

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 19<sup>th</sup> March 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Multiple Temporary Event Notices</b>
<b>Premises:</b>	<b>Quantum, 77a Upper Trinity Street, Birmingham, B9 4EG.</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>Mr Shaid Yasser, Senior Licensing Officer 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

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

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

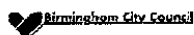
<b>3. Brief Summary of Report:</b>
Temporary Event Notices were submitted by Thomas Jenkins and received on 6 <sup>th</sup> March 2019 in respect of Quantum Exhibition Centre, 77a Upper Trinity Street, Birmingham, B9 4EG.  An objection notice has been received from West Midlands Police & Environmental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

<b>4. Compliance Issues:</b>
When carrying out its licensing functions, a licensing authority must have regard to the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
<b>4.1 Consistency with relevant Council Policies, Plans or Strategies:</b>
The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Thomas Jenkins submitted on 6<sup>th</sup> March 2019, Temporary Event Notices in respect of Quantum Exhibition Centre, 77a Upper Trinity Street, Birmingham, B9 4EG.</p> <p>The Temporary Event Notices are attached as Appendices 1 to 3.</p> <p>An objection notice has been received from West Midlands Police, see Appendix 4.</p> <p>An objection notice has been received from Environmental Health, see Appendix 5.</p> <p>The current premises licence is attached at Appendix 6.</p> <p>Site location plans are attached, see Appendix 7.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such events taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on each TEN.</p> <p>Where TENs are submitted, and objection notice(s) are maintained, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>When giving TENs, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> <li>1. The prevention of crime and disorder</li> <li>2. public safety</li> <li>3. The prevention of public nuisance; and</li> <li>4. The protection of children from harm</li> </ol> <p>If the TENs are in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TENs if it considers that this is appropriate for the promotion of the licensing objectives.</p>
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<p><b>6. List of background documents:</b></p> <p>Temporary Event Notices, attached at Appendices 1 to 3.</p> <p>Objection notice from West Midlands Police, attached at Appendix 4.</p> <p>Objection notice from Environmental Health, attached at Appendix 5.</p> <p>Premises Licence, attached at Appendix 6.</p> <p>Site location plans, Appendix 7.</p>
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<p><b>7. Options available</b></p> <p>At the hearing the Licensing Authority must consider each TEN separately and determine whether to:</p> <p>Allow the proposed temporary licensable activities as stated in each TEN</p> <p>Impose conditions on each TEN to promote the licensing objectives</p> <p>Refuse the proposed temporary licensable activities as stated in each TEN</p>
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**Birmingham**  
**Temporary Event Notice**  
**Licensing Act 2003**

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

\* required information

**Section 1 of 9**

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

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

LICENSING SECTION  
 DATE RECEIVED

05 MAR 2010

**Applicant Details**

\* First name

Thomas

REF NO

\* Family name

Jenkins

INITIALS

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

☒ Applying as an individual

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

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

\* Building number or name   
\* Street   
District   
\* City or town   
County or administrative area   
\* Postcode   
\* Country

**Section 2 of 9**

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

Have you had any previous or maiden names?

☒ Yes

☐ No

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth

/  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Continued from previous page...

**Correspondence Address**

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

☒ Yes

☐ No

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

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

**Additional Contact Details**

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

☒ Yes

☐ No

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

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

**Section 3 of 9**

**THE PREMISES**

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

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

\* Does the premises have an address?

☒ Yes

☐ No

Continued from previous page...

### Address

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

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

☒ Yes

☐ No

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

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

☐ Neither

☒ Premises licence

☐ Club premises certificate

\* Premises licence number

### Location Details

\* Provide further details about the location of the event

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

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

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

Continued from previous page...

#### Section 4 of 9

##### LICENSABLE ACTIVITIES

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

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

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

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

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

##### Event Dates

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

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

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

Event start date

07 / 04 / 2019  
dd mm yyyy

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

Event end date

07 / 04 / 2019  
dd mm yyyy

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

00:30-03:00

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

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

320

Note that the maximum number of people cannot exceed 499.

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

*Continued from previous page...*

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

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

**Section 5 of 9**

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

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

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

**Section 6 of 9**

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

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

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

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

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

Continued from previous page...

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

2

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

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

**Section 8 of 9**

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

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

**Continued from previous page...**

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

☐ Yes

☒ No

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

**Section 9 of 9**

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

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

**PAYMENT DETAILS**

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

This formality requires a fixed fee of £21

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

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

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

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

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



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

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**Section 1 of 9**

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**Applicant Details**

\* First name

Thomas

\* Family name

Jenkins

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

☒ Applying as an individual

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*Continued from previous page...*

**Your Address**

Address official correspondence should be sent to.

\* Building number or name   
\* Street   
District   
\* City or town   
County or administrative area   
\* Postcode   
\* Country

**Section 2 of 9**

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

Have you had any previous or maiden names?

☒ Yes

☐ No

Enter details of any previous names or maiden names

First name   
Family name

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Continued from previous page...

**Correspondence Address**

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

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**Section 3 of 9**

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\* Does the premises have an address?

☒ Yes

☐ No

Continued from previous page...

### Address

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☒ Yes

☐ No

\* Building number or name

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

☐ Neither

☒ Premises licence

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Continued from previous page...

#### Section 4 of 9

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

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

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

#### Event Dates

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

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00:30-03:00

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

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

200

Note that the maximum number of people cannot exceed 499.

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

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both  
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**Section 5 of 9**

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

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**Section 6 of 9**

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Issuing licensing authority

Licence number

Date of issue  /  /   
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Any further relevant details

**Section 7 of 9**

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

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Continued from previous page...

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#### Section 8 of 9

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

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**Continued from previous page...**

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

☐ Yes

☒ No

- a) Ends 24 hours or less before; or  
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**Section 9 of 9**

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

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1 AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND  
1 (ii) TO PERMIT AN UNAUTHORISED LICENSABLE ACTIVITY TO BE CARRIED ON AT ANY PLACE AND THAT A PERSON IS  
\* LIABLE ON SUMMARY CONVICTION FOR ANY SUCH OFFENCE TO A FINE OF ANY AMOUNT, OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING SIX (6) MONTHS, OR TO BOTH.

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\* Full name

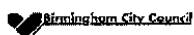
\* Capacity

\* Date  /  /   
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\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

**Your Address**

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="77A"/>
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**Section 2 of 9**

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

Have you had any previous or maiden names?

☒ Yes ☐ No

Enter details of any previous names or maiden names

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

\* Your date of birth  /  /

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Continued from previous page...

### Correspondence Address

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

☒ Yes

☐ No

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☐ No

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

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

### Section 3 of 9

#### THE PREMISES

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

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

\* Does the premises have an address?

☒ Yes

☐ No

Continued from previous page...

### Address

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

☒ Yes

☐ No

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

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

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

☐ Neither

☒ Premises licence

☐ Club premises certificate

\* Premises licence number

### Location Details

\* Provide further details about the location of the event

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

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

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

Continued from previous page...

#### Section 4 of 9

##### LICENSABLE ACTIVITIES

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

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

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

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

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

##### Event Dates

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

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

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

Event start date

09 / 05 / 2019  
dd mm yyyy

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

Event end date

09 / 05 / 2019  
dd mm yyyy

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

00:30-03:00

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

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

350

Note that the maximum number of people cannot exceed 499.

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

**Continued from previous page...**

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

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

**Section 5 of 9**

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

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

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

**Section 6 of 9**

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

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

Provide the details of your personal licence below.

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

Any further relevant details

**Section 7 of 9**

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

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

Continued from previous page...

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

3

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

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

#### Section 8 of 9

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

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

Continued from previous page...

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

☐ Yes

☒ No

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

#### Section 9 of 9

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

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

#### PAYMENT DETAILS

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

This formality requires a fixed fee of £21

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

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

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

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

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

\* Full name

Thomas Jenkins

\* Capacity

Event Co-Ordinator

\* Date

06 / 03 / 2019  
dd mm yyyy

Add another signatory

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

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

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

---

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

Licensing,

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

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

Regards

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

**Lisa Woodward**

---

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

**Importance:** High

Hi

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

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

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

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

Best Regards

Martin Key  
 Environmental Protection Officer

---

Environmental Health | Regulation & Enforcement Division

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

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

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

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

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

🖨 Please consider the environment before printing this email

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

Dear all,

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

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

4986 / 1

**Part 1 - Premises details:**

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

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

N/A

**Licensable activities authorised by the licence**

- |    |  |
|----|--|
| A  | Plays  |
| B  | Films  |
| C  | Indoor sporting events   |
| E  | Live music   |
| F  | Recorded music   |
| G  | Performances of dance  |
| H  | Anything of similar description to that falling within (live music), (recorded music) or (performances of dance) |
| L  | Late night refreshment   |
| M3 | Sale of alcohol by retail (both on & off the premises)   |

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

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

**The opening hours of the premises**

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

**BIRMINGHAM CITY COUNCIL**

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

On and Off Supplies

**Part 2**

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

Nightlife Outreach  
77a Upper Trinity Street  
Digbeth

**Post town:**

Birmingham

**Post Code:**

B9 4EG

**Telephone Number:**

**Email**

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

1168684

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

Miss Olivia Jane Rhoden

**Post town:**

**Post Code:**

**Telephone Number:**

N/A

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Licence Number**

9113

**Issuing Authority**

BIRMINGHAM CITY COUNCIL

Dated 19/12/2018

*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.

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

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

## **BIRMINGHAM CITY COUNCIL**

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

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

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

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

Regulated entertainment shall take place indoors only.

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

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

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

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

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

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

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

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

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

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

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

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

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

## **BIRMINGHAM CITY COUNCIL**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **BIRMINGHAM CITY COUNCIL**

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

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

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

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

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

**BIRMINGHAM CITY COUNCIL**

**Annex 3 – Conditions attached after hearing by licensing authority**

**3a) General committee conditions**

N/A

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

N/A

**3c) Committee conditions to promote public safety**

N/A

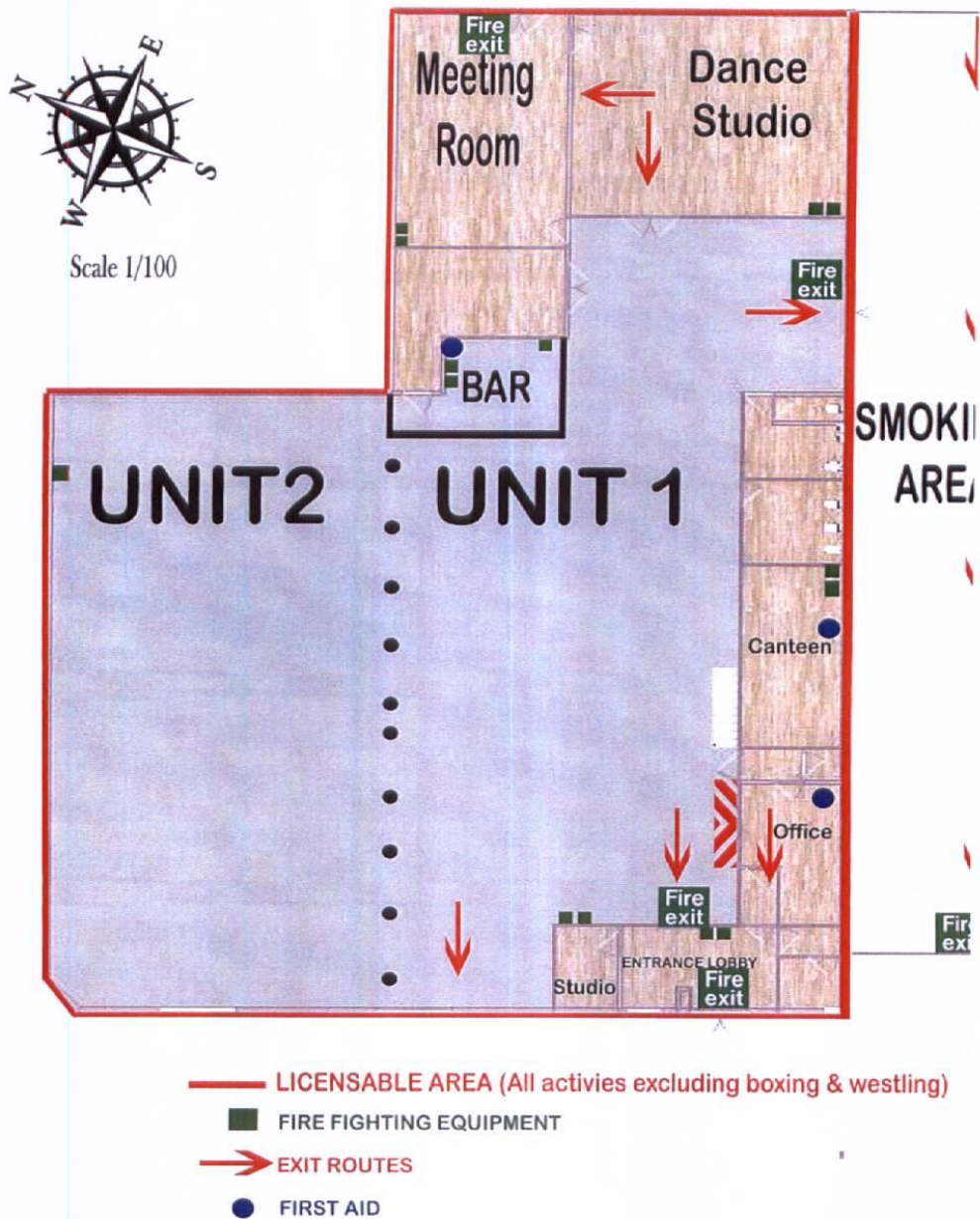
**3d) Committee conditions to promote the prevention of public nuisance**

N/A

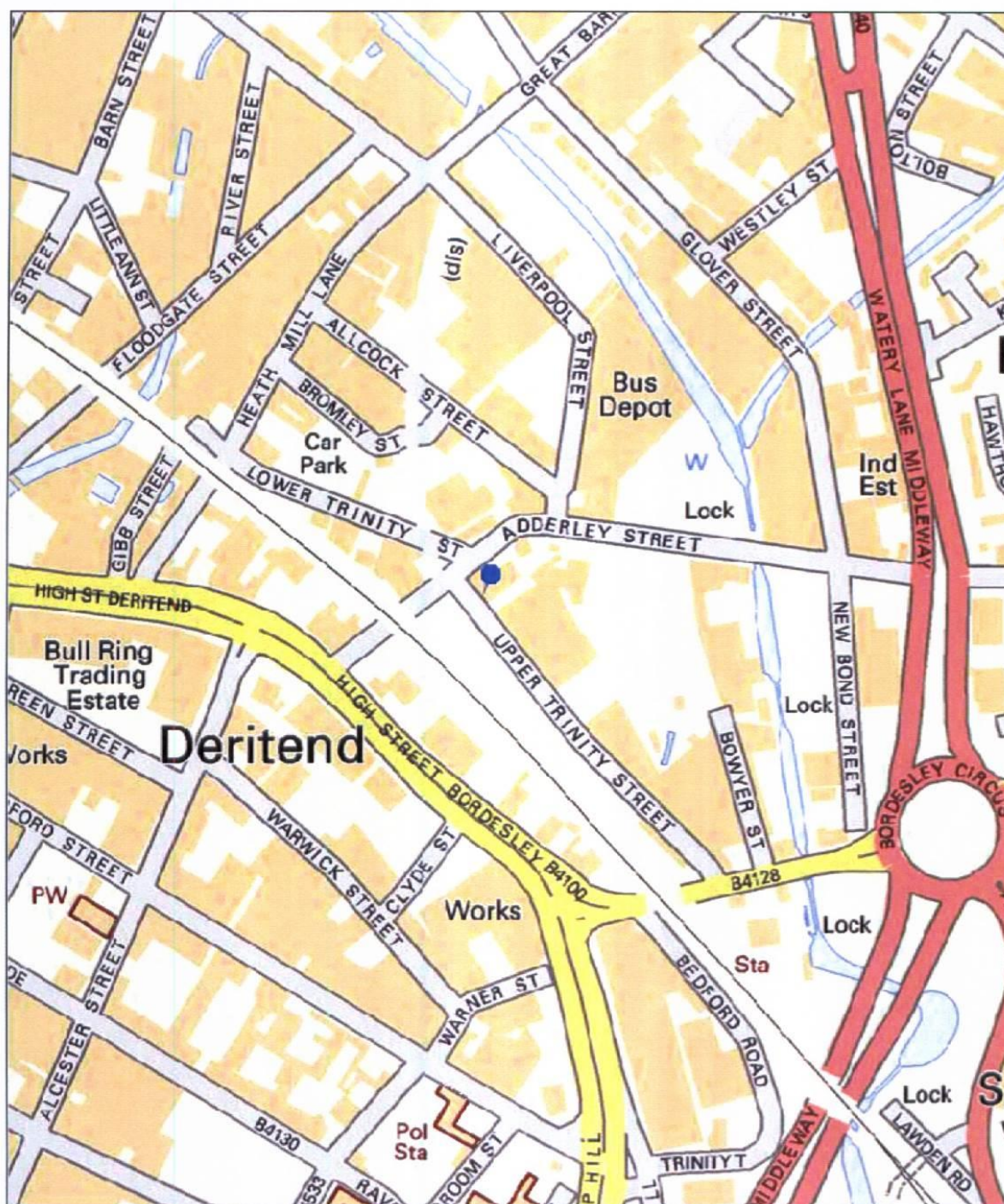
**3e) Committee conditions to promote the protection of children from harm**

N/A

Annex 4 – Plans



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



Map Created By:

Notes

Date of Map Creation: 13/03/2019

Scale:  
1:4,000

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Date of Map Creation: 13/03/2019

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Scale:  
1:1,250