

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 9th November 2016
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	Players, 240 Broad Street, Birmingham, B1 2HG
Ward affected:	Ladywood
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
To consider an application to review a Premises Licence.

2. Recommendation:
To consider and determine the review application.

3. Brief Summary of Report:
Review application received on 20 th September 2016 from Councillor Gareth Moore in respect of Players, 240 Broad Street, Birmingham, B1 2HG. A representation has been received Environmental Health, as a responsible authority.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

<p>5. Relevant background/chronology of key events:</p> <p>Councillor Gareth Moore applied on 20th September 2016 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for Players, 240 Broad Street, Birmingham, B1 2HG.</p> <p>A representation has been received from Environmental Health, as a responsible authority. See Appendix 1.</p> <p>Review application is attached, see Appendix 2.</p> <p>The Premises Licence is attached at Appendix 3.</p> <p>Site location plans are attached 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.</p> <p>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.
<p>6. List of background documents:</p> <p>Copy of the representation as detailed in Appendix 1</p> <p>Review Application Form, Appendix 2</p> <p>Copy of Premises Licence, Appendix 3</p> <p>Site Location Plans, Appendix 4</p>
<p>7. Options available</p> <p>Modify the conditions of Licence</p> <p>Exclude a Licensable activity from the scope of the Licence</p> <p>Remove the Designated Premises Supervisor</p> <p>Suspend the Licence for a period not exceeding 3 months</p> <p>Revoke the Licence</p> <p>No Action</p> <p>Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.</p>



**Formal representation on behalf of Environmental Health:
Section 51 review for a premises licence
Players, 240 Broad Street, Birmingham, B1 2HG**

Recommendation

This report recommends conditions to be added to the premises licence.

Introduction

I am Russell Davey, Environmental Health Officer, employed by Birmingham City Council (the "BCC"). I am acting as a representative of Environmental Health, having being advised by the City Council's Licensing Section that Cllr Gareth Moore had requested a review of Player's licence. As part of the review of the above premises, I am formally raising representation from Environmental Health under the duty for the promotion of the prevention of public nuisance and the prevention of crime and disorder.

Background

The matters referred to in this document are around the levels of fly-posting in the city which are associated and/or commissioned by Players; and to which they gain free advertising and/or pecuniary advantage by this activity. Flyposting is a public nuisance and illegal and therefore a crime.

There is no formal definition of fly-posting, it is a colloquialism for illegal adverts and may consist of the display of advertising material on buildings and street furniture without the consent of the owner. This is contrary to the provisions of the Town and Country Planning Act 1990, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the Highways Act 1980.

Illegal advertising for events at Players have recently been brought to the attention of Environmental Health. As such no written warnings have been sent to the company with regards to this illegal activity to date.

History of flyposting associated with Players

In September 2016 Officers from Environmental Health catalogued and evidenced a range of illegal advertisements that had been removed by the City Council's Pest Control Department during the proceedings months. As part of the evidence that was obtained were:

26 illegal advertisements relating to an event called "Session, DJ Russke, Thursday 30 June 2016." (Appendix 1).

11 illegal advertisements for an event called "Session, Every Thursday @ Players". (Appendix 2).

Problems with flyposting

Flyposting is illegal. Flyposting also makes an area appear run down, feel uncared for and even threatening. In November 2001, Camden Council commissioned MORI to determine how people felt about the quality of their street environment. One in ten respondents indicated that fly-posting made them feel uncomfortable, long with issues such as a lack of Police, graffiti and illegal street trading. Flyposting, in particular placarding, also affects sight lines for drivers and pedestrians using the highway. Concern about fly-posting also scored more highly than concern about young people hanging around; gangs; drug use; stealing; drunks; muggers or traffic (source Keep Britain Tidy). Flyposting is also shown to have a domino effect, causing similar businesses to follow suit and advertise their events in an attempt not to lose business to the first offending premises.

The removal of illegal advertising puts an additional financial burden on BCC. Flyposting can have a severe effect on the "Local Environmental Quality" as illegal advertisements are often left in-situ after the event or promotion has ended leading to a litter problem and making an area look run down. This can lead to an increased perception of crime by residents and visitors.

Posters put up by way of plastic ties on one side of a lamppost tend to be fewer in number as they are more expensive to produce. This modus operandi of advertising is problematic to remove and often results in the cable ties being left behind long after the posters have been removed. Cardboard advertisements are cheaper to produce and as a result tend to be printed in significantly higher volumes. Posters are usually displayed by stapling them back to back around street furniture. Due to the volumes of posters produced; this form of illegal advertising is more prolific and tends to be concentrated around major traffic junctions where a large proportion of street furniture can be affected. As a result, one company's advertisements can have a significant detrimental impact on the appearance of the street scene. Where cardboard posters are left in situ for any time, they quickly start to degrade making their removal more difficult.

Statement of Licensing Policy 2015

As part of the 2015 review of BCC's Statement of Licencing Policy, the section on flyposting has been re-written and now explicitly outlines premises licence holders responsibilities in controlling illegal advertising. It also advises about good practice in

controlling illegal advertising. An extract from the 2015 Statement of Licensing Policy is shown below:

"20.7 Fly posting and Promotional Material

20.7.1 As a leading entertainment centre Birmingham often faces the widespread problem of illegal or nuisance fly posting, and littering from promotional material. This can have an impact on the prevention of public nuisance objective and prevention of crime and disorder objective within the Licensing Act 2003.

"20.7 Fly posting and Promotional Material

20.7.1 As a leading entertainment centre Birmingham often faces the widespread problem of illegal or nuisance fly posting, and littering from promotional material. This can have an impact on the prevention of public nuisance objective and prevention of crime and disorder objective within the Licensing Act 2003.

20.7.2 Existing legislation seeks to address this problem; however, it often proves ineffective in preventing this type of nuisance advertising. The Council is also concerned that some licence holders leave the advertising of regulated entertainment to events promoters and then use this to argue that they are not responsible for any illegal fly posting which occurs.

20.7.3 The Council expects responsible licence holders to ensure the licensing objectives are properly promoted when advertising regulated entertainment at their premises. For this reason it considers licence holders should outline in their operating schedules the steps to be taken to make sure that advertising of licensable activities does not cause nuisance or give rise to crime and disorder.

20.7.4 Where they are engaged, Premises Licence Holders are encouraged to have explicit agreements or contracts with named individuals or companies used to promote events to address the issue of fly posting and littering from promotional material: and to maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority or Authorised Officer on request. Where appropriate, and where consistent with the applicant's operating schedule the Council will impose conditions to this effect when its discretion to do so has been engaged."

Prevention of Public Nuisance

Local Authorities are responsible for enforcing provisions around illegal advertisements and have to remove flyposting from public land and city council street furniture as they are "the owners". Attempts have also been made by BCC to work with the owners of private property to help maintain and improve local environmental quality which often comes at a cost to the land owner. As part of this work attempts have been made to engage with licenced premises to reduce the amount of illegal flyposting that is taking place in the City.

Clearly, as can be seen from the chronology provided, there have been a number of incidents of illegal advertising for events at Players. It would appear that the premises licence holder has made no attempts to control flyposting as part of the prevention of public nuisance licensing objective but instead has contributed to a reduction of the living and working amenity of those working and residing in the area of the licensed premises as recognised in paragraph 2.15 of the Home Office Guidance issued under s.182 of LA 2013:

Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.

In addition, flyposting is an illegal and therefore it is unreasonable for Players to have not undertaken any meaningful works the offence of illegal advertising in the City.

Environmental Health requests, that where the Licensing Sub Committee considers it appropriate and its discretion is engaged, the following conditions relating to the control of fly posting are inserted into the licence. This will ensure that venue clearly prohibits all fly posting in their contract terms with others; and will overtly advise the premises licence holder on their duty to prevent public nuisance and reduce crime associated with the running of the business.

Recommended Conditions

Even though Environmental Health have not written to the premises licence holder, we think that it is proportional to add the following conditions to the licence:

1. The Premises Licence Holder shall ensure that their premises are not in any way promoted by the use of illegal fly-posting or unauthorised advertisements attached to street furniture.
2. The Premises Licence Holder shall ensure that agreements/contracts with promoters for the use of their premises or for events to be held at their premises prohibit the use of illegal fly-posting and/or advertisements attached to street furniture, and shall take all steps reasonable to enforce such agreement/contract terms. The Premises License Holder shall maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority on request.
3. The Premises Licence Holder shall take all reasonable precautions and exercise all due diligence to ensure that no person/company promoting or providing entertainment on the premises, nor any person acting on behalf of any promoters, shall display in an unlawful manner advertisements promoting the entertainment or the premises, in particular:

a) no display of advertisements should take place on street furniture;

b) no display of advertisements should take place on premises or structures placed on, over, in or adjacent to the highway, unless the licensee has first obtained the written consent of the owner of the premises or structure. Such consent shall be shown to the Environmental Health on request.

4. The Premises Licence Holder shall remove any unlawful advertisements of events at their premises where they become aware of them or they are advised by Birmingham City Council of an illegal advertisement being displayed. Such removal shall take place immediately within 48 hrs of receiving the said notice.

I confirm this is the formal response by Environmental Health as a responsible authority. It has been agreed with the Head of Environmental Health.

Lead Officer or review:

Signed

Russell Davey, Environmental Health Officer,





Appendix 2

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

Application for the review of a premises licence or club premises certificate 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 GARETH MOORE
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
PLAYERS 240 BROAD STREET	
Post town	Post code (if known)
BIRMINGHAM	B1 2HG

Name of premises licence holder or club holding club premises certificate (if known)
INNSPIRED LEISURE LTD.

Number of premises licence or club premises certificate (if known)

Part 2 – Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)



2) a responsible authority (please complete (C) below)



3) a member of the club to which this application relates (please complete (A) below)



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title
(for example, Rev)

CLL

Surname

First names

MOORE

GARETH

I am 18 years old or over

Please tick ✓ yes



Current postal
address if
different from
premises
address

C/O COUNCIL HOUSE
VICTORIA SQUARE

Post town

BIRMINGHAM

Post Code

B1 1BB

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

This review is submitted as the premises in question are operating in breach of the Licensing Objectives for Public Safety and Prevention of Public Nuisance, as well as the Council's Statement of Licensing Policy.

The premises are associated with and has permitted fly-posting to take place within the City of Birmingham, promoting events which have taken place at the premises. This fly-posting has taken place at various locations around the City, with posters being attached to railings, traffic lights and other street furniture to promote events. **This has happened on multiple occasions.**

Fly-posting is a major problem for the Council, for not only is it a visual nuisance, but has cost associated with it for the removal of the placards. The placards often remain in place for a long period of time, including after the event which they were advertising, adding to this visual nuisance. The prevalence of such posters at traffic junctions and on pedestrian crossings creates a public safety concern, as this can cause a distraction and obscure pedestrians or other vehicles. This has also made photographing the placards difficult due to them not being easily accessible. These safety concerns are supported by Amey, the Council's highways maintenance contractor who have made the following statement:

"Unauthorised attachments (such as placards and advertising on lighting columns or guardrails) are a serious safety issue as they can obstruct sight lines for both vehicles and pedestrians, particularly at busy road junctions. Additionally these attachments distract drivers and can cause them to slow down or even stop to read them which presents a significant road safety risk."

Amey are proactively working with Birmingham City Council Environmental Enforcement Team as part of the Cleaner Streets initiative to try to stop this illegal activity." Eddie Fellows, Highway Network Director – Amey

Included is statistical information showing the extent of the fly-posting problem in Birmingham, which has increased in recent years, and also how many wards across the City are not meeting the Council's target. These premises, by permitted fly-posting to take place, are contributing to this problem on a regular basis.

Appendix 1 is information provided by Amey showing the number of placards that have been removed by ward between January 2014 and June 2016.

Appendix 2 is the 2015/2016 street cleansing data from Birmingham City Council, which includes a section on fly-posting and provides a breakdown by Ward. This information is from 31st May 2016.

The Council's Statement of Licensing Policy makes it clear what is expected from licensed premises at 20.7 in relation to Fly-posting:

Fly posting and Promotional Material

20.7.1 As a leading entertainment centre Birmingham often faces the widespread problem of illegal or nuisance fly posting, and littering from promotional material. This can have an impact on the prevention of public nuisance objective and the prevention of crime and disorder objective within the Licensing Act 2003.

20.7.2 Existing legislation seeks to address this problem, however, it often proves ineffective in preventing this type of nuisance advertising. The Council is also concerned that some licence holders leave the advertising of regulated entertainment to events promoters and then use this to argue that they are not

responsible for any illegal fly posting which occurs.

20.7.3 The Council expects responsible licence holders to ensure the licensing objectives are properly promoted when advertising regulated entertainment at their premises. For this reason it considers licence holders should outline in their operating schedules the steps to be taken to make sure that advertising of licensable activities does not cause nuisance or result in criminal offences give rise to crime and disorder.

20.7.4 Where they are engaged, Premises Licence Holders are encouraged to have explicit agreements or contracts with named individuals or companies used to promote events to address the issue of fly posting and littering from promotional material; and to maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority or Authorised Officer on request. Where appropriate and where consistent with the applicant's operating schedule the Council will impose conditions to this effect when its discretion to do so has been engaged.

It is clear that these premises are not complying with the Statement of Licensing Policy for fly-posting continues to occur regularly.

On this basis, I ask for the Licensing Authority to revoke the premises licence on the grounds of Public Safety and Prevention of Public Nuisance Licensing Objectives.

Please provide as much information as possible to support the application (please read guidance note 3)

Photo 1 – Taken on 18th May 2016 at Birmingham Road, near to junction with Wylde Green Road, Sutton Coldfield.

Photos 2 to 3 – Taken on 24th May 2016 at Pinfold Street, City Centre

Other placards seen on A5127 in Erdington, Gravelly Hill North, Birmingham Road and Bakers Lane to name just a few locations.

Another round of placards was put up in June 2016 at various locations, including Chester Road and Bakers Lane but was removed before photographs could be taken.

Photos 4 to 9 – Taken on 17th August 2016 at Six Ways Island and Summer Road, Erdington.

Other placards seen on Gravelly Hill North, Birmingham Road and Bristol Road in Longbridge.

These photographs are just a sample of some of the placards that have been put up in Birmingham to promote three separate events at these premises in 2016. These placards are numerous in number to dominate the locations where they are put up.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

20/09/16.

Capacity

COUNCILLOR.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

PHOTO 1







PHOTO 4





PHOTO 6





PHOTO 8



PHOTO 9

SESSION
A-LEVEL
RESULTS PARTY
THURS 18 AUG
@PLAYERS

Ward	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Total by Ward	
Acocks Green	0	1	12	0	0	6	0	0	0	38	0	2	0	97	0	0	0	0	0	0	0	0	0	8	0	2	0	2	0	2	170	
Aston	6	65	231	14	39	55	6	0	1	0	0	3	10	6	0	0	39	0	0	0	20	2	2	3	2	66	0	0	0	0	570	
Bartley Green	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
Billesley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	
Bordesley Green	0	0	0	1	0	1	0	0	1	12	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16
Bournville	0	4	3	0	2	0	0	0	0	0	0	0	0	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	56
Brandwood	0	0	0	0	0	0	0	0	1	0	0	2	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Edgbaston	0	0	50	2	0	0	4	0	1	1	0	0	0	1	0	1	0	56	0	0	47	0	0	1	41	1	1	0	0	0	0	208
Erdington	0	0	0	21	0	28	99	0	37	0	2	2	0	3	57	2	103	0	28	0	5	10	3	64	0	5	0	0	0	0	0	469
Hall Green	0	26	40	12	0	42	30	46	0	10	0	2	1	0	1	0	0	26	0	3	0	0	0	0	0	0	0	0	0	0	0	239
Handsworth Wood	0	0	0	0	0	0	0	0	0	2	0	0	0	2	0	2	0	1	0	2	1	0	0	0	0	0	0	0	0	0	0	14
Harborne	0	0	20	0	0	0	2	0	0	0	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	39
Hodge Hill	0	0	2	4	0	0	5	0	40	1	3	0	1	0	12	0	0	0	0	1	0	0	4	0	0	0	0	0	0	0	0	76
Kings Norton	0	4	1	7	0	0	0	0	1	0	1	0	0	0	0	8	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	23
Kingsstanding	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15
Ladywood	10	2	136	14	1	0	10	3	1	2	7	1	9	2	0	0	0	5	0	84	1	1	0	0	1	7	1	0	30	7	0	335
Longbridge	0	4	3	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	11
Lozells and East Handsworth	24	0	0	0	23	3	0	1	0	0	3	0	4	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	65
Moseley and Kings Heath	0	0	1	0	0	0	1	0	0	1	0	0	2	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	12
Nechells	1	45	27	38	32	5	0	10	42	0	0	0	1	1	3	1	9	88	33	3	54	2	1	3	1	32	13	20	67	0	0	533
Northfield	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11
Oscott	0	48	0	0	0	6	0	2	30	10	29	0	0	12	0	101	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	381
Perry Barr	0	10	0	23	0	8	0	30	0	8	0	32	0	14	0	5	26	0	16	23	4	0	0	0	0	0	0	0	0	0	0	199
Quinton	0	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Selly Oak	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	35
Shard End	0	0	21	15	10	24	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	75
Sheldon	0	0	0	3	0	8	0	1	0	0	0	2	0	0	0	7	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	34
Soho	81	39	345	45	26	42	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	609
South Yardley	0	0	1	2	0	0	0	5	0	9	0	4	0	2	7	0	0	0	34	1	1	0	0	0	0	0	0	0	0	0	0	114
Sparkbrook	0	5	0	10	8	0	0	0	0	0	1	0	1	1	0	1	0	1	70	1	0	0	0	1	1	0	56	0	0	0	0	161
Springfield	0	2	0	2	0	21	0	1	1	2	0	0	3	2	1	1	10	5	4	2	4	0	1	2	3	3	0	0	0	0	0	74
Stechford and Yardley North	0	7	5	0	20	32	0	0	0	7	0	41	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	143
Stockland Green	0	0	0	48	0	100	17	21	1	0	11	5	1	10	1	4	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	232
Sutton Four Oaks	0	0	4	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
Sutton New Hall	0	0	0	1	0	5	0	0	16	0	0	17	0	1	1	0	0	0	24	0	2	0	10	1	0	0	0	0	0	0	0	78
Sutton Trinity	0	0	0	16	0	0	0	0	0	2	0	33	1	0	10	0	0	0	0	0	9	2	2	0	4	0	0	0	0	0	0	79
Sutton Vesey	9	0	0	1	0	0	3	13	48	10	3	210	0	1	41	4	1	19	0	6	11	7	1	1	6	50	0	0	0	0	0	445
Tyburn	0	5	10	0	1	0	1	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	145
Washwood Heath	0	0	0	1	0	2	0	0	1	0	15	0	0	16	1	0	157	0	0	0	0	0	0	0	0	0	0	0	0	0	0	202
Weoley	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2015/16 street cleansing inspection performance

Ward (date in brackets denotes start of two-day inspection)	Litter			Fly-posting		
	2015/16	2014/15	2013/2014	2015/16	2014/15	2013/2014
Acoccks Green	3.57	9.29	8.57	0.00	0.71	0.71
Aston	5.71	11.43	12.86	3.57	1.43	4.29
Bartley Green	2.14	4.29	5.00	0.71	0.71	0.71
Billesley	5.00	0.71	1.43	0.71	0.71	0.71
Bordesley Green	11.43	14.29	10.00	4.29	2.86	2.14
Bournville	3.57	0.71	2.14	0.71	0.71	5.00
Brandwood	7.86	2.14	1.43	1.43	0.71	0.00
Edgbaston	2.14	2.14	4.29	6.43	0.71	0.00
Erdington	7.14	6.43	5.71	2.14	0.71	1.43
Hall Green	6.43	2.14	1.43	6.43	2.14	2.86
Handsworth Wood	12.86	7.14	6.43	2.14	0.00	2.14
Harborne	2.86	0.00	0.00	2.14	0.71	1.43
Hodge Hill	5.00	9.29	8.57	1.43	3.57	2.14
Kings Norton	7.14	4.29	1.43	1.43	1.43	0.00
Kingstanding	16.43	5.00	4.29	0.00	1.43	2.14
Ladywood	5.00	4.29	2.14	8.57	2.86	3.57
Longbridge	10.00	2.14	1.43	2.86	5.00	0.71
Lozells & East Handsworth	22.86	12.14	8.57	6.43	4.29	2.14
Moseley & Kings Heath	0.00	2.86	5.00	0.71	2.86	2.14
Nechells	13.57	9.29	8.57	5	2.14	2.14
Northfield	5.71	1.43	4.29	0.71	0.00	0.00
Oscott	7.14	5.00	3.57	1.43	0.00	0.71
Perry Barr	9.29	5.71	4.29	3.57	2.14	0.71
Quinton	7.14	2.86	0.71	0.71	0.00	0.71
Selly Oak	5.00	1.43	0.71	1.43	0.00	1.43
Shard End	0.71	4.29	5.00	5.71	2.14	1.43
Sheldon	1.43	2.86	3.57	0.71	0.71	1.43
Soho	14.29	7.14	7.14	4.29	3.57	2.14
South Yardley	17.14	3.57	1.43	5.00	2.86	0.00
Sparkbrook	8.57	18.57	14.29	7.14	7.86	2.86
Springfield	12.14	9.29	5.00	3.57	1.43	0.71
Stechford & Yardley North	5.71	4.29	2.86	4.29	3.57	8.57
Stockland Green	5.00	7.14	6.43	0.71	2.14	0.71
Sutton Four Oaks	0.71	1.43	0.71	1.43	0.71	0.00
Sutton New Hall	1.43	1.43	0.71	0.00	1.43	1.43
Sutton Trinity	5.00	1.43	2.86	0.00	0.00	0.00
Sutton Vesey	1.43	2.14	5.00	0.00	2.14	2.14
Tyburn	10.00	6.43	3.57	4.29	1.43	2.86
Washwood Heath	6.43	17.14	7.86	1.43	2.86	0.71
Weoley	6.43	1.43	2.14	1.43	1.43	0.71
Target (percentage of unsatisfactory inspected sites)	5	5	3.95	1	1	1
% performance of inspected wards below target	57.50	37.50	52.50	67.50	60.00	55.00

Note 1: 70 sites are inspected in each ward to reach the figures reported

Note 2: The Wards with no figures are scheduled to be inspected before the end of the 2015/16 financial year

Note 3: All 40 Wards are inspected once annually. This is currently under review, with a view to increasing the frequency

Appendix 3

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

1699 / 12

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description Players 240 Broad Street	
Post town: Birmingham	Post Code: B1 2HG
Telephone Number:	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

C	Indoor sporting events
E	Live music
F	Recorded music
G	Performances of dance
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
I	Provision of facilities for making music
J	Provision of facilities for dancing
K	Provision of facilities for entertainment of a similar description to that falling within (facilities for making music) or (facilities for dancing)
L	Late night refreshment
M1	Sale of alcohol by retail (on the premises)

The times the licence authorises the carrying out of licensable activities

Monday – Sunday	00:00	-	23:59	C ,E ,F ,G ,H ,I ,J ,K ,M1
	23:00	-	05:00	L

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The use of the Premises for licensable activities between the hours of 04:00 and 07:00 is subject to 7 days notice (28 days notice in respect of "risk" events) by any means to the West Midlands Police Licensing officer at Steelhouse Lane police station, or such officer or Police Station as shall have been notified to the designated Premises Supervisor in writing. A "risk" event is defined as a music event attracting a defined or special interest audience. In such cases the Police shall have the right to veto the use of the premises for that event during those hours by giving notice within 3 days of notification.

On the commencement of British Summer time a further additional hour to the standard permitted times

New year's eve – from the end of permitted hours to commencement of permitted hour's new Year's Day

The opening hours of the premises

Monday – Sunday 00:00 - 23:59

N.B: Opening hours may be varied to reflect any such variation of the permitted times for licensable activities as are detailed above.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Supplies Only

BIRMINGHAM CITY COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Inspired Leisure Limited 2 nd Floor Alderman Fenwick House 98-100 Pilgrim Street	
Post town: Newcastle Upon Tyne	Post Code: NE1 6SQ
Telephone Number: Not Specified	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 08483660
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Mr Christopher Glen Beasley	
Post town:	Post Code:
Telephone Number:	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number	Issuing Authority

Dated 11/11/2014

David Kennedy
Senior Licensing Officer
For Director of Regulation and Enforcement

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Annex 1 – Mandatory Conditions

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

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

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

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

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

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

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where

BIRMINGHAM CITY COUNCIL

the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

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Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The provision of regulated entertainment and late light refreshment to take place indoors only.

The use of the premises for licensable activities between the hours of 04:00 and 07:00 is subject to 7 days notice (28 days notice in respect of "risk" events) by any means to the West Midlands Police Licensing Officer at Steelhouse Lane Police station, or such officer or Police station as shall have been notified to the Designated Premises Supervisor in writing. A "risk" event is defined as a music event attracting a defined or special interest audience. In such case the Police shall have the right to veto the use of the premises for that event during those hours by giving notice within 3 days of notification.

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

CCTV will be installed to the recommendation and specification of West Midlands Police and will be operating all hours the premises are open to members of the public. The CCTV recordings will be kept for a minimum of 28 days and will be made available upon reasonable request from a Responsible Authority.

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

The maximum numbers permitted in the premises shall be agreed from time to time with the West Midlands Fire Officer. The agreed capacity will be displayed at the front of the premises. The full details of capacities for each room will be in document form and available upon request by any responsible Authority.

The premises are to retain door staff profiles for all door staff that are working at the premises or have been working at the premises in the last three months. Profiles are to be proof of identity (photocopy of driving licence or passport) and proof of address dated in the last 3 months (utility bill or bank statement). The only time proof of address is not required is when proof of identity is new photo driving licence. Profiles are to be available for inspection on request by any responsible authority.

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

No enforceable conditions identified from operating schedule.

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

Persons under the age of 16 must be accompanied by an adult and must have vacated the premises by 20:00 hours Sunday to Thursday and by 19:00 hours Friday and Saturday. On the occasion of certain sporting events persons under the age of 16 may be permitted to remain on the premises after 20:00 hours Sunday to Thursday only subject to 14 days prior notice to, and agreement with, Steelhouse Lane Police Station licensing department.

BIRMINGHAM CITY COUNCIL

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

3b) Committee conditions to promote the prevention of crime and disorder

N/A

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

N/A

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

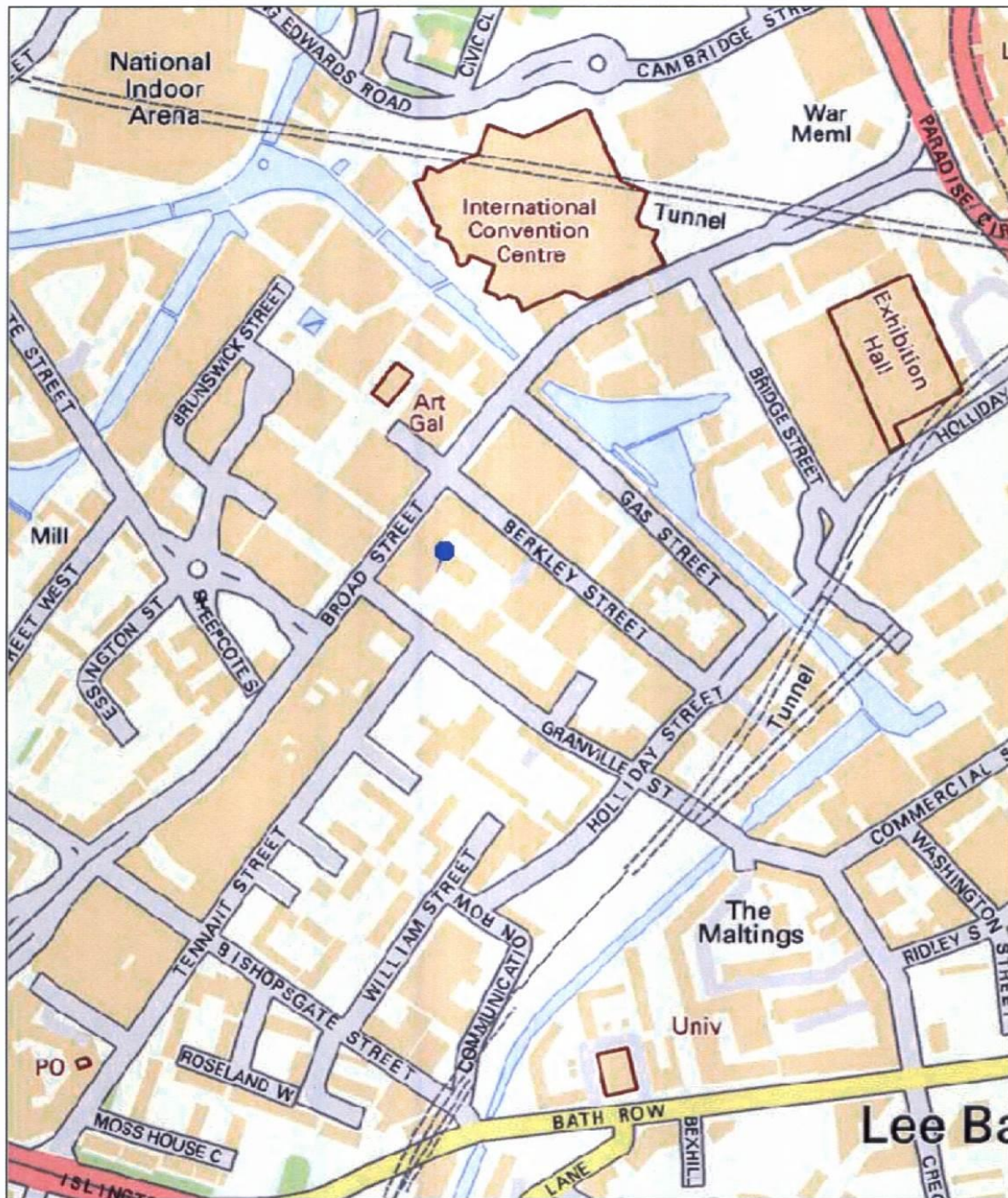
N/A

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Annex 4 – Plans

The plan of the premises with reference number **PL/PL/332/01** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.

Appendix 4



Birmingham City Council Map Created By:

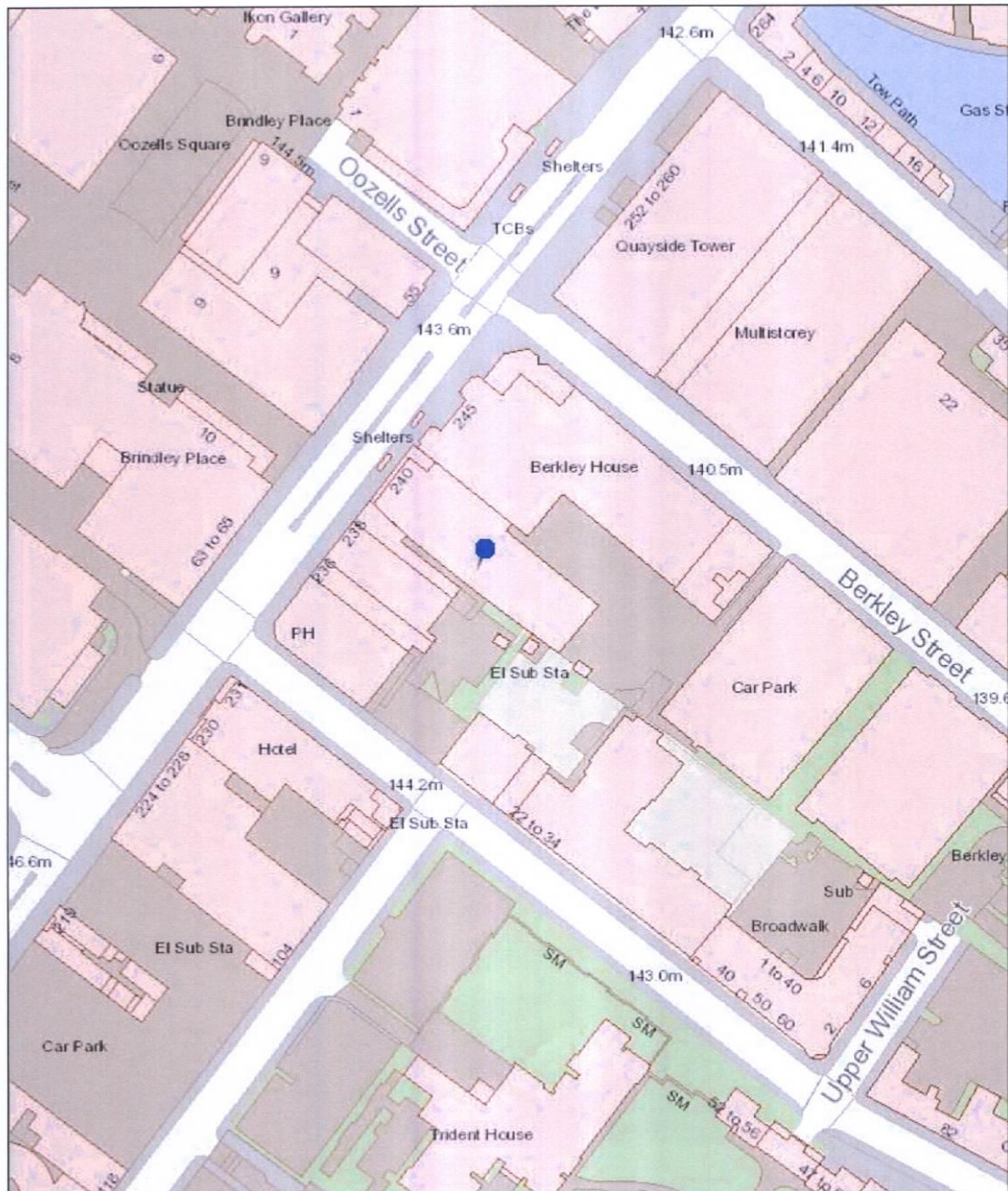
Notes

Date of Map Creation: 24/10/2016



Scale:
1:4,000

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Birmingham City Council Map Created By:

Notes

Date of Map Creation: 24/10/2016



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