alcohol on the premises from 00:00am to 23:59pm Monday to Sunday and late night refreshments from 23:00pm to midnight Friday and Saturday. Conditions set out in the application limit the sale of alcohol on the premises to non-residents to 23:00pm Sunday to Thursday and midnight Friday and Saturday and requires such persons to have left the premises by 23:30pm Sunday to Thursday and 00:30am Friday and Saturday.

We are residents at Kings Court, Cox Street, Birmingham, B3 1RD and object to the grant of the licence. Hatters Hostel is adjacent to the established residential apartments at Queens Court, Livery Street/Cox Street Birmingham, and also in close proximity to Kings Court, Cox Street/Livery Street, Birmingham.

Despite the fact that both Cox Street and Livery Street are one-way streets and have restricted and limited on -street parking, there are regular breaches of these restrictions, including thefts from parked vehicles, to the irritation, annoyance and nuisance of residents at the above developments. Further, there is already a level of noise and anti-social behaviour, which we consider unacceptable, caused by late night revellers, particularly, at weekends. If the premises licence were granted, we believe that these breaches and unacceptable behaviours would only be increased and exacerbated. Further the design and construction of the premises is unsuitable for the proposed licencing use, and the building does not contain sufficient noise prevention insulation.

In summary, as residents affected by the application, we strongly urge the council to reject the application.

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED	
29 JUL 2019	
REF NO	ENTERED BY
INITIALS	

Queens Court,
Cox Street,
Birmingham,
B3 1RD

28th August 2019,

Reference: Application 111837, Hatters Hostel,
89-95 Livery Street, Birmingham, B3 1RJ.

To Licensing, Birmingham City Council,

I wish to seek clarification to the application for live music and alcohol that has been submitted by Hatters Hostel Ltd (application 111837). I am a resident of Queens Court since 2006 and my property is immediately next to Hatters Hostel with the back, and my bedroom window, directly facing the property (see below). The property (see photo below from my lounge window) substantially overlooks Queens Court and the top terrace has a balcony (green cladding in the photo) that allows people to directly overlook into our development.

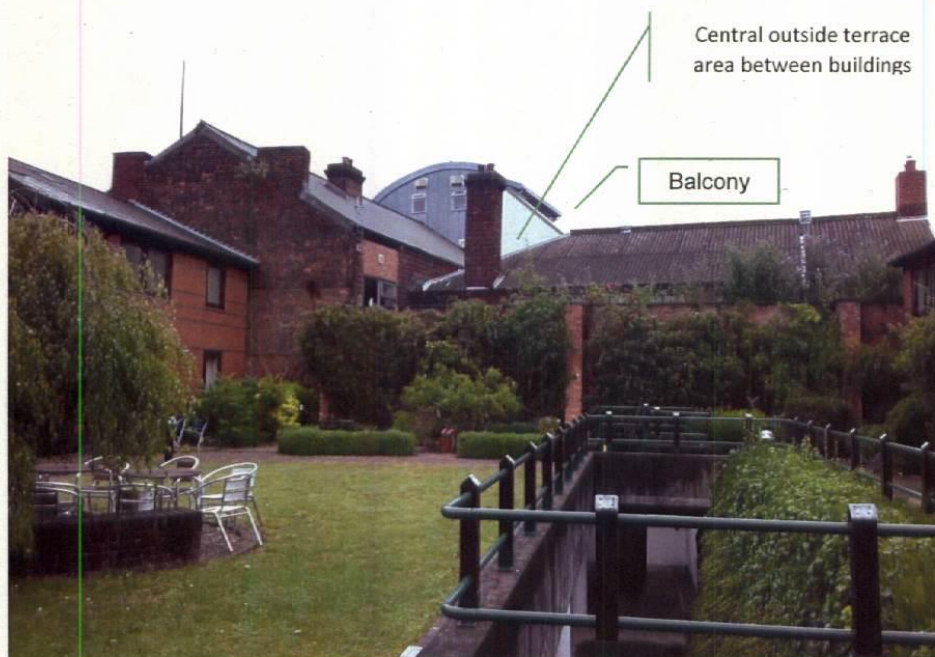


Figure 1: Hatters hostel from Queens Court. The high wall marks the boundary between Queens Court and Hatters Hostel. A small outside terrace is present behind this wall. All the buildings behind the wall in view are Hatters Hostel. The green corrugated wall behind the chimney is a balcony that allows people to look directly into Queens Court and towards Kings Court. This part of Hatters belongs to 89-91 Livery Street. The parts nearest to Queens Court are 92-95 Livery Street. Some properties in Queens Court are joined to Hatters Hostel by this shared wall.

I have several comments relating to the application: -

- 1) We had a meeting with the manager following the initial application in June 2019 that Hatter's pulled on the basis on numerous objections. I appreciate the effort they invested in trying to communicate their plans for this property and answering our many concerns. They have clearly made constructive changes to the original application. Many of us were, and still are, concerned.
- 2) The building is not designed or suited for live music and alcohol. It is listed and has no sound proofing although I understand they are currently upgrading this in the part of 89-91 Livery Street basement that is designated a restaurant/wine bar (I can't access the plans online so I don't know if this is still the intention Hatters have for this space). This was communicated by the manager at our meeting. It was cheaply converted by the original owners of the hostel from a derelict old workshop/factory and they had no intention of using the venue for the new proposals as outlined in this application. Windows were single glazed. Noise from Hatters is noticeable particularly at weekends on Livery Street as guests frequently spill out onto the street after going to pubs and clubs. It creates regular issues for residents of Queens and Kings courts that face directly onto Livery Street (see below). The main entrance is next to properties in Queens Court and the garage entrance to our properties. The manager himself acknowledged that on occasions when he stayed over and slept at the front, the noise and disturbance was an issue for him too.



- 3) If people are noisy in the sleeping areas at the back of the hostel (clearly visible in Figure 1 as the part of the building running parallel to the dividing wall with Queens Court), we can hear them clearly regardless of whether we face onto Livery Street since noise carries unimpeded into our court yard and gets channelled up by the high

brick walls of Hatters. Parties of people and groups especially are problematic – Hatters has proved ineffective at quelling antisocial behaviour of its guests even without a formal alcohol license. The previous owners tried to work with local residents on this issue but with limited success. I notice in the 'Nuisance' part of the application that they will stop drinking and monitor the outside terrace after 10pm. **The noise will still travel and I would like this restriction to be part of the license if granted to minimise stress to local residents.** There will potentially be 10's of people in the back central terrace and with alcohol.

- 4) I wish to be reassured that the top balcony and silver-coloured room that are above us and indicated in Figure 1 are not going to be used for live music and alcohol. Again, I can't access the plans online so I can't see if these are actually excluded already.

I appreciate Hatter's have attempted to address residents' concerns. The operating company (Selina) has a very different model for their premises such that they are funky live music and entertainment centres that are totally unacceptable for 89-95 Livery Street. I notice they are now styling this premise as a hotel, not hostel, presumably to enable a license application to pass. If this is a hotel, then it may be an improvement in the best scenario. My fear is that the license would lead to mission-creep and more temporary event applications will appear to shift this property towards their usual model of operation that resembles a nightclub on occasions. Whatever the outcome, it will have an impact on our residences.

If a license is granted, I would request serious consideration is given to the nuisance aspects. As city residents, we expect some noise and general inconvenience but we already face a barrage of antisocial behaviour (litter and drink related), crime (especially car crime, and drugs) and noise pollution from the increasing number of venues in the Jewellery Quarter.

Your faithfully,

Entered
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From:
Sent: 30 July 2019 16:34
To: Licensing
Subject: Licensing application 111837

30th July 2019

Birmingham City Council Licensing
 PO Box 17013
 Birmingham
 B6 9ES

Dear Members of the Licensing Committee

Licence application 111837 Hatters Hostel Ltd

I write to you as the owner of Apartment number in Queens Court. This letter is in support of the objection made by Queens Court Management on behalf of the owners and tenants of Queens Court, the residential premises comprising 22 apartments immediately adjacent to Hatters Hostel, the subject of this application. The objections made in the letter signed by the Queens Court Directors are fully supported by me. To the best of my knowledge, all residents and owners have been consulted as far as possible and are also fully supportive. I do, however, have some further observations to make on this application.

Queens Court is a small courtyard development known to be a quiet and peaceful place, and attractive to residents because of that. The pleasant atmosphere has been rudely shattered on occasions over the past five or more years by occasional antisocial behaviour from residents of Hatters Hostel and the police have become involved on a number of occasions, as a result of those events. There is a longer history of antisocial behaviour associated with these premises and, as I understand it, previous licensing applications have been refused and/or revoked. Queens Court residents have often been subjected to the effects of late night nuisance caused by revellers behaving irresponsibly at the premises, apparently poorly managed by resident staff.

My belief is that, if a licence were to be granted, there is a strong likelihood of such behaviour on a regular nightly basis. The new owners in all of their publicity state very clearly that their target clientele is "Millennial Digital Nomads" who can work anywhere as long as there is live music, alcohol, and a party atmosphere. The Selina website informs its readers that residents are able or are encouraged to "dance until dawn". The website for their newly-converted hostel in Liverpool announces that, amongst its featured amenities, is "PARTY!" I would not wish to deprive Digital Nomads or any other sector of society of such opportunities but this should surely not be at the expense of the quality of life of existing neighbours in established residential neighbourhoods. It is hard to imagine that the granting of licensing as requested will not result in noise, and other, pollution which would adversely affect the quality of life to which neighbours are legally entitled.

If this application were to be granted, the adverse effect would not only be on residents in Queens Court but those living in other nearby residential developments. It is not unusual for residents to regularly find discarded drugs paraphernalia and broken glass drinks containers in Livery St, Cox Street, and other nearby thoroughfares. It is not uncommon to find human waste at the Queens Court garage entry on Livery Street. Residents are often woken at night by the sounds of argument and affray in Livery Street, and by vehicles parked outside being started, revved up, and driven up the road at speed. None of these will lessen but rather more likely increase if this licence were to be granted. The addition of "guests" being admitted to the facilities of these premises on a nightly basis would undoubtedly further exacerbate the situation. Even if they were to be the most well-behaved people imaginable visiting, the additional noise caused by arrival and exit would be considerable.

The premises in question were originally built for light industrial use and are very unlikely to be capable of meeting appropriate noise reduction requirements. On the basis of a recent visit made by local residents the measures then being taken will not be sufficiently effective, especially given the proximity of Queens Court where some bedrooms are little more than three metres from one of the open courtyard areas of this hostel. The Selina website refers to a business model "driving higher returns" and the "speed to convert into a Selina". This suggests to me that perhaps not a lot of attention is paid to quality of building work but rather that speed and high financial return are the imperative for this company. It does not make me at all confident in the company's ability to avoid noise pollution which will adversely affect the quality of life to which residents of Queens Court are entitled.

I ask that the Licensing Committee refuses this entirely unsuitable application.

Yours sincerely

Kenneth Curtis & Co.

Solicitors

Our Ref : AAC.NMR.QU
 Date : 31st July 2019
 By email only to: licensing@birmingham.gov.uk

Dear Licensing Officer,

**LICENSING ACT 2003 – Representation Against the granting of a Premises Licence
 – Application Reference: -111837**

Applicant / Premises Licence Holder:- HATTERS HOSTEL LTD (company number 4844466)

Premises Application Address - 89-95 LIVERY STREET, BIRMINGHAM, B3 1RJ

OUR CLIENT: QUEENS COURT (BIRMINGHAM) MANAGEMENT COMPANY LIMITED (company number 02391882)

We have been instructed by the above client to make the following representation against the granting of a premises licence.

Background

Our client is a management company set up to manage the affairs of 22 apartments at Queens Court, being a nice residential development, which directly abuts the applicant premises. Photographic evidence will be supplied at the committee hearing evidencing the same.

Hatters Hostel is made up of 2 former factory premises built for factory purposes in Victorian times.

In 2009, a wise Birmingham City Council licensing sub-committee refused an application for the grant of a Premises Licence for 89/91 Livery Street which sought authorisation for Alcohol sales and Regulated Entertainment. The grounds for refusal were based on concerns on public nuisance and public safety.

A Magistrates Court revoked a Licence under the Licensing Act 1964 for 89/91 due to noise disturbance to neighbouring properties.

*Kenneth Curtis & Co are authorised and regulated by the Solicitors Regulation Authority
 SRA No: 45861*

88 Aldridge Road
 Perry Barr
 Birmingham
 B42 2TP

TEL: (0121) 356 1161

FAX: (0121) 356 2973

DX: 21502 Perry Barr

Service not accepted by e-mail or fax

Website:

www.kennethcurtis.co.uk

Partners:

ANTHONY G. CURTIS LLB
 DAVID M. WELLINGTON LLB
 PHILIP A. CURTIS BA (Hons)
 ADRIAN A. CURTIS BSc (Hons)

Associates:

DAVID J. SHEPPARD

Conveyancing Executive:
 DIANE J. NARY

Authorised and Regulated by the
 Solicitors Regulation Authority
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BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
JUL 2019	
REF NO	
INITIALS	

91 Livery Street (basement only) were refused the granting of another premises licence in 2011 under application reference 74589. 91 Livery Street (basement only) did successfully obtain a Premises Licence for the sale of alcohol and provision of Regulated Entertainment from approximately 12 noon to midnight every day in 2011. Shortly thereafter that licence number, with Licence number 3309 was also revoked.

We accept that the Licensing Authority must judge each application on its own merits, but the significant problems from previous Licensable Activity from the premises must be taken into account in evidence. It is not apparent that there have been any significant changes to the fabric of these Victorian buildings to alter the evidenced nuisance and safety issues from previous licensable activity.

The current representation

Our client objects to the granting of this application for a Premises Licence in its entirety due to its proximity to the 22 apartments making up Queens Court. The proximity means that the carrying out of Licensable Activity including the sale of alcohol and Regulated Entertainment will cause significant public nuisance to each and every resident of the 22 apartments. It has been demonstrated in the background of this representation that when only part of the applicant premises has been used for Licensable Activity it causes Public Nuisance. It is a matter of record which we ask the Sub-Committee to take seriously into account.

The fabric structure of these buildings being previous industrial buildings means they are simply unsuitable for Regulated Entertainment and large-scale alcohol sales with large numbers of people. The roofs of these buildings have extremely poor sound attenuation meaning the noise from any customers drinking or any music being played will escape and it will cause SIGNIFICANT public nuisance to each and every resident of Queens Court. The applicants have applied for Regulated Entertainment including live music and recorded music and non-resident or guests alcohol sales from 10am until 11pm from Sunday to Thursday and from 10am to midnight on Fridays and Saturdays. They have applied for a 24hr alcohol licence to residents and bona fide guests of residents for the sale of alcohol. They have applied for a 24 licence for Regulated Entertainment and alcohol sales on New Year's Eve. They have listed their operating hours as 24 hrs in their operating hours schedule within their application. A significant part of the applicant premises were found to be unsuitable already for alcohol and regulated entertainment until Midnight as evidenced by the previously revoked Licences.

The entrance to the garages of Queens Court is near the main entrances to Hatters Hostel. It is likely they would be public nuisance caused to the residents of Queens Court through drunken people urinating in the entrance way, smoking in the entrance way particularly if the weather is poor and generally hanging around the garage entrance way either waiting to go into the premises or waiting to get a taxi home from the premises. As people will no doubt be intoxicated, all of these matters will be hugely exaggerated causing even greater nuisance to Queens Court residents.

There are two external courtyards within the application, and the applicants clearly intend to use them as they have offered some weak conditions in the application to try to evidence their management on noise nuisance.

On interpretation the '*Central external Court Yard*' (being the largest outside space) can be used for all licensable activity and the other courtyard- *shaded yellow* restricts Licensable Activity. So, this means that music can be played outside and alcohol can be sold outside and the only restriction is at 10pm no alcohol can be consumed outside due to the condition offered. It also means that non-resident customers can be outside until 11.30pm in the week and midnight on weekends and residents and their guests can be outside 24 hours everyday, without restriction. So they can drink alcohol until 10pm, but continue drinking soft drinks, smoke and enjoying themselves outside talking, laughing and joking in large numbers after 10pm without a restriction.

It is envisaged that any outside licensable activity and any groupings of people outside chatting and enjoying themselves would exacerbate the nuisance caused to the residents ten-fold as there is absolutely zero sound attenuation as there is no roof. At night, people in the outside courtyard chatting will cause nuisance itself to Queens Court residents. Whilst that is not a Licensable Activity in itself, the reason people will generally be there is from Licensable Activity taking place at the premises, therefore any resultant nuisance is from Licensable Activity.

Please note:-

- The fabric structure of the building at 92/95 Livery Street cannot be significantly altered for sound attenuation such as installing good modern triple glazing as the building is protected – **It is a GRADE II listed building!** This highlights further the unsuitability for Licensable Activity now and in the future.
- there is no restriction on having outside speakers in all outside areas;

- technically the secondary outside area (shaded yellow) is not restricted on alcohol consumption at all (meaning 24 hour consumption for residents and guests);
- the application is devoid of how the premises will control their customers in relation to their right to be there (non-residents); their ability to migrate with alcohol into areas that are sought be restricted; their noise nuisance; the levels of music being played at the premises. There is a serious lack of detail explaining to anyone reading the application on **HOW** they will NOT cause nuisance to local residents;
- the use of the words *Bona fide Guests* in the conditions offered. What does that mean in practice? If a resident meets 10 people during their night and they invite them to be their guests does that mean those 10 people can drink 24 hours at these premises? Bona fide is an old fashion term without clear meaning and leaves a huge gap in interpretation and enforcement;
- There is a large area in the basement that is included on the plan as a licensed area, but it is not clear what this area will be used for;
- on the plan of the premises there is a stage in the basement. Clearly this for live bands. This will no doubt raise the volumes, increase attendance and cause even more public nuisance to the residents of Queens Court. Whilst there are tables on the licensing plan in the basement it is understood that these are not fixed to the floor and therefore can be stacked away, leaving a basement night club with live bands with a 24 hours drinks licence! All causing, due to the buildings fabric and its location a nuisance to Queens Court residents;
- the main shareholder of the applicant company is Selena Operations UK Ltd. They seem to specialise from research online in youth hostels with live music shows. They seem to have live music shows in 24 properties in 7 countries with 200 shows per month. They have plans to grow into 500 live shows in their properties each month. It is questioned on why these premises would be any different from the owner's other venues;
- the area in which the premises are situated is an alcohol restricted area indicating nuisance & anti-social issues in the area. The premises are applying for an "on" and an "off" Licence. There is no way the premises manager's will be able control the opening of alcohol from people exiting the premises. The customers can walk from the premises and open their bottle or can and drink on the street. This would exacerbate all local issues on crime and disorder, litter and general cause increased anti-social behaviour and public nuisance. This

would again cause more issues to the residents of Queen Court, who live so close.

This application is not one of those where there are objections raised by 'NEW RESIDENTS' to a licensed pub with a garden that has been there for many years. It is the direct reverse. These apartments have been here many years and the previous industrial units have been unlicensed in the main. Where they have had any licensable activity, it has been short lived as it caused so much disturbance and threatened public safety. The residents of Queens Court have the right to protect their way of life and have a right not to be disturbed by the use of totally unsuitable industrial buildings for licensable activity and their voices should be strongly heard. The customers attending the premises for licensable activity will be heard very loudly by Queens Court residents!

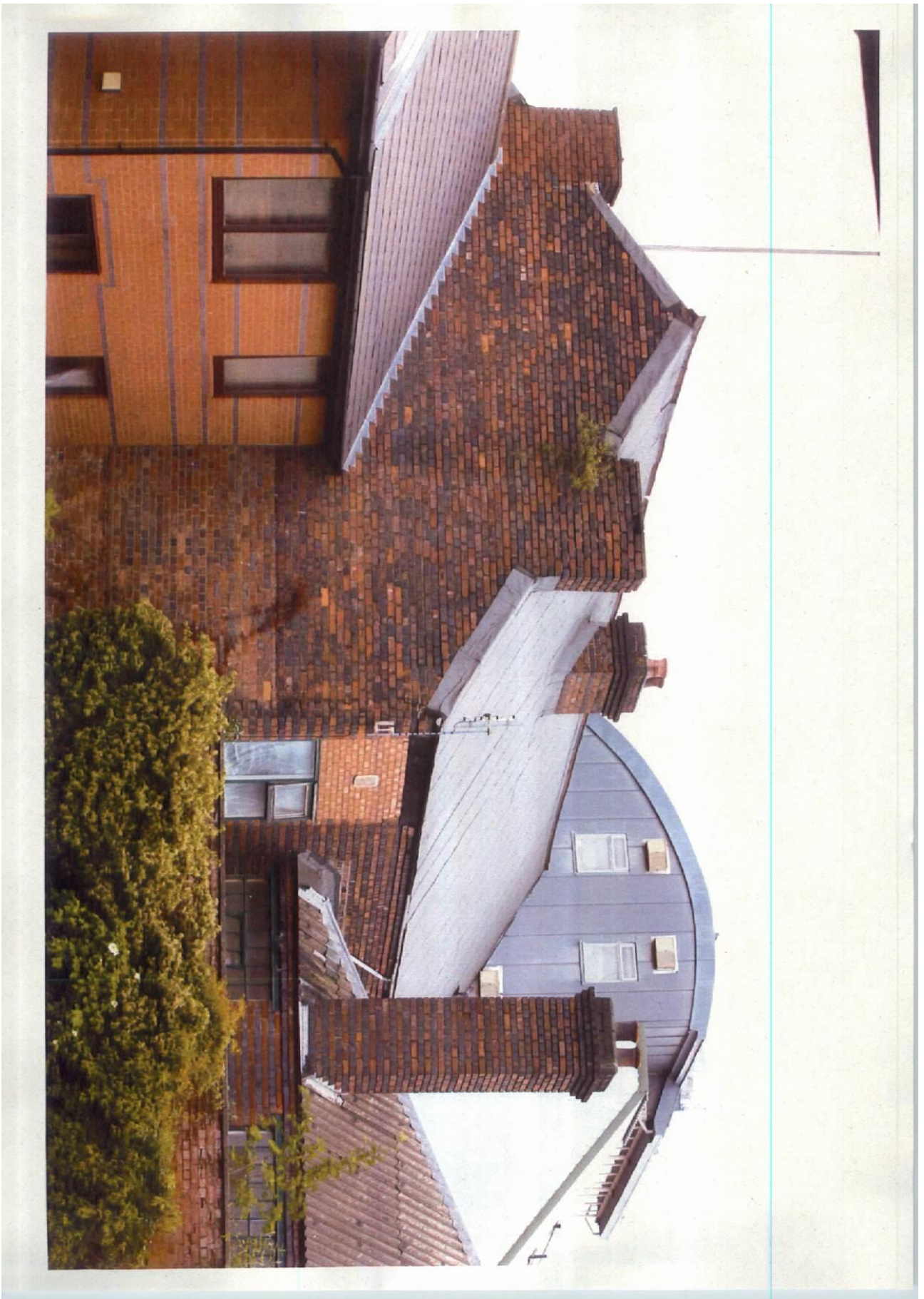
We would like the opportunity to amplify our representation at the committee hearing and answer any questions and deal with any rebuttal arguments from the applicant and their advisors.

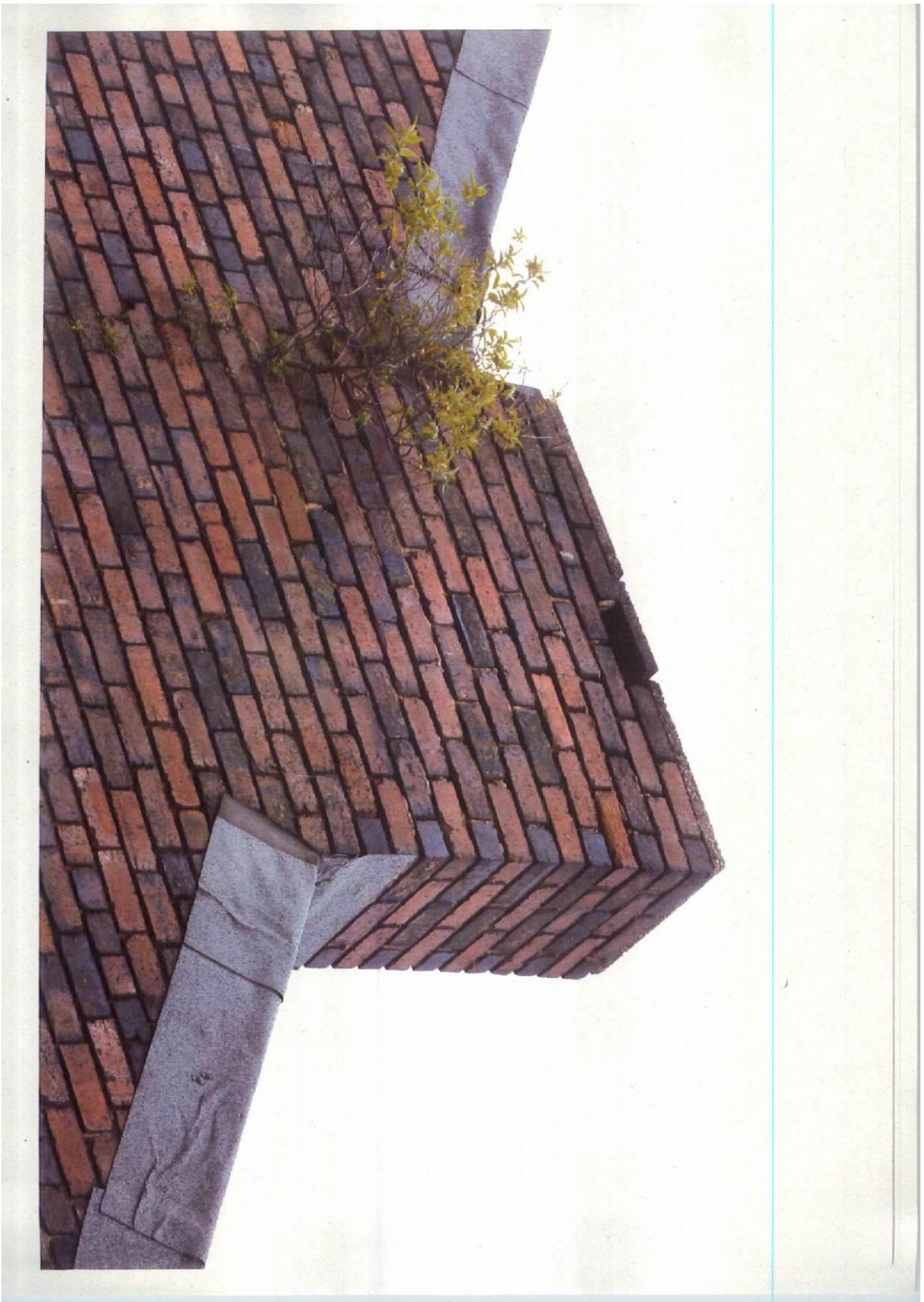
yours faithfully,

**On behalf of QUEENS COURT (BIRMINGHAM) MANAGEMENT COMPANY
LIMITED**









Entered RJ

From:
Sent: 31 July 2019 15:54
To: Licensing
Subject: Hatters Hostel 89/95 Livery Street, Birmingham

Hatters Hostel 89/95 Livery Street

Dear Sirs,

I am writing as an owner of a flat at Queens Court, Cox Street, Birmingham.

We live within close proximity to Hatters Hostel and I have owned the flat since 2012. I gather Hatter's Hostel have applied for a new Licence for alcohol, late night music and dancing until midnight on a Friday and Saturday and on a Thursday and Sunday up until 11 pm. Furthermore, alcohol is to be available to residents 24hrs per day.

As I am sure you know, Hatter's Hostel is located right next to Queens Court, which is a residential block: predominately a home for hard working professionals. This license would really run the risk of an increase in anti-social behaviour on the streets, noise pollution at night and further disturbances. Queens Court is opposite other residential blocks on Cox Street: Kings Court, and the Colmore Hotel, making up a relatively residential area, attractive to the business sector and workers.

It would seem hard to justify why the licence should be granted when the permanent resident's lifestyles and visitors will be potentially adversely effected. It should be considered that the residents of Queen's Court, in particularly, and even King's Court made the choice to buy or rent a property in the aforementioned areas because it is a quiet neighbourhood yet centrally located.

Finally, Hatter's is very well located to St. Paul's Square with live music at The Jam House, numerous drinking establishments and a night club at the Tunnel Club. Surely, this should satisfy the guests at Hatter's and keep the associated loud behaviour isolated to already established well-purposed premises.

I do hope you are able to consider the application carefully and consider the needs of the residential community of the St. Paul's square equally.

Yours faithfully,

Queens Court, Cox St.

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
31 AUG 2019	
REF NO	Entered
INITIALS	BN

Kings Court
Livery Street
Birmingham
B3 1RR

1st August 2019

Birmingham City Licensing
Birmingham Council
PO Box 17013
Birmingham
B6 9ES

Re: Objection to Hatters Hostel Ltd 89- 95 Livery Street

Dear Sir/Madam,

I am writing to object to the applications made for sale of alcohol, music, dancing and associated activities listed in application for Hatters Hostel Ltd, 92 - 95 Livery Street, Birmingham, B3 1RJ ("Hatters").

Although Hatters withdrew a previous application, and engaged with some local residents, nothing I have seen in their plans or now I have seen more of the building, reassures me it is suitable for the area. I welcome the earlier closing hours on the new application, although note it allows for 24hr service for guests. Given the size of the building and number of beds that could be a very sizable number of people drinking into the small hours.

The area around Hatters is residential, with a 20MPH speed limit, and becoming *increasingly* residential with new apartments being approved/constructed in a former factory on Livery Street, also on Cox Street near Henry's Restaurant, and the approved apartment complex over the rail/tram lines at 70 Constitution Hill (your ref 2016/01495/PA), where about half the apartments would face towards Hatters.

Queen's Court apartments are next door to Hatters. On viewing the site I was shocked by just how close this is. Whilst Hatters do not appear to plan noisy activities for that specific area, in a building of that design we must expect sound leakage from customers, recorded and live music. King's Court is a few metres further along (Livery Street, B3 1RR - please note the post code indicates the entrance way, not the closest point to Hatters which is on the corner of Cox Street).

Residences like mine at Kings Court *only* have bedrooms facing the street, and are especially vulnerable to noise since they are bay windows over the

pavement. Furthermore, they are vulnerable to intoxicated passers-by who bang on windows at night/small hours.

The new Hatters proposal presents itself primarily as a restaurant, although it seems very late licensed for a restaurant in a residential area. Of greater concern are the planned Salsa Dance nights, which will involve live/recorded music until midnight. The license does not stipulate the frequency of these, or whether commercial interests might move them away from salsa and towards other types of loud music. The lack of specificity around this area is of great concern.

I hope the planning office will understand that if they granted these applications, they would substantially degrade quality of life for the many current residents *and* those of the future residential developments. Quality of sleep is increasingly linked to both physical and mental health, making this more than simply an "annoyance". The closing times of 11pm and 12-midnight respectively, are utterly inappropriate for this residential area. These times would not necessarily represent the end of the noise, but very possibly the beginning as inebriated customers wait outside for taxis home. Despite their intentions to control customers, this does not seem something that Hatters can reasonably control since it would be outside on the street.

I thank the team at Hatters for showing others and me the venue, however it only confirms my fears that soundproofing will be all but impossible (i.e. stopping music leaking out). We were also shown an outdoor area from which sound would radiate upwards and outwards to residents nearby.

Queens and Kings Court alone represent roughly 100 dwellings, with the number of people presumably being higher. Whilst Hatters have clearly made adaptations, it remains a fundamentally unsuitable location for licensing.

I respectfully ask that the Council reject these applications as wholly inappropriate for an area where it is surrounded by residential properties.

Yours faithfully,

Entered
a

From:
Sent: 02 August 2019 14:12
To: Licensing
Subject: License Application 111837 Hatters Hostel Ltd

FAO of the Licensing Applications Officer:

Hi,

I write regarding the licensing application currently posted for notice of nearby residents and members of the public outside the premises of Hatters Hostel, Livery St. I am a resident of the adjacent Queens Courts flats.

I would note that I would not object to a license which was requesting the right to serve alcohol in a residents bar, to residents of the hostel in keeping with hours reasonable to a predominantly residential use. However, the hours that are being requested, for 24 hours for residents, and until 11pm and Midnight (Sun-Thurs & Weekends respectively) for non-residents, and the application in conjunction for the rights to serve late night food and play music would completely alter the nature of the premises.

Although the applicant has engaged with objectors to their previous withdrawn application (ref. 111026) to show us some of the works they were intending to undertake to refit the premises, I was not reassured that these would be sufficient to address the nuisance their proposed uses of the premises would cause.

I have particular concerns that full appropriate internal sound-proofing and sound proofing to the necessary outdoor gathering area for smoking attendees will not be adequately provided.

I have further concerns that ingress and egress clientele of the premises will be cause a particular nuisance in the entrance to our flat's car parking. It is already regularly obstructed by smokers and others gathering under the lip to shelter from the rain. The smoke gathers in our car park and the noise disturbs residents, and I believe this will significantly worsen if departing bar and restaurant guests are waiting for taxi's or leaving the premises via this area.

Please give me notice of any posted deliberations or decisions on this matter.

Regards.

Flat Queens Court
Cox St
Birmingham
B3 1RD

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED	
REF NO	ENTERED 21
INITIALS	

Kings Court
 Livery Street
 Birmingham
 B3 1RR

Birmingham City Council Licensing
 B7 4AX

2 August 2019

Dear Sirs

Licensing Application Hatters/Selina Hostel, Livery Street - Objection

Please accept this letter as a formal objection to the above Licensing Application.

This is on the ground that it is simply inappropriate to license premises in this way in what is essentially a quiet residential part of the city centre. The upper part of Livery St is very different in character from parts of the city centre such as Broad St and Hurst St, which are well-known for their nightlife. Residents such as myself have specifically chosen to live in this area due to its historically quiet environment, in comparison to other parts of the city centre. This character would be changed significantly were this license to be granted, and there are already ample nightclub/bar premises in other parts of the city centre which accommodate businesses of this type.

In addition, I would point out that I and other residents experienced significant problems when these premises previously operated as a nightclub for a brief time in 2011 – I was continually awoken throughout the night by:

- Shouting in the street, including drunken fights;
- Ongoing noise from taxis, including vehicles parking outside my bedroom window with engines running; and
- Music from taxis and cars parking outside my property, and car doors slamming.

The incidents of disorder which were experienced also placed the safety of residents at risk.

Whilst I note that the revised licensing application provides for shorter licensed hours, this is still not appropriate in a quiet residential zone. In particular, the proposed conditions provide that non-residents are required to leave the premises by 11.30pm on weekdays and 00.30 on Fridays and Saturdays. I and other residents would expect to be able to sleep without disturbance before these times, which are still inappropriately late.

Also, I am concerned that the application provides for sale of alcohol by retail (both on and off the premises) throughout the day and night. There is already a problem with alcohol misuse, street drinking and anti-social behaviour in the Livery Street area, and this would be facilitated and exacerbated by the grant of such a licence, to the detriment of the safety and wellbeing of residents.

I should, therefore, be very grateful if you would reject this application on the above grounds.

Please do not hesitate to contact me if you require any more information.

Yours faithfully,

**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 Hatters Hostel Ltd

(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 Hatters Hostel Birmingham 89-95 Livery Street		REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 12/03 REF NO INITIALS	
Post town	Birmingham	Postcode	B3 1RJ
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£+£125,000	

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 type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" 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 ☐ please complete section (B)
- f) a health service body ☐ 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 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 over		I am 18 years old or		<input 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)					

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 over		I am 18 years old or <input 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)			

(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 Hatter's Hostel Ltd
Address Hillgate House 13 Hillgate Street London W8 7SP
Registered number (where applicable) 04844466
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY		
0	3	0	8	2	0	1

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

DD		MM		YYYY		

Please give a general description of the premises (please read guidance note 1)
Hatters Hostel is a hostel style hotel which has been recently acquired by the international group of Selina Hotels. The premises will be substantially redeveloped to provide a unique high quality hospitality, leisure and lifestyle venue, providing 41 bedrooms with 136 beds in a combination of private ensuite and community rooms with the company looking to provide facilities for accommodation, work, relaxation and wellbeing. At ground floor there will be a communal lobby cafe /bar area which will provide a relaxed coffee shop and casual working space during the daytime offering a range of food and snacks and bar area of an evening. It will be available for residents 24/7. The premises will also feature a Central External Courtyard. The basement area of the premises will be used as a multipurpose space, providing a food offering for breakfasts and casual dinner in the early evening, during the day it may be used for private hire, working area, dance teaching with a programme of Sala and Latin dancing and other activities, in the evening the area will be used as a salsa/Latin restaurant/wine bar venue.

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

N/A

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Exhibition of films and/or pre-recorded broadcasts, including (but not limited to) the exhibition of films through DVD and video systems.		
Mon	10:00	23:00			
Tue	10:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	10:00	23:00			
Thur	10:00	23:00	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Performance of amplified and unamplified live music. This would include but is not limited to performances by ensembles or solo artist either with or without musical accompaniment.		
Mon	10:00	23:00			
Tue	10:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	10:00	23:00			
Thur	10:00	23:00	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Provision of recorded music through, for example but not limited to, internal sound system, provision of Jukebox, Karaoke etc.		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10:00	23:00			
Fri	10:00	00:00			
Sat	10:00	00:00	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Sun	10:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="checked" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	23:00	Please give further details here (please read guidance note 4) Performance of dance of various types including but not limited to such performances for customers by performers and the performance of dance by customers including, for example but not limited to, disco dancing.		
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	23:00			
Fri	10:00	00:00	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Sat	10:00	00:00			
Sun	10:00	23:00			

H

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	23:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	23:00	Please give further details here (please read guidance note 4) Provision of performance artistes and general entertainment which might not easily fall within the definition of licensable activity (e.g. vaudeville acts, jugglers, magicians, tableaux with or without music).		
Wed	10:00	23:00			
Thur	10:00	23:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Sun	10:00	23:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Hot food and beverages may be provided for consumption on and off the premises.		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri	23:00	00:00	<u>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</u> (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (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	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00:00	23:59			
Tue	00:00	23:59			
Wed	00:00	23:59			
Thur	00:00	23:59	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 (please read guidance note 6) On New Year's Eve the provision of licensable activities may continue until the end of the hours permitted on New Year's Day. An additional hour to the standard and non-standard timings for licensable activities is permitted on the day when British Summertime commences.		
Fri	00:00	23:59			
Sat	00:00	23:59			
Sun	00:00	23:59			

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 Angelo Cutrera	
Date of birth	
Address	
Postcode	
Personal licence number (if known) TE1001466	
Issuing licensing authority (if known) Teignbridge Council	

□□□□

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).
N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	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 (please read guidance note 6) The premises operate as a hotel and accordingly operate 24 hours a day 7 days a week.
Mon	00:00	23:59	
Tue	00:00	23:59	
Wed	00:00	23:59	
Thur	00:00	23:59	
Fri	00:00	23:59	
Sat	00:00	23:59	
Sun	00:00	23:59	

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)

- 1) Sale of alcohol on the premises for non-residents (other than the bona fide guests of residents) shall cease at 23:00pm Sunday to Thursday and midnight Friday and Saturday.
- 2) Non-residents (other than the bona fide guests of residents) shall be required to leave the premises by 23:30pm Sunday to Thursday and 00:30am Friday and Saturday.

b) The prevention of crime and disorder

- 1) A full CCTV system shall be maintained and be in operation at all times the premises is open to the public. CCTV cameras shall be positioned to cover all entrances and exits and all bar areas inside the premises. Recordings shall be kept for a period of 28 days and made available to Police on request subject to Data Protection legislation and any current guidance for the Information Commissioner. Staff will be trained to download CCTV recordings.
- 2) The provision of SIA registered door supervisors on the premises after 21.00 PM shall be risk assessed.
- 3) The premises will keep a profile of all door staff deployed at the premises. The profile will include a copy of the SIA badge/licence and photographic ID. If photographic ID is not available then a copy of a utility bill, no less than 3 months will be acceptable. These profiles will be retained on the premises for a minimum of 3 months and made available to any of the responsible authorities on request.
- 4) Door staff deployed at the premises will sign on and off duty and these signing in and out sheets will be retained by the premises for a minimum of 3 months and made available to any of the responsible authorities on request.
- 5) Off sale of alcohol shall be restricted to sale for consumption within hotel bedrooms or the central external terrace areas only.
- 6) When the venue is hired out for a private function and the premises risk assess it as being of a medium risk or above then the premises will supply West Midlands Police Central Licensing Team a written risk assessment which will become part of the premises operating conditions for that event. The risk assessment is to be agreed with West Midlands Police Central Licensing Team and sent by the premises a minimum of 21 day prior to the event.

c) Public safety

1) A fire risk assessment for the premises shall be kept up to date and reviewed on a regular basis.

d) The prevention of public nuisance

1) The premises licence holder shall provide signage where appropriate to remind those leaving the premises to leave quietly.

2) Noise from amplified music at the premises shall not be at such levels so as to cause nuisance to the occupants of nearby residential premises.

3) Staff shall manage the external Courtyard to ensure that after 22.00PM no noise or disturbance is caused so as to be a nuisance to local residents.

4) After 22:00pm no alcohol shall be consumed in the central external courtyard.

5) The external terraces (excluding the Central External Terrace) and shaded yellow on the Premises Licence Plan shall not be used for the provision of any licensable activities at any time.

e) The protection of children from harm

1) A Challenge 21 Policy shall be implemented across the premises.

2) The only acceptable forms of identification allowed will be a valid passport, valid photo ID driving licence, UK armed forces military ID or valid proof of age scheme card with the PASS approved hologram.

3) All staff responsible for the sale of alcohol shall be trained in the application of the Challenge 21 policy.

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.

Declaration	<ul style="list-style-type: none">• [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).• 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)
Signature	
Date	05/07/2019
Capacity	Duly authorised solicitor

For joint applications, signature of 2nd applicant or 2nd 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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. 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.
2. 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.
 - 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.
 - 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.

Selina

NOTES

SECTION REFERENCE



LEGEND

COLOUR KEY

GENERAL NOTES

MANAGERS ROOM

RECEPTION

MANAGERS OFFICE

LOBBY

GRAB & GO

GROUND FLOOR PLAN

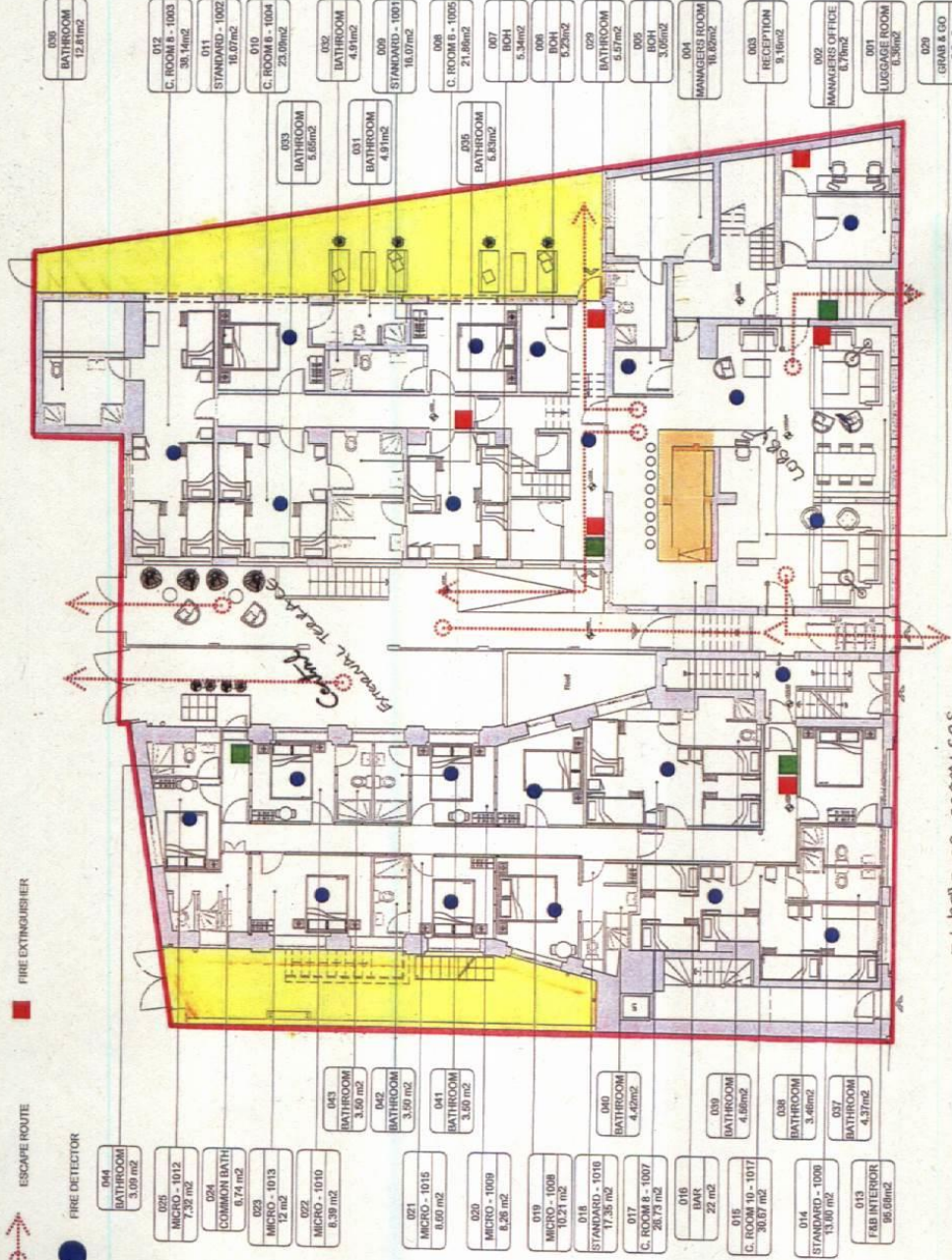
BAR

ESCAPE ROUTE

FIRE DETECTOR

MCP

FIRE EXTINGUISHER



■ whole of premises licensed for the provision of licensable activities.

Selina

DATE: 10/10/18

SECTION: 101/102



PROJECT: 101/102

CLIENT: 101/102

DESIGNER: 101/102

CONTRACTOR: 101/102

DATE: 10/10/18

PROJECT: 101/102

CLIENT: 101/102

DESIGNER: 101/102

CONTRACTOR: 101/102

DATE: 10/10/18

PROJECT: 101/102

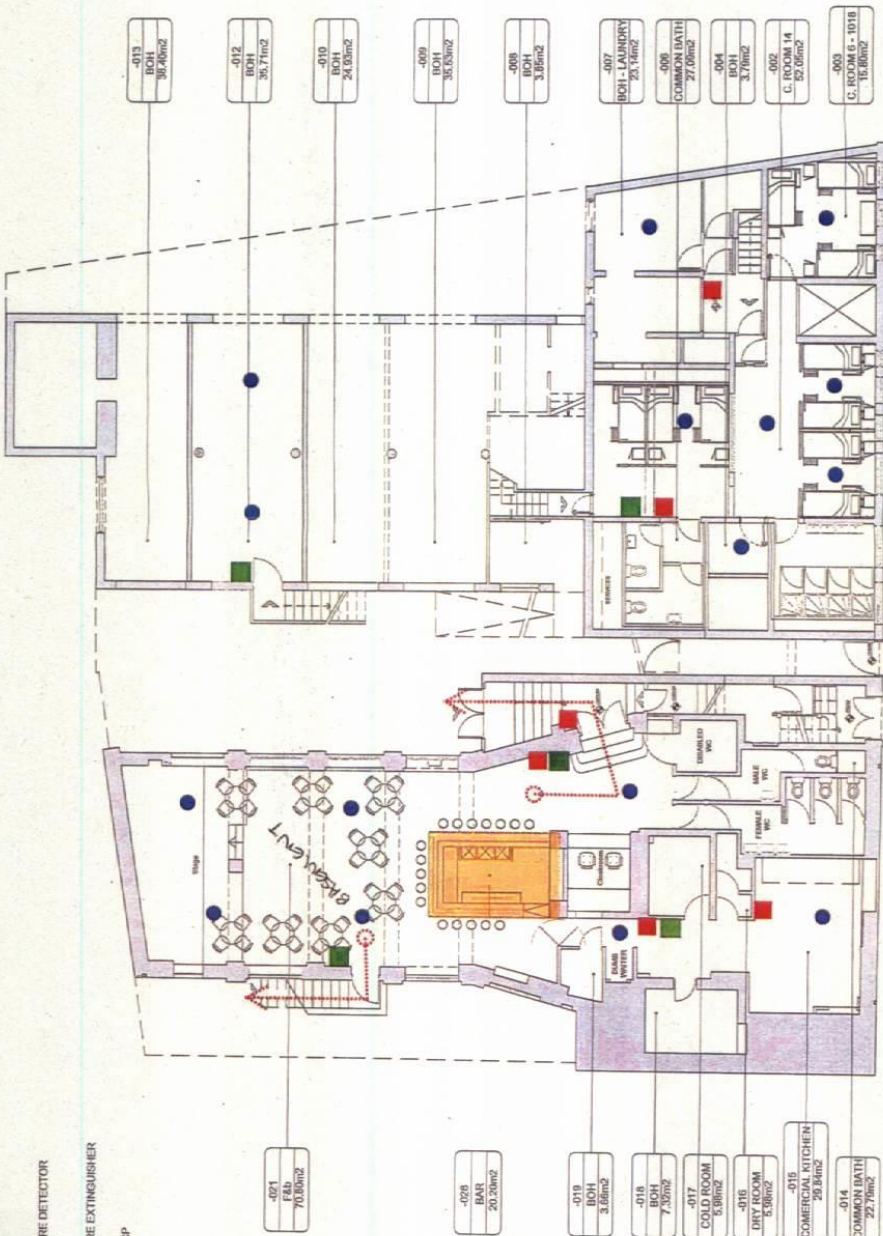
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DESIGNER: 101/102

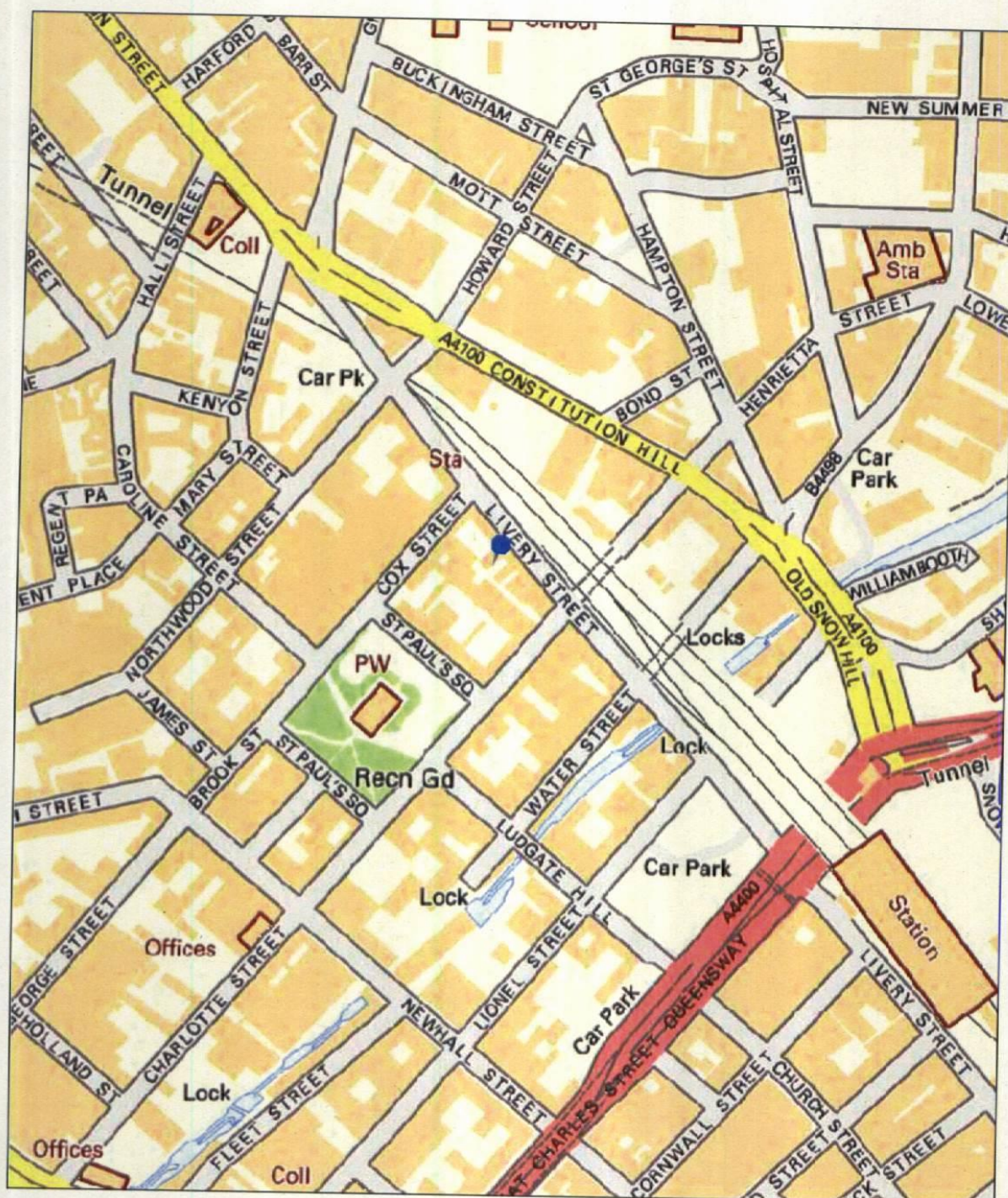
CONTRACTOR: 101/102

BASEMENT PLAN

- BAR
- ESCAPE ROUTE
- FIRE DETECTOR
- FIRE EXTINGUISHER
- MCP



■ whole of premises licensed for the provision of licensable activities.

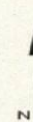


Birmingham City Council

Map Created By:

Notes

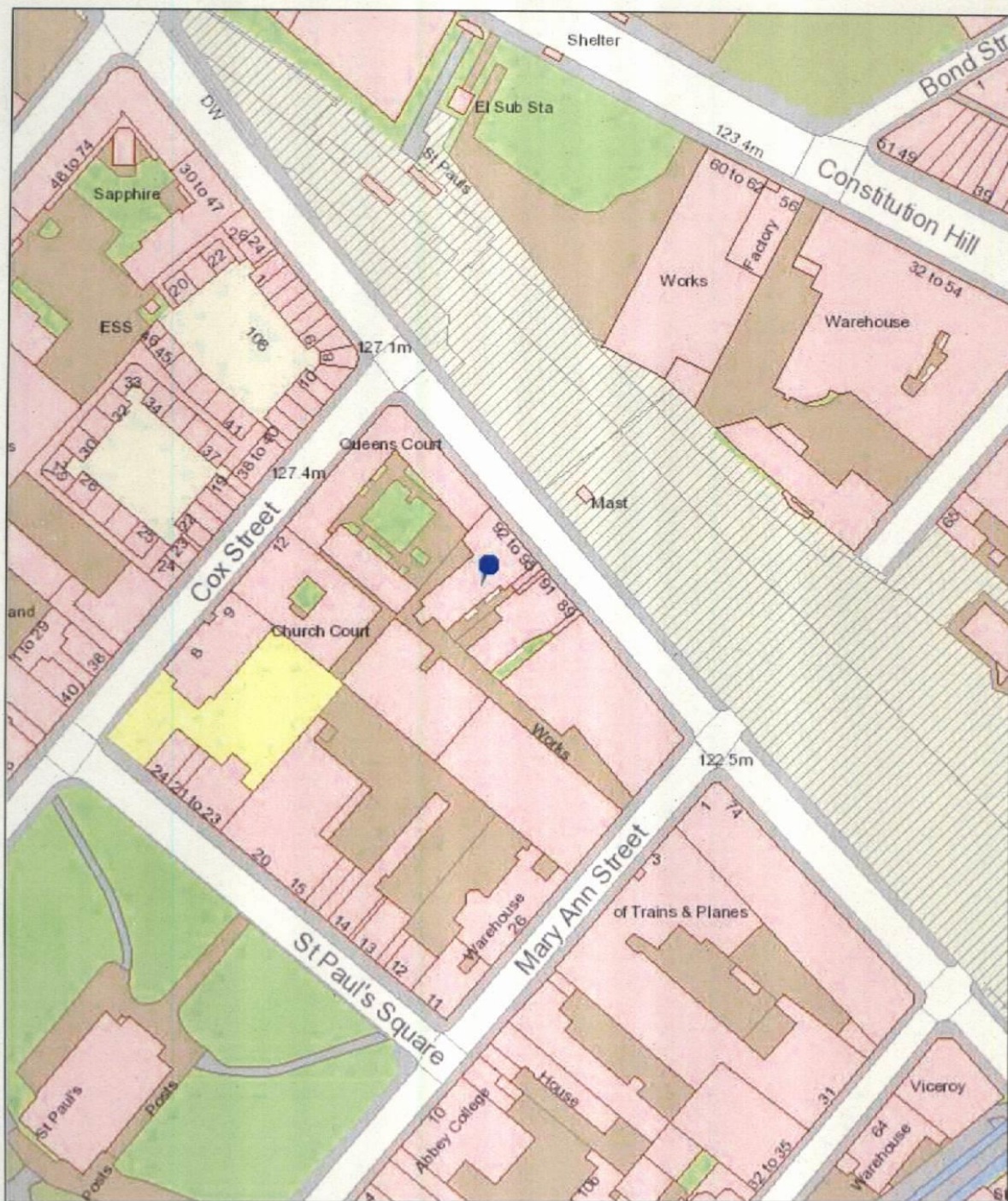
Date of Map Creation: 10/06/2019



Scale:
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Scale:
1:1,250