

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

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

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

A G E N D A

1 NOTICE OF RECORDING

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

2 DECLARATIONS OF INTERESTS

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

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3 - 30

4 LICENSING ACT 2003 PREMISES LICENCE – GRANT BIRMINGHAM TAP, 114-116 COLMORE ROW, BIRMINGHAM, B3 3BD

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

31 - 62

5 LICENSING ACT 2003 PREMISES LICENCE – GRANT MR MULLIGANS GOLF, UNITS 5-7, BROADWAY PLAZA, FIVE WAYS, BIRMINGHAM, B16 8LP

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

6 OTHER URGENT BUSINESS

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

7 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

PRIVATE AGENDA

1 **LICENSING ACT 2003 - PERSONAL LICENCE APPLICATION**

Report of the Acting Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 1300 hours.

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

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

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 30th July 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Birmingham Tap, 114-116 Colmore Row, Birmingham, B3 3BD
Ward affected:	Ladywood
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption both on and off the premises) to operate from 10:00am until 00:00midnight (Monday to Thursday), 10:00am until 01:00am (Friday and Saturday) and 11:00am until 11:30pm (Sunday).</p> <p>The provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only from 10:00am until 00:00midnight (Monday to Thursday), 10:00am until 01:00am (Friday and Saturday) and 11:00am until 11:30pm (Sunday).</p> <p>Premises to remain open to the public from 10:00am until 00:30am (Monday to Thursday), 10:00am until 01:30am (Friday and Saturday) and 11:00am until 00:00midnight (Sunday).</p> <p>Other dates and times as specified in the application form.</p>

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

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 8th June 2018, in respect of Birmingham Tap, 114-116 Colmore Row, Birmingham, B3 3BD.</p> <p>A representation has been received from other persons.</p>

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

5. Relevant background/chronology of key events:

Birmingham Tap Limited applied on 8th June 2018 for the grant of a Premises Licence for Birmingham Tap, 114-116 Colmore Row, Birmingham, B3 3BD.

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

The application is attached at Appendix 2.

Site Location Plans at Appendix 3.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representation as detailed in Appendix 1
Application Form, Appendix 2
Site Location Plans, Appendix 3

7. Options available

To Grant the licence in accordance with the application.
To Reject the application.
To Grant the licence subject to conditions modified to such an extent as considered appropriate.
Exclude from the licence any of the licensable activities to which the application relates.
Refuse to specify a person in the licence as the premises supervisor.



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

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
02 JUL 2018	
REF NO	_____
INITIALS	_____

28 June 2018

Dear Sirs

LICENCE APPLICATION BY BIRMINGHAM TAP LTD – APPLICATION REF 106697
114-116 COLMORE ROW, BIRMINGHAM B3 3BD

I write to comment on the application in our capacity as lessee in this property on the first floor immediately above the premises on which the application is being made.

I have read through both the planning permission and the licence application report and two aspects concern this company as an occupier of the first floor.

1. That cooking fumes/smells are vented correctly at a high level and not at a low level – this was referred to in the planning permission.
2. That the licence application allows for music to be played during the hours of business.

In relation to the second item, the building is listed and as such it will be difficult to retro fit with sound insulation to prevent the transfer of intrusive noise which may well be played during business hours according to the application. This would make the use of our property extremely problematic as it will be difficult to supervise and control both the type and loudness of that music being played on the ground floor and we are very concerned it will be intrusive to our work and meeting areas, which are directly above the premises. It is not a question of leaving windows open but of noise permeating through a non-sound insulated ceiling into the floor above. As far as after-hours music is concerned, we have less concern about this.

Please would you acknowledge receipt of these comments.

Yours faithfully

For and on behalf of Transcend Corporate Limited

**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 BIRMINGHAM TAP 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		REGULATION & ENFORCEMENT LICENSING SECTION	
Birmingham Tap 114-116 Colmore Row		DATE RECEIVED 08 JUN 2018	
		REF NO _____	
		INITIALS _____	
Post town	Birmingham	Postcode	B3 2BD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ TBC – multiple floors/rates

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		I am 18 years old or over <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		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name BIRMINGHAM TAP LTD
Address <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Registered number (where applicable) <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any) <div style="border: 1px solid black; height: 30px; width: 100%;"></div>
E-mail address (optional) <div style="border: 1px solid black; height: 30px; width: 100%;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

Craft beer bar with food offering.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input 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)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input 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)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)			
Thur						
Fri						
Sat			<u>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</u> (please read guidance note 6)			
Sun						

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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<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)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (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) Provision of amplified and unamplified live music.		
Mon	10:00				
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	01:00	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) • From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. • An additional hour from the end of permitted hours on the Sunday night preceding a Bank Holiday Monday, The Thursday before Good Friday, Christmas Eve and Boxing Day.		
Sun	11:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (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) Provision of amplified and unamplified recorded music.			
Mon	10:00					
Tue		00:00				
	10:00					
Wed		00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)			
	10:00					
Thur		00:00				
	10:00					
Fri		00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) <ul style="list-style-type: none"> From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. An additional hour from the end of permitted hours on the Sunday night preceding a Bank Holiday Monday, The Thursday before Good Friday, Christmas Eve and Boxing Day. 			
	10:00					
Sat		01:00				
	10:00					
Sun		01:00				
	11:00	23:30				

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input 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)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

II

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

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 type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
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	10:00				
Tue		00:00			
	10:00				
Wed		00:00			
	10:00				
Thur		00:00			
	10:00				
Fri		00:00			
	10:00				
Sat		01:00			
	10:00				
Sun		01:00			
	11:00	23:30			

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

Name James Hawksworth	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

None

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	
Mon	10:00		<p>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)</p> <ul style="list-style-type: none"> From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day. An additional hour from the end of permitted hours on the Sunday night preceding a Bank Holiday Monday, The Thursday before Good Friday, Christmas Eve and Boxing Day
Tue		00:30	
	10:00		
Wed		00:30	
	10:00		
Thur		00:30	
	10:00		
Fri		00:30	
	10:00		
Sat		01:30	
	10:00		
Sun		01:30	
	11:00	00:00	

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

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

As per the attached operating schedule.

b) The prevention of crime and disorder

As per the attached operating schedule.

c) Public safety

As per the attached operating schedule.

d) The prevention of public nuisance

As per the attached operating schedule.

e) The protection of children from harm

As per the attached operating schedule.

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
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	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	8/6/18
Capacity	SOLICITOR TO THE APPLICANT

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) Piers Warne TLT Solicitors			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Operating Schedule – Birmingham Tap

1 CCTV shall be in use at the premises.

- (i) The CCTV system shall be fully operational by the commencement of the licence. Cameras shall cover the entrances/ exits and bar area(s).
 - (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place (except as detailed in (v) below).
 - (iii) The premises licence holder shall ensure images from the CCTV are retained for a period of no less than 28 days and no more than 31 days.
 - (iv) The correct time and date will be generated onto both the recording and the real time image screen.
 - (v) If the CCTV equipment breaks down, upon discovery of the breakdown, the designated premises supervisor, or in his/her absence other responsible person, shall verbally inform the licensing officer at West Midlands Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and nature of the fault detected. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. West Midlands Police shall be informed when fault is rectified.
 - (vi) The premises Licence holder shall ensure that there is at least one trained member of staff available during licensable hours to be able to reproduce CCTV images to be viewed by a police officer on request as part of an ongoing investigation into a criminal offence.
 - (vii) Footage shall be capable of being downloaded onto a portable device at the request of a police officer as part of an ongoing investigation into a criminal offence, to be provided at a time agreed and as permitted under data protection legislation. Any officer removing data will provide confirmation of how the data is to be used, stored and disposed of prior to removal in line with their data controller's legal obligations.
 - (viii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all licensable hours.
- None of the above will require the premises licence holder, DPS or other party designated by the premises licence holder to hand over or otherwise provide data in breach of data protection legislation.

2 The DPS shall ensure that documented arrangements are implemented at the premises to discourage the sale and consumption of controlled substances. Arrangements shall include having a member of staff regularly check toilet areas. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly.

3 Risk assessments will be undertaken in advance of any events at the premises or in Birmingham City Centre in the vicinity of the premises, where the DPS or duty manager expects the premises to be unusually busy or attract a different customer profile from the usual trade. If the risk assessment suggests that door supervisors will be required to assist in the control of customers at the premises, they shall be employed in the number and for the times identified in the risk assessment.

4 The Premises Licence Holder shall require the Designated Premises Supervisor, or in his/ her absence other responsible person, to keep an "Incident report register" in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

5 If patrons are to be allowed to use a designated area for smoking then the following conditions must apply: (i) patrons will not be permitted to obstruct access to adjoining premises or the pavement (ii) The area must be provided with suitable ashtrays/bins (iii) The area must be regularly swept to remove cigarette ends (iv) Adequate arrangements must be made to prevent overcrowding or disorder

6 The premises licence holder shall ensure that all half pint and pint drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.

7 All staff to be trained in the prevention of underage sales and customer care to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes,

and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

8 An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 21" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 21 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.

9 Publicity materials notifying customers of the operation of the Challenge 21 scheme shall be displayed at the premises, including a Challenge 21 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.

10 The premises licence holder shall ensure the designated premises supervisor, or representative, will actively engage with any local operating Pub Watch or similar scheme operating in the locality of the licensed premises and shall at all times liaise with local police representatives.

11 Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

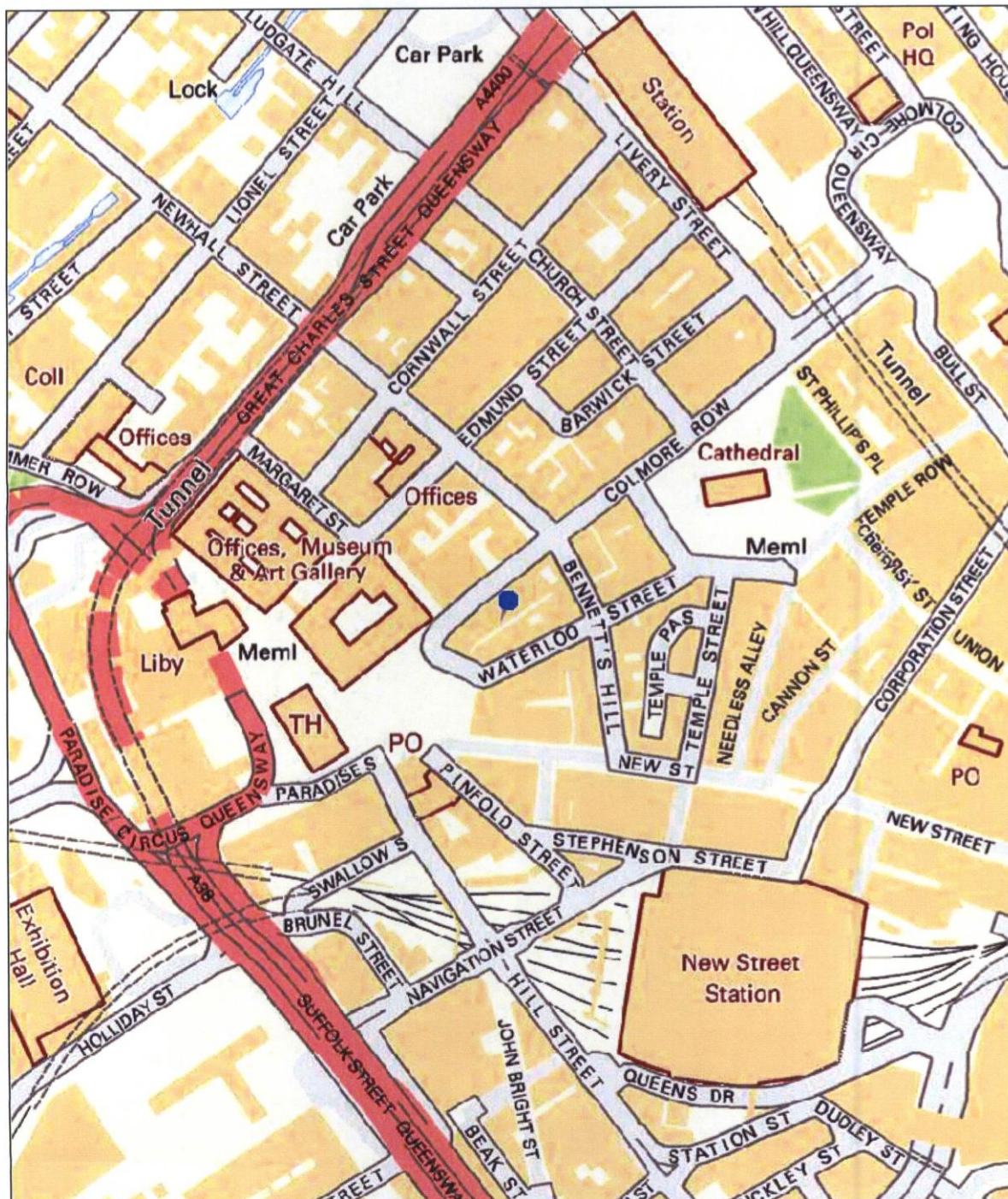
12 No speakers for amplification of music or speech shall be placed on the outside of the premises.

13 Except for access and egress all doors and windows shall be kept closed during periods of live music, karaoke or DJ's playing recorded music on the ground floor.

14 The premises supervisor, manager or other competent person shall carry out observations in the vicinity of nearby residential properties on at least hourly intervals, whilst live music is being performed. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that is unlikely to cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to a police officer or an officer of City Council of Bristol.

15 Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.

16 Alcohol sold for consumption away from the premises (off-sales) shall only be sold in sealed containers.



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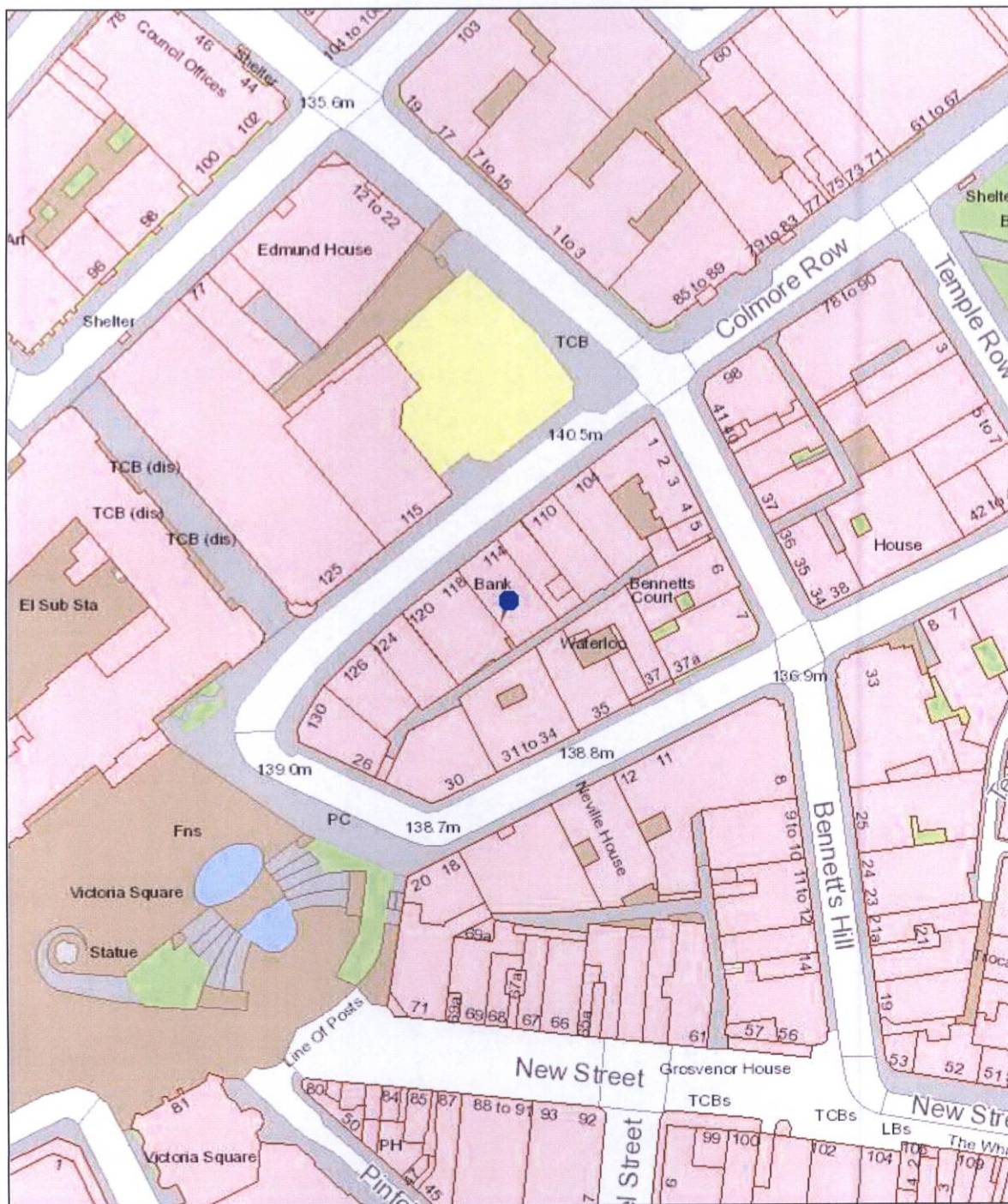
Date of Map Creation: 11/07/2018

Notes

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Scale:
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Date of Map Creation: 11/07/2018

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Scale:
1:1,250

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Monday 30th July 2018
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Mr Mulligans Golf, Units 5-7, Broadway Plaza, Five Ways, Birmingham, B16 8LP
Ward affected:	Ladywood
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a relevant representation that has been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 07:30am until 02:00am (Monday to Sunday).</p> <p>The provision of Regulated Entertainment consisting of films, indoor sporting events, live music, recorded music, performances of dance and anything of a similar description to operate indoors only from 07:30am until 02:00am (Monday to Sunday).</p> <p>To permit the provision of Late Night Refreshment to operate from 11:00pm until 02:00am (Monday to Sunday).</p> <p>Premises to remain open to the public from 07:30am until 02:30am (Monday to Sunday).</p> <p>Other dates and times as specified in the application form.</p>

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

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 6th June 2018, in respect of Mr Mulligans Golf, Units 5-7, Broadway Plaza, Five Ways, Birmingham, B16 8LP.</p> <p>A representation has been received from other persons.</p>

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

5. Relevant background/chronology of key events:

Adventure Leisure Limited applied on 6th June 2018 for the grant of a Premises Licence for Mr Mulligans Golf, Units 5-7, Broadway Plaza, Five Ways, Birmingham, B16 8LP.

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

The application is attached at Appendix 2.

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

Conditions have been agreed with Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendix 4.

Site Location Plans at Appendix 5.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representation as detailed in Appendix 1

Application Form, Appendix 2

Conditions agreed with West Midlands Police, Appendix 3

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 4

Site Location Plans, Appendix 5

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

Appendix 1

From:

Sent:

05 July 2018 10:21

To:

Licensing

Subject:

[M-00745179] Our Client: Travelodge Hotels Limited

Attachments:

DOC050718-05072018101016.pdf

Dear Sir/Madam

Please see the attached.

Yours Faithfully

Richard Symonds

Partner

SHOOSMITHS LLP

The XYZ Building
2 Hardman Boulevard
Spinningfields
Manchester
M3 3AZ
DX 14393 Manchester 6

Delivered: By E-mail to
Licensing@birmingham.gov.uk

PREMISES: MR MULLIGANS SPACE GOLF, UNIT 5,6,7 BROADWAY PLAZA, FIVE WAYS, BIRMINGHAM B16 8LP

OUR CLIENT: TRAVELODGE HOTELS LIMITED

Our client objects to the Application and, in particular, to hours proposed for the service of alcohol and refreshments and the playing of late night music, particularly give the Premises' proximity to the Hotel. We have set out our client's representations in this regard below, by reference to the relevant licencing objectives to which they relate.

In producing this objection we have had regard to Birmingham City Councils Statement of Licensing Policy dated July 2017 (**the Policy**), together with the Department for Culture, Media and Sport's 'Guidance for Interested Parties Making Representations' document dated March 2010 (**the Guidance**).

W www.shoosmiths.co.uk



Background

THL are one of the UK's largest hotel operating companies and have experience as to the effect that the approval of applications of this nature can have on surrounding premises and businesses.

The Hotel forms part of the Broadway Plaza Retail Park (**the Retail Park**), the other tenants of which are largely retail occupiers/restaurants, however there are also a considerable number of residential occupiers.

The Prevention of Public Nuisance

This is our client's principle concern in relation to the Application.

In particular

- (i) The playing of late night music is likely to cause a material disturbance to guests using our client's hotel. Our client anticipates that it may make up to half of the rooms of the hotel unusable. Of particular concern to our client is the proposed roof terrace at the Property which will cause significant disturbance to the Hotel;
- (ii) Our client is particularly concerned that those leaving the club late at night will cause a nuisance through shouting and fighting, further disturbing those staying in and accessing the hotel;
- (iii) Our client is concerned that those leaving the club at night will seek to access the hotel lobby for warmth or to charge their phone. Our client's experience is that this can lead to harassment and intimidation of its staff. This is of paramount importance to our client as the night staff are often working alone in the reception area;
- (iv) Our client's experience from occupying hotels next to late night music venues is that the clearing up process after hours is particularly noisy in that bottles are often tipped into metal bins causing excessive amounts of noise and preventing those occupying the Hotel from sleeping;
- (v) Any outdoor queuing or smoking areas also result in excessive noise for those sleeping in the Hotel; and
- (vi) Our client is concerned as to how people will disperse on closure of the club. There is no public transport available at this time and our client is concerned that this will result in people hanging around the Hotel late at night causing a nuisance.

As you are aware, in accordance with paragraph 4.31 of the Policy, it is incumbent on you as the Licensing Authority to consider the impact the approval of the Application will have on those who have to live, work and sleep within the vicinity of the Property. For the reasons set out above, the proposed licence will have a very serious detrimental impact upon the local area and the Hotel.

Prevention of Crime and Disorder

Our client has serious concerns as to the potential for patrons of the Property to cause criminal damage to the Hotel and/or to act in a disorderly manner when leaving the Property.

These concerns are drawn from our client's experience on other sites. In particular, our client is concerned about the potential for:

- (i) Users of the nightclub to cause damage to the Hotel, our customers cars or neighbouring properties; and
- (ii) Users of the nightclub to harass our client's staff or customers.

This concerned is exacerbated by the fact that no other units will be open at this time.

We also understand the Police are planning to put in an objection against the Application.

Public Safety

Our clients concerns in this regard relate to the potential for the patrons of the Property to put the safety our client's staff and/or customers at risk. Again, we repeat our comments above in this regard.

Conditions

Whilst our client has no wish to prevent this type of use of adjoining premises, it believes it should be licenced in a manner that is safe, free from nuisance and that operates in a manner consistent with the other businesses in the local area.

In the circumstances, our client believes that any licence should be limited so that no live or recorded music is permitted after 11pm on Sunday to Thursday and midnight on Friday and Saturday with similar restrictions on opening and on the sale of alcohol.

Please ensure we are notified of any hearing date in relation to the licence

Yours faithfully

SHOOSMITHS LLP

Appendix 2

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/we ADVENTURE LEISURE LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description		BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 06 JUN 2018 REF NO CHQ-100003-£100.00 INITIALS LW	
Mr Mulligans Space Golf Unit 5,6,7 Broadway Plaza Five Ways			
Post town	BIRMINGHAM	Postcode	B16 8LP

Telephone number at premises (if any)	To Be Advised When Allocated
Non-domestic rateable value of premises	VOA Inspection still needs to be done

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 | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <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 ☐ please complete section (B)
- d) a charity ☐ 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:

Please tick yes

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		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal 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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name ADVENTURE LEISURE LIMITED
Registered Address
Registered number (where applicable) Company Number:)
Description of applicant (for example, partnership, company, unincorporated association etc.) 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
15	08	2018

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)

Mr Mulligans Space Golf will be situated in Broadway Plaza on the ground floor, with appropriate facilities for an Indoor Adventure Golf themed throughout with 3 x 12 hole courses, Café/ Bar. The Adventure Golf Themed areas will have various props, putting greens, sand bunkers and themed adventures. There is a Reception Area, Office/Administration room with locked Cellar for alcohol, Store Room for furniture storage, Disabled Access, Washrooms (Male, Female and Disabled), Communications Room (CCTV), Kitchen area, Back Bar Cooler, four large TV Screens and a Lounge area.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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 checked="" 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat					
Sun					
			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 5)		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3) There are 4 large TV Screens which may be used to screen films and/or sporting events such as Golf Championships / Football / Rugby or similar. All material will be suitable for children between the hours of 07:30 to 20:00		
Mon	07:30	02:00			
Tue	07:30	02:00			
Wed	07:30	02:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	07:30	02:00			
Fri	07:30	02:00	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 5) New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed		
Sat	07:30	02:00			
Sun	07:30	02:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	07:30	02:00	ADVENTURE GOLF TO INCLUDE INDOOR GOLF / PUTTING/ADVENTURES (3 x 12 holes of indoor Adventure Golf and themed Mini Golf) Table Tennis Foosball Golf Promotions and F&B Promotions
Tue	07:30	02:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	07:30	02:00	
Thur	07:30	02:00	<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 5)
Fri	07:30	02:00	New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed
Sat	07:30	02:00	
Sun	07:30	02:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish			
Mon	07.30	02:00	Please give further details here (please read guidance note 3) To be used as and when required to include special functions such as parties – any amplification would be through speakers already in situ which are limited in capacity Dancing Facilities will be provided by storing furniture in the store room.		
Tue	07.30	02:00			
Wed	07.30	02:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	07.30	02:00			
Fri	07.30	02:00	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 5) New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed		
Sat	07.30	02:00			
Sun	07.30	02:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>	
					Outdoors <input type="checkbox"/>	
Day	Start	Finish	Both <input type="checkbox"/>			
Mon	07:30	02:00	Please give further details here (please read guidance note 3) To be used as and when required to include special functions such as parties – any amplification would be through speakers already in situ which are limited in capacity Pre-recorded music will be used predominantly for themed Adventure Golf from early morning. The evenings may change to more modern music for functions such as discos.			
Tue	07:30	02:00				
Wed	07:30	02:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Thur	07:30	02:00				
Fri	07:30	02:00	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 5) New Year's Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed			
Sat	07:30	02:00				
Sun	07:30	02:00				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		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 3) To be used as and when required to include special functions such as parties – any amplification would be through speakers already in situ which are limited in capacity Dancing Facilities will be provided by storing furniture in the store room			
Mon	07:30	02:00				
Tue	07:30	02:00				
Wed	07:30	02:00	State any seasonal variations for the performance of dance (please read guidance note 4)			
Thur	07:30	02:00				
Fri	07:30	02:00	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 5) New Year's Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed			
Sat	07:30	02:00				
Sun	07:30	02:00				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Children & Adult Entertainment (Disco, magicians) of various kinds (Clowns, Balloons, Hoola Hoops), Birthday Parties, Comedians. Table Tennis Foosball Karaoke Dancing Private Functions		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	07:30	02:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	07:30	02:00	Please give further details here (please read guidance note 3) Any amplification would be through speakers that are already insitu by the Entertainer/Karaoke/Band, Disco or similar. These speakers are limited in capacity. Dancing facilities will be provided by storing furniture in the large Store Room.		
Wed	07:30	02:00			
Thur	07:30	02:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	07:30	02:00			
Sat	07:30	02:00	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 5) New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed		
Sun	07:30	02:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon	23:00	02:00	Please give further details here (please read guidance note 3)			
Tue	23:00	02:00				
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur	23:00	02:00				
Fri	23:00	02:00	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 (please read guidance note 5) New Years Eve until 05:00 hours New Years Day			
Sat	23:00	02:00				
Sun	23:00	02:00				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07:30	02:00			
Tue	07:30	02:00			
Wed	07:30	02:00			
Thur	07:30	02:00	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 5) New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed		
Fri	07:30	02:00			
Sat	07:30	02:00			
Sun	07:30	02:00			

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 MR BALA NARAYANA MURTHY BADIGA	
Date of Birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

<p>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 8).</p> <p>Comedians (or similar entertainment) with adult terminology or Films classified for viewing by persons 18 years or more and not considered suitable for children will be restricted to Adult Hours only (i.e. not shown during the hours of 07:30 and 20:00 hours) but in any case no "nudity" or "semi nudity" will be shown</p>
--

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p>State any seasonal variations (please read guidance note 4)</p>
Day	Start	Finish	<p>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 5)</p> <p>New Years Eve, in addition to the permitted hours for that day, the period between the end of permitted hours on that day and the beginning of permitted hours the following day. 10:00 – 23:30 Good Friday Christmas Day Closed</p>
Mon	07:30	02:30	
Tue	07:30	02:30	
Wed	07:30	02:30	
Thur	07:30	02:30	
Fri	07:30	02:30	
Sat	07:30	02:30	
Sun	07:30	02:30	

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 9)

None other than those already embedded in the Licensing Act 2003 to include additional measures listed below.

b) The prevention of crime and disorder

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

1. The DPS shall attend in person or send a representative to all Nightsafe (or successor Pub Watch) meetings
2. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
3. The Premises Licence Holder or Designated Premises Holder shall install and maintain a comprehensive CCTV system to the satisfaction of an authorised employee of Birmingham Constabulary.
4. A minimum of 25 CCTV cameras will be in place from entering the building to leaving (where records will be kept for a 28 day period and any requests for copies by the Police and / or Local Authority Licensing Officer will be downloaded and supplied within 48 hours.
5. A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Officer relevant data or footage with the absolute minimum of delay when requested to do so.
6. All faults with the CCTV system shall be repaired as soon as is reasonably possible,
7. Broadway Plaza has exterior lighting and is well lit being part of a Managed Leisure Scheme which also has its own security.
8. Whenever a Special Event / Large Function takes place, this will be "Risk Assessed" as to the appropriate number of SIA door staff required.

c) Public safety

1. In the Café / Bar area seated covers 180. Maximum capacity in its entirety will be 390 (Adventure Golf plus Food & Beverage)
2. Full Disabled Facilities and Baby Changing Unit.
3. Fire & Risk Assessments will be completed.
4. Dancing Facilities will be provided by storing furniture in the store room.
5. Only plastic glasses will be taken onto the courses between the hours of 07:30 to 20:00

d) The prevention of public nuisance

1. The premises will close 30 minutes after the time for the last sale of alcohol to allow time for drinking-up and patrons to leave the premises in an orderly manner.
2. The Applicant does not anticipate any problems related either to noise or traffic as the premises is situated in a "Managed" Leisure and Retail scheme.

e) The protection of children from harm

Several Policies will be implemented:

1. Child Health Safety Policy to ensure the wellbeing of all children on the premises.
2. Admissions Policy : We will not allow under 18s in the bar after 9 pm. Under 18s are allowed in our premises after 6 pm with a responsible adult / parent or legal guardian. All children are requested to be supervised at all times by their parents or responsible adult.
3. Appropriate training of staff will be implemented to prevent underage sales.
4. An Age Verification Policy / Challenge 25 (with incident log and maintained records) where photocard driving Licence, Passport, Validated UK Hologram PASS cards will be requested.
5. All Management and Supervisors are DBS checked and suitably trained.

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 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
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	JUDITH DIANE TALBOT FPLL
Date	05 JUNE 2018
Capacity	LICENSING CONSULTANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

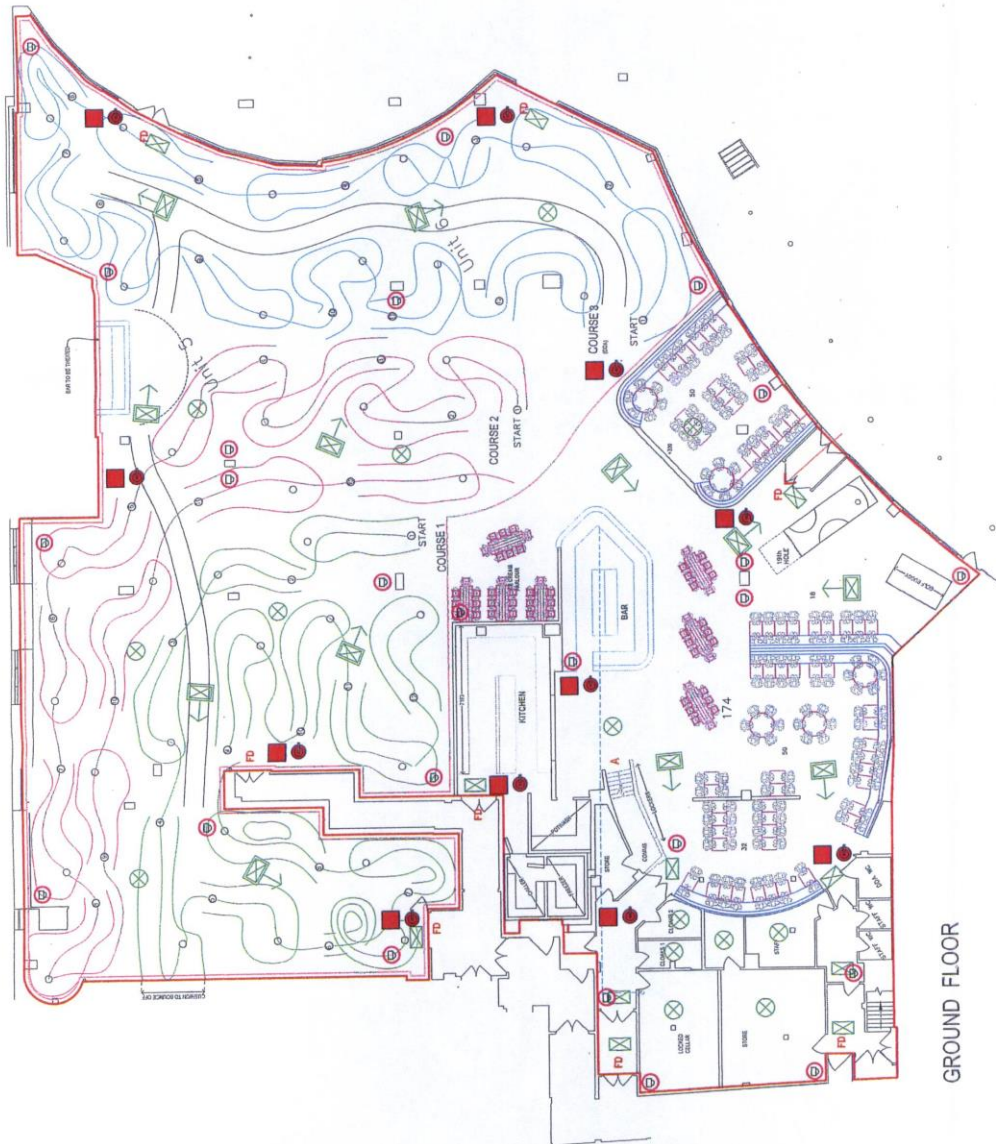
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
JDT Judith Diane Talbot Licensing Consultant			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

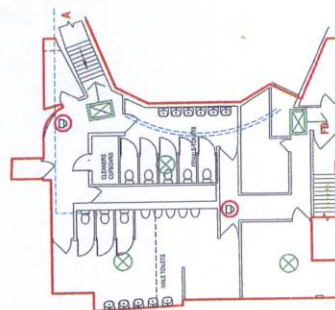
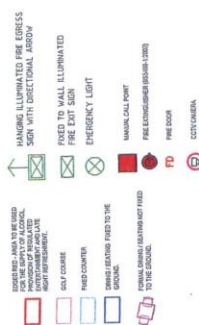
Notes for Guidance

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.

;



GROUND FLOOR



MEZZANINE FLOOR

	LAYOUT DRAWING	SCHEME DESIGN (S)
DATE	PROJECT	DATE
11/03/2018	11/03/2018	11/03/2018
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11/03/2018	11/03/2018	11/03/2018
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11/03/2018	11/03/2018	11/03/2018
11/03/2018	11/03/2018	11/03/2018
11/03/2018	11/03/2018	11/03/2018

Appendix 3

On 13 Jun 2018, at 09:27, bw licensing

Dear Licensing,

With regard to the premises licence application for Mr Mulligans Space Golf, Units 5, 6 & 7 Broadway Plaza, Five Ways. B16 8LP.

West Midlands Police have reviewed this application and are happy that if the below conditions are added to the premises licence then the licensing objectives will be met and promoted.

The below conditions have been agreed with the applicant via their solicitor who is copied into this email as acceptance as per below email chain.

If the premises is carrying out an exclusive DJ / live music event (where customers will attend specifically for the act(s) rather than the premises normal core business of Adventure Golf with anything being ancillary) they will notify West Midlands Police Birmingham Licensing Department a minimum of 28 days prior to the event. For this type of event the premises will supply a full written risk assessment with the event notification. The risk assessment is to be agreed with West Midlands Police Birmingham Licensing Department and will form part of the premises operating conditions for that event / evening.

If the above conditions are imposed onto the licence then West Midlands Police have no objection to this application.

Regards

Chris Jones 55410

Birmingham Central Licensing Team

West Midlands Police HQ
Lloyd House
Colmore Circus
Birmingham
B4 6NQ

From: Judith Talbot
Sent: 13 June 2018 08:47
To: bw licensing
Subject: Re: WEST MIDLANDS POLICE - COPY APPLICATION MR MULLIGANS SPACE GOLF BIRMINGHAM 05.06.18

Good Morning Chris

Yes my client is happy with the above and thank you for the clarification - they may seem like minor points but relevant to giving my client comfort in the running of their business. Thank you for your prompt assistance on these matters and please notify the council accordingly.

Kind regards
Judith

Appendix 4

-----Original Message-----

From: Judith Talbot
Sent: Tuesday, June 19, 2018 7:00 PM
To: Gary Callaghan
Cc: Doug Wright
Subject: Re: Mr Mulligans Space Golf

Dear Gary

Thank you very much for your email and confirmation that you will inform the General Licensing Section if the additional Condition and thank you for attaching the additional paperwork. I do in fact already have the Age Verification Policy that my client Company uses at all of its premises.

The E online training is an excellent suggestion that we will explore further.

Thank you for your assistance.

Kind regards

Judith Talbot FPLI

Sent from my iPhone

> On 19 Jun 2018, at 14:23, Gary Callaghan
>
> Hi Judith,
>
> I will update General Licensing Section that your client has agreed
> the proposed condition suggest by Doug,
>
> I have attached some paper work that we give out to premises .
>

1

From: Doug Wright
Sent: Friday, June 15, 2018 2:12 PM
To: [jdtlicensing](#)
Cc: Gary Callaghan
Subject: Mr Mulligans Space Golf

Dear Sirs,

I visited the premises last night and the notice was displayed and the dates correct.

So in considering the application submitted the Licensing Enforcement Team has applied the tests of necessity and reasonableness in order to promote the four licensing objectives and I have there attached a condition which the Licensing Enforcement Team will require the applicant to accept as a new condition attached to the premises licence.

Subject to the applicant or you as their authorised agent confirming in writing they agree to accept the attached condition there will be no need to the Licensing Enforcement Team to make a representation regarding the application submitted.

Should you wish to contact me to discuss the matter further my contact details are shown below. However, I am not back in the office until 02/07/2018 – So please contact my colleague Gary Callaghan, who I have copied into this correspondence.

So could you please consider that for the above premises we put as a general condition:

General

All members of staff must receive training regarding the:-

- Four licensing principles contained in the Licensing Act 2003
- Responsible retailing of alcohol, and the law

1

- Protection of children from harm and this must include how to competently check customers identification where necessary
- Authorised hours for licensable activities and the conditions attached to the premises licence

All training provided to staff will be recorded and each member of staff will sign and date the training records to confirm they have received and understood the training and on-going refresher training every six months.

The staff training records will be maintained at the premises and made available to any Responsible Authority upon request.

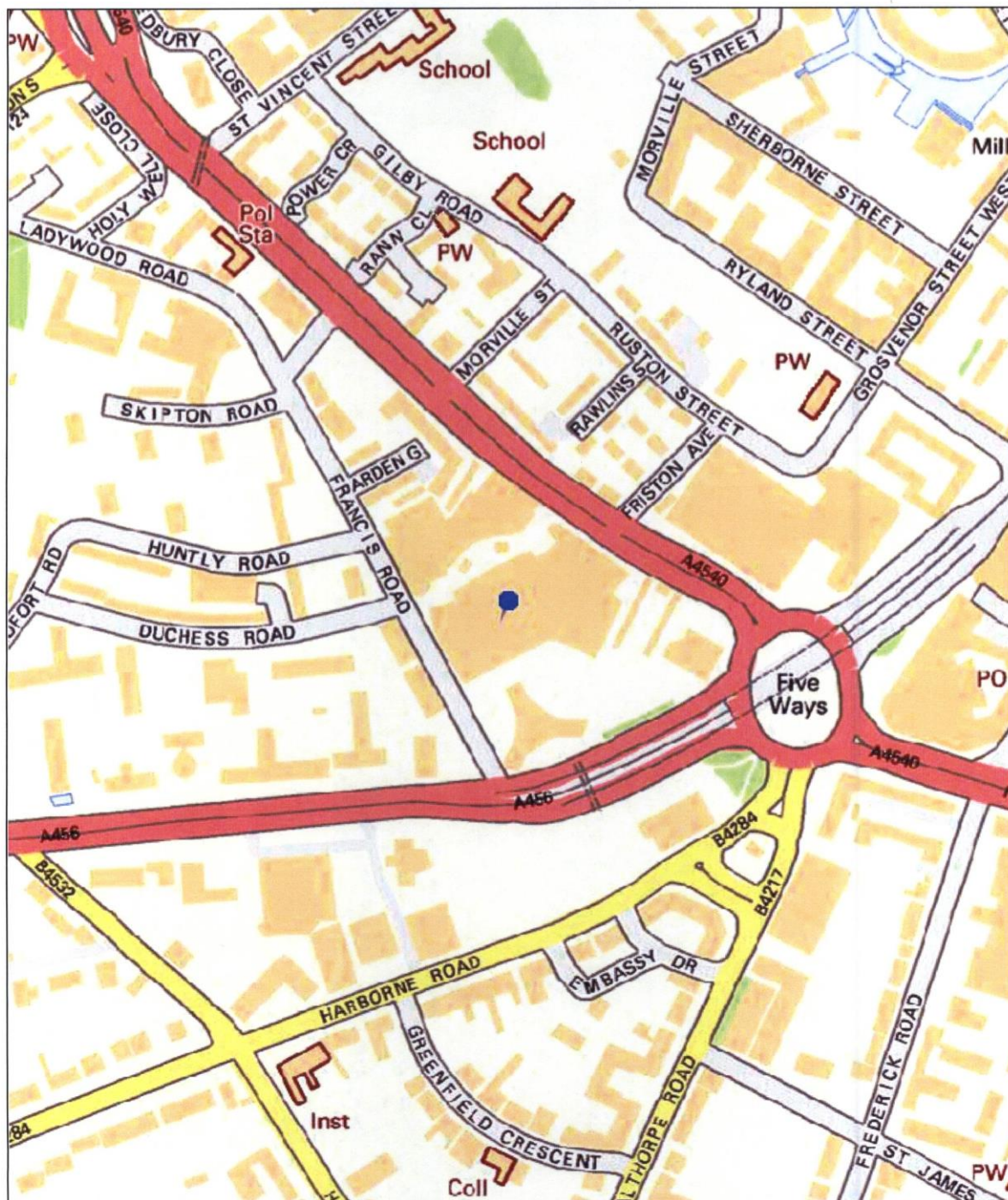
Regards

Doug Wright
Licensing Enforcement Officer

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

Web: <http://www.birmingham.gov.uk/regulatorycharter> - to view BCC's Customer Care Charter

Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.
Follow us on Twitter @BCClicensing



Map Created By:

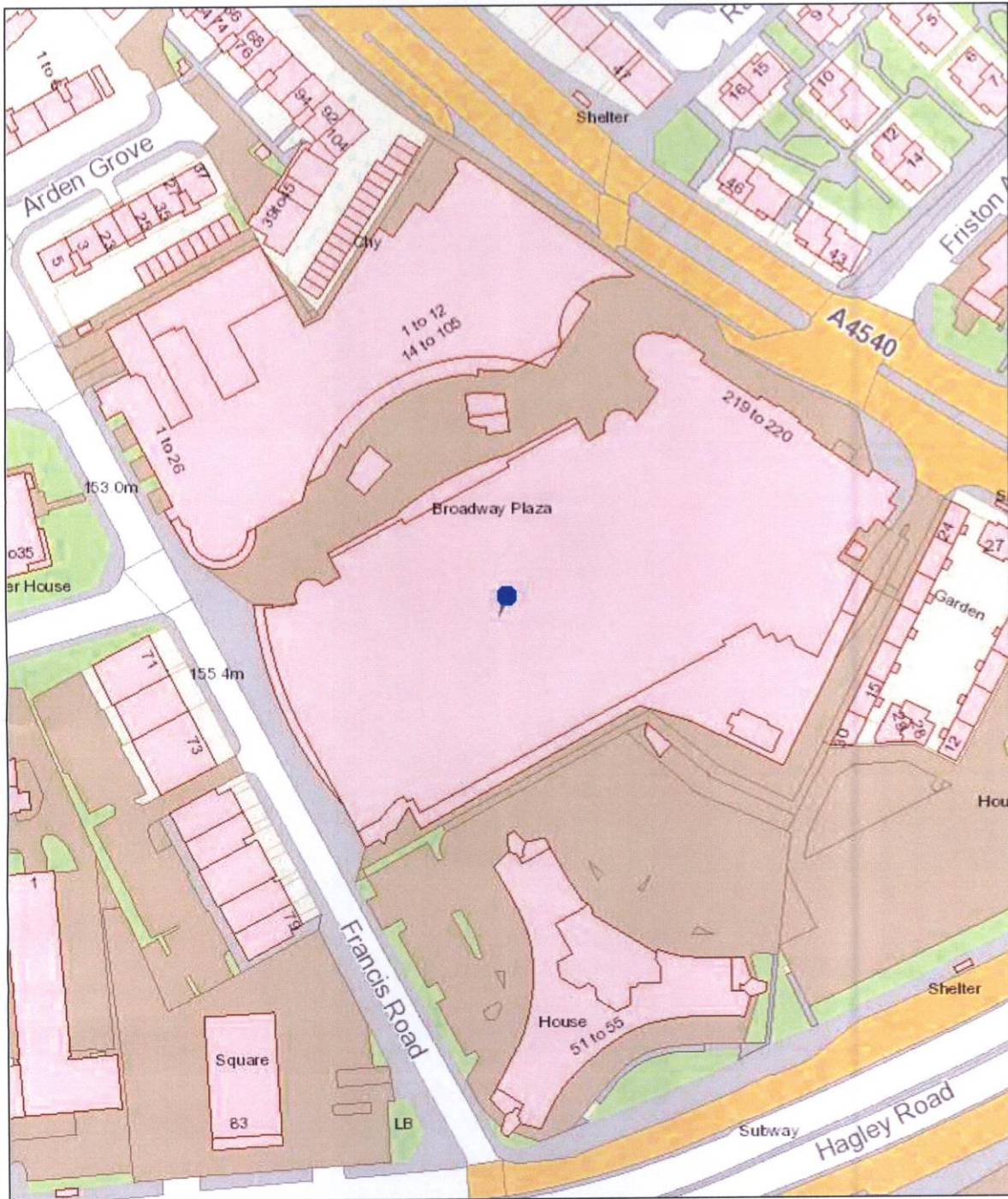
Date of Map Creation: 12/07/2018

Notes



Scale:
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Map Created By:

Date of Map Creation: 12/07/2018

Notes

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