

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE C,
WEDNESDAY, 14 JUNE
2017**

**MINUTES OF A RECONVENED MEETING OF THE
LICENSING SUB-COMMITTEE C, HELD ON
WEDNESDAY, 14th JUNE, 2017 AT 0930 HOURS,
IN COMMITTEE ROOM 1, COUNCIL HOUSE,
BIRMINGHAM**

PRESENT: - Councillor Alex Buchanan in the Chair

Councillors Barbara Dring and Bob Beauchamp
Councillor Cruise - Observing

ALSO PRESENT

David Kennedy, Licensing Section
Joanne Swampillai, Committee Lawyer
Louisa Nisbett, Committee Manager
Katy Poole, Committee Manager (Observing)

NOTICE OF RECORDING

01/140617 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES

02/140617 No Apologies were submitted.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT SIMMER DOWN
CIC EVENT ON SUNDAY 23RD JULY 2017 AT HANDSWORTH PARK,
HOLLY ROAD, BIRMINGHAM, B20 2BY**

The following persons attended the meeting:-

On behalf of the applicant

Jesse Gerald – Chair of Simmer Down CIC
Jan Kimber – Vice Chair
Alex William – Producer
John Duffy - Leon Security Services

On behalf of West Midlands Police

PC Abdool Rohomon
Superintendent Matt Shear

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 1)

Following introductions by the Chairman,

Ms Kimber started by updating Committee Members on the matters since the last meeting:

1. In response to Cllr Dring, Ms Kimber assured Members that the issues raised by residents regarding parking for the Simmer Down CIC had been resolved.
2. Cllrs were happy that the residents' concerns had been addressed.
3. Ms Kimber continued by informing the Members that since the adjournment, a Safety Advisory Group meeting had been held and a full interrogation of safety had been carried out. Subsequently, as a result of the SAG meeting 4 conditions had been agreed. A copy of these conditions had been circulated to Members prior to the meeting.

(See document No. 2)

4. Ms Kimber informed members that a safety manual will be produced and finalised prior to the event and that it will be circulated to all relevant parties.

5. Ms Kimber also stated that the organisation was grateful for the input from West Midlands Police to ensure the success of the Simmer Down CIC event.
6. Members were concerned regarding the application for a Permanent Licence. Mr Kennedy confirmed with Members that the application was in fact for a time limited Premises Licence for Sunday, 23 July, 2017 only.

PC Adbool Rohomon in presenting the case for West Midlands Police and in response to questions from Members, made the following points:

1. PC Rohomon, who was maintaining the objection on behalf of West Midlands Police, stated that, following discussions, they were withdrawing their objection.
2. PC Rohomon also stated that the police were in agreement with the application subject to the 4 conditions.
3. PC Rohomon also confirmed to the Members that the parking conditions had been resolved and agreed.

At 0950 hours the Chairman requested that all present, with the exception of Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1030 hours, after an adjournment, all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

03/140617 **RESOLVED:-**

That the application by Simmer Down CIC, for a time-limited premises licence in respect of premises “Simmer Down CIC Event”, also known as the “Simmer Down Festival”, on Sunday 23rd July 2017 at Handsworth Park, Holly Road, Birmingham, B20 2BY:

BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS to promote the prevention of crime and disorder, public safety and the prevention of public nuisance objectives in the Act:

- The four special Conditions, agreed in advance with West Midlands Police and voluntarily adopted by the applicant, will be incorporated, namely:
 1. A multi-agency site inspection will take place on the morning of the Festival. WMP will be invited to attend.
 2. A debrief will be held within six weeks of the Festival.

Licensing Sub Committee C –14 June 2017

3. Any suggestions made in respect of Counter Terrorism will be taken on board and incorporated into the final security plans. This could be up to the day of the Festival.
 4. A Final Events Manual will be produced three weeks before the day of the Festival. However if additional requests are made after this date it will be amended.
- The Licence will be solely for the one-off “Simmer Down CIC Event”, also known as the “Simmer Down Festival”, taking place on Sunday 23rd July 2017, at Handsworth Park, from the hours of 12:00 hrs to 20:00 hrs

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

The Sub-Committee's reasons for imposing these agreed and volunteered conditions are due to the submissions made by West Midlands Police, who stated that the four special Conditions were suitable. The applicants were working with the Police, and had attended the recent Safety Advisory Group Meeting as requested, where details and plans for the event had been discussed at length. They had also made amendments to the Event Manual and submitted it to the Police. The Police Officers who attended the meeting stated to the Sub-Committee that they considered the planning of the event to be “in a much better position than two weeks ago”.

The applicant stated that they were happy to voluntarily adopt the four special Conditions and added that they were grateful to West Midlands Police for their assistance.

The Sub-Committee therefore considers the conditions imposed to be appropriate, reasonable and proportionate to address concerns raised.

The Sub-Committee also considered written representations made by another person, regarding parking in neighbouring streets. However after hearing submissions from the applicant at the earlier hearing, relating to the advice they had received from the City Council's Highways Department, and their plans to deal with parking issues, the Sub-Committee was satisfied that appropriate measures would be put in place to promote the prevention of public nuisance objective.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application, the written representations received and the submissions made at the hearing by the applicant and those making representations, namely West Midlands Police.

Licensing Sub Committee C –14 June 2017

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

The meeting ended at 1033 hours.