

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE B**

**THURSDAY, 11 APRIL 2019 AT 09:30 HOURS**  
**IN ROOM C, COUNCIL HOUSE EXTENSION, MARGARET ST,**  
**[VENUE ADDRESS]**

*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 - 18**

4 **MINUTES**

To note the public part of the Minutes of the meeting held on 12 March 2019.

**19 - 90**

5 **LICENSING ACT 2003 MULTIPLE TEMPORARY EVENT NOTICES**  
**QUANTUM, 77A UPPER TRINITY STREET, BIRMINGHAM, B9 4EG.**

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

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

**P R I V A T E   A G E N D A**

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 12 March 2019 and to confirm and sign the Minutes as a whole.

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

<p><b>LICENSING SUB – COMMITTEE B 12 MARCH 2019</b></p>
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**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD  
ON TUESDAY 12 MARCH 2019, AT 0930 HOURS, IN ELLEN PINSENT,  
COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1 1BB**

**PRESENT:** - Councillor Nagina Kauser (for the first and second case) Councillor Barbara Dring (for the Expedited Review) in the Chair;

Councillors Mike Sharpe and Adam Higgs.

**ALSO PRESENT**

Bhapinder Nandhra – Licensing Section  
Parminder Bhomra – Legal Services  
Katy Townshend – Committee Services

**NOTICE OF RECORDING**

- 1/120319 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.

**DECLARATIONS OF INTERESTS**

- 2/120319 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.

**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

- 3/120319 No apologies were submitted.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT - CLEARANCE ZONE  
AND POST OFFICE, 206 SOHO ROAD, HANDSWORTH, BIRMINGHAM, B21  
9LR**

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

(See document No. 1)

The following persons attended the meeting.

**On behalf of the Applicant**

Joga Singh – Applicant

Patrick Robson – John Gaunt Solicitors

Sundeep Malhi – Designated Premises Supervisor (DPS)

**Those Making Representations**

PC Abdool Rohomon – West Midlands Police

Diane Mansell – Soho Road BID

Tariq Rashid – Handsworth Community Action Group (HCAG) Streetwatch

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Following introductions by the Chairman, Bhupinder Nandhra, Licensing Section, made introductory comments relating to the report.

Mr Robson, on behalf of the applicant, made the following points:-

- a) That the shop was a joint venture between Mr Singh and Mr Malhi.
- b) That it was a family business, his brother ran a Post Office as well.
- c) That the DPS ran another premises on Villa Road, which was only a *mile* away.
- d) That he had been a DPS since 2009 and had a good track record.
- e) That they had applied for 0800-2000 hours daily. However, they would be happy to compromise even further with the proposed hours:-
  - Monday-Saturday 0830-2000 hours
  - Sunday 1000-1800 hours.
- f) That they original applied hours were actually *modest* for Soho Road.
- g) That the premises was firstly going to be a Post Office; processing passport applications. It would play an important role in the community. The Post Office opposite had recent gone and therefore it was needed in the area.
- h) That the premises wanted to diversify in a difficult climate, by offering a convenience style store as well.
- i) That it was not uncommon for Post Offices to have an alcohol licence.
- j) That if anyone was to search for licensed Post Offices, there were lots of them in the Birmingham City Council area.

- k) That selling alcohol was an important revenue; it could be the difference between surviving or not.
- l) That there would be 3 members of staff other than the PLH and DPS and they may take on another 1-2 members of staff if needed.
- m) That the customer base would be similar to Villa Road.
- n) That it was a busy commercial area, with other licensed premises.
- o) That there were at least 11 other premises with off sale licenses.
- p) That on pages 47/48 of the document pack there was a list of premises with opening times equal to, or exceeding the applicant's request.
- q) That Iceland was one of the representations.
- r) That on page 49 he had provided a list of licensed premises on Soho Road, and the grid indicated that there was usually around 14/15 licensed premises every year. If the application was granted it would not exceed the normal amount of licensed premises in that area.
- s) That there were two premises that had their licenses suspended in 2015, meaning there was only 12 licensed premises on Soho Road currently.
- t) That in January 2019 a premises, that had previously been suspended, applied for a licence, yet WMP made no objections to that application.
- u) That no premises licenses on Soho Road had ever been refused.
- v) That child protection had not been raised as a concern.
- w) That the local commercial premises signed identical letters; like a petition. They all put their business addresses and therefore, they were unable to establish whether they were local residents or not.
- x) The concerns raised could not be linked to the premises as they were not operating as a licensed premises, therefore, not selling alcohol.

At this stage Mr Robson referred Members to the Section 182 Guidance; he stated that the guidance suggested that licensing was not a primary mechanism for dealing with wider anti-social behaviour.

Mr Robson continued:-

- a) That there were lots of non-licensing mechanisms out there.
- b) That some of the issues in the area were not alcohol related.

- c) That the police should adopt a holistic approach in addressing the behaviours in the area.
- d) That if the premises was granted and had issues, they could use the review process to address concerns.
- e) That residents had issues *day and night*, yet they could not be sure residents had even objected, and the premises had modest hours.
- f) That the police did object and they placed a condition on the licence, not to sell beers and ciders above 5.5%, the premises committed to that condition the next day. Then the police emailed Licensing and confirmed that if the condition was added to the licence they had no objection to the application.
- g) However, on the last day of the licensing period, they changed their minds and put an objection in. therefore, the condition no longer stood.
- h) That they had amended the hours and had conditions on the license in order to promote the licensing objectives, such as: CCTV inside and outside, refresher training, challenge 25, refusals and incident book.
- i) That many other licensed premises did not have conditions like that.
- j) That the 182 Guidance recognised that external CCTV actually could be a deterrent for anti-social behaviour.
- k) That the premises had good lighting outside.
- l) That there was a training bundle included in the document pack.
- m) That the emphasis was on not selling alcohol to children, and not selling alcohol to drunks.
- n) That the training programme was a robust training package.
- o) That none of the other licensed premises had a condition regarding not selling beers and ciders over 5.5%.
- p) That the Local Government Guidance on high strength alcohol was 6.5% upwards. However, the police requested 5.5%; therefore it was more robust than *others out there*.
- q) That despite the condition not being binding the applicant was happy to offer it as a condition at the hearing.
- r) That other premises offered high strength beers and ciders.
- s) That the representations mentioned *litter* but they had offered conditions to address those concerns including; litter bins in the premises and spirits to be situated behind the sales counter.

- t) That the police representation had two concerns, the first was a Post Office selling alcohol, and the second was the saturation of licensed premises in that area already.
- u) That in regard to the Police's statement they had several issues with it. Firstly, the assumptions made with no statistical evidence regarding those with alcohol problems. The language of speculation concerned them, especially regarding those who collect benefits from the Post Office. There had been a large decline over the years of benefits being collected from Post Offices and therefore, the number of people the police had concerns about was limited.
- v) That most Post offices had alcohol licences.
- w) That it was a *fallacy* to presume that alcohol addicts go to the Post Office collect their benefits and then decide they *need alcohol*.
- x) That if someone came in with an alcohol dependency they would be looking for high strength alcohol which they would have to go somewhere else for.
- y) That the police had made assumptions that certain people would be targeting the shop, including:
  - Alcohol addicts,
  - Those collecting benefits,
  - Want for alcohol at time of collecting benefits.
- z) That it was a very limited group of people that WMP were concerned about.
- aa) That the Police had concerns that there was a saturation of premises nearby, however there was no Cumulative Impact Policy operating in Soho Road. The evidential burden was upon those making representations, yet, they had not done that.
- bb) That rejecting the application of the grounds the above would be *creating a Cumulative Impact Zone through the back door*.

In answer to the Members' questions Mr Robson continued:-

- a) That they had reached out to WMP but did not get any response from PC Rohomon as he was away.
- b) That they did not reach out to other businesses.

The Designated Premises Supervisor (DPS) Mr Sundeep Malhi made the following statements:-

- a) That they would not be selling high strength alcohol.

- b) That it was a way of helping customers so they could get everything under one roof.
- c) That they would have a refusals book and make sure it was recorded accurately.
- d) That obviously when they first started there would be more refusals as people try it on.

Mr Joga Singh, the applicant, made the following points:-

- a) That people would know they wouldn't be able to get cheap alcohol from the premises.
- b) That if people came and tried they would know not to serve them.

PC Rohomon, on behalf of West Midlands Police (WMP), made the following points:-

- a) PC Rohomon wanted to ask how often the DPS worked at Villa Road – the DPS advised it was 4 times a week.
- b) That whilst there was a conditions regarding high strength alcohol, when PC Rohomon spoke with the local area inspector he explained the issues in the area and that he was not supportive of the application, therefore WMP objected. They did apologise for the sudden change.
- c) That he did not deal with the day to day stuff of the neighbourhood officers, so they weren't aware what was going on in Soho Road.
- d) That Soho Road was second highest for crime in central Birmingham.
- e) That they had put a lot of effort into controlling the alcohol, violence, begging, prostitutions and domestic violence in that street and they couldn't take the foot of the pedal. They were working closely with partner agencies to try and consistently deal with issues.
- f) That the issues had not gone, they were just being constantly actioned against.
- g) That they could not afford to reduce the work load, they had to keep going.
- h) That it was not a Cumulative Impact Zone area, but that was not to say they were not having problems. Further, it was not to say that it should be granted just because it was not a Cumulative Impact Zone.
- i) That crime rates in the area were going up.
- j) That accordingly to case law, they don't have to wait for problems to happen to make an objection.



- k) That the applicant said to grant the application, then if problem occur there was a review process to deal with it.
- l) However, the review process was lengthy and during the appeal process they could still trade.
- m) Should we wait for problems to arise, or should we be more proactive in the first place?
- n) That the Licensing Act stated that each responsible authority was experts in their own field. Therefore, police were experts in crime and disorder and their evidence should be viewed strongly.
- o) That selling *to drunks was harder to prove and prosecute than murder*.
- p) That from Inspector Ahmed's statement, it was clear how many resources were being put in to trying to manage the situation in Soho Road.
- q) That adding another premises would add to the pressures.
- r) That there was no Post Office on Soho Road, therefore, people could go in and get money and it would actively encourage people to get alcohol; it's convenient.

In response to Members questions PC Rohomon made the following points:-

- a) That they were objecting to the application, and did not feel the issues could be overcome by way of conditions.
- b) That as with every crime pattern, there were peaks and troughs, however, the *problems in the area were never low enough to take the foot of the pedal*.
- c) That having read the inspectors statement the reasons were compelling, grounded and necessary.
- d) That there were no grounds not to object after seeing his statement.

Mr Robson and PC Rohomon had a discussion regarding how many reviews there had been in that area, PC Rohomon said it was minimal.

Mrs Diane Mansell, from Soho Road BID, made the following points:-

- a) That the Soho Road BID was coming to the end of their fifth year and there had been issues in and around that area for some time.
- b) That in 2015 they had to set up a project called Ambassadors Programme. They employed 2 members of staff to patrol the area supporting businesses and shops in the local area on business advice. However, they

were now spending their time dealing with anti-social behaviour, and street drinking.

- c) That most of their time was spent in the middle part of the shopping area where the Post Office was situated. Last year they had to increase the numbers, so 4 people were patrolling the area.
- d) That 43% of their resources was spent on crime in the area.
- e) That the area had high levels of unemployment and many people were economically inactive.
- f) That there were high levels of people with complex needs.
- g) That crime rates were increasing even with the extra resources.
- h) That the police were doing daily patrols with them.
- i) They had 23 benches removed from the town centre to try discourage street drinking and anti-social behaviour
- j) That whilst it was not a Cumulative Impact Zone, they were pushing for one.
- k) That businesses themselves came forward due to the issues they faced in the area, and wanting to show as a community they were working to cut down issues.
- l) That another licensed premises would only add to the existing issues.
- m) That high % alcohol and single can sales were a concern.
- n) That where the Post office was situated, it was in one of the biggest problem areas.
- o) That many premises were being reviewed on that stretch of road.
- p) That it was hard to tell if people were drunk, until they were refused alcohol and became aggressive. There were already lots of issues with street drinkers and aggressive behaviour.
- q) That all the businesses were residents also.
- r) That staff for the BID wore body cameras and vests due to safety.
- s) That although the applicant had said they won't sell cheap alcohol, their name suggested different.
- t) That to the right side of the property there was an alleyway to the car park and they had issues of homelessness, begging, drug taking, and alcohol misuse down there.

Mr Rashid, from Handsworth Community Action Group (HCAG) Streetwatch, made the following points:-

- a) That the group was set up in October last year.
- b) That he was a resident, with a young family.
- c) That all his volunteers were local residents.
- d) That they set the group up because of the high levels of prostitutes, street drinking, and drug taking in the area. They faced those problems on a regular basis.
- e) That the first thing they found was a knife.
- f) That in Soho Road, people were drinking alcohol and carrying cans around. They patrolled in pairs, however, after a week they had to start patrolling in groups of five due to safety.
- g) That 23 benches had been removed to try combat street drinking.
- h) That they could not patrol the street without the police.
- i) That both inspectors were supporting them and the initiative was working.
- j) That at the back of the Post Office there were lots of spirit bottles.
- k) That he had something to share with the Committee.

At this stage the Committee Lawyer advised that any new evidence should have been served on all parties prior to the hearing.

Mr Rashid confirmed that he would leave the evidence out of his submission.

Mr Rashid continued:-

- a) That residents were complaining about the problems.
- b) That people didn't always report the low level alcohol crimes.

In Summing up Mr Rashid made the following points:-

- That families were being affected by the issues.
- Alcohol was easy to get hold of.
- That street drinkers did not look at what was cheap and what was not, they just bought it.
- That the application should be rejected.

In summing up Mrs Mansell made the following points:-

- That they were really struggling and this would add to the issues.
- That the premises survived without alcohol before so why would they need it now?

In summing up, PC Rohomon, on behalf of WMP made the following points:-

- That it was a compelling case, he had never seen so many written objections.
- That there were issues in the area rarely did the BID object as they were there to promote business.
- That WMP worked to address alcohol in the area.
- That powerful bodies were telling the Committee about the issues in the area; people who lived there, people who worked there. The applicant lived in Wolverhampton, was not familiar with the area and was not dealing with the issues on a daily basis.
- That people who had to deal with it on a daily basis were telling the Committee about the serious issues they faced.
- That in order to prevent crime and disorder the application should be refused. The legislation supported that determination.

In summing up, Mr Robson, on behalf of the applicant, made the following points:-

- That they wanted to join the community as a family run business.
- That they would be working there a lot and wanted to be treated like residents.
- That they wanted to discourage problems.
- That hopefully they could establish a partnership with all parties today.
- That the application should be judged on its own merits and the determination should be evidence based, not based on the presumption that the premises would cause more issues.
- That there was no evidence to suggest the statistics were alcohol related.
- The statistics had not been broken down.
- That there were no issues directly related to the operator.
- The operator was responsible.
- That they would not add to the issues.
- That they had robust conditions.

- That there was no Cumulative Impact policy in place.
- That they could review the premises if issues arose.
- That they invited the Committee to grant the application, including the offered conditions.

At 1115 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1139 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

4/120319 **RESOLVED:-**

That the application by Joga Singh for a premises licence in respect of Clearance Zone & Post Office, 206 Soho Road, Handsworth, Birmingham, B21 9LR **be refused**

In reaching this decision, the Sub-Committee was mindful of the promotion of the Licensing Objectives in the Act, particularly the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee's reasons for refusing this application for a premises licence are due to concerns expressed by other persons and the local Inspector from the West Midlands Police, for the Handsworth Ward covering Soho Road, regarding the impact of the proposed operation of a Post Office with an off licence.

The Sub Committee considered the local knowledge of the area highlighted by the Soho Road Bid Manager, and personal experiences of the HCAG Streetwatch representative around the issues affecting residents and businesses in the locality of Soho Road, such as; the availability of alcohol in influencing negative drinking behaviours and associated alcohol-related problems, as an important feature of the licensing regime that could not be ignored.

Members noted the other person's concerns focused on the increase in the availability of alcohol from yet another off-licensed premises not just to the catchment of Post Office customers but to those with alcohol dependencies, irrespective of the alcoholic strength by volume sold which would escalate current alcohol related issues that the area suffers from.

The Sub Committee thought it was significant that Soho Road, on which the premises is located, is the second highest crime and anti-social behaviour hot spot outside Broad Street as per Inspector Ahmed's witness statement. Member's considered this evidence to be relevant and important as it derived from the expert on crime and disorder who identified street drinking and prostitution particularly as an on-going problem on the stretch of road where the premises is situated.

Members did give due consideration to the applicant's submissions made during the hearing and felt there was not much of an awareness to the ongoing problems despite operating this business together with another one in the Handsworth ward.

The Sub Committee recognised the prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest. A proposal to reduce licensable hours and proffer new additional conditions did not surmount the concerns of the Responsible Authority nor the other persons. Members could foresee another off-licence would lead to increased consumption and increased harm through the availability of another alcohol outlet and deemed a refusal was appropriate in the public interest.

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 contained in the application, the written representations received and the submissions made at the hearing by the applicant, their legal adviser, and those making representations.

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.

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**THE DUKES, BRISTOL ROAD SOUTH, NORTHFIELD, BIRMINGHAM, B31  
2JR - LICENSING ACT 2003 AS AMENDED BY THE VIOLENT CRIME  
REDUCTION ACT 2006 - APPLICATION FOR EXPEDITED REVIEW OF  
PREMISES LICENCE: CONSIDERATION OF INTERIM STEPS**

5/120319 A certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003, an application for Review of Licence, a copy of Premises Licence and Location maps were submitted:-

(See document No. 1)

The following persons attended the meeting.

**On behalf of West Midlands Police**

PC Deano Walker – West Midlands Police (WMP)

**On behalf of the Premises Licence Holder**

No one attended on behalf of the premises.

\* \* \*

The Chair made introductions and outlined the procedure to be followed and enquired whether there were any preliminary matters.

On behalf of West Midlands Police PC Walker stated that he intended to show the Members CCTV footage of a serious crime and serious disorder at the premises. The investigations were on-going and they were yet to make any arrests. PC Walker requested that the CCTV be held in private.

At 1247 hours the Sub-Committee adjourned to discuss the issue and to take legal advice and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1249 hours all parties were recalled to the meeting and the Chair advised that the Sub-Committee had considered the preliminary matter and had decided that CCTV presentations will be held in private on this occasion due to the on-going criminal investigation (Regulation 14(1) (2), The Licensing Act 2003 (Hearings) Regulations 2005).

Bhapinder Nandhra, Licensing Section, made introductory comments relating to the documents submitted.

On behalf of West Midlands Police PC Walker made the following points:

- a) That during the early hours of the morning of 9 March 2019 there were numerous phone calls made to WMP. The phone calls indicated that:-
  - There was a disorder
  - At least 25 people were involved
  - People were punching each other
  - That someone had been stabbed.
- b) That when the Police arrived at the venue, there was a male with stab wounds to the chest.
- c) That after the incident another male was found to have received multiple stab wounds to the back.
- d) That officers soon established that 2-3 Asian males had entered the venue and started *trouble*. People began to make their way upstairs and that's when they found a male with stab wounds.
- e) That the male on the stairs was receiving first aid from patrons until the ambulance arrived.
- f) The venue was a basement venue.
- g) That one male received 4 stabs wounds and a punctured lung, and the second victim had a stabbed abdomen and a sliced Liver.
- h) That despite reports, it was not believed that a hammer was used as a weapon.

- i) That police soon established that a third male had been glassed during the serious disorder. During the CCTV footage a male could be seen with a bottle in his hand, and later a different male was seen with blood all over him exiting the venue. He later presented himself to the Queen Elizabeth Hospital.
- j) That the CCTV footage showed people entering and leaving the venue and a male staggering and falling at the top of the stairs. The DJ exited the venue and stepped over the injured person, who was collapsed at the top of the stairs. No members of staff gave, or assisted with first aid. Police Officers arrived and assisted with first aid before the medical staff arrived by ambulance.
- k) That the investigating officer who had viewed CCTV extensively believed a handgun was present and drugs were being exchanged.
- l) That the licence holder could be seen on the CCTV. The DPS was a female, but they could not be certain whether she featured in the CCTV footage or not.
- m) That they had major concern over how the premises was managed during the incident and going forward.
- n) There was a deeper concern that the offenders may return, or that a revenge attack may take place.

At this juncture, the Chairman advised that the public would now be excluded from the meeting.

**EXCLUSION OF THE PUBLIC**

6/120319

**RESOLVED:**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

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At this stage in the meeting having viewed the CCTV footage in private the public were readmitted to the meeting.

PC Walker continued to make the following points, in answer to Members questions:-

- a) That they had much more CCTV to show at the full review hearing.
- b) That the incidents were serious disorder and serious crime.
- c) That the premises had a lack of control.
- d) That the CCTV footage was distressing.



- e) That the premises were clearly not preventing crime and disorder or concerned with public safety.
- f) That the Premises Licence Holder (PLH) did not protect anyone.
- g) That WMP believed the incidents could have been prevented with stronger staff.
- h) That the venue generally only opened at weekends.
- i) That the premises were supposed to notify WMP of events, but had not been doing that.
- j) That WMP had power of veto over the premises.
- k) That the premises had no history of issues, they were not on WMP's radar.
- l) That there were at least 8 individuals to be arrested, but they were still not aware who the individuals were.

At 1337 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1400 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

7/120319

**RESOLVED:-**

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Mr Patrick De Ward in respect of The Dukes T/A Medleys, Bristol Road South, Northfield, Birmingham, B31 2JR this Sub-Committee determines that the licence be suspended pending a review of the licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application.

The Sub-Committee's reason for imposing this interim step is due to the concerns of West Midlands Police in relation to matters which came to light at the premises on 9<sup>th</sup> March 2019 at 2:20am as outlined in the Chief Officer of Police's certificate and application.

The West Midlands Police showed CCTV footage (viewed in private) of at least one stabbing incident occurring in the bar area of the premises and of the victim being helped up the stairs until he collapsed surrounded by female patrons.

It was very apparent from the CCTV footage, the door staff were not in control of patrons leaving and entering the premises prior to and after the incident occurred.

Further, the DPS and Premises Licence Holder showed no regard for the injured person(s) lying in the bar area and on the stairs.

Members were quite concerned by the lack of management and compliance of the licence conditions and as such, felt there could be no trust or confidence in the operation of the venue by the Premises Licence Holder and by the door staff.

The Sub Committee considered the West Midlands Police request for a suspension on the basis there could potentially be a repeat of the serious crime and disorder that occurred in the form of a revenge attack by the friends of the injured persons.

In view of the CCTV footage and West Midlands Police submissions, Members determined it was therefore necessary and reasonable to impose the interim step of suspension to address the immediate problems identified with the premises, in particular the likelihood of serious crime and or serious disorder, and to promote the prevention of crime and disorder objective in the Act.

The Sub-Committee considered whether it could impose other interim steps including modification of licence conditions, exclusion of the sale of alcohol or other licensable activities, or removal of the Designated Premises Supervisor. The Sub-Committee did not believe however that any of these would address the totality of issues brought to their attention by the police.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, and the submissions made by the police at the hearing.

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours.

All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

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8/120319

**OTHER URGENT BUSINESS**

There were no matters of urgent business.

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The meeting ended at 1406 hours.

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CHAIRMAN

## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Thursday 11<sup>th</sup> April 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Multiple Temporary Event Notices</b>
<b>Premises:</b>	<b>Quantum, 77a Upper Trinity Street, Birmingham, B9 4EG.</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>Mr Shaid Yasser, Senior Licensing Officer 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

<b>1. Purpose of report:</b>
To consider an objection notice to Temporary Event Notices (TENs), which seeks to permit the provision of licensable activities on the dates and times as detailed in each TEN attached to this report as an Appendix.

<b>2. Recommendation:</b>
To consider the objection notices made by West Midlands Police and Environmental Health.

<b>3. Brief Summary of Report:</b>
Temporary Event Notices were submitted by Thomas Jenkins and received on 6 <sup>th</sup> March 2019 in respect of Quantum Exhibition Centre, 77a Upper Trinity Street, Birmingham, B9 4EG.
An objection notice has been received from West Midlands Police & Environmental Health.

<b>4. Compliance Issues:</b>
When carrying out its licensing functions, a licensing authority must have regard to the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
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.

## **5. Relevant background/chronology of key events:**

Thomas Jenkins submitted on 6<sup>th</sup> March 2019, Temporary Event Notices in respect of Quantum Exhibition Centre, 77a Upper Trinity Street, Birmingham, B9 4EG.

The Temporary Event Notices are attached as Appendices 1 to 2.

The Applicant has submitted documents in support of the Temporary Events Notices, see Appendix 3.

An objection notice has been received from West Midlands Police, see Appendix 4.

An objection notice has been received from Environmental Health, see Appendix 5.

The current premises licence is attached at Appendix 6.

A previous event dated 07<sup>th</sup> April 2019 was modified and authorised by Licensing Sub Committee B on Tuesday 19<sup>th</sup> March 2019. Members noted the parties considered it would be appropriate to have the first TEN for 7<sup>th</sup> April, 2019 take place with reduced hours from 00:30 to 02:00 hours to enable Environmental Health to monitor and assess the installation of a noise monitoring device, after which the events for 21<sup>st</sup> April 2019 & 09<sup>th</sup> May 2019 can be considered.

A copy of the determination from Tuesday 19<sup>th</sup> March 2019 is attached at Appendix 7.

Site location plans are attached, see Appendix 8.

Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.

However, the police or local authority exercising environmental health functions may intervene to prevent such events taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on each TEN.

Where TENs are submitted, and objection notice(s) are maintained, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.

When giving TENs, consideration should be given to the following four licensing objectives:

1. The prevention of crime and disorder
2. public safety
3. The prevention of public nuisance; and
4. The protection of children from harm

If the TENs are in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TENs if it considers that this is appropriate for the promotion of the licensing objectives.

**6. List of background documents:**

Temporary Event Notices, attached at Appendices 1 to 2.  
A copy of the Supporting Documents submitted by the Applicant, attached at Appendix 3.  
Objection notice from West Midlands Police, attached at Appendix 4.  
Objection notice from Environmental Health, attached at Appendix 5.  
Premises Licence, attached at Appendix 6.  
A copy of the determination from Tuesday 19<sup>th</sup> March 2019, at Appendix 7  
Site location plans, Appendix 8.

**7. Options available**

At the hearing the Licensing Authority must consider each TEN separately and determine whether to:

Allow the proposed temporary licensable activities as stated in each TEN  
Impose conditions on each TEN to promote the licensing objectives  
Refuse the proposed temporary licensable activities as stated in each TEN



**Birmingham**  
**Temporary Event Notice**  
**Licensing Act 2003**

For help contact  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

Thomas

\* Family name

Jenkins

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="77A"/>
* Street	<input type="text" value="Upper Trinity Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="B9 4EG"/>
* Country	<input type="text" value="United Kingdom"/>

**Section 2 of 9**

**APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)**

Have you had any previous or maiden names?

☒ Yes ☐ No

Enter details of any previous names or maiden names

First name	<input type="text"/>
Family name	<input type="text"/>

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Additional Contact Details**

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

**Section 3 of 9**

**THE PREMISES**

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

\* Does the premises have an address?

☒ Yes

☐ No



Continued from previous page...

### Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

☒ Yes

☐ No

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither

☒ Premises licence

☐ Club premises certificate

\* Premises licence number

### Location Details

\* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Continued from previous page...

#### Section 4 of 9

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises  
(see also guidance on completing the form, note 6):

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

#### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

21 / 04 / 2019  
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

21 / 04 / 2019  
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

00:30-03:00

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

200

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 11)

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both  
(see also guidance on completing the form, note 12):

- ☒ On the premises only  
☐ Off the premises only  
☐ Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Yes - between the hours of 00:30-03:00

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☒ Yes ☐ No

Continued from previous page...

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

4

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 8 of 9

#### ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes

☒ No

- a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION (See also guidance on completing the form, note 18)**

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

**DECLARATION (See also guidance on completing the form, note 19)**

\* THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:

- 1 (i) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE  
1 AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND  
1 (ii) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS  
\* LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name   
\* Capacity   
\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/birmingham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



**Birmingham**  
**Temporary Event Notice**  
**Licensing Act 2003**

For help contact:  
[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)  
 Telephone: 0121 303 9896

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☐ Applying as a business or organisation, including as a sole trader

☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  06 MAR 2010  REF NO ..... INITIALS .....
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*Continued from previous page...*

**Your Address**

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="77A"/>
* Street	<input type="text" value="Upper Trinity Street"/>
District	<input type="text"/>
* City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="B9 4EG"/>
* Country	<input type="text" value="United Kingdom"/>

**Section 2 of 9**

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

☒ Yes ☐ No

Enter details of any previous names or maiden names

First name	<input type="text"/>
Family name	<input type="text"/>

\* Your date of birth  /  /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

### Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="77A"/>
Street	<input type="text" value="Upper Trinity Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B9 4EG"/>
Country	<input type="text" value="United Kingdom"/>

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

## Section 3 of 9

### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

☒ Yes

☐ No



Continued from previous page...

### Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither

☒ Premises licence

☐ Club premises certificate

\* Premises licence number

### Location Details

\* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Continued from previous page...

#### Section 4 of 9

##### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises  
(see also guidance on completing the form, note 6):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

##### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

09 / 05 / 2019  
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

09 / 05 / 2019  
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

00:30-03:00

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

350

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 11)

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both  
(see also guidance on completing the form, note 12):

- ☒ On the premises only  
☐ Off the premises only  
☐ Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Yes - between the hours of 00:30-03:00

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority   
Licence number   
Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? ☒ Yes ☐ No

Continued from previous page...

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

3

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 8 of 9

#### ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes

☒ No

- a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 9 of 9

#### CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

#### DECLARATION (See also guidance on completing the form, note 19)

\* THE INFORMATION CONTAINED IN THIS FORM IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT IT IS AN OFFENCE:

- 1 \* (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND  
1 \* (II) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/birmingham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



SECURITY RISK ASSESSMENT & DEPLOYMENT PLAN

FOR

Quantum, 77A Upper Trinity Street, Digbeth, B9 4EG

DATE: 09/05/2019

Contents:

Subject	Page
Background & Overview	2
Key Contacts	3
Risk Assessment	4 - 7
Deployment Plan	8
Conditions agreed on Ten	9 - 10
Noise Management Policy	11 - 13
Event Strategy (noise management)	14
Fire Evacuation Plan	15 - 17

### Background & Overview

The venue is at 77A Upper Trinity Street, Digbeth, Birmingham, B9 4EG

Doors will open at 9pm with the event due to start at approximately 9pm and proceedings finishing at 3:00am and the venue closes at 3:30am allowing 30 minutes for attendees to drink up and arrange transport without causing a nuisance waiting outside the venue.

This event is covered by the existing premises license with an additional TEN, however due to the nature of the event; a further risk assessment has been carried out.

The Ten will only be for: The sale of alcohol will be from 12.30 - 03.00

Regulated entertainment from 12.30 - 03.00

Quantum is a multipurpose events venue in Digbeth, hosting a variety of sports, social events, community groups, live music, and festivals.

*Event* : Private event (Invite/employee plus Guest only from the Danter Staff and Wilson family members) Fundraiser with Danter Attractions & Nightlife Outreach,

*Estimated Attendance*: 300-350

*Due diligence*: Previously worked with Danter Attractions on the Big Wheel & Ice Ring in partnership with Birmingham City Council, BCU, HS2 and Millennium point. Event is a yearly occurrence for Danter employees which has been previously held at Rainbow Venues, in 2018 held at Spotlight (lower Trinity Street)

*Public Nuisance*: A cloud CX335 compressor sound limiter has been permanently installed to insure, 0% public nuisance at nearest noise sensitive properties. (closest property Digbeth High Street contact Details Pem:-

**Key Contacts and Information:**

<b>Venue</b>	Quantum, 77A Upper Trinity Street, Digbeth, Birmingham, B9 4EG
<b>Organiser / DPS</b>	Organizer: Danter Attractions / Dean Wilson – Emily Danter DPS: Olivia Rhoden C/O 77A Upper Trinity Street, Digbeth, Birmingham, B9 4EG
<b>Security / Event Management</b>	Dean Wilson – Lyons Security -
<b>Acts / Artists</b>	Local DJ
<b>First Aid</b>	Security Staff are First Aid trained – Contact on the day is Stacey (Head Doorman)
<b>Event Details: Advertising, Tickets etc</b>	This Not a public event;
<b>Challenge 25</b>	In operation throughout the night. DPS will supervise all bar staff.



Key

<u>Risk Number</u>	<u>Risk Rating</u>	<u>Risk Color</u>
1	Low – No Concern	
2 and 3	Medium – Some Concern; are there any other things that could be done?	
4 and 5	High – Major Concern; control measures need to be put in place to reduce risk.	

Security Risk Assessment:

AREA Where might this occur?	RISKS <i>What are the potential dangers?</i>	Current Risk Rating	CONTROL MEASURES <i>What steps need to be taken to eliminate or reduce the risk?</i>	New Risk Rating
Venue Entrance and Foyer	1) Uncontrolled Crowds.		SIA security personnel will monitor and manage customers queuing outside and entering the venue.  A steady flow of Guest expected to arrive between 9pm – 11.30pm Last entry for late arrivals Midnight.	



Security Risk Assessment (Continued):

AREA Where might this occur?	RISKS What are the potential dangers?	Current Risk Rating	CONTROL MEASURES What steps need to be taken to eliminate or reduce the risk?	New Risk Rating
MAIN ROOM	1) Overcrowding		<p>If venue reaches maximum occupancy 499 then it will be an one in and one out system, this will be managed by the head door supervisor who will have a counting clicker at all times, which will monitor both people leaving and entering.</p> <p>The door supervisor and venue management MUST monitor these figures to ensure the safety of occupancy levels.</p>	
	2) Violent / Disorderly Behavior.		<p>Due to the nature of the event this will be a low risk night. However the following conditions will apply.</p> <p>After the majority of customers have entered the event an element of the security resource originally on duty at the venue entrance will be reassigned to the main hall, where this event is being held, in order to provide a "patrol &amp; response" capability.</p> <p>Persons at the event who become drunk and / or disorderly will not be served any more alcoholic drinks and will be ejected from the venue if uncooperative. (Females will be asked to wait in the First Aid room until transport home has been arranged)</p>	

	3) Under Age Drinking.	No under-18s will be permitted access to this event. No entry will be allowed without verified ID.  A "Challenge 25" policy will be in operation so that anyone who looks under 25 will be required to produce official identification to prove that they are aged 18 or over.
	4) Persons Taking or Dealing Drugs.	SIA security personnel on duty will undertake regular toilet checks.  Anyone suspected of dealing or taking illegal substances will be ejected from the event / venue

Deployment Plan:

Number	Type	Radio	Location	Notes
1	SIA Head Doorman	Yes	<u>Outside Venue Entrance</u>	Head supervisor with clicker 8:30PM Start
2	SIA Door Supervisor	Yes	<u>Outside Venue Entrance</u>	8:30pm Start
3	SIA Door Supervisor	Yes	<u>Venue Entrance</u>	9pm Start
4	SIA Door Supervisor	Yes	<u>Inside</u>	9pm Start
5	SIA Door Supervisor	Yes	<u>Inside</u>	9pm Start
6	SIA Door Supervisor	No	<u>Smoking / Toilet Check</u>	9pm Start

**Temporary event:** Extension of licensable hours.

The Temporary licence will continue to be covered by **Public nuisance Conditions** on Licence 4986/1.

**GENERAL** Regulated entertainment shall take place indoors only.

**CRIME** The Premises Licence Holder/DPS must provide a list of events and risk assessments to West Midlands Police Birmingham Licensing and Birmingham City Council Environmental Health Department for all events with finishing times after midnight a minimum of 14 days before the event.

**NUISANCE** The DPS shall, prior to any licensed activity taking place, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan (NMP) shall include a risk assessment and outline the measures to be adopted to reduce the noise impact of activities associated with the premises including any music, deliveries, recycling and refuse collections, smoking areas, customers, parking and taxi pick up. The noise management plan shall be reviewed after each event and a revised noise management plan shall be submitted to Birmingham City Council Environmental Health Department for approval before any future event takes place where the review and risk assessment identifies that the noise impact or necessary operational controls for the event need to be revised from the approved noise management plan. All operational controls and management actions required by the approved noise management plan shall be instigated at all times and all staff shall be adequately trained in their role in implementing the plan.

**NUISANCE** All external doors and windows shall be kept closed during live music or amplified music, speech or sound except as necessary for safe and effective access and egress.

**NUISANCE** To avoid nuisance being caused to nearby noise sensitive premises the DPS, or other nominated person/staff, shall monitor the external areas of the premises including the smoking area, the frontage (onto Upper Trinity Street) and the corner of Upper Trinity Street and Adderley Street, whenever licensed activities are being undertaken and also until all patrons have been effectively dispersed. If necessary, they shall remind customers to be respectful of neighbours.

**NUISANCE** The DPS shall limit the number of customers going outside to use the smoking area and shall take appropriate steps to avoid customers leaving any doors open or using the frontage of the premises to congregate or smoke.

**NUISANCE** No alcoholic drinks shall be removed from the premises. Any non-alcoholic drinks taken into the smoking area shall be in open plastic containers.

**NUISANCE** No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.

**NUISANCE** There shall be no speakers used for amplified music, speech or sound outside the building at any time.

**NUISANCE** The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.

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The premises shall have an approved documented dispersal policy (approval needed in writing from Birmingham City Council Environmental Health department and West Midlands Police Birmingham Licensing Department), which shall be implemented for dispersal at all times the premises are open for licensable activity. The policy shall include the dispersal of customers exiting the premises away from nearby residential properties. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal NUISANCE activities and revised as necessary and the revised policy shall be submitted in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department for approval. All operational controls and management actions required by the approved dispersal policy shall be instigated at all times. All entrances shall be supervised by door staff who shall ensure that the dispersal policy is followed and people accessing and egressing the premises do not cause noise nuisance to nearby residential premises.

## **Noise Management Policy**

Our centre is a multipurpose community venue, running a range of classes, courses, sport clubs, live music events and workshops. Due to the hours of our licence application; we do not anticipate any noise issues; however due to occasional live music, plays, performances and re-enactments we have produced this noise management policy for our staff to follow.

### **Assessment of Noise**

*A cloud CX335 compressor sound limiter* has been permanently installed to insure, 0% public nuisance at nearest noise sensitive properties.

**Closest property: Digbeth High Street contact Details Pem:-**

**Limiter Settings: 100db with reduction of 15db 20minutes before the end.**

**Location of speakers: On left of sports hall facing east up Upper Trinity Street,**

**Use of Sound Curtains: On Sports Hall shutters, to half main hall.**

These points as follows:

- o **Meeting Room, Rehearsal Studio, Sports Hall**
- o **Outside Main Entrance**
- o **Corner of Upper Trinity Street and Adderley Street**

### **Specification, selection and operation of amplified music equipment**

Actions to be taken to ensure noise and vibration from regulated entertainment shall be inaudible at the nearest noise sensitive property.

### **Building Structure, Design and Layout**

- Use of auto closers on lobby doors
- All windows will be kept closed.
- Acoustic curtains used internally on roller shutters.

### **Other measures include:**

- Reducing the bass content of the music
- The location, direction and number of speakers (face east up upper Trinity Street)
- Mounting speakers on rubber or similar material to reduce transmission into the main building structure.
- Performers made aware of any noise problems and associated controls and monitor their compliance
- Security Staff will be employed after the event ends to make sure dispersal takes place in an orderly and proper manner.
- Verbal announcements prior to dispersal will be made at the end of each night
- Notices will be displayed on external doors asking customers to leave the premises in a quiet and orderly fashion to show respect to local neighbours
- A colour CCTV system approved is fitted, maintained and in use at all times. Police and the local authorities will be given access to and copies of images for purposes in connection with the prevention and detection of crime and disorder.
- Trained staff used to patrol the surrounding area to help control noise from patrons.



- An agreement is made with local cab firms drivers use **TEXT BACK, OR APPS** service to collect their passengers, operate zero tolerance for use of car horns.
- Acoustic sound curtains to be placed in rooms in specific weak parts to dampen sound leakage ( i.e shutter doors)(used as partition to half Sport hall)
- 2 -3 SIA trained Marshalls will be deployed to help the loitering of customers to either get in a taxi or move.
- Up the road away from resident's and the exhibition centre (to minimise any noise to residents or business).
  - All Marshalls who are dealing with exit of customers shall receive training by Quantum to teach our customers the procedure for exiting the venue and also to respect our nearby residents and neighbours.
- Smoking area to be built to the right of the building
- Work closely with the EHO and the police to enforce a zero tolerance on any noise or public nuisance.
- CCTV to be installed in the smoking area and exit to safeguard the venue its staff and its customers.

#### **External**

- Refuse and empty bottle/barrel storage areas will be positioned away from front entrance
- Deliveries and collections scheduled during the day.

#### **Waste management**

The bins will be located within the premises; no bins will be filled externally to reduce noise. Additional wheelie glass bottle bins will be deployed & filled at the bar locations,

#### **Standard Opening times**

Monday	10.00-00:30
Tuesday	10.00-00:30
Wednesday	10.00-00:30
Thursday	10.00-00:30
Friday	10.00-00:30
Saturday	10.00-00:30
Sunday	10.00-00:30

Typical day to day operating hours will be considerably shorter than this.

A nominated Duty Manager will be responsible for all licensable activity taking place and will be in constant communication with the West Midlands Police and Environment Health Agency.

#### **All managers will be fully aware and conversant with the Noise Management Policy.**

Staff will take a pro active approach to noise management including checking noise levels as set out.

---

#### **Liaison with Local Residents**

We endeavour to build and maintain a good working relationship with local people and are proactive about controlling noise from the premises.

#### **Complaints Procedure**

All complaints relating to the venue should be documented immediately. If the complaint relates to the venue, the Duty Manager will investigate the issue and take appropriate action to locate and remove the source and will then monitor the outcome. The Duty Manager will then advise Environmental health officers of actions taken.

#### **Staff Training**

Staff are provided with training on noise control measures and made aware of internal procedures for assessing and controlling noise and dealing with complaints.

#### **Entrance & Queuing system**

- The queuing system will be located up Upper Trinity Street, Facing South.
- SIA security staff will maintain : Queuing area, Smoking area walkway, control people numbers and maintain a sterile area
- **Last entry time Midnight**
- Access control barriers will be utilised to control the flow of queues and maintain a sterile area

#### **Smoking Area policy**

- Smoking area will be located outside of the building the left of the premises in a self contained space.
- The smoking area will be manned by SIA licensed security officers at all times.
- Smoking area capacity 30 persons.

### Event Strategy "Noise Management"

- Openings in the structure of the premises, such as windows, doors and vents that will allow the noise to escape easily must be kept closed during events; all doors are fitted with auto closers.
- Acoustic lobbies to doors Installed to provide good noise control. Care has be taken that any door to a lobby on a fire exit route is still capable of easy and rapid opening in the direction of exit in the case of emergency evacuation, and that the appropriate fire protection is provided after acoustic treatment.
- Ensure that doors are not opened unnecessarily during events.
- Playing calmer-types of music at a lower volume towards closing time encourage patrons to leave in a less rowdy manner, spread over a longer period so that the peak number leaving, and peak noise, is reduced.
- Sound reduced by 15 db last 20 minutes of event
- Allowances for drinking up time of 30 minutes to spread the egress of patrons
- Notices are at exits requesting the co-operation of patrons help to reduce noise. Door supervisors are to manage the coming and going of patrons.
- All staff will be made aware of the noise management strategy and the reasons behind the control; measure put in place in the pre-event training.
- Prior to the end of the event, the pedestrian barriers at the front of the venue and the smoking area will be reconfigured to funnel customers away from the venue towards Adderley Street, north from Upper Trinity Street
- Security personnel from inside the venue will be reassigned to external positions to assist with the managed dispersal of crowds and to discourage loitering and / or anti social behaviour.
- Management will use **Decibel X Pro** app to monitor sound levels in Smoking areas, queue and during dispersal.

## **Fire Emergency Evacuation Procedures**

### **Emergency plan**

This plan includes:

- the action to be taken by staff in the event of fire
- the evacuation procedure
- the arrangements for calling the fire brigade
- the location of assembly points

The plan is posted in prominent positions where staff can become familiar with it. More detailed plans are available in areas identified as being at higher risk from fire.

### **Raising the alarm**

On discovering a fire, raise the alarm activating the nearest push-glass fire alarm call-point (small red box, close to major exits and staff only areas).

If safe to do so, use an appropriate fire extinguisher to tackle the fire, but only if your exit is clear.

Leave the building by the nearest exit.

Call the Fire & Rescue Service on 999 and state location as the Quantum Exhibition Centre: 77A Upper Trinity Street, Digbeth, B9 4EG

If the site requires evacuation for any other reason, the designated supervisor or building manager will authorise the activation of the alarm via a fire panel.

### **Evacuation procedure:**

#### **Staff**

If you hear a continuous siren leave the building immediately by the nearest exit. Escort any visitors/contractors from the building.

If an intermittent alarm is heard, there is a fire alert that requires investigation. Be prepared to leave if this becomes a continuous siren.

### **Appropriate Assembly Points:**

**Assembly Point One – Underneath Bridge on Adderley Street**

**Assembly Point Two – Pirate Studios Car Park**

Report missing persons or those in difficulty to the Fire Safety Manager, or assembly point. Fire Marshal will relay information to the Fire and Rescue Service on arrival.

### **Fire Marshals**

If alarm is sounded, the Fire Safety Manager or deputy will attend the fire system panel. Identifying the location of the alert.

**Main Entrance:** Prevent public access to the site, and direct any attending emergency services.

**Upper Trinity Street:** keep evacuating personnel moving towards assembly points. Direct emergency services if required until evacuation is completed.

**Upper Trinity Street, Adderley St junction:** Keep evacuated personnel stationed at assembly points. Direct emergency services if required.

**Adderley Street:** keep evacuating personnel moving towards assembly points. Direct emergency services and assist Marshal if required.

Fire Marshals (two in number) will attend the assembly point directly.

Any remaining Fire Marshals to be deployed as necessary to ensure buildings and roadways are clear before the arrival of emergency services and to prevent entry or re-entry to buildings before an official 'all clear' by the emergency services or Fire Safety Manager.

#### **Fire Wardens**

Quantum Exhibition Centre uses Fire Wardens to assist in the evacuation during an emergency. Fire Wardens are familiar with the area they are responsible for clearing, including all escape routes.

#### **Fire precautions**

Quantum Exhibition Centre will ensure that adequate fire precautions are in place throughout areas under its control.

This will be achieved by:

- assessing the fire risks in the workplace
- ensuring that a fire can be detected in a reasonable time and that people can be warned
- ensuring that people who may be in the venue can get out safely
- providing appropriate fire-fighting equipment
- ensuring that staff in the venue know what to do if there is a fire
- ensuring that fire safety equipment is checked and maintained

#### **Risk assessment**

Fire Wardens will use a Fire Safety Checklist for the risk assessment of areas under their control.

#### **Responsibilities**

Staff will ensure materials are not stored in gangways, corridors or stairways or where they may obstruct exit doors.

#### **Smoking**

Smoking is not permitted in Quantum Exhibition Centre (or in close proximity to external entrances and exits) except in designated smoking areas.

**Training and instruction**

Staff and visitors must be aware of the risks of fire associated with their work. All staff will be told during their induction process:

- how to warn others of the fire including the operation of the fire-warning system
- the location and use of escape routes
- to assist or direct visitors or members of the public from the workplace
- the location of assembly points
- how to summon the fire service
- the location and use of fire safety equipment (where appropriate)
- the arrangements for calling the fire brigade
- All staff will undergo periodic fire safety training, including an annual evacuation procedure.

**Maintenance and testing of fire safety equipment**

The Fire Safety Manager will ensure that fire safety equipment, including fire-fighting equipment, detection and warning systems, means of escape and emergency lighting, are regularly checked and maintained.

## Noise Risk Assessment



**QUANTUM**  
EXHIBITION CENTRE

### Temporary event Manual

77a Upper Trinity Street  
Digbeth  
B9 4EG

**Temporary event:** Extension of licensable hours.

**Date:** 7<sup>th</sup> April 2019  
**Ten Times** 00.30 – 03.00 (*Regulated Entertainment only*)  
**Event Times:** 21.00 – 03.00  
**Type of event:** Recorded Music  
**Food** No  
**Event closure time:** 03.30

### Summary

**Persons:** Attendance numbers: 300 - 350  
Age range 25 -35  
**Music policy:** House Music

### Key assessment areas:

- Smoking area, sound levels & security

### Ten operational hours

The operational hours are in place to establish accurate noise assessment readings for the duration of 5 hours.

### Observation schedule

- Regular location noise levels
- Installation noise levels
- Entrance & queuing noise levels
- Regulated entertainment noise levels
- Smoking area noise levels
- Dispersal noise levels
- Dispersal duration
- Post activity noise levels

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## Noise Risk Assessment

**Temporary event:** Extension of licensable hours.

The Temporary licence will continue to be covered by **public nuisance Conditions** on Licence **4986/1**.

**GENERAL** Regulated entertainment shall take place indoors only.

**CRIME** The Premises Licence Holder/DPS must provide a list of events and risk assessments to West Midlands Police Birmingham Licensing and Birmingham City Council Environmental Health Department for all events with finishing times after midnight a minimum of 14 days before the event.

The DPS shall, prior to any licensed activity taking place, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan (NMP) shall include a risk assessment and outline the measures to be adopted to reduce the noise impact of activities associated with the premises including any music, deliveries, recycling and refuse collections, smoking areas, customers, parking and taxi pick up. The noise management plan shall be reviewed after each event and a revised noise management plan shall be submitted to Birmingham City Council Environmental Health Department for approval before any future event takes place where the review and risk assessment identifies that the noise impact or necessary operational controls for the event need to be revised from the approved noise management plan. All operational controls and management actions required by the approved noise management plan shall be instigated at all times and all staff shall be adequately trained in their role in implementing the plan.

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**NUISANCE** The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.



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## Noise Risk Assessment

The premises shall have an approved documented dispersal policy (approval needed in writing from Birmingham City Council Environmental Health department and West Midlands Police Birmingham Licensing Department), which shall be implemented for dispersal at all times the premises are open for licensable activity. The policy shall include the dispersal of customers exiting the premises away from nearby residential properties. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal activities and revised as necessary and the revised policy shall be submitted in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department for approval. All operational controls and management actions required by the approved dispersal policy shall be instigated at all times. All entrances shall be supervised by door staff who shall ensure that the dispersal policy is followed and people accessing and egressing the premises do not cause noise nuisance to nearby residential premises.

### Noise Management Policy

Our centre is a multipurpose community venue, running a range of classes, courses, sport clubs, live music events and workshops. Due to the hours of our licence application; we do not anticipate any noise issues; however due to occasional live music, plays, performances and re-enactments we have produced this noise management policy for our staff to follow.

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Actions to be taken to ensure noise and vibration from regulated entertainment shall be inaudible at the nearest noise sensitive property.

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## Noise Risk Assessment

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- 2 -3 SIA trained Marshalls will be deployed to help the loitering of customers to either get in a taxi or move.
- Up the road away from resident's and the exhibition centre (to minimise any noise to residents or business).
  - All Marshalls who are dealing with exit of customers shall receive training by Quantum to teach our customers the procedure for exiting the venue and also to respect our nearby residents and neighbours.
- Smoking area to be built to the right of the building
- Work closely with the EHO and the police to enforce a zero tolerance on any noise or public nuisance.
- CCTV to be installed in the smoking area and exit to safeguard the venue its staff and its customers.

### External

- Refuse and empty bottle/barrel storage areas will be positioned away from front entrance
- Deliveries and collections scheduled during the day.

### Waste management

The bins will be located within the premises; no bins will be filled externally to reduce noise. Additional wheelie glass bottle bins will be deployed & filled at the bar locations,

### Standard Opening times

Monday	10.00-00:30
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Wednesday	10.00-00:30
Thursday	10.00-00:30
Friday	10.00-00:30
Saturday	10.00-00:30
Sunday	10.00-00:30

Typical day to day operating hours will be considerably shorter than this.

A nominated Duty Manager will be responsible for all licensable activity taking place and will be in constant communication with the West Midlands Police and Environment Health Agency.

**All managers will be fully aware and conversant with the Noise Management Policy.**

Staff will take a pro active approach to noise management including checking noise levels as set out.

## Noise Risk Assessment

### **Liaison with Local Residents**

We endeavour to build and maintain a good working relationship with local people and are proactive about controlling noise from the premises.

### **Complaints Procedure**

All complaints relating to the venue should be documented immediately. If the complaint relates to the venue, the Duty Manager will investigate the issue and take appropriate action to locate and remove the source and will then monitor the outcome. The Duty Manager will then advise Environmental health officers of actions taken.

### **Staff Training**

Staff are provided with training on noise control measures and made aware of internal procedures for assessing and controlling noise and dealing with complaints.

### **Entrance & Queuing system**

- The queuing system will be located up Upper Trinity Street, Facing South.
- SIA security staff will maintain : Queuing area, Smoking area walkway, control people numbers and maintain a sterile area
- **Last entry time Midnight**
- Access control barriers will be utilised to control the flow of queues and maintain a sterile area

### **Smoking Area policy**

- Smoking area will be located outside of the building the left of the premises in a self contained space.
- The smoking area will be manned by SIA licensed security officers at all times.
- Smoking area capacity 30 persons.

**Event Strategy "Noise Management"**

- Openings in the structure of the premises, such as windows, doors and vents that will allow the noise to escape easily must be kept closed during events; all doors are fitted with auto closers.
- Acoustic lobbies to doors Installed to provide good noise control. Care has be taken that any door to a lobby on a fire exit route is still capable of easy and rapid opening in the direction of exit in the case of emergency evacuation, and that the appropriate fire protection is provided after acoustic treatment.
- Ensure that doors are not opened unnecessarily during events.
- Playing calmer-types of music at a lower volume towards closing time encourage patrons to leave in a less rowdy manner, spread over a longer period so that the peak number leaving, and peak noise, is reduced.
- Sound reduced by 15 db last 20 minutes of event
- Allowances for drinking up time of 30 minutes to spread the egress of patrons
- Notices are at exits requesting the co-operation of patrons help to reduce noise. Door supervisors are to manage the coming and going of patrons.
- All staff will be made aware of the noise management strategy and the reasons behind the control; measure put in place in the pre-event training.
- Prior to the end of the event, the pedestrian barriers at the front of the venue and the smoking area will be reconfigured to funnel customers away from the venue towards Adderley Street, north from Upper Trinity Street
- Security personnel from inside the venue will be reassigned to external positions to assist with the managed dispersal of crowds and to discourage loitering and / or anti social behaviour.
- Management will use **Decibel X Pro** app to monitor sound levels in Smoking areas, queue and during dispersal.

## Fire Emergency Evacuation Procedures

### Emergency plan

This plan includes:

- the action to be taken by staff in the event of fire
- the evacuation procedure
- the arrangements for calling the fire brigade
- the location of assembly points

The plan is posted in prominent positions where staff can become familiar with it. More detailed plans are available in areas identified as being at higher risk from fire.

### Raising the alarm

On discovering a fire, raise the alarm activating the nearest push-glass fire alarm call-point (small red box, close to major exits and staff only areas).

If safe to do so, use an appropriate fire extinguisher to tackle the fire, but only if your exit is clear.

Leave the building by the nearest exit.

Call the Fire & Rescue Service on 999 and state location as the Quantum Exhibition Centre: 77A Upper Trinity Street, Digbeth, B9 4EG

If the site requires evacuation for any other reason, the designated supervisor or building manager will authorise the activation of the alarm via a fire panel.

### Evacuation procedure:

#### Staff

If you hear a continuous siren leave the building immediately by the nearest exit. Escort any visitors/contractors from the building.

If an intermittent alarm is heard, there is a fire alert that requires investigation. Be prepared to leave if this becomes a continuous siren.

### Appropriate Assembly Points:

**Assembly Point One – Underneath Bridge on Adderley Street**

**Assembly Point Two – Pirate Studios Car Park**

Report missing persons or those in difficulty to the Fire Safety Manager, or assembly point. Fire Marshal will relay information to the Fire and Rescue Service on arrival.

### Fire Marshals

If alarm is sounded, the Fire Safety Manager or deputy will attend the fire system panel. Identifying the location of the alert.

**Main Entrance:** Prevent public access to the site, and direct any attending emergency services.

## Noise Risk Assessment

**Upper Trinity Street:** keep evacuating personnel moving towards assembly points. Direct emergency services if required until evacuation is completed.

**Upper Trinity Street, Adderley St junction:** Keep evacuated personnel stationed at assembly points. Direct emergency services if required.

**Adderley Street:** keep evacuating personnel moving towards assembly points. Direct emergency services and assist Marshal if required.

Fire Marshals (two in number) will attend the assembly point directly.

Any remaining Fire Marshals to be deployed as necessary to ensure buildings and roadways are clear before the arrival of emergency services and to prevent entry or re-entry to buildings before an official 'all clear' by the emergency services or Fire Safety Manager.

### Fire Wardens

Quantum Exhibition Centre uses Fire Wardens to assist in the evacuation during an emergency. Fire Wardens are familiar with the area they are responsible for clearing, including all escape routes.

### Fire precautions

Quantum Exhibition Centre will ensure that adequate fire precautions are in place throughout areas under its control.

This will be achieved by:

- assessing the fire risks in the workplace
- ensuring that a fire can be detected in a reasonable time and that people can be warned
- ensuring that people who may be in the venue can get out safely
- providing appropriate fire-fighting equipment
- ensuring that staff in the venue know what to do if there is a fire
- ensuring that fire safety equipment is checked and maintained

### Risk assessment

Fire Wardens will use a Fire Safety Checklist for the risk assessment of areas under their control.

### Responsibilities

Staff will ensure materials are not stored in gangways, corridors or stairways or where they may obstruct exit doors.

### Smoking

Smoking is not permitted in Quantum Exhibition Centre (or in close proximity to external entrances and exits) except in designated smoking areas.

### Training and instruction

Staff and visitors must be aware of the risks of fire associated with their work. All staff will be told during their induction process:

- how to warn others of the fire including the operation of the fire-warning system
- the location and use of escape routes
- to assist or direct visitors or members of the public from the workplace
- the location of assembly points
- how to summon the fire service

#### Noise Risk Assessment

- the location and use of fire safety equipment (where appropriate)
- the arrangements for calling the fire brigade
- All staff will undergo periodic fire safety training, including an annual evacuation procedure.

#### **Maintenance and testing of fire safety equipment**

The Fire Safety Manager will ensure that fire safety equipment, including fire-fighting equipment, detection and warning systems, means of escape and emergency lighting, are regularly checked and maintained.



## Noise Risk Assessment



**QUANTUM**  
EXHIBITION CENTRE

### Temporary event Manual

77a Upper Trinity Street  
Digbeth  
B9 4EG

**Temporary event:** Extension of licensable hours.

Date: 21<sup>st</sup> April 2019  
Ten Times: 00.30 – 03.00 (*Regulated entertainment only*)  
Event Times: 21.00 – 03.00  
Type of event: Recorded Music  
Food: Vegan  
Event closure time: 03.15

### Summary

Persons: **Attendance numbers 70 – 200**  
**Age range 35 -60**

Music policy: Selection of music from various cultural backgrounds including local arts

### Key assessment areas:

- Smoking area, sound levels & security

### Ten operational hours

The operational hours are in place to establish accurate noise assessment readings for the duration of 5 hours.

### Observation schedule

- Regular location noise levels
- Installation noise levels
- Entrance & queuing noise levels
- Regulated entertainment noise levels
- Smoking area noise levels
- Dispersal noise levels
- Dispersal duration
- Post activity noise levels

Page | 1

## Noise Risk Assessment

**Temporary event:** Extension of licensable hours.

The Temporary licence will continue to be covered by **Public nuisance Conditions** on Licence **4986/1**.

- GENERAL** Regulated entertainment shall take place indoors only.
- CRIME** The Premises Licence Holder/DPS must provide a list of events and risk assessments to West Midlands Police Birmingham Licensing and Birmingham City Council Environmental Health Department for all events with finishing times after midnight a minimum of 14 days before the event.
- The DPS shall, prior to any licensed activity taking place, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan (NMP) shall include a risk assessment and outline the measures to be adopted to reduce the noise impact of activities associated with the premises including any music, deliveries, recycling and refuse collections, smoking areas, customers, parking and taxi pick up. The noise management plan shall be reviewed after each event and a revised noise management plan shall be submitted to Birmingham City Council Environmental Health Department for approval before any future event takes place where the review and risk assessment identifies that the noise impact or necessary operational controls for the event need to be revised from the approved noise management plan. All operational controls and management actions required by the approved noise management plan shall be instigated at all times and all staff shall be adequately trained in their role in implementing the plan.
- NUISANCE** All external doors and windows shall be kept closed during live music or amplified music, speech or sound except as necessary for safe and effective access and egress.
- NUISANCE** To avoid nuisance being caused to nearby noise sensitive premises the DPS, or other nominated person/staff, shall monitor the external areas of the premises including the smoking area, the frontage (onto Upper Trinity Street) and the corner of Upper Trinity Street and Adderley Street, whenever licensed activities are being undertaken and also until all patrons have been effectively dispersed. If necessary, they shall remind customers to be respectful of neighbours.
- NUISANCE** The DPS shall limit the number of customers going outside to use the smoking area and shall take appropriate steps to avoid customers leaving any doors open or using the frontage of the premises to congregate or smoke.
- NUISANCE** No alcoholic drinks shall be removed from the premises. Any non-alcoholic drinks taken into the smoking area shall be in open plastic containers.
- NUISANCE** No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.
- NUISANCE** There shall be no speakers used for amplified music, speech or sound outside the building at any time.
- NUISANCE** The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.
- NUISANCE** The premises shall have an approved documented dispersal policy (approval needed in writing from Birmingham City Council Environmental Health

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## Noise Risk Assessment

department and West Midlands Police Birmingham Licensing Department), which shall be implemented for dispersal at all times the premises are open for licensable activity. The policy shall include the dispersal of customers exiting the premises away from nearby residential properties. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal activities and revised as necessary and the revised policy shall be submitted in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department for approval. All operational controls and management actions required by the approved dispersal policy shall be instigated at all times. All entrances shall be supervised by door staff who shall ensure that the dispersal policy is followed and people accessing and egressing the premises do not cause noise nuisance to nearby residential premises.

### Noise Management Policy

Our centre is a multipurpose community venue, running a range of classes, courses, sport clubs, live music events and workshops. Due to the hours of our licence application; we do not anticipate any noise issues; however due to occasional live music, plays, performances and re-enactments we have produced this noise management policy for our staff to follow.

#### Assessment of Noise

**A cloud CX335 compressor sound limiter has been permanently installed to insure, 0% public nuisance at nearest noise sensitive properties.**

**Closest property: Digbeth High Street contact Details Pem:-**

**Limiter Settings: 100db with reduction of 15db 20minutes before the end.**

**Location of speakers: On left of sports hall facing east up Upper Trinity Street,**

**Use of Sound Curtains: On Sports Hall shutters, to half main hall.**

These points as follows:

- o Meeting Room, Rehearsal Studio, Sports Hall
- o Outside Main Entrance
- o Corner of Upper Trinity Street and Adderley Street

#### Specification, selection and operation of amplified music equipment

Actions to be taken to ensure noise and vibration from regulated entertainment shall be inaudible at the nearest noise sensitive property.

#### Building Structure, Design and Layout

- Use of auto closers on lobby doors
- All windows will be kept closed.
- Acoustic curtains used internally on roller shutters.

#### Other measures include:

- Reducing the bass content of the music
- The location, direction and number of speakers (face east up upper Trinity Street)
- Mounting speakers on rubber or similar material to reduce transmission into the main building structure.
- Performers made aware of any noise problems and associated controls and monitor their compliance
- Security Staff will be employed after the event ends to make sure dispersal takes place in an orderly and proper manner.
- Verbal announcements prior to dispersal will be made at the end of each night
- Notices will be displayed on external doors asking customers to leave the premises in a quiet and orderly fashion to show respect to local neighbours
- A colour CCTV system approved is fitted, maintained and in use at all times. Police and the local authorities will be given access to and copies of images for purposes in connection with the prevention and detection of crime and disorder.

## Noise Risk Assessment

- Trained staff used to patrol the surrounding area to help control noise from patrons.
- An agreement is made with local cab firms drivers use **TEXT BACK, OR APPS** service to collect their passengers, operate zero tolerance for use of car horns.
- Acoustic sound curtains to be placed in rooms in specific weak parts to dampen sound leakage ( i.e shutter doors)(used as partition to half Sport hall)
- 2 -3 SIA trained Marshalls will be deployed to help the loitering of customers to either get in a taxi or move.
- Up the road away from resident's and the exhibition centre (to minimise any noise to residents or business).
  - All Marshalls who are dealing with exit of customers shall receive training by Quantum to teach our customers the procedure for exiting the venue and also to respect our nearby residents and neighbours.
- Smoking area to be built to the right of the building
- Work closely with the EHO and the police to enforce a zero tolerance on any noise or public nuisance.
- CCTV to be installed in the smoking area and exit to safeguard the venue its staff and its customers.

### External

- Refuse and empty bottle/barrel storage areas will be positioned away from front entrance
- Deliveries and collections scheduled during the day.

### Waste management

The bins will be located within the premises; no bins will be filled externally to reduce noise. Additional wheelie glass bottle bins will be deployed & filled at the bar locations,

### Standard Opening times

Monday	10.00-00:30
Tuesday	10.00-00:30
Wednesday	10.00-00:30
Thursday	10.00-00:30
Friday	10.00-00:30
Saturday	10.00-00:30
Sunday	10.00-00:30

Typical day to day operating hours will be considerably shorter than this.

A nominated Duty Manager will be responsible for all licensable activity taking place and will be in constant communication with the West Midlands Police and Environment Health Agency.

**All managers will be fully aware and conversant with the Noise Management Policy.**

Staff will take a pro active approach to noise management including checking noise levels as set out.

## Noise Risk Assessment

### **Liaison with Local Residents**

We endeavour to build and maintain a good working relationship with local people and are proactive about controlling noise from the premises.

### **Complaints Procedure**

All complaints relating to the venue should be documented immediately. If the complaint relates to the venue, the Duty Manager will investigate the issue and take appropriate action to locate and remove the source and will then monitor the outcome. The Duty Manager will then advise Environmental health officers of actions taken.

### **Staff Training**

Staff are provided with training on noise control measures and made aware of internal procedures for assessing and controlling noise and dealing with complaints.

### **Entrance & Queuing system**

- The queuing system will be located up Upper Trinity Street, Facing South.
- SIA security staff will maintain : Queuing area, Smoking area walkway, control people numbers and maintain a sterile area
- **Last entry time Midnight**
- Access control barriers will be utilised to control the flow of queues and maintain a sterile area

### **Smoking Area policy**

- Smoking area will be located outside of the building the left of the premises in a self contained space.
- The smoking area will be manned by SIA licensed security officers at all times.
- Smoking area capacity 30 persons.

**Event Strategy "Noise Management"**

- Openings in the structure of the premises, such as windows, doors and vents that will allow the noise to escape easily must be kept closed during events; all doors are fitted with auto closers.
- Acoustic lobbies to doors installed to provide good noise control. Care has been taken that any door to a lobby on a fire exit route is still capable of easy and rapid opening in the direction of exit in the case of emergency evacuation, and that the appropriate fire protection is provided after acoustic treatment.
- Ensure that doors are not opened unnecessarily during events.
- Playing calmer-types of music at a lower volume towards closing time encourage patrons to leave in a less rowdy manner, spread over a longer period so that the peak number leaving, and peak noise, is reduced.
- Sound reduced by 15 db last 20 minutes of event
- Allowances for drinking up time of 30 minutes to spread the egress of patrons
- Notices are at exits requesting the co-operation of patrons help to reduce noise. Door supervisors are to manage the coming and going of patrons.
- All staff will be made aware of the noise management strategy and the reasons behind the control; measure put in place in the pre-event training.
- Prior to the end of the event, the pedestrian barriers at the front of the venue and the smoking area will be reconfigured to funnel customers away from the venue towards Adderley Street, north from Upper Trinity Street
- Security personnel from inside the venue will be reassigned to external positions to assist with the managed dispersal of crowds and to discourage loitering and / or anti social behaviour.
- Management will use **Decibel X Pro** app to monitor sound levels in Smoking areas, queue and during dispersal.

## Fire Emergency Evacuation Procedures

### Emergency plan

This plan includes:

- the action to be taken by staff in the event of fire
- the evacuation procedure
- the arrangements for calling the fire brigade
- the location of assembly points

The plan is posted in prominent positions where staff can become familiar with it. More detailed plans are available in areas identified as being at higher risk from fire.

### Raising the alarm

On discovering a fire, raise the alarm activating the nearest push-glass fire alarm call-point (small red box, close to major exits and staff only areas).

If safe to do so, use an appropriate fire extinguisher to tackle the fire, but only if your exit is clear.

Leave the building by the nearest exit.

Call the Fire & Rescue Service on 999 and state location as the Quantum Exhibition Centre: 77A Upper Trinity Street, Digbeth, B9 4EG

If the site requires evacuation for any other reason, the designated supervisor or building manager will authorise the activation of the alarm via a fire panel.

### Evacuation procedure:

#### Staff

If you hear a continuous siren leave the building immediately by the nearest exit. Escort any visitors/contractors from the building.

If an intermittent alarm is heard, there is a fire alert that requires investigation. Be prepared to leave if this becomes a continuous siren.

### Appropriate Assembly Points:

**Assembly Point One – Underneath Bridge on Adderley Street**

**Assembly Point Two – Pirate Studios Car Park**

Report missing persons or those in difficulty to the Fire Safety Manager, or assembly point. Fire Marshal will relay information to the Fire and Rescue Service on arrival.

### Fire Marshals

If alarm is sounded, the Fire Safety Manager or deputy will attend the fire system panel. Identifying the location of the alert.

**Main Entrance:** Prevent public access to the site, and direct any attending emergency services.



## Noise Risk Assessment

**Upper Trinity Street:** keep evacuating personnel moving towards assembly points. Direct emergency services if required until evacuation is completed.

**Upper Trinity Street, Adderley St junction:** Keep evacuated personnel stationed at assembly points. Direct emergency services if required.

**Adderley Street:** keep evacuating personnel moving towards assembly points. Direct emergency services and assist Marshal if required.

Fire Marshals (two in number) will attend the assembly point directly.

Any remaining Fire Marshals to be deployed as necessary to ensure buildings and roadways are clear before the arrival of emergency services and to prevent entry or re-entry to buildings before an official 'all clear' by the emergency services or Fire Safety Manager.

### Fire Wardens

Quantum Exhibition Centre uses Fire Wardens to assist in the evacuation during an emergency. Fire Wardens are familiar with the area they are responsible for clearing, including all escape routes.

### Fire precautions

Quantum Exhibition Centre will ensure that adequate fire precautions are in place throughout areas under its control.

This will be achieved by:

- assessing the fire risks in the workplace
- ensuring that a fire can be detected in a reasonable time and that people can be warned
- ensuring that people who may be in the venue can get out safely
- providing appropriate fire-fighting equipment
- ensuring that staff in the venue know what to do if there is a fire
- ensuring that fire safety equipment is checked and maintained

### Risk assessment

Fire Wardens will use a Fire Safety Checklist for the risk assessment of areas under their control.

### Responsibilities

Staff will ensure materials are not stored in gangways, corridors or stairways or where they may obstruct exit doors.

### Smoking

Smoking is not permitted in Quantum Exhibition Centre (or in close proximity to external entrances and exits) except in designated smoking areas.

### Training and instruction

Staff and visitors must be aware of the risks of fire associated with their work. All staff will be told during their induction process:

- how to warn others of the fire including the operation of the fire-warning system
- the location and use of escape routes
- to assist or direct visitors or members of the public from the workplace
- the location of assembly points
- how to summon the fire service

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#### Noise Risk Assessment

- the location and use of fire safety equipment (where appropriate)
- the arrangements for calling the fire brigade
- All staff will undergo periodic fire safety training, including an annual evacuation procedure.

#### **Maintenance and testing of fire safety equipment**

The Fire Safety Manager will ensure that fire safety equipment, including fire-fighting equipment, detection and warning systems, means of escape and emergency lighting, are regularly checked and maintained.

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**From:** bw licensing  
**Sent:** 12 March 2019 10:16  
**To:** Licensing; Pollution Team  
**Cc:**  
**Subject:** Quantum Exhibition Centre, 77A Upper Trinity Street, B9 4EG X 3 TEN APPLICATIONS  
**Attachments:** QUANTUM TEN 760970.pdf; QUANTUM TEN 760974.pdf; QUANTUM 760978 TEN.pdf

Licensing,

West Midlands Police formally make representation to the grant of this Ten. West Midlands Police believe if granted the licensing objectives, the prevention of crime and disorder along with the prevention of public nuisance will not be promoted.

West Midlands Police recently dealt with this venue on its application and it was agreed due to the cumulative impact policy in place the trading hours would be kept until 12:30am in an attempt to promote the licensing objectives. The police believe trading past these hours will inevitably impact on crime, disorder and public nuisance.

Regards

PC 1978 Walker  
Birmingham Police Central Licensing Team  
Birmingham Partnerships  
Lloyd House

**Lisa Woodward**

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**From:** Martin Key on behalf of Pollution Team  
**Sent:** 11 March 2019 17:49  
**To:** Licensing Online; info@quantumexhibitioncentre.co.uk  
**Cc:** 'bw licensing'; Pollution Team  
**Subject:** RE: Quantum Exhibition Centre, 77A Upper Trinity Street, B9 4EG X 3 TEN APPLICATIONS

**Importance:** High

Hi

I am responding on behalf of the Environmental Health team as a responsible authority. I have received an application for three TENs as follows:-

1. 7 April 2019 – 00.30 – 03.00 regulated entertainment, relevant entertainment and late night refreshment
2. 21 April 2019 - 00.30 – 03.00 regulated entertainment, relevant entertainment and late night refreshment
3. 9 May 2019 - 00.30 – 03.00 sale of alcohol, regulated entertainment, relevant entertainment and late night refreshment

I am concerned that there is a risk of public nuisance as no operational controls have been submitted, there is no noise risk assessment and the conditions attached to the existing licence have not been carried forward as applying to the TENs. I have discussed these issues following previous TEN notifications most recently in January and again they have not been addressed in these applications.

As the time for assessment of this TEN is almost over and in the absence of details of the event and how the licensing objectives will be addressed I would therefore object to the grant of the TEN on the basis of the of impact on the licensing objective of the prevention of public nuisance. I am prepared to continue to consider any further information or mitigation the applicant may wish to submit.

Best Regards

Martin Key  
 Environmental Protection Officer

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Environmental Health | Regulation & Enforcement Division

☎: +44 (0) 121 303 2034 | ✉: [martin.key@birmingham.gov.uk](mailto:martin.key@birmingham.gov.uk)

✉: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE

(Office Site: Environmental Protection, 1<sup>st</sup> Floor, 40 Moat Lane, Birmingham, B5 5BD)

💻: [www.birmingham.gov.uk/eh](http://www.birmingham.gov.uk/eh) | Facebook: ehbbham | Twitter: @ehbbham

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

🖨 Please consider the environment before printing this email

**From:** Karen Knight **On Behalf Of** Licensing Online  
**Sent:** Thursday, March 07, 2019 12:05 PM  
**To:** 'bw licensing'; Pollution Team  
**Subject:** Quantum Exhibition Centre, 77A Upper Trinity Street, B9 4EG X 3 TEN APPLICATIONS

Dear all,

Please see attached applications for your consideration, received via gov.uk on 6<sup>th</sup> March 2019.

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4986 / 1

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Quantum 77a Upper Trinity Street Digbeth	
<b>Post town:</b>	<b>Post Code:</b>
Birmingham	B9 4EG
<b>Telephone Number:</b>	
-	

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

A	Plays
B	Films
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)
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

**The times the licence authorises the carrying out of licensable activities**

Sunday - Thursday	10:00 - 00:30	A, B, C, E, F, G, H, M3
	23:00 - 00:30	L
Friday - Saturday	10:00 - 00:30	A, B, C, E, F, G, H
	10:00 - 02:00	M3
	23:00 - 02:00	L
Until 02:00am on Christmas Eve, New Year's Eve and Bank Holiday		All

**The opening hours of the premises**

Sunday - Thursday	09:00 - 01:00
Friday - Saturday	09:00 - 02:30
Until 02:00am on Christmas Eve, New Year's Eve and Bank Holiday	

BIRMINGHAM CITY COUNCIL

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

On and Off Supplies

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Nightlife Outreach  
77a Upper Trinity Street  
Digbeth

Post town:

Birmingham

Post Code:

B9 4EG

Telephone Number:

Email

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

1168684

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Miss Olivia Jane Rhoden

Post town:

Post Code:

Telephone Number:

N/A

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

9113

Issuing Authority

BIRMINGHAM CITY COUNCIL

Dated 19/12/2018



SHAID YASSER  
Senior Licensing Officer  
For Director of Regulation and Enforcement

## BIRMINGHAM CITY COUNCIL

### 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.

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

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



## **BIRMINGHAM CITY COUNCIL**

### **Annex 2 – Conditions consistent with operating schedule**

#### **2a) General conditions consistent with the operating schedule**

A DPS/Premises License Holder will be on the premises when they operate as agreed with West Midlands Police.

The Premises License Holder shall meet with the Safety Advisory Group (SAG) if needed for any specific event where concerns are raised during initial risk assessment at the premises.

Regulated entertainment shall take place indoors only.

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

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

The Premises License Holder shall ensure that individuals who are drunk, disorderly or both will not be permitted to access the premises/removed from the premises.

The Premises License Holder shall ensure that a CCTV system is installed at the premises. CCTV is to be operational covering all licensable areas whilst the premises are open and be recording continually. The recordings are to be kept for a minimum of 31 days. The CCTV images are to be made available to any responsible authority immediately on request. The CCTV system will cover entrance and queuing areas to the premises. A number of staff will be designated to monitor the CCTV screens.

The Premises License Holder is to maintain a door staff register. This will contain name, address, SIA badge numbers and identification documents for all door staff working at the premises on an event by event basis and will be retained for a period of 6 months.

The Premises License Holder will ensure that door supervisors stationed outside the front of the premises wear high visibility jackets/coats/vest's and will have their SIA badge held in a clear arm sleeve. Door supervisors inside the premises will wear high visibility waist coats/vest's with their SIA badge held in a clear arm sleeve.

The Premises License Holder will maintain an incident book and record all incidents that occur inside and immediately outside the premises. The incident book will be made available for inspection immediately at any time when requested by any Responsible Authority.

The Premises License Holder shall ensure that the premises will operate a drugs policy and lost and found property policy. Copies of both will be made available for inspection immediately at any time when requested by any Responsible Authority.

The Premises License Holder shall ensure that the entrance area together with the queuing area is sufficiently lit.

The Premises License Holder will operate agreed queuing/entry and dispersal policies which will be agreed with West Midlands Police.

The number of door staff deployed for each event will be assessed through a written risk assessment for that event.

The premises will have a documented drugs policy which will deal with searching (and methods of searching) confiscation, storage, disposal.

If the premises are used for any new event the Premises license holder/DPS must provide an event

## **BIRMINGHAM CITY COUNCIL**

notification and risk assessment to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health department at least 28 days before the event (or an lesser period if agreed by both West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department). West Midlands Police retain the power of veto.

The Premises Licence Holder/DPS must provide a list of events and risk assessments to West Midlands Police Birmingham Licensing and Birmingham City Council Environmental Health Department for all events with finishing times after midnight a minimum of 14 days before the event.

Written recommendations set by the SAG Group shall become operating conditions for the use of the premises for that event. Conditions specifically associated to any event shall be displayed at the entrance to the venue.

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

The Premises License Holder will undertake a fire risk assessment which will be shared with the West Midlands Fire Service and West Midlands Police.

The designated smoking area will be well lit, and covered by CCTV with SIA security personnel present to minimize noise and supervise that all customers comply with the Zero Tolerance Drugs Policy.

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

The DPS shall, prior to any licensed activity taking place, submit in writing a noise management plan to Environmental Protection Unit of Birmingham City Council. The noise management plan (NMP) shall include a risk assessment and outline the measures to be adopted to reduce the noise impact of activities associated with the premises including any music, deliveries, recycling and refuse collections, smoking areas, customers, parking and taxi pick up. The noise management plan shall be reviewed after each event and a revised noise management plan shall be submitted to Birmingham City Council Environmental Health Department for approval before any future event takes place where the review and risk assessment identifies that the noise impact or necessary operational controls for the event need to be revised from the approved noise management plan. All operational controls and management actions required by the approved noise management plan shall be instigated at all times and all staff shall be adequately trained in their role in implementing the plan.

All external doors and windows shall be kept closed during live music or amplified music, speech or sound except as necessary for safe and effective access and egress.

To avoid nuisance being caused to nearby noise sensitive premises the DPS, or other nominated person/staff, shall monitor the external areas of the premises including the smoking area, the frontage (onto Upper Trinity Street) and the corner of Upper Trinity Street and Adderley Street, whenever licensed activities are being undertaken and also until all patrons have been effectively dispersed. If necessary, they shall remind customers to be respectful of neighbours.

The DPS shall limit the number of customers going outside to use the smoking area and shall take appropriate steps to avoid customers leaving any doors open or using the frontage of the premises to congregate or smoke.

No alcoholic drinks shall be removed from the premises. Any non-alcoholic drinks taken into the smoking area shall be in open plastic containers.

No waste or recyclable material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 22.00 and 08.00.

There shall be no speakers used for amplified music, speech or sound outside the building at any time.

The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart.

## **BIRMINGHAM CITY COUNCIL**

The premises shall have an approved documented dispersal policy (approval needed in writing from Birmingham City Council Environmental Health department and West Midlands Police Birmingham Licensing Department), which shall be implemented for dispersal at all times the premises are open for licensable activity. The policy shall include the dispersal of customers exiting the premises away from nearby residential properties. The dispersal policy shall be reviewed periodically or in the case of noise complaints relating to dispersal activities and revised as necessary and the revised policy shall be submitted in writing to West Midlands Police Birmingham Licensing Department and Birmingham City Council Environmental Health Department for approval. All operational controls and management actions required by the approved dispersal policy shall be instigated at all times. All entrances shall be supervised by door staff who shall ensure that the dispersal policy is followed and people accessing and egressing the premises do not cause noise nuisance to nearby residential premises. "

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

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

The Premises License Holder will ensure that if the premises wish to conduct an underage event, then the premises must supply a 28 day notice, together with a risk assessment. West Midlands Police have a power of veto over any such event.

The Premises License Holder will ensure the premise operates a strict close down policy, if a late night event is to take place. The premises is to close for a minimum of 1 hour with all areas searched, before reopening and operating the challenge 25 scheme.

**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

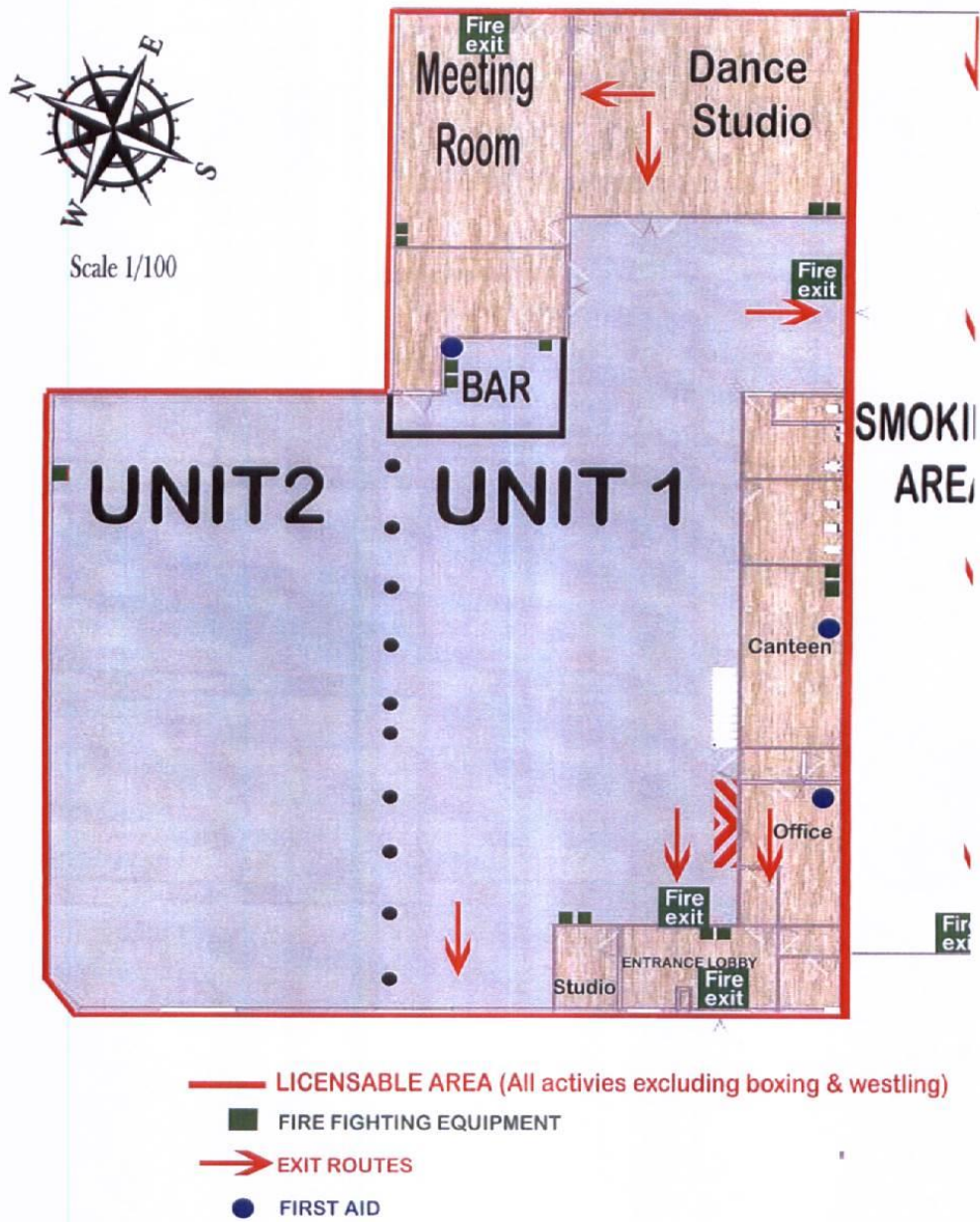
**3d) Committee conditions to promote the prevention of public nuisance**

N/A

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

N/A

Annex 4 – Plans



Mobil;e Fire fighting equipment stored in office to be used where necessary  
For example Stage, Lighting production areas, Live Music using electrical equipment

**LICENSING SUB-COMMITTEE - B****19 MARCH, 2019****Quantum, 77a Upper Trinity Street, Birmingham, B9 4EG.**

That, having considered as a preliminary point prior to the hearing, representations from West Midlands Police and Environmental Health in respect of the temporary event notice, as submitted by Thomas Jenkins the premises user, for events to be held on 7 April, 2019, 21 April, 2019 and 9 May, 2019 at Quantum, this Sub-Committee determines that:

A Counter Notice is not issued under Section 105 of the Licensing Act 2003 in respect of the modified TEN for 7 April and the remaining TENs are adjourned until 0930 hours on Thursday, 11 April, 2019, Room C, Council House Extension, Margaret Street, Birmingham, B3 3BU, when this Sub-Committee sits to consider the objections from the Responsible Authorities.

The Sub-Committee recognised a mutual agreement between the parties was in place following a constructive dialogue over the hours sought for a temporary event on 7 April, 2019 with conditions attached from the venue's premises licence. Members noted the parties considered it would be appropriate to have the first TEN for 7 April, 2019 take place with reduced hours from 00:30 to 02:00 hours to enable Environmental Health to monitor and assess the installation of a noise monitoring device.

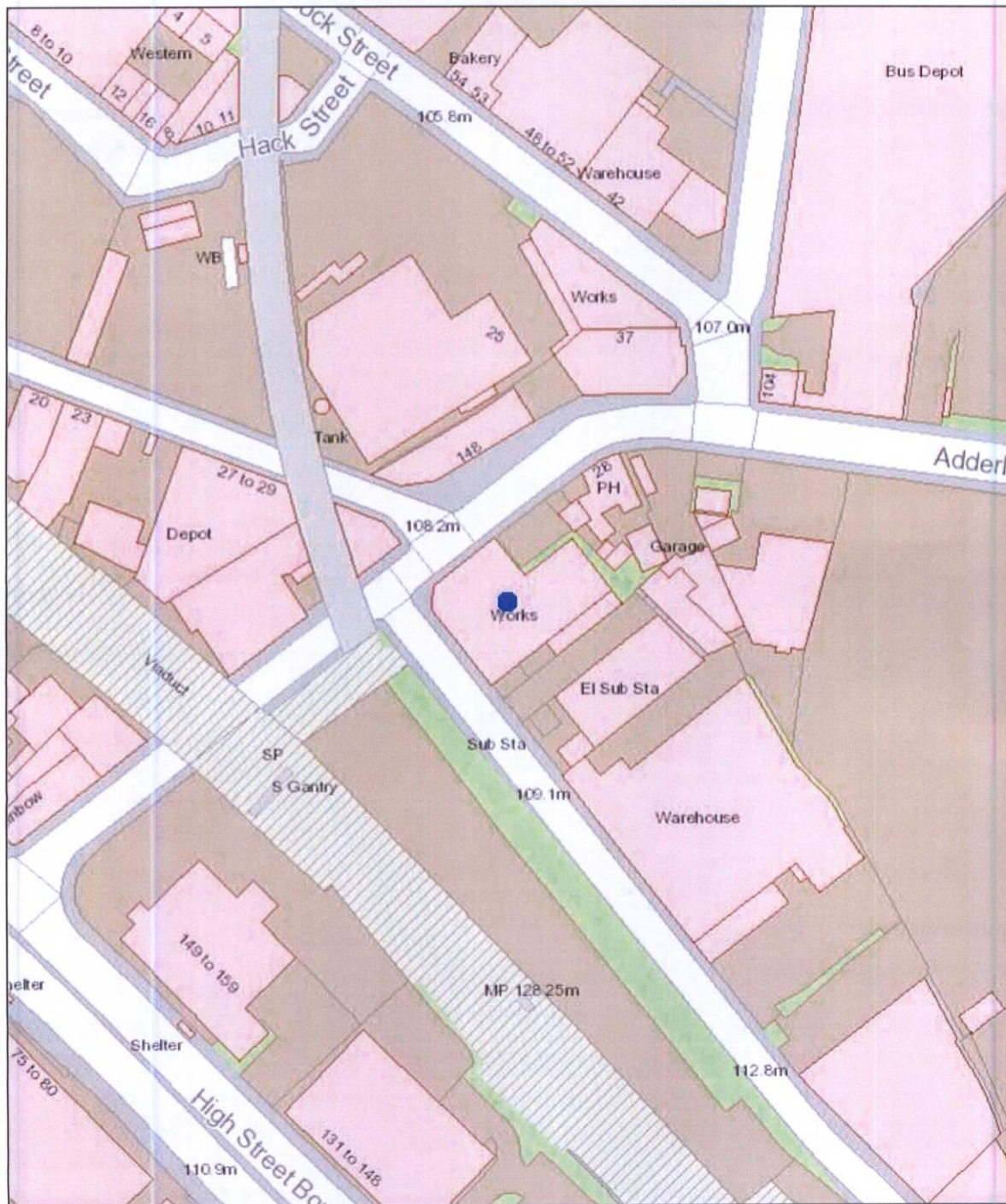
Although some caution was expressed by both Responsible Authorities in connection with the design of the venue and it's proposed operation beyond 02:00 hours in the TEN's submitted for events of 21 April and 9 May, 2019, the consensus was that these matters be adjourned to allow the responsible authorities to determine whether the licensing objectives were being promoted by the TEN's user as indicated by the Solicitor for the premises user.

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. No appeal may be brought later than five working days before the day on which the event period specified in the Temporary Event Notice begins.









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Date of Map Creation: 13/03/2019

Notes

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Scale:  
 1:1,250



QUANTUM, 77A UPPER TRINITY STREET – APPLICATION FOR TENs FOR 21 APRIL 2019 AND 9 MAY 2019

1. All regulated entertainment shall cease at 02.00
2. There shall be no live amplified music under the TEN
3. The premises licence conditions attached to licence number 4986 shall be transferred to the TENs
4. There shall be no amplification equipment used for music, speech or sound other than the house PA which is fitted with a Cloud CX335 noise limiter
5. The applicant shall complete the noise management plan prior to the TEN events

