

## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB-COMMITTEE C**

**WEDNESDAY, 02 JANUARY 2019 AT 09:30 HOURS**  
**IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA**  
**SQUARE, BIRMINGHAM, B1 1BB**

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

## **A G E N D A**

### **1 NOTICE OF RECORDING**

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

### **2 DECLARATIONS OF INTERESTS**

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

### **3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 14**

### **4 MINUTES**

To note the public section of the Minutes of the meeting held on 5 December 2018.

**15 - 50**

### **5 LICENSING ACT 2003 PREMISES LICENCE (GRANT) - TESCO STORES LIMITED, LINDEN ROAD, BIRMINGHAM, B30 1PA**

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

**51 - 100**

### **6 LICENSING ACT 2003 PREMISES LICENCE (VARIATION) - BOLDMERE SUITE, BOLDMERE SPORTS & SOCIAL CLUB, 323 BOLDMERE ROAD, SUTTON COLDFIELD, BIRMINGHAM, B73 5HQ**

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

7 **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.

8 **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 section of the Minutes of the meeting held on 5 December 2018 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

Item 4

<b>LICENSING SUB COMMITTEE C 5 DECEMBER 2018</b>
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**MINUTES OF A MEETING OF  
LICENSING SUB COMMITTEE C  
HELD ON WEDNESDAY 5 DECEMBER 2018  
AT 0930 HOURS IN ELLEN PINSENT ROOM,  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Mike Leddy in the Chair

Councillors Nicky Brennan and Neil Eustace

**ALSO PRESENT**

Bhapinder Nandhra, Licensing Section  
Joanne Swampillai, Committee Lawyer  
Katy Poole, Committee Manager

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**NOTICE OF RECORDING**

1/051218 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.

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**DECLARATIONS OF INTERESTS**

2/051218 Members were reminded that they must declare all relevant and 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 to be recorded in the minutes of meeting.

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**APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3/051218 There were no Nominee members.

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**MINUTES**

4/051218 That the public part of the Minutes of meeting held on 14 November 2018 were

noted.

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**LICENSING ACT 2003 PREMISES LICENCE (VARIATION) – THE BOTANIST,  
CHELTENHAM HOUSE, 14-16 TEMPLE STREET, BIRMINGHAM, B2 5BG**

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**

Matt Bamber – Operations Director  
Rebecca Ingram – Solicitor

**Those making representations**

PC Abdool Rohomon – West Midlands Police  
Paul Samms – Environmental Health

\* \* \*

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

Mrs Rebecca Ingram, on behalf of the applicant made the following points:-

- a) That the premises had been trading since 2015. In that time the premises had been successful. They had put in the variation application and there were two representations made.
- b) That the issues from Environmental Health were in relation to one residential complaint. However, the additional evidence referred to the history of the complaint, but the complaint regarding bin noise could not be attached to The Botanist. Moving forward they were happy to attach a condition to the licence, that bins should not be emptied between the hours of 2300 – 0800.
- c) That there was references made to a music complaint, however, Environmental Health had visited the premises and checked the noise levels, and had always been satisfied.
- d) That there had only been one complaint in two years and upon investigation from Environmental Health all levels were satisfactory.
- e) That no residents had opposed the application and no residents had attended the hearing. This was further supported by West Midlands Police



representation who had received no complaints from residents regarding the premises.

- f) That there were residents close to the premises, however, they could not believe, that from the evidence, the premises was causing any nuisance, or that the variation application would cause further nuisance.
- g) That the final statement made by Environmental Health requested that the other premises in the area close between 0030 – 0130 hours, they disagreed entirely.
- h) That within the police representation they stated that the premises do not cause any problems at present. They believe that the style of the operation and management was the reason why the premises was no concern for WMP. The premises was of high quality, with quality seating, nice food and positive overall experience. They also felt the price range of the premises made a difference. All of those things dictated the premises and its operation.
- i) The premises track record showed it promoted the licensing objectives.
- j) That the type of premises dictated the style of customer it attracted and opening for an additional 1 hour would not change that.
- k) That PC Rohomon stated that terminal hours in the area were 0130 hours. However, San Carlo, The Alchemist and Gusto all have later opening hours and were licensed premises.
- l) That they were happy the premises did not cause any issues.
- m) That the local area did not cause any issues currently; was that because of the hours or the style of operation – they would say the latter.
- n) That the traders in the area were all similar. They had mature customers who behaved in a mature way.
- o) That a new licence was granted in March for Gino De Campo's new premises and that has a terminal hour of 0300 hours Thursday-Saturday. That application received no objections.
- p) The statement from WMP suggested they were trying to cap hours at 0130, however, that was not written in Birmingham City Councils statement of Licensing Policy.
- q) That the merits of the premises were set out by the police themselves whom stated that the premises caused no issues and each application was to be judged on its own merits.

Mrs Ingram referred to Birmingham City Councils statement of Licensing Policy from 6.8 – 8.10 where she outlined that the Council “will not apply core hours to any area in the city”. She also suggested that variations beyond a certain core

hour should be a special policy; however, there was no special policy in the area.

Mrs Ingram continued:-

- a) That her client wanted to work with the police as much as possible and they had looked at how they could guarantee that the premises would not become troublesome.
- b) That the current licence had no conditions regarding door staff, however, they would be willing to offer a condition requiring a minimum of 2 SIA registered door staff from 2100 hours until closing.
- c) That the police representation mentioned concerns about the later hours attracting different clientele, so they would be willing to provide a further condition that no additional entry after the current hours, in order not to attract any “new” patrons for the additional hour. The condition would also address Mr Paul Samm’s concerns regarding dispersal.
- d) That there was negative impact on the Licensing Objectives.

In response to questions from Members of the Sub-Committee, Mr Matt Bamber made the following points:-

- a) That it was mainly Friday and Saturday nights when people would like to have a few more drinks and was more from the customer’s viewpoints than for retaining guests to make money.
- b) That the typical customer was working class 25 years old +. With 30% of sales being food trade. That the premises attracted local residents and they had a loyalty scheme for frequent customers.
- c) That from Monday-Friday it was mainly business clients and young professionals on a weekend. They also had special occasions such as birthdays, parties, christenings, weddings (in the basement).
- d) That the premises attracted mixed clientele.
- e) That the style of food, high price points and no discounts encouraged good clientele.
- f) It was not a bar where you would pop in when you were passing; it was a place to go for the night with friends.
- g) That the cheapest beer was £4.00; they didn’t have a “happy hour”.
- h) That they arrived in April 2015 and started a trend.
- i) That the basement was approved.
- j) They catered for 30 covers downstairs, 85 upstairs and 150 standing in the bar area.

Mrs Ingram explained that the area was mixed, with premises operating earlier and later than The Botanist. Broad Street was more of a “party destination” and Temple Street was more relaxed. People wouldn’t necessarily be looking to dance in the area.

PC Abdool Rohomon, on behalf of West Midlands Police made the following points:

- a) That it was an unusual rejection from West Midlands Police, as it was a future prediction.
- b) That he had lots of experience in how areas developed and the area was at tipping point. They didn’t want that. The area already worked well and didn’t cause them any problems. They had no issues with The Botanist currently, in “no way, shape or form”
- c) That the area was upcoming and vibrant.
- d) He had done a plan on google maps of all the licensed areas. He had missed Las Iguanas off, but they had a licence until 2300 hours.

At this stage PC Abdool Rohomon outlined the licensed premises on the map and the hours they were operating. He explained that the demand on the city centre for licensing was huge and this was an upcoming area compared to Broad Street. Furthermore, they wanted a nice area and did not want to change the dynamics of the night time economy in that area. Areas such as Broad Street took a lot of policing. That the reason the area and premises caused no issues was due to the earlier terminal hours, people go home earlier.

PC Abdool Rohomon made the following points:-

- a) That it was a strange objection from West Midlands Police.
- b) That they were looking at it in a more dynamic way.

PC Abdool Rohomon also made comments in relation to the Government guidance “Alcohol Licensing: Using Case Law” at page 54 of the report in order to further support his case. In addition, he explained that if it was just The Botanist it would not be such an issue, but the expansion of the Colmore Row area and Temple Row meant that there were an increasing number of licensed premises.

PC Rohomon continued:-

- a) That the purpose of the “act” was to be based on stopping events from happening, stopping problems in the first place.
- b) That to start changing hours past 0100 hours changed the dynamics of people that go to the premises. It was his knowledge to know these things, and he could say comfortably that the dynamics would change.

He had been employed by the police for 27 years and his entire career had been in Birmingham.

- c) That they had got to limit the hours.
- d) That Mrs Ingram rang him up and he said no straight away, WMP objected on day one of the 28 days.
- e) That the premises were not economically dependent on the variation. The premises were already doing well and worked well so why would they change it.
- f) That the Alchemist did operate until 2am. Gusto had longer operating hours, but was just a restaurant with a very small bar.
- g) That many of the premises in the area had applied for TENs but the Police had made objections to all of them, to which the premises had later withdrawn them.
- h) That there was a residential operation that sat above Tesco's, but they had not received any complaints from the residents.
- i) That it was recognised that the later the operational hours the more increased the risk. That "youngsters" stay out later, and they are more problematic.
- j) That The Botanist was not an issue. They were trying to "future proof" the area.
- k) That the premises in the area had the following closing times:-
  - a. Fumo – 2am
  - b. San Carlos – 4am (Restaurant that had a licence, but was a grandfather conversion)
  - c. Las Iguanas – 11pm
  - d. Republic De Cuba – 1am
  - e. Lost & Found – 2am

Mrs Rebecca Ingram interjected stating that she thought Las Iguanas had a licence until 2am. Cllr Brennan also agreed that Las Iguanas website said different to PC Rohomon's submission.

PC Rohomon concluded that the public register he had said 11pm, but Mrs Ingram's version said 1am.

PC Rohomon continued:-

- a) That Brindley Place was like "never never land" in its "own bubble". It goes on until 2/3am but did not attract the same level of problems as Broad Street itself.

- b) That he was concerned regarding ASB.
- c) That they had an imaginary line, past 1am in their eyes was night time economy. So 2am onwards was when the threat risk increased.
- d) That moving The Botanist's hours would increase the risk, even with conditions about entry, people realise they open later and it attracts different clientele.
- e) That currently most people in the area went home, they didn't want to go to Broad Street.
- f) That if they granted the application, it would have a "snowball" affect.
- g) That WMP were not aware Environmental Health was objecting. Although they do talk to each other, they had not discussed capping the hours.
- h) That if the demographics of the area changed, they would have to police it.
- i) That it was a new concept and a usual objection from the Police. That they had not had any discussions about a policy but it's the thought line they were going down.
- j) That it was fair to say if they came to the Committee requesting a Cumulative Impact Zone, they would have no evidence of crime and disorder.
- k) That the act allowed future proofing against unforeseen problems.
- l) That is it was not for the expansion in the area, they would not be objecting.

Cllr Brennan asked questions relating to the clientele in Brindley Place and this premises being similar. PC Rohomon responded that Brindley place had mainly restaurants and some bars.

Mr Paul Samms, on behalf of Environmental Health made the following points:-

- a) That he had read through the statement that had been submitted and the reason the resident had not made representations was because they had left it too late.
- b) That there was a residential block opposite, with a history of complaints. Mainly complaints about noise nuisance; bin emptying and loud music.
- c) That there were a few bedrooms overlooking premises; 4-8 bedrooms that overlook.
- d) That not many people owned the units, they tended to be rentals; that come and go.

- e) That one of the residential blocks was a listed building and they had looked at enhanced glazing, but with conservation issues they couldn't do it easily.
- f) That although Mrs Ingram had said there had been no issues when they had bands playing; sometimes they controlled the noise levels, and others times they didn't.
- g) That what he was trying to point out that there was only residents were local to the premises.
- h) That Brindley Place had no local residents so in terms of public nuisance, it was rarely an issue.
- i) That essentially what he was most concerned about was that it was the most sensitive time of night 0100-0200 hours.
- j) That future nuisance was his concern, and preventing that from happening.
- k) That time of night was more and more sensitive.
- l) That if members were minded to grant, he had some conditions, but he felt uncomfortable with it.
- m) That there hadn't been any complaints since 2015; but that didn't mean there wasn't a problem.
- n) That he was concerned other premises would try and apply for the same hours if this one was granted.

In summing up, Mr Paul Samms, on behalf of Environmental Health, made the following points:-

- That it was for the prevention of public nuisance.

In summing up PC Rohomon, on behalf of West Midlands Police made the following points:-

- That on the basis of knowledge, experience and personally as a force, the hours would increase the risk.
- That the Licensing Act supported looking beyond and into the future.
- That the demographic of the area was changing rapidly.
- That West Midlands Police can support and say that by granting the variation it would increase the crime and disorder in the area.

In summing up, Mrs Rebecca Ingram, on behalf of the applicant, made the

following points:-

- That the Committee had to take the views of the responsible authorities on board.
- That there were differences between the authorities voicing concerns about new premises and new operators, but this premises was not new. The authorities should not outweigh the evidence showing no issues.
- That there was no evidence of any harm to the licensing objectives currently or in the future.
- That there was only one unsubstantiated complaint, other than that there was no complaints.
- That the evidence, and lack of residential complaints suggested there were no problems with the premises.
- That the evidence from police was that there were no problems currently, and it was wrong to submit an objection based on assumptions.
- That there should not be any issues.
- That Brindley Place caused no issues because of the clientele which was the same as The Botanist.
- That there was nothing in Council Policy to suggest it should be refused.
- That the Council would not apply core hours in any area.
- That 2am was not out of line with other premises in the local area.
- That to not grant the application would suggest that there were a core hours policy here.
- The premises had an exemplary record, with additional conditions volunteers, who could achieve a variation if this premises couldn't?
- That the evidence was clear, the objectives would not be undermined by the application.

Mr Paull Samms explained he had something to add.

The Chairman advised that all parties had the opportunity to outline their points.

At 1117, the meeting was adjourned. All parties with the exception of Members, the Committee Lawyer and Committee Manager left the meeting.

At 1200 hours the Chairman requested all present, with the exception of Members, the Committee Lawyer and the Committee Manager to withdraw from the meeting.

5/051218 **RESOLVED:-**

That the application by New World Trading Company UK Limited to vary the premises licence in respect of THE BOTANIST, CHELTENHAM HOUSE, 14-16 TEMPLE STREET, BIRMINGHAM B2 5BG, under section 34 of the Licensing Act 2003, **BE GRANTED SUBJECT TO THE FOLLOWING FOUR CONDITIONS:**

1. The hours for late night refreshment shall be the same as the hours for the sale of alcohol
2. From Thursday to Saturday, two SIA-accredited door staff shall be on duty from at least 21.00 hours until closing time
3. There shall be no entry for patrons after the following times:
  - 00.00 midnight from Sunday to Wednesday, and
  - 01.00 hours from Thursday to Saturday
4. The bins at the premises shall not be emptied between the hours of 23.00 and 08.00 in order to reduce the likelihood of noise nuisance

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The applicant addressed the Sub-Committee at the start of the meeting, and explained that they had been trading without problems since 2015 and now wished to extend their operating hours later into the evenings. The variation had been requested purely in order to improve their offer to patrons who might want to have a few more drinks into the late evening; it had not been motivated by financial necessity, as the business was trading successfully.

They did not accept that their proposed variation would undermine the licensing objectives and observed that all parties attending the meeting had agreed that The Botanist was not considered in any way to be a nuisance premises. They had taken note of the concerns of the responsible authorities, and in response were happy to offer suitable conditions, relating to the use of door staff for security, the adoption of a 'last entry' time for patrons to create a more gradual dispersal, and also arrangements for the emptying of the bins to reduce the likelihood of nuisance.

They were confident that their management and style of operation was such that they could trade safely for an extra hour into the late evening. They felt that the ambience and overall experience that they offered was of a high standard, with a significant food element to the business. They showed the Sub-Committee photographs of the interior design, and also a copy of the menu, to support this. Their offer and the style of the interior dictated the clientele, who were professional and also included local residents. Their patrons were not passers-by, they were people who would spend the evening there and have cocktails; it was quite unlike the type of licensed premises seen at the Broad Street and Digbeth areas. Those at the Botanist considered themselves to be a smart 'destination venue', accustomed to hosting birthday parties, weddings and christenings. They did not sell cheap alcohol; nor did they offer reduced-price drink promotions of the 'happy hour' variety. They offered a variety of cocktails and their pricing was



relatively high. All in all they considered themselves capable of promoting the licensing objectives during the extra hour of operation.

The Sub-Committee then heard representations from West Midlands Police who agreed that the Temple Street area only needed light policing, and that this was therefore an unusual objection, particularly as it was accepted that there were no issues at all with The Botanist and their operation. The Police agreed that Temple Street was nothing like Broad Street in terms of crime and disorder risks.

However it was the Police's view that, on the basis that the licensing objectives were being upheld in the area, the Sub-Committee should take the opportunity to 'future-proof' the Temple Street area by maintaining the current closing time at The Botanist; the caselaw allowed for this.

The Police were keen that Temple Street should not become part of the night time economy, as per Broad Street and Digbeth, both of which had numerous licensed premises operating to 02.00, 03.00 and 04.00 hours, and which demanded huge resources in terms of policing. Temple Street was a vibrant area, and expanding rapidly. The police urged the Sub-Committee to look beyond the instant premises and to consider the effect that extending the hours could have – namely the effect of changing the dynamic of people visiting the area. The current hours attracted the 'right' kind of clientele; to allow operation to a later hour meant that a change in demographic was likely to occur, and that would put the licensing objectives at risk. The current hours were working well and therefore the police wanted them to remain as they were, such that no premises in Temple Street traded to the hours seen in Broad Street and Digbeth.

The Sub-Committee observed that this sounded like an attempt at zoning the area. The applicant agreed and reminded the Members that the City Council's own Statement of Licensing Policy did not support the principle of 'core hours' in any area. It was the applicant's position that the police objections amounted to an attempt to establish core hours without any policy basis for doing so.

The Sub-Committee also observed that it appeared that the lack of crime and disorder was attributable to the clientele frequenting The Botanist. Accordingly they doubted that an extension of the terminal hour would necessarily lead to a sudden change in clientele at a well-managed premises with effective door security, high pricing of alcohol and a substantial food element.

The Environmental Health Officer of the City Council then made representations regarding the public nuisance objective. The main concern was noise, from music and the emptying of the bins. He accepted that there had only been a very few complaints thus far, but his worry was that if trading were to be permitted to a later hour of the night, when background noise was reduced, the nuisance risk would increase, particularly because people in the area would be more sensitive to noise occurring at a very late hour. It also seemed to the officer that whilst The Botanist was not a nuisance at the moment, the likelihood was that extending the hours would mean that it would become so.

The Environmental Health Officer observed that the purpose of the licensing regime was to prevent public nuisance – in other words, to ensure in advance that

the licensing objectives were upheld, not simply to clear up problems afterwards. The Environmental Health Officer and West Midlands Police agreed that to grant the variation for The Botanist would increase late operation generally, at all licensed premises in the area.

The Sub-Committee deliberated the proposed operating schedule. This was a variation application, not a grant application for a brand new licence. All parties, even the responsible authorities who had attended to object, had agreed that The Botanist was well-managed and attracted a respectable clientele. Whilst it was of course understandable that West Midlands Police should be considering the future policing issues for central Birmingham, the instant meeting was not the proper forum to introduce zoning or core hours for the Temple Street area.

Equally, whilst the Environmental Health Officer had raised concerns about noise, the low number of previous complaints suggested that this was not an issue that particularly troubled local residents, many of whom perhaps accepted that life in the very centre of Birmingham would involve some degree of noise. There was no evidence that the licensing objectives were at risk now or in the future at The Botanist, due to the standard of operation, careful management, style of offer, and type of clientele. Therefore variation of the Licence, with modified conditions, was proportionate.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the information in the application for a variation, the written representations received and the submissions made at the hearing by the applicant (via their legal representative), and by the responsible authorities.

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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### **OTHER URGENT BUSINESS**

6/051218      There was no urgent business.

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### **EXCLUSION OF THE PUBLIC**

7/051218      **RESOLVED:**

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:-  
(Paragraphs 3 & 4)

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# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b> Item 5
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 2<sup>nd</sup> January 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Grant</b>
<b>Premises:</b>	<b>Tesco Stores Limited, Linden Road, Birmingham, B30 1PA</b>
<b>Ward affected:</b>	<b>Bournville &amp; Cotteridge</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption off the premises) to operate from 06:00am until 00:00midnight (Monday to Sunday).

Premises to remain open from 06:00am until 00:00midnight (Monday to Sunday).

### 2. Recommendation:

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

### 3. Brief Summary of Report:

An application for a Premises Licence was received on 6<sup>th</sup> November 2018, in respect of Tesco Stores Limited, Linden Road, Birmingham, B30 1PA.

Representations have been received from other persons.

### 4. Compliance Issues:

#### 4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

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

Tesco Stores Limited applied on 6<sup>th</sup> November 2018 for the grant of a Premises Licence for Tesco Stores Limited, Linden Road, Birmingham, B30 1PA.

Representations have been received from other persons, including local Ward Councillors, see Appendices 1 – 10.

The application is attached at Appendix 11.

Site Location Plans at Appendix 12.

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

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

## **6. List of background documents:**

Copies of the representations as detailed in Appendices 1- 10  
Application Form, Appendix 11  
Site Location Plans, Appendix 12

## **7. Options available**

To Grant the licence in accordance with the application.

To Reject the application.

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

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

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

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
30 NOV 2018	
REF NO	
INITIALS	

Linden Rd  
Bournville  
B30 1NS

Dear Sirs

Re Tesco Stores Linden Rd B30 1PA Alcohol License Application

We wish to object in the strongest possible terms to the granting of this license for the following reasons.

1. We live opposite this establishment and are subject to the noise and disturbance already caused by early and late activity on this site and extending opening hours to 0600 – 2400 would make our lives intolerable.
2. This shop is already a magnet for crime with not only repeated drive offs but extensive shop lifting resulting in coffee and tuna having to be sold in security boxes and from behind the counter.
3. Regular attempts to break in overnight have been reported and both of the above problems are likely to exacerbated by the presence of alcohol on the premises. The last attempt at forced entry was only last week.
4. The premises are within the Bournville parish boundary and as such local traditions around the sale of alcohol ought to be protected.
5. The area is already well provided with alcohol off- sales with several establishments within a 10 minute walk or 2 minute drive of this location.
6. Tesco have made no effort to communicate with its neighbours about this application with many neighbours only realising in the last few days as the notices have been posted in places that are difficult to see, round the side in a poorly lit area and on the sliding front which opens if you stand in front of it to try to read the notice.
7. Poor forecourt management means that queues for petrol or access to the shop regularly generate congestion on the road with numerous near misses and difficulty for local residents in getting on and off their drives.

In my view Tesco have proceeded in a manner which is both un-neighbourly and indifferent to their impact on the local community and as such should be rejected in terms of the extended hours and the sale of alcohol.

Yours Sincerely

LINDEN RD

Linden Rd

Bournville

B30 1NS

Dear Sirs

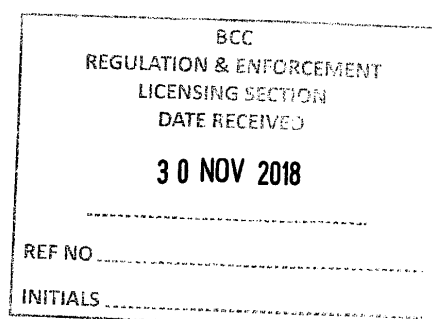
Re Tesco Stores Linden Rd B30 1PA Alcohol License Application

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1. We live opposite this establishment and are subject to the noise and disturbance already caused by early and late activity on this site and extending opening hours to 0600 – 2400 would make our lives intolerable.
2. This shop is already a magnet for crime with not only repeated drive offs but extensive shop lifting resulting in coffee and tuna having to be sold in security boxes and from behind the counter.
3. Regular attempts to break in overnight have been reported and both of the above problems are likely to be exacerbated by the presence of alcohol on the premises. The last attempt at forced entry was only last week.
4. The premises are within the Bournville parish boundary and as such local traditions around the sale of alcohol ought to be protected.
5. The area is already well provided with alcohol off- sales with several establishments within a 10 minute walk or 2 minute drive of this location.
6. Tesco have made no effort to communicate with its neighbours about this application with many neighbours only realising in the last few days as the notices have been posted in places that are difficult to see, round the side in a poorly lit area and on the sliding front which opens if you stand in front of it to try to read the notice.
7. Poor forecourt management means that queues for petrol or access to the shop regularly generate congestion on the road with numerous near misses and difficulty for local residents in getting on and off their drives.

In my view Tesco have proceeded in a manner which is both un-neighbourly and indifferent to their impact on the local community and as such should be rejected in terms of the extended hours and the sale of alcohol.

Yours Sincerely



BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  30 NOV 2018  REF NO. _____ INITIALS _____
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Linden Rd  
Bournville  
B30 1NS

Dear Sirs

Re Tesco Stores Linden Rd B30 1PA Alcohol License Application

We wish to object in the strongest possible terms to the granting of this license for the following reasons.

1. We live opposite this establishment and are subject to the noise and disturbance already caused by early and late activity on this site and extending opening hours to 0600 – 2400 would make our lives intolerable.
2. This shop is already a magnet for crime with not only repeated drive offs but extensive shop lifting resulting in coffee and tuna having to be sold in security boxes and from behind the counter.
3. Regular attempts to break in overnight have been reported and both of the above problems are likely to exacerbated by the presence of alcohol on the premises. The last attempt at forced entry was only last week.
4. The premises are within the Bournville parish boundary and as such local traditions around the sale of alcohol ought to be protected.
5. The area is already well provided with alcohol off- sales with several establishments within a 10 minute walk or 2 minute drive of this location.
6. Tesco have made no effort to communicate with its neighbours about this application with many neighbours only realising in the last few days as the notices have been posted in places that are difficult to see, round the side in a poorly lit area and on the sliding front which opens if you stand in front of it to try to read the notice.
7. Poor forecourt management means that queues for petrol or access to the shop regularly generate congestion on the road with numerous near misses and difficulty for local residents in getting on and off their drives.

In my view Tesco have proceeded in a manner which is both un-neighbourly and indifferent to their impact on the local community and as such should be rejected in terms of the extended hours and the sale of alcohol.

Yours Sincerely

LINDEN RD.

ONE FURTHER POINT TO ADD IS THE  
CONSTANT PARKING ACROSS OUR DRIVES  
WILL ONLY GET WORSE IF THIS ATTRACTS MORE  
TRAFFIC

---

**From:** [redacted]  
**Sent:** 03 December 2018 17:54  
**To:** Licensing  
**Cc:** [redacted]  
**Subject:** Bournville Tesco Express application for alcohol license

I strongly object to the current application for a license to sell alcohol by Bournville Tesco Express on the Linden Road, Bournville. Tesco have been very sneaky and posted the notice at the far side of the building, where most people will never see it. Isn't it supposed to be openly displayed?

When this happened before, 11 years ago, many local residents protested, knowing that this would result in more social problems in the area. Do they think those people have moved away or passed on? No, the majority of people in this nearby area are against the granting of a license, as they were before.

Last time, there was a big meeting in the Council House with all of Tesco's legal staff; many local residents were there and we beat them, with the local councillors taking the side of the people. Now Tesco are sneakily trying again, and if no one stands up to them, they may get away with it.

It is those of us living near the garage are the ones who will bear the brunt of the flow of alcohol to local young people. Already we have the litter strewn down our roads and in our gardens from people who bought something at Tesco Express. If an alcohol license is granted, there will a flow of young people coming down our streets drinking alcohol. The steps of the church in our street is a favourite place for young rowdies to gather in the evenings, and now they will gather there again to drink their alcoholic beverages. The residents living next to the church already found it difficult to sell their house in the past because of this problem. With alcohol flowing, the problem will certainly get worse.

Of course, those who buy alcohol to take home do not cause a local disturbance, but I believe there will be price to pay on the local level if a license is granted. People like to live in Bournville because it is a peaceful area, which still retains a gentle spirit and some of the character of the ideals that it was built upon. That doesn't mean that everyone should be a Quaker or teetotal, but I personally believe that allowing the sale of alcohol here will lower the tone of the area, which is famous throughout the country, until it becomes just another housing estate, like any other. It will be sad if Bournville loses its original character, and, from a materialistic viewpoint, it could even affect the price of local houses.

Some have said that the garage is not in Bournville, but check out the garage website. It's 'Birmingham Bournville Tesco Express'. Some might say 'It's not on Bournville Trust land', but it is part of Bournville, just as Beaumont Road is where I live, though our road is not part of the trust.

Recently there has been a sharp upturn in crime and drugs in this area, young people go up and down our roads trying car doors and stealing whatever they can. Bournville Tesco Express is already a place that they head for – so with alcohol on offer, the local problems will be multiplied. Older young people buy alcohol and pass it on to those underage. The effect will surely influence the relatively well behaved young people in the area.



Of course, an alcohol license was granted a few years ago to the newsagents shop on the Maryvale Road, once again, completed against the wishes of many local people. We realise it is unlikely for that license to be revoked, but surely those who need alcohol locally can go there if they want, another alcohol vendor is unnecessary in this area, particularly when you take into account the temperate tradition of the area and the consensus in the area against the selling of alcohol there. There are also ample opportunities for people to buy alcohol from the nearby shops in Cotteridge.

In this text I think I have addressed the issues below of:

- 1) The prevention of crime and disorder
- 2) Public Safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

Thank you.

Beaumont Road, Bournville, Birmingham B30 2EB

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**From:** [redacted]  
**Sent:** 03 December 2018 19:32  
**To:** Licensing  
**Subject:** Tesco Bournville

To whom it may concern

I would like to raise a strong objection to Tesco in Bournville as I believe that this will cause problems in the area. We already have an off licence in the area that was sneaked through without much public consultation and I do not think that this would be right for the area that has abided by Quaker values for over 100 years. Although they would have to abide by strict licensing laws I don't think that it would stop alcohol being bought for people who are underage and would lead to drinking in the streets and lead to a raise in crime in the area. I don't think that it would hurt the profits of a large company like Tesco to have one store that does not sell alcohol at one store not after they fought for 20 years to get a store in Stirchley only to abandon the plan after knocking down properties on the site where they could have sold alcohol

In conclusion I implore you to please consider not granting Tesco a licence to sell alcohol at their Bournville branch.

Further more I would be willing to come to and speak at any public meetings with regards this issue

Kindest regards.

Bournville.

Sent from my iPhone

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**From:** [redacted]  
**Sent:** 03 December 2018 21:30  
**To:** Licensing  
**Subject:** Tesco Express Alcohol License in Bournville / Cotteridge area

Dear sir / Madam,

This is to register our protest against any plans for issuing alcohol license at our local Tesco Express.

This is a very special area with a lot of history and culture. There was a time when this area was thought to be worthy of proposal as a World Heritage site. This is something to be respected and treasured.

Further there are plenty of places locally where alcohol is easily available. Most of them are within walking distance or a short drive. I understand some residents would love to have alcohol available almost next door but surely this cannot be done at the expense of what we stand to lose.

If there is any hearing we hope that we will be invited.

**From:** [REDACTED]  
**Sent:** 03 December 2018 23:59  
**To:** Licensing  
**Subject:** Tesco Express ,Linden Road , Bournville. licence application objection.

We have enjoyed a neighbourhood without any alcohol fueled trouble since this shop opened in 2006. When the store opened, an application to sell alcohol was refused for good reason, and all of the objections raised at that point still stand valid. Nothing has changed to support the granting of this application. In addition, there are 18 other licensed premises for the sale of alcohol off-site within half a mile of this site which shows there is no need for another licensed premises.

In addition, I am concerned about the protection of children from harm through early exposure to alcohol drinking as this shop is used by a large amount of young children and teenagers who live locally. It is my concern that the presence of alcohol in easy access inside a busy local store where staff may struggle to uphold the law on legal age for sale of alcohol is likely to put children at risk of harm. We have already seen the impact of another nearby premises which was granted a license to sell alcohol where cans and bottles (often broken) are frequently disgarded in gardens and on the footpaths in the immediate vicinity to the shop. We have also seen groups of young people drinking alcohol purchased from that shop in the nearby park casuing a nuisance to other park users.

The store already suffers frequent attemps at theft from the store whilst closed which not only causes disturbances but also causes residents to be affraid for their safety. Since it opended, the store has suffered a number of breakins and thefts, including the theft of tobacco where thieves gained access to the store by use of an angle grinder to cut a section of the outer wall of the store away - not once, but twice. There have also been many thefts from the store whilst it's open including fuel drive-offs and theft of merchandise from the store, both of which put at risk the public safety of other customers and staff. I have serious concerns that the sale of alcohol from this shop would exacerbate the situation.

It also appears that the shop is looking to increase its opening hours from 6am until midnight by means of this application. This is totally unacceptable as the store is situated on a residential road and bordered on 3 sides by residential properties. The hours of opening were a condition of the planning application when the store first opened, and a subsequent application to extend those opening hours was refused by planning with good reason. Nothing has changed to support the granting of a change to the agreed opening hours.

The store has also failed to comply with a number of other planning conditions, including the prevention of access to the site when the store is closed to prevent crime and disorder - No measures have ever been implemented which means we constantly have vehicles driving onto the forecourt late at night and in the early hours of the morning and using the parking area and forecourt for various activities including conducting drug sales. The store also recently suffered another attempted theft overnight where a vehicle was driven up to the front doors of the store and an attempt was made to access the store by smashing the doors with sledgehammers or steel bars. There has also been an attempted theft of the externally sited cashpoint machine on a separate occasion. The shop frequently fails to close the cashpoint shutter when the store is closed - which is also another condition attached to the store. There is also a planning condition applied to the store to restrict the delivery times for vehicles delivering to the store - this condition is also frequently ignored and neighbours are often disturbed by lorries parked up with engines and refrigeration compressors running from 6am and earlier whilst waiting for the store to open at 7:30am. The store is also supposed to ensure that the forecourt lights (including totum sign) are turned off when the store is closed to prevent light pollution to nearby houses - The forecourt gantry lights and totum are never turned off and the forecourt light very rarely ever get turned off. When we complain, the response from the store is, "sorry, we don't know how to turn them off" or "sorry the timer is broken" or "we'll report it to the manager but he won't be in for a couple of weeks" - but nothing ever gets actioned.

All of these points above prove that the store is not fit to be granted a license to sell alcohol as there is no evidence that they would act responsibly in doing so.

Granting a license to this store would go against all four of the licensing objectives and I ask that the licensing committee refuse this application.  
 Kind regards

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**From:**  
**Sent:** 04 December 2018 11:36  
**To:** Licensing  
**Subject:** Tesco licence in bournville

I live opposite the Tesco garage and it is bad enough seeing the thieves who congregate outside houses waiting to rob the garage without the need to give alcohol to anyone and see an increase in levels of bad behaviour. The area is already being targeted by the unlawful people either mugging, assaulting and waiting to commit endless crimes, alcohol will only fuel this.

I think it is disgusting that Tesco think they can trample all over the local people for their ugly gain in profits, what happened to the spirit of bournville, their morals and tradition, no wonder the country is in a mess when we do not value what we have built over many years. The only reason i moved to Bournville was to be proud of the value that it promoted and the fact it didn't sell alcohol to all and sundry and attract the wrong crowd.

We look forward to being harassed by under age drinkers asking us to buy alcohol for them and if refusing getting a mouthful of abuse, George Cadbury will be turning in his grave, i hope that whoever is responsible for this is able to sleep at night because we certainly will not be knowing the unsociable hours will be a recipe for late night drinking, shouting and abuse, absolutely disgusting.

I absolutely oppose to this application and pray that common sense prevails.

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**From:** Councillor Liz Clements  
**Sent:** 04 December 2018 12:49  
**To:** Licensing  
**Cc:** Councillor Fred Grindrod  
**Subject:** Tesco Stores Ltd Linden Road (applic no 108703): objection

Dear Licensing Team

Please find below my objection to premises licence application 108703.

Best wishes

Liz Clements  
 Bournville and Cotteridge councillor

\*\*\*\*\*

**Tesco Stores Ltd, Linden Road, B30 1PA, premises application number 108703: objection**

I have been contacted by a number of local residents in Bournville who oppose the above application, and I am objecting on their behalf as councillor for Bournville and Cotteridge ward. Tesco's previous application in 2007 for a licence at the Express store on Linden Road was strongly opposed by local residents, many of whom objected to the sale of alcohol so close to the borders of the Bournville Village Estate with its Quaker heritage.

The Tesco express on Linden Road is open every day continuously from 7.30 am to 10.30 pm. As a regular customer, I am aware that it is an extremely busy store and that it has a serious problem with shop-lifting and with the theft of petrol by drivers who drive off without paying for their fuel. In the past, Tesco has employed a security guard in the store as a deterrent. However, based on my observations, this arrangement has now ceased and there are no security personnel in the store. This means the staff are often dealing with criminal behaviour unassisted. I have witnessed cashiers dashing out to take down the number plates of cars speeding away from the garage forecourt without paying.

Hence in relation to the **prevention of crime and disorder**, my concern is that the introduction of alcohol into the Tesco Express will be a magnet for shop-lifters and will place staff in a vulnerable situation. Only one Designated Premises Supervisor (DPS) is listed on the application, yet the store is already open from 7.30 am – 10.30 pm. The hours sought in the application are 6am to midnight. How will Tesco ensure that there is continuous DPS cover during opening hours? Why do the opening hours in the application exceed the current opening hours of the store?

The Tesco express store on Linden Road is in the middle of a residential area. As the grant of an alcohol licence from 6am to midnight could attract more custom to the store in the early morning and late in the evening, I am also objecting to the licence application in relation to the **prevention of public nuisance**. Residents are concerned about the potential increase in traffic on Linden Road and the surrounding roads such as Beaumont Road at unsocial hours, and about the likelihood of customers who have purchased alcohol lingering in the neighbourhood to drink their purchases, causing a disturbance to residents.

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**From:** Councillor Fred Grindrod  
**Sent:** 04 December 2018 16:12  
**To:** Licensing  
**Cc:** Councillor Liz Clements  
**Subject:** Tesco Stores Ltd, Linden Road, B30 1PA, premises application number 108703: objection

Dear Licensing Team

**Tesco Stores Ltd, Linden Road, B30 1PA, premises application number 108703: objection**

I write to express my concern and therefore my objection on behalf of residents in my ward to the above application.

My objections are as follows:

**1. *With regard to the prevention of crime and disorder***

I am aware that the premises has a serious problem with shop-lifting and petrol theft. I have been informed that the previous arrangement of an on-site security guard no longer continues, putting the burden on staff to deal with criminal behaviour. I believe that the granting of an alcohol licence and potential extension of opening hours to the proposed 6am to midnight, will exacerbate this situation and I do not see anything in the application which will tackle this problem

**2. *Prevention of public disorder***

The premises is in a residential area. Residents have expressed their concern to me about the potential increase in traffic on Linden Road and the surrounding roads at unsocial hours. They are also concerned that customers who have purchased alcohol will linger in the neighbourhood to drink their purchases, which will cause significant negative impact on local residents.

**3. *Other Considerations***

Finally, the premises is only a street away from the historic Bournville Village Estate which is a historic no-alcohol area – I am concerned that granting this licence would be an attempt to undermine this history and be directly against residents wishes.

Thank you for taking the time to consider my objection.

Kind regards

Fred

Councillor Fred Grindrod  
Bournville and Cotteridge Ward,  
Birmingham City Council

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We **Tesco Stores Ltd**

(Insert name(s) of applicant)

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Tesco Stores Ltd</b> <b>LINDEN ROAD</b>		BCC REGULATION & ENFORCEMENT LICENSING SECTION RECEIVED <b>06 NOV 2018</b> REF NO <b>CHQ-066612-1319-00</b> INITIALS <b>HW</b>	
Post town	<b>BIRMINGHAM</b>	Postcode	<b>B30 1PA</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£ Not Yet Assessed, but enclosing cheque for £315 / 635.00 to cover fee</b>

**Part 2 – Applicant details**

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |



- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over			I am 18 years old or <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name Tesco Stores Ltd
Address  Tesco House Shire Park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
Registered number (where applicable) 00519500
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

As soon as possible

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Retail premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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

☒

**In all cases complete boxes K, L and M**

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			
Fri			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		



**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here (please read guidance note 4)</b>		
Mon					
Tue					
Wed					
Thur			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 5)</b>		
Fri					
Sat					
Sun					
			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)</b>		

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	06:00	00:00			
Tue	06:00	00:00			
Wed	06:00	00:00			
Thur	06:00	00:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	06:00	00:00			
Sat	06:00	00:00			
Sun	06:00	00:00			

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

<b>Name:</b> Lee Farquhar	
<b>Date of birth:</b> _____	
<b>Address:</b> _____ _____ _____	
<b>Postcode</b>	_____
<b>Personal licence number:</b> 10027/1	
<b>Issuing licensing authority:</b> Birmingham City Council	

☐ ☐ ☐ ☐

K

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

L

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>State any seasonal variations</u></b> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	06:00	00:00	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	
Sat	06:00	00:00	
Sun	06:00	00:00	

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

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

Tesco is a large national operator with a range of head office and local support. The company has devised policies, procedures, systems and training to ensure that they sell alcohol in a responsible manner.

There is a detailed training programme which ensures that comprehensive training is provided to employees having regard to their role and the responsibilities and such training is regularly reviewed and appropriate records kept.

**b) The prevention of crime and disorder**

The premises will have digital CCTV system that covers many areas of the shop floor, including the main area which will be used for display of alcohol, Images will be retained for a minimum of 21 days  
A member of the Management team will ordinarily be on the premises all the time the store is open and person will have responsibility for the premises whilst the premises are open.

**c) Public safety**

The premises licence holder is fully aware of its responsibilities under a range of health and safety related legislation and has appropriate policies and procedures in place to be confident of complying with the relevant obligations which arise.

**d) The prevention of public nuisance**

The company has a "good neighbour" policy which seeks to ensure that the premises play an active part in the local community.

**e) The protection of children from harm**

The premises will operate a Think 25 policy. The checkouts will be programmed to prompt the checkout assistant when an alcohol product is scanned at the till to follow the Think 25 policy.

Colleagues will receive appropriate training both in relation to the underlying law and the Tesco policy, systems and procedures. This training will be documented and repeated as often as Tesco believes to be appropriate.



**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☒ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing</li></ul>
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	work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	05/11/2018
Capacity	Hardish Purewal – Licensing Manager

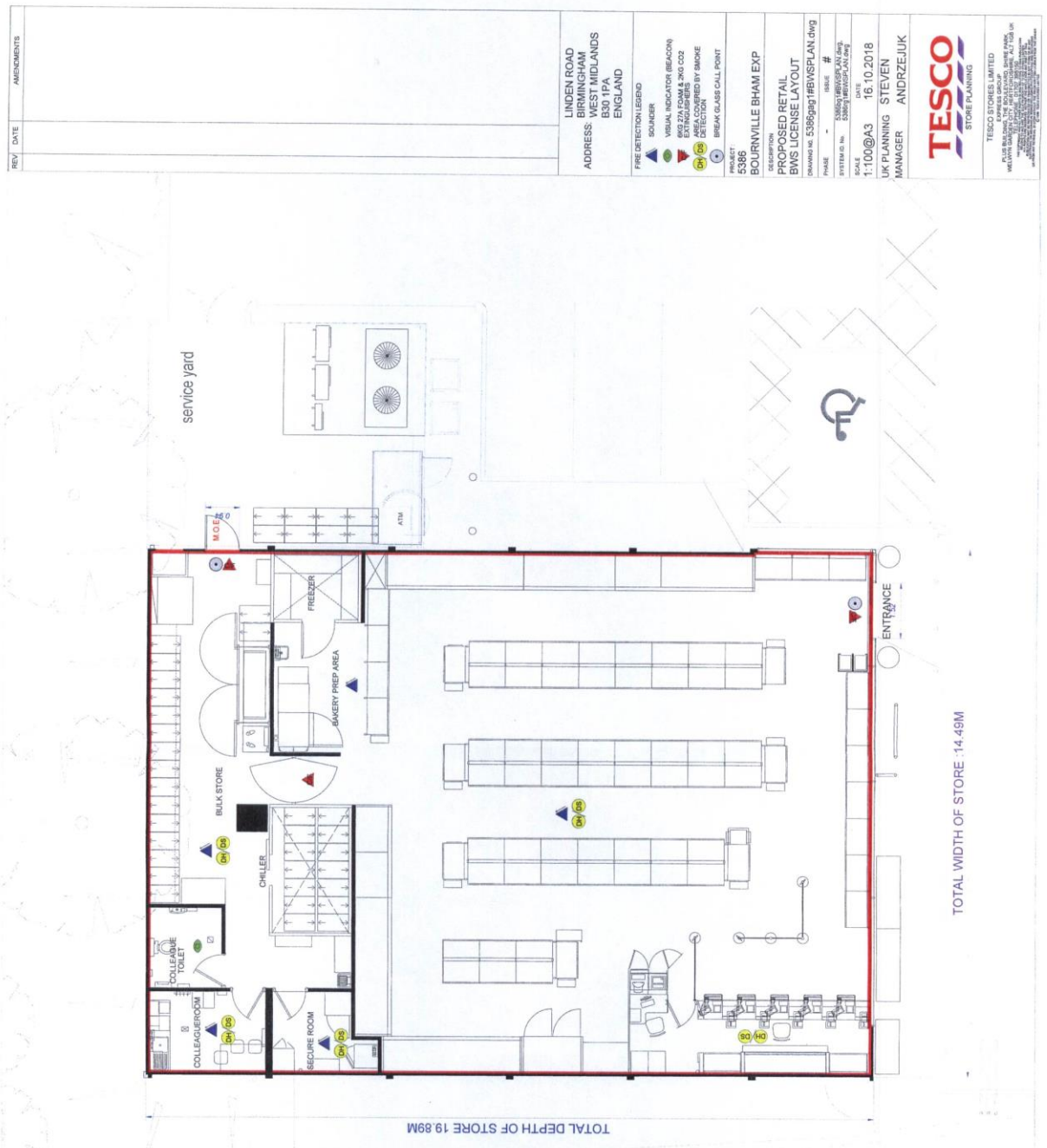
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<b>Licensing Team, Tesco Stores Limited, 5 Falcon Way (Maldon), Shire Park</b>			
Post town	<b>Welwyn Garden City</b>	Postcode	<b>AL7 1TW</b>
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Appendix 1 – Condition agreed with Police

1. The premises will operate a Think 25 policy and all staff at the premises engaged in selling alcohol will complete training on age restricted sales and refresher training will be completed twice a year.
2. A digital CCTV system will be operated within the premises and images will be retained for a minimum period of 21 days and made available to the police or licensing authority upon reasonable request.



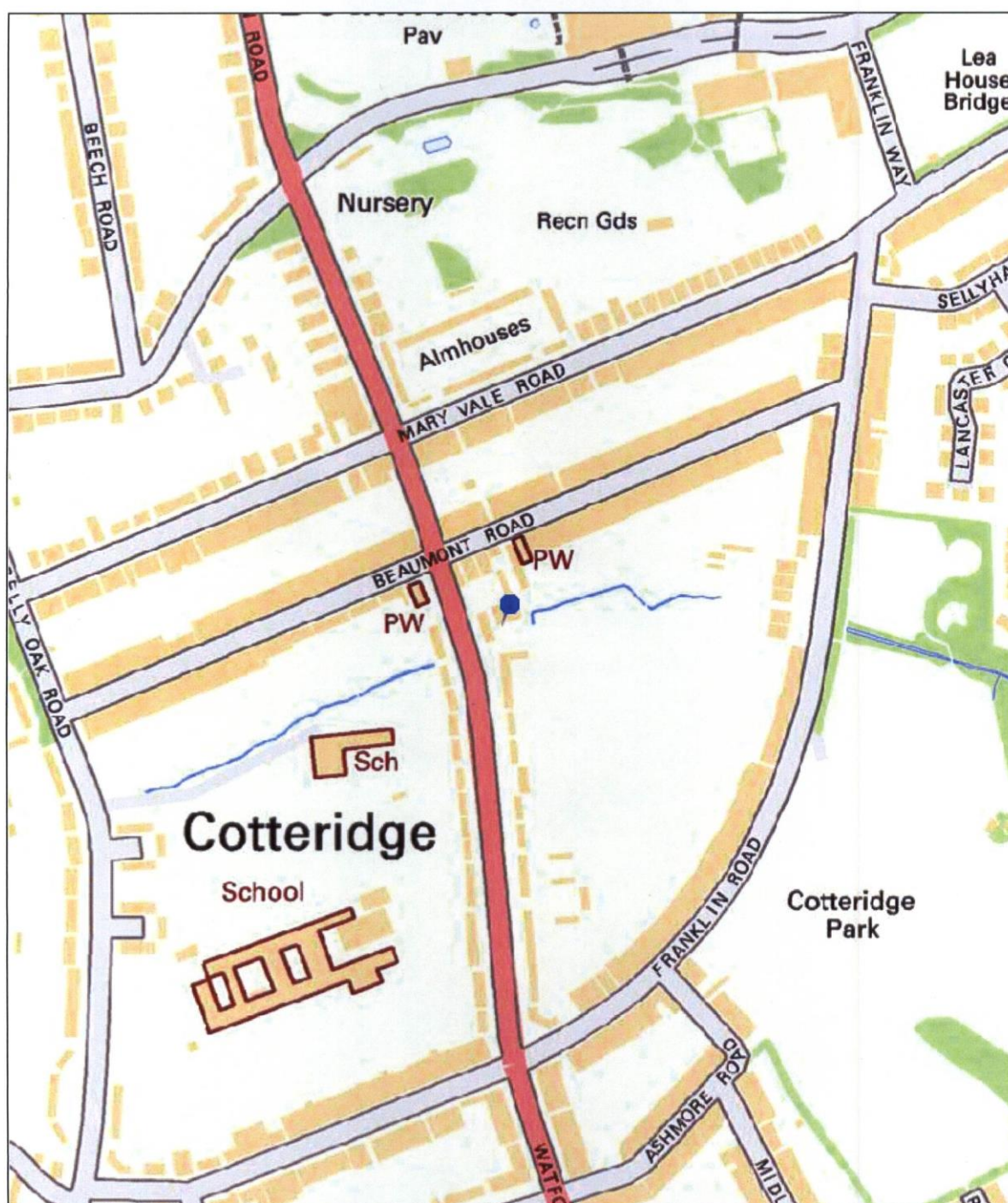
REV	DATE	AMENDMENTS

LINDEN ROAD BIRMINGHAM ADDRESS WEST MIDLANDS B30 1PA ENGLAND	<b>FIRE DETECTION LEGEND</b> SOUNDER VISUAL INDICATOR (BEACON) 602 ZTA COMA 3 SIG CO2 EXTRACTOR FANS DETECTION BY SMOKE DETECTION BY HEAT BREAK GLASS CALL POINT
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PROJECT: 5386 BOURNVILLE BHAM EXP DESCRIPTION PROPOSED RETAIL BWS LICENSE LAYOUT DRAWING NO. 5386gag1fBWSPLAN.dwg PHASE - SYSTEM ID. NO. CLIENT/REVISION/DATE SCALE 1:100@A3 DATE 16.10.2018 UK PLANNING STEVEN MANAGER ANDRZEJUK	<b>TESCO</b> STORE PLANNING TESCO STORES LIMITED PLANNING AND DESIGN 1000 BRISTOL ROAD BIRMINGHAM B3 7YU ENGLAND 0121 717 2000 www.tesco.com
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**Birmingham City Council**

Map Created By:

Date of Map Creation: 10/12/2018

**Notes**



Scale:  
1:4,000

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**Birmingham City Council** Map Created By:

Date of Map Creation: 10/12/2018

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Scale:  
1:1,250

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b> Item 6
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 2<sup>nd</sup> January 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Boldmere Suite, Boldmere Sports &amp; Social Club, 323 Boldmere Road, Sutton Coldfield, Birmingham, B73 5HQ</b>
<b>Ward affected:</b>	<b>Sutton Vesey</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider relevant representations that have been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption on the premises) to operate from 11:00am until 11:00pm (Monday to Thursday), 11:00am until 12:00midnight (Friday and Saturday) and 11:00am until 10:30pm (Sunday).

To amend the provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only, from 11:00am until 11:00pm (Monday to Thursday), 11:00am until 12:00midnight (Friday and Saturday) and 11:00am until 10:30pm (Sunday).

Premises to remain open to the public from 10:00am until 12:00midnight (Monday to Thursday), 10:00am until 01:00am (Friday and Saturday) and 10:00am until 11:00pm (Sunday).

The application also seeks to remove the following conditions listed under Annex 2, Sections 2a and 2d:

- The premises shall operate a membership policy. Only bona-fide members can hire the facilities of the premises. Non-members will be allowed as a guest of the member hiring the facility.
- No regulated entertainment will take place at the premises if any regulated entertainment is taking place in the bar/original wooden club house of the Boldmere Sports and Social Club, Boldmere Road.

### 2. Recommendation:

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

### 3. Brief Summary of Report:

Variation application received on 5<sup>th</sup> November 2018 in respect of Boldmere Suite, Boldmere Sports & Social Club, 323 Boldmere Road, Sutton Coldfield, Birmingham, B73 5HQ.

Representations have been received from other persons.

<b>4. Compliance Issues:</b>
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>
<b>5. Relevant background/chronology of key events:</b>
<p>Boldmere Sports &amp; Social Club applied on 5<sup>th</sup> November 2018 to vary the Premises Licence for Boldmere Suite, Boldmere Sports &amp; Social Club, 323 Boldmere Road, Sutton Coldfield, Birmingham, B73 5HQ.</p> <p>Representations have been received from other persons. See Appendices 1 – 2.</p> <p>The application is attached at Appendix 3.</p> <p>The current Premises Licence is attached at Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> <li>The prevention of crime and disorder;</li> <li>Public safety;</li> <li>The prevention of public nuisance; and</li> <li>The protection of children from harm.</li> </ol>
<b>6. List of background documents:</b>
<p>Copies of the representations as detailed in Appendices 1 - 2</p> <p>Application Form, Appendix 3</p> <p>Current Premises Licence, Appendix 4</p> <p>Site Location Plans, Appendix 5</p>
<b>7. Options available</b>
<p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>



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**From:**  
**Sent:** 02 December 2018 13:40  
**To:** Licensing  
**Subject:** Objection to Premises Licence

Reference: Objection to Amendment to Boldmere Club Premises Licence  
Ref No. 108691, Licence No. 4503. Boldmere Suite, 323 Boldmere Road,  
Sutton Coldfield, Birmingham, B73 5HQ.

Objections:

1. There is no Designated Premises Supervisor (DPS) named on the licence this is essential if the management policy is to work/operate as stated on the licence. This named person should be in place and named on this application. This application should be rejected on these grounds without further consideration.
2. The new later hours proposed for serving alcohol and playing both live and recorded music should be refused. To help prevent crime and disorder, to prevent any public nuisance in this residential area, the club is hidden away by housing on three sides with a narrow single track access between the houses. For the protection of children both on the club premises at these late hours with alcohol being served and the children asleep with their families in the surrounding houses.
3. The Council Licence Committee on 12/08/2015 rejected Licence Ref 91821 for the Boldmere Suite. The late hours on this application similar to this new application were rejected as the committee agreed with local residents with regard to the impact of the proposed operation on occupants living nearby to the Boldmere Sports and Social Club.

The committee went on to say that the club was the source of a long standing public nuisance in a noise sensitive area which the club management had not addressed satisfactorily. The conduct of club members in connection with events was the cause of noise and disturbance in the early hours of the morning, when residents are likely to be asleep.

The committee also noted that an increase in footfall to the Boldmere Suite would exacerbate the situation as experienced by the local residents. Tied with the existing club certificate premises this would result in peaks of noise and disturbance on the premises grounds and nearby streets as large numbers of club members and guests would simultaneously leave the licensed premises, resulting in greater disturbance and noise in a primarily residential area with a low ambient noise level at these late hours.

Nothing has changed to the operation of this club or the behaviour of its members and the above observations by the licence committee still hold today, with regard to the experience local residents have with the late night activities of this club. This application should be rejected.

Sent from Windows Mail

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**From:**  
**Sent:** 02 December 2018 20:59  
**To:** Licensing  
**Subject:** Boldmere social club -Ref 108691 license no. 4503

Dear Sirs

I once again write to you with regards to the above application for extended hours to the Boldmere Social Club.

My property backs onto the bowling green, we have over the years and still do put up with noise of drunken bowlers, their rowdiness and bad language. In the summer period, they drink outside, the club supply them with more drink therefore they get louder until late. We have NO privacy. Members can look into my garden. For this club to extend their opening hours to 10-0100 hours is totally unexceptable. The social functions, car parking, overspill of cars already congested traffic problems will invariably cause more noise, drinking and vehicle problems.

Please consider the neighbours privacy and noise nuisance in this matter.

Yours sincerely

Boldmere Drive  
Sutton Coldfield  
B73 5ES

108691  
S/18/18 - 3/12/18

### Application to vary a premises licence under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **BOLDMERE SPORTS & SOCIAL CLUB**

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> 4503/1
--

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description BOLDMERE SUITE BOLDMERE SPORTS & SOCIAL CLUB 323 BOLDMERE ROAD			
Post town	SUTTON COLDFIELD	Postcode	B73 5HQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£10,000

#### Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

#### Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? ☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

- AMEND HOURS FOR LICENSABLE ACTIVITY & OPENING HOURS
- AMEND CONDITIONS

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			



D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	1100	2300			
Tue	1100	2300			
			<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Wed	1100	2300			
Thur	1100	2300			
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Fri	1100	2400			
Sat	1100	2400			
Sun	1100	2230			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	1100	2300			
Tue	1100	2300			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	1100	2300			
Thur	1100	2300			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	1100	2400			
Sat	1100	2400			
Sun	1100	2230			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)	
Tue				
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)	
Thur				
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)		On the premises	<input checked="" type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)			
Mon	1100	2300				
Tue	1100	2300				
Wed	1100	2300				
Thur	1100	2300	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
Fri	1100	2400				
Sat	1100	2400				
Sun	1100	2230				

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).**

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	1000	2400	
Tue	1000	2400	
Wed	1000	2400	
Thur	1000	2400	
Fri	1000	0100	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Sat	1000	0100	
Sun	1000	2300	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- 'the premises shall operate a membership policy. Only bone-fide members can hire the facilities of the premises. Non members will be allowed as a guest of the member hiring the facility'
- 'no regulated entertainment will take place at the premises if any regulated entertainment is taking place in the bar/original wooden club house of the Boldmere Sports and Social Club, Boldmere Road'



Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

ADRIAN CURTIS  
KENNETH CURTIS & CO  
88 ALDRIDGE ROAD  
PERRY BARR

Post town	BIRMINGHAM	Post code	B42 2TP
-----------	------------	-----------	---------

Telephone number (if any)	
---------------------------	--

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

#### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience,

and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4503 / 1

**Part 1 - Premises details:****Postal address of premises, or if none, ordnance survey map reference or description**

Boldmere Suite  
 Boldmere Sports & Social Club  
 323 Boldmere Road  
 Sutton Coldfield

**Post town:**

West Midlands

**Post Code:**

B73 5HQ

**Telephone Number:**

Not Specified

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

N/A

**Licensable activities authorised by the licence**

E Live Music  
 F Recorded Music  
 M1 Sale of Alcohol by retail on the premises only

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

Monday - Friday	11:00 - 22:40	F ,M1
	17:00 - 22:40	E
Saturday	11:00 - 22:40	F ,M1
	12:00 - 22:40	E
Sunday	11:00 - 22:10	F ,M1
	12:00 - 22:10	E

**The opening hours of the premises**

Monday - Saturday	08:00 - 23:00
Sunday	08:00 - 22:30

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

On Supplies Only

BIRMINGHAM CITY COUNCIL

Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Boldmere Sports & Social Club Boldmere Sports and Social Club 323 Boldmere Road Sutton Coldfield	
<b>Post town:</b> Birmingham	<b>Post Code:</b> B73 5HQ
<b>Telephone Number:</b>	
<b>Email</b>	

<b>Registered number of holder for example company number or charity number (where applicable)</b> N/A
---

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Laurence Ashford	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b> N/A	

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b> 10375	<b>Issuing Authority</b> BIRMINGHAM CITY COUNCIL

Dated 20/05/2016

*S. A. Yasser.*

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.

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**

The Club Committee will have a Management Policy in relation to the use of the Boldmere Suite as a function room to ensure the promotion of the 4 licensing objectives.

A Nominated staff member of the Club or a Committee member will be present during all functions involving regulated entertainment to ensure a proactive control on the regulated entertainment to avoid causing public nuisance.

The Designated Premises Supervisor or another qualified person will train any staff at the premises on the basic laws of selling alcohol and on compliance with the conditions on the premises licence and a log of this training will be maintained. The training log can be inspected by any responsible authority on request.

The premises shall operate a membership policy. Only bona-fide Members can hire the facilities of the Premises. Non-members will be allowed as a guest of the member hiring the facility.

All applications to hire the facilities of the premises will be put to members of the Committee of the Licence Holder before the reservation is agreed. A record of the hire of the Premises must be kept for a period of 12 months.

All staff must be trained before they first start work at the premises and that refresher training is regularly provided (minimum of yearly):

1. Staff themselves might be personally liable if they sell to young persons in breach of legal requirements;

2. Proxy sales – staff should remain vigilant to the age profiles of groups of customers to avoid adults purchasing alcohol destined for somebody under age.

3. Staff will be trained on signs of persons drinking to excess.

4. A record of the training will be kept and all members of staff will sign to confirm they have received and understood the training given.

5. All training must be recorded on premises and be made available to responsible authority immediately on request.

The licence holder or the DPS must play an active part in the local Pubwatch (if applicable), work closely with other members in the watch and must show representation to pre-arranged meetings.

No drinking vessels at any time are to be taken beyond the outside perimeter of the premises as shown on the licensing plan and the premises licence holder must ensure notices are displayed in any designated outside smoking or drinking area to inform patrons of the restriction.

Signage displaying to customers to "Respect Local Residents – please leave quietly" to be displayed around location and especially at the exits and smoking areas.

All Regulated Entertainment will take place indoors only.

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

A Challenge 25 policy will be operated by the premises with notices informing customers of the policy being displayed within the premises. Staff must be regularly reminded/trained to enforce the challenge 25 policy. A staff training register will be maintained and all training recorded.

The premises licence holder shall ensure that a CCTV system is in operation at the premises and is installed to a specification agreed with West Midlands Police Licensing Section. The CCTV must be working and recording at all times when the premises are open and conducting Licensable activities.



## **BIRMINGHAM CITY COUNCIL**

The main entrance door to the premises must be covered by the CCTV system.

CCTV will be digitally recorded for up to 28 days and will be made available on request to all licensing authorities. There will all be a member of staff on duty who is trained and able to show and download images from the system during opening hours. It will be in recording operation during opening hours and it will cover all licensable activity areas of the premises.

Staff members are to be trained in the operation of the CCTV system to enable images to be made available to any Responsible Authority immediately on request.

The licence/DPS holder must ensure that an Age Verification Policy applies to the premises which, as a minimum, must require individuals who appear to be under the age of 25 years of age to produce on request, before being served alcohol identification bearing their photograph, date of birth and either a holographic mark or ultraviolet feature. Such ID can be a passport, photo card driving licence, PASS-approved card or military ID.

The premises will have an incident book and record all incidents that occur inside or immediately outside the premise, regardless of whether any of the emergency services have been called. The record of incident will include details of the member of staff involved in the incident and the actions taken. Regular liaison with police will be encouraged to ensure cross-reference of venue related incidents. This incident book can be inspected at any reasonable time by all responsible authorities

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

No enforceable conditions identified from operating schedule.

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

No regulated entertainment will take place at the premises if any regulated entertainment is taking place in the bar/original wooden club house of the Boldmere Sports and Social Club, Boldmere Road.

A noise limiting device will be used to control the sound of any amplified regulated entertainment taking place at the premises and the level must be set to ensure that no public nuisance takes place.

All windows and doors in the General Purpose room (being the Licensed area) will be closed during any regulated entertainment, save for access and egress

During Regulated Entertainment Representatives of the Club will monitor the level of sound escape from the Premises at the perimeter of the Boldmere Sports and Social Club premises with a particular focus on residential properties. These checks must be documented. Noise sensitive areas to be identified and mapped.

Prominent signs will be displayed in both car parks, Sheffield Road and Boldmere Road, and inside the Premises requesting customers vacate the premises quietly and have regard for local residents.

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

All Alcohol refusals will be logged in a Refusals Register. This is to be made available to any Responsible Authority upon request.

All persons under the age of 16 will be supervised by a parent/Guardian of a minimum age of 21 at all times.

**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**

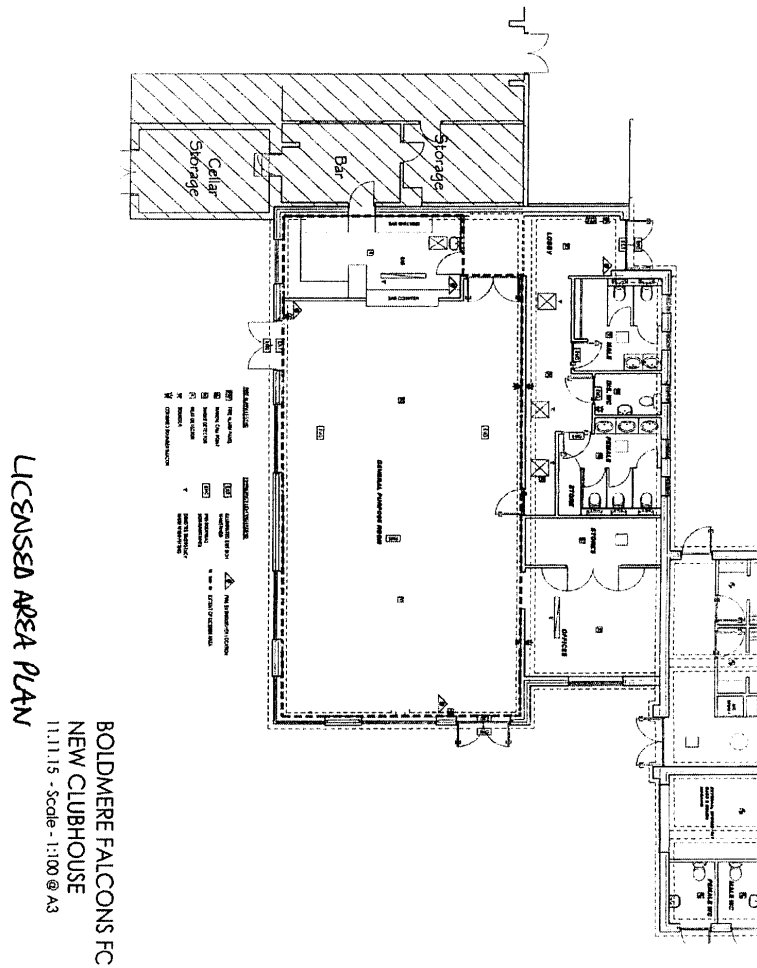
N/A

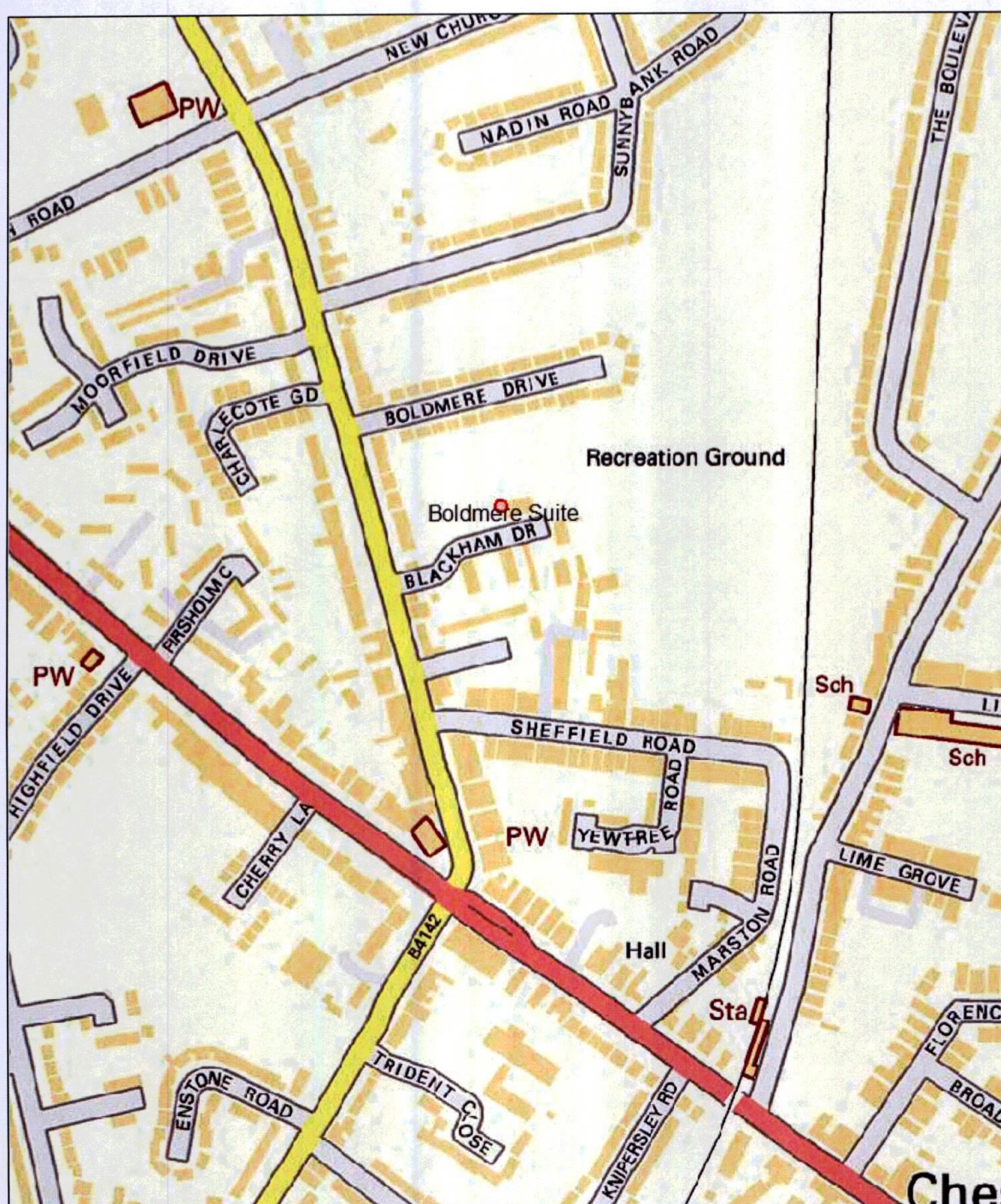
**3e) Committee conditions to promote the protection of children from harm**

N/A

# BIRMINGHAM CITY COUNCIL

## Annex 4 – Plans





**Birmingham City Council** Map Created By:

Date of Map Creation: 18/12/2018

**Notes**

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Scale:  
1:4,000





**Birmingham City Council** Map Created By:

**Notes**

Date of Map Creation: 18/12/2018



Scale:  
1:1,250

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# Licensing Public Register Report

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 27/01/2018

**Event End Date** 28/01/2018

**Event Type** BIRTHDAY PARTY

**Status**      Granted

## 2. Activities

### Activity Details

<b>Activities Applied For</b>	<ul style="list-style-type: none"><li>• The sale by retail of alcohol</li><li>• The provision of regulated entertainment</li></ul>
<b>Activity Hours</b>	<ul style="list-style-type: none"><li>• 27/01/2018 - 19:00 - 23:59</li><li>• 28/01/2018 - 00:00 - 01:00</li></ul>

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
Licensing Act 2003

<b>Date</b>	<b>Event Description</b>
-------------	--------------------------

14/01/2018	Application Received
------------	----------------------

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Tel: 0121 303 9896

Email: [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE  
**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ  
**Premises Type** FUNCTION SUITE  
**Applicant Name** LAURENCE ASHFORD  
**Event Start Date** 09/02/2018  
**Event End Date** 11/02/2018  
**Event Type** BIRTHDAY PARTYS

**Status**      Granted

## 2. Activities

### Activity Details

#### Activities Applied For

- The sale by retail of alcohol
- The provision of regulated entertainment

#### Activity Hours

- 09/02/2018 - 19:00 - 23:59
- 10/02/2018 - 00:00 - 01:00
- 10/02/2018 - 19:00 - 23:59
- 11/02/2018 - 00:00 - 01:00

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
Licensing Act 2003

#### **Date      Event Description**

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 17/03/2018

**Event End Date** 18/03/2018

**Event Type** 50TH BIRTHDAY PARTY

**Status**      Granted

## 2. Activities

### Activity Details

**Activities Applied For**

- The sale by retail of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

**Activity Hours**

- 17/03/2018 - 19:00 - 23:59
- 18/03/2018 - 00:00 - 01:00

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
Licensing Act 2003

**Date      Event Description**

09/03/2018 Application Received

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# Licensing Public Register Report

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 23/03/2018

**Event End Date** 25/03/2018

**Event Type** BIRTHDAY PARTYS

**Status**      Granted

## 2. Activities

### Activity Details

**Activities Applied For**

- The sale by retail of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

**Activity Hours**

- 23/03/2018 - 19:00 - 23:59
- 24/03/2018 - 00:00 - 01:00
- 24/03/2018 - 19:00 - 23:59
- 25/03/2018 - 00:00 - 01:00

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
Licensing Act 2003

### **Date      Event Description**

09/03/2018 Application Received

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 28/04/2018

**Event End Date** 29/04/2018

**Event Type** 40TH BIRTHDAY PARTY

**Status**      Granted

## 2. Activities

### Activity Details

**Activities Applied For**

- The sale by retail of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

**Activity Hours**      • 19:00 - 01:00

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
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**Date**      **Event Description**

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 25/05/2018

**Event End Date** 27/05/2018

**Event Type** FOOTBALL PRESENTATIONS

**Status**      Granted

## 2. Activities

### Activity Details

**Activities Applied For**

- The sale by retail of alcohol
- The provision of regulated entertainment

**Activity Hours**      • 19:00 - 01:00

## 3. Events

Other matters of interest defined  
within schedule 3, section 8 of the  
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**Date      Event Description**

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE  
**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ  
**Premises Type** FUNCTION SUITE  
**Applicant Name** LAURENCE ASHFORD  
**Event Start Date** 02/06/2018  
**Event End Date** 03/06/2018  
**Event Type** BIRTHDAY PARTY

**Status**      Granted

## 2. Activities

### Activity Details

**Activities Applied For**

- 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

**Activity Hours**      • 19:00 - 01:00

## 3. Events

Other matters of interest defined  
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**Date**      **Event Description**

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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE  
**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ  
**Premises Type** FUNCTION SUITE  
**Applicant Name** LAURENCE ASHFORD  
**Event Start Date** 29/06/2018  
**Event End Date** 30/06/2018  
**Event Type** BRITHDAY PARTIES

**Status**      Granted

## 2. Activities

### Activity Details

<b>Activities Applied For</b>	<ul style="list-style-type: none"><li>• The sale by retail of alcohol</li><li>• The provision of regulated entertainment</li></ul>
<b>Activity Hours</b>	<ul style="list-style-type: none"><li>• 29/06/2018 - 19:00 - 00:00</li><li>• 30/06/2018 - 19:00 - 00:00</li></ul>

## 3. Events

Other matters of interest defined  
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<b>Date</b>	<b>Event Description</b>
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## 1. Licence

### Licence Details

**Premises Name** BOLDMERE SUITE

**Premises Address** 323 Boldmere Road Sutton Coldfield B73 5HQ

**Premises Type** FUNCTION SUITE

**Applicant Name** LAURENCE ASHFORD

**Event Start Date** 03/08/2018

**Event End Date** 04/08/2018

**Event Type** ENGAGEMENT PARTY/BIRTHDAY PARTY

**Status**      Granted

## 2. Activities

### Activity Details

<b>Activities Applied For</b>	<ul style="list-style-type: none"> <li>• The sale by retail of alcohol</li> <li>• The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club</li> <li>• The provision of regulated entertainment</li> </ul>
<b>Activity Hours</b>	<ul style="list-style-type: none"> <li>• 03/08/2018 - 19:00 - 00:00</li> <li>• 04/08/2018 - 19:00 - 00:00</li> </ul>

## 3. Events

Other matters of interest defined  
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### **Date      Event Description**

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