

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 11<sup>th</sup> January 2017</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>Slug &amp; Lettuce, 186 – 194 High Street, Harborne, Birmingham, B17 9PP</b>
<b>Ward affected:</b>	<b>Harborne</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider a relevant representation that has 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 and off the premises); the provision of Regulated Entertainment consisting of live music, recorded music and the performances of dance (indoors only) and the provision of Late Night Refreshment until 02.00am on Friday and Saturday.

The application also seeks to extend the provision of Regulated Entertainment consisting of Anything of a similar description to live music, recorded music and performances of dance, to operate indoors only, from 10:00am until 12:00midnight (Sunday to Wednesday), 10:00am until 01:00am (Thursday) and 10:00am until 02:00am (Friday and Saturday).

The times during which existing permitted licensable activities can take place on all other days to remain unchanged.

Premises to be open to the public from 07:00am until 12:30am (Sunday to Wednesday), 07:00am until 01:30am (Thursday) and 07:00am until 02:30am (Friday and Saturday).

The application also seeks to amend and add non-standard timings for notable days as detailed in the application form.

### 2. Recommendation:

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

### 3. Brief Summary of Report:

Variation application received on 15<sup>th</sup> November 2016 in respect of the Slug & Lettuce, 186 – 194 High Street, Harborne, Birmingham, B17 9PP.

A representation has 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>Stonegate Pub Company Limited applied on 15<sup>th</sup> November 2016 to vary the Premises Licence for the Slug &amp; Lettuce, 186 – 194 High Street, Harborne, Birmingham, B17 9PP.</p> <p>A representation has been received from other persons, see Appendix 1.</p> <p>The application is attached at Appendix 2.</p> <p>The current Premises Licence is attached at Appendix 3.</p> <p>Site Location Plans at Appendix 4.</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> <ul style="list-style-type: none"> <li>a. The prevention of crime and disorder;</li> <li>b. Public safety;</li> <li>c. The prevention of public nuisance; and</li> <li>d. The protection of children from harm.</li> </ul>
<b>6. List of background documents:</b>
<p>A copy of the representation as detailed in Appendix 1</p> <p>Application Form, Appendix 2</p> <p>Current Premises Licence, Appendix 3</p> <p>Site Location Plans, Appendix 4</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>

## Appendix 1

Entered

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**From:**  
**Sent:** 07 December 2016 16:28  
**To:** Licensing  
**Subject:** Representation regarding Change of hours Application Reference 99698

South Street  
Harborne  
Birmingham  
B17

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

7<sup>th</sup> December 2016

Ref: Representation regarding Change of hours Application Reference 99698

I am writing regarding the proposed change of Hours at the Slug and Lettuce High Street Harborne your Application reference 99698.

It is with some trepidation that I am making this representation as we are more than aware that living in such close proximity of the Hight Street, that it is inevitable, subsequently at certain times we have to be tolerant to Noise and Nuisance, and we have stood fast to this view, however this tolerance has to have some measurable perimeters, extending the hours is unacceptable.

We have had an accumulation of incidents over the last few years – rubbish and sick strewn along the street, Fighting and shouting in our street, urinating up walls and windows, noise from the venue. We accept it's something we live with, but extending this to such a late hour is not a good thing for the community, I am surprised that the operator has decided to do this, its dangerous, irresponsible and inconsiderate.

Looking carefully at the four licensing objectives stated in the Licensing Act 2003, the new proposed trading hours for this Public House raise several issues regarding The prevention of crime and disorder, Public Safety, The prevention of public nuisance and The protection of children from harm.

Within most of four categories issues could be raised, I have therefore decided to object primarily "The Prevention of Public Nuisance" mainly from noise pollution both from the Venue and the customers leaving the Venue, as I attained to earlier the current License allows for the venue to be cleared by 1.30 at night, which is bordering on the cusp of acceptability, however extending these hours by one hour to 2.30 exasperates the situations and in reasonable terms is unacceptable with so many residential properties so close. The principle that this nuisance could extended to the other category of The Protection of Children (is it reasonable too expect a young child to be disturbed by revellers at 2.30 or 3.00 in the morning?).

Extending these thoughts too the other two categories The prevention of Crime and Disorder & Public Safety, I would also question the local police regarding the ability to contain any disturbance from the venue should it arise, historically the customers from this venue have been "Boisterous" - so taking into consideration the budget cuts having to be dealt with, along with such an isolated venue (most Young Person Late night venues are zoned) at this time in the morning, I would suggest that resources may be stretched at this time in the evening. Further to this I would like to ask the Licensing Inspector to look at the track record of this venue regarding such matters.

Harborne is a primarily a residential area, with the Slug and Lettuce currently been one of the last venues to empty, generally speaking the area has calmed down by 2.00 because of this any problems attributable to the venue are easily identifiable, again I would venture it would be an unsafe decision to grant this to be extended too 2.30/3.00.

I would also like to draw attention to the fact that the venue has shown disregard too some of its Operating conditions, a specific example is the requirement to display "Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly" They simply don't have any - I Checked, this is among other indiscretions. We hear noise from the venue all the time.

Can you please guide me regarding this representation, and if I need to distribute it to any other parties, or whether this is something that you would deal with ?

Finally I would like to thank you for your time, and assure you that I am not simply been small minded about this matter, the extending of the hours for this venue is something I am genuinely concerned about.

Kindest regards,

## Appendix 2

### Birmingham City Council

#### 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.

We Stonegate Pub Company Limited

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

**Premises licence number**  
2308/6

#### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Slug & Lettuce 186-194 High Street  Harborne			
<b>Post town</b>	Birmingham	<b>Post code</b>	B17 9PP

<b>Telephone number at premises (if any)</b>	
<b>Non-domestic rateable value of premises</b>	£91,000.00

#### Part 2 – Applicant details

<b>Daytime contact telephone number</b>		<b>BCC</b>	
<b>E-mail address (optional)</b>		<b>REGULATION &amp; ENFORCEMENT LICENSING SECTION</b>	
<b>Current postal address if different from premises address</b>	Porter Tun House 500 Capability Green	<b>DATE RECEIVED</b>	
		11 JUL 2006	
		REF NO. ....	
		INITIALS .....	
<b>Post Town</b>	Luton	<b>Postcode</b>	LU1 3LS

### Part 3 - Variation

Please tick yes

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

☒

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

Day	Month	Year

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

1. To extend the terminal hour for films, indoor sporting events, live music, recorded music, performance of dance, provision of late night refreshment and sale of alcohol on Friday and Saturday to 02:00 the following day.
2. To extend the licensable hours for entertainment similar to live music or recorded music or dance on Sunday - Wednesday 10:00 to 00:00; on Thursday 10:00 to 01:00 the following day; on Friday and Saturday to 02:00 the following day
3. To extend the opening hours to allow the premises to close at 02:30 the following day on Friday and Saturday.
4. To amend and add non-standard timings for notable days as detailed in the application submitted to the Licensing Authority.

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

N/A

### 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 tick yes

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

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

☒

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)	
Mon	No change	No change	As existing.	
Tue	No change	No change		
Wed	No change	No change	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)	
Thur	No change	No change		
Fri	No change	02:00	<b>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</b> (please read guidance note 5) To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 – 23:00.	
Sat	No change	02:00		
Sun	No change	No change	<p>To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> <p>To retain the following existing non-standard timings:</p> <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> <p>To add the following non-standard timings:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>	



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)  As existing
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	No change	No change	
Tue	No change	No change	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Wed	No change	No change	
Thur	No change	No change	
Fri	No change	02:00	<b>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</b> (please read guidance note 5) To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.
Sat	No change	02:00	To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> To retain the following existing non-standard timings: <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> To add the following non-standard timings: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>
Sun	No change	No change	

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		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 3)		
Mon					
Tue					
Wed					
Thur			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Fri			<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 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon	No change	No change	<b>Please give further details here</b> (please read guidance note 3)  As existing.	Both <input type="checkbox"/>
Tue	No change	No change		
Wed	No change	No change		
Thur	No change	No change	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
Fri	No change	02:00	<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 5) To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.	
Sat	No change	02:00		
Sun	No change	No change	To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> To retain the following existing non-standard timings: <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> To add the following non-standard timings: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>	

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)			
Mon	No change	No change				
Tue	No change	No change				
Wed	No change	No change	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)			
Thur	No change	No change				
Fri	No change	02:00	<b>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</b> (please read guidance note 5) To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.			
Sat	No change	02:00				
Sun	No change	No change	<p>To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> <p>To retain the following existing non-standard timings:</p> <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> <p>To add the following non-standard timings:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Mon	No change	No change	As existing.	
Tue	No change	No change		
Wed	No change	No change		
Thur	No change	No change	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)	
Fri	No change	02:00	<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 5)	
Sat	No change	02:00	To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00. To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul>	
Sun	No change	No change	To retain the following existing non-standard timings: <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> To add the following non-standard timings: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>	

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>  As existing.	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
Mon	10:00	00:00		Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Tue	10:00	00:00	<b>Please give further details here</b> (please read guidance note 3)	
Wed	10:00	00:00	As existing.	
Thur	10:00	01:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)	
Fri	10:00	02:00		
Sat	10:00	02:00	<b>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</b> (please read guidance note 5)	
Sun	10:00	00:00	To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.  To amend the existing non-standard timings for the Sunday preceding all Bank Holidays, to remove commencement time and extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on the Sunday preceding all Bank Holidays.</li> </ul> To retain the following existing non-standard timings: <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> To add the following non-standard timings: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, all bank holidays, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas eve, Christmas Day, Boxing day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>	

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	No change	No change	<b>Please give further details here</b> (please read guidance note 3)  As existing.		
Tue	No change	No change			
Wed	No change	No change	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	No change	No change			
Fri	No change	02:00	<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 5)  To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.  To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> To retain the following existing non-standard timings: <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> To add the following non-standard timings: <ul style="list-style-type: none"> <li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>		
Sat	No change	02:00			
Sun	No change	No change			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption</b> (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	No change	No change			
Tue	No change	No change			
Wed	No change	No change	<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 5) To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.  To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:00 to reflect the extension of hours proposed, to read: <ul style="list-style-type: none"><li>The terminal hour will be 02:00 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li></ul> To retain the following existing non-standard timings: <ul style="list-style-type: none"><li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li><li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li></ul> To add the following non-standard timings: <ul style="list-style-type: none"><li>The terminal hour will be 02:00 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li><li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li></ul>		
Thur	No change	No change			
Fri	No change	02:00			
Sat	No change	02:00			
Sun	No change	No change			

K

<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</b> (please read guidance note 8)
As existing.



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	No change	No change	
Tue	No change	No change	
Wed	No change	No change	
Thur	No change	No change	
Fri	No change	02:30	
Sat	No change	02:30	
Sun	No change	No change	<p><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 5)</p> <p>To remove the existing non- standard timing for Christmas Day, Christmas Day 11:00 - 23:00.</p> <p>To amend the existing non-standard timings for all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day to extend the terminal hour to 02:30 to reflect the extension of hours proposed, to read:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:30 hours the following morning on all Bank Holidays and the Sunday preceding all Bank Holidays, Christmas Eve and Boxing Day.</li> </ul> <p>To retain the following existing non-standard timings:</p> <ul style="list-style-type: none"> <li>New Year's eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</li> <li>The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.</li> </ul> <p>To add the following non-standard timings:</p> <ul style="list-style-type: none"> <li>The terminal hour will be 02:30 hours the following morning on: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentine's Night, Halloween, Fridays and Saturdays preceding all bank holidays, Maundy Thursday, Christmas Day, 27, 28, 29 and 30 December, Bonfire Night and New Year's Day.</li> <li>An additional hour to the standard and non-standard timings on the day when British Summer Time commences.</li> </ul>

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 None
---

Please tick yes

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☒

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

*[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence].*

This variation primarily seeks to extend the terminal hour for licensable activities to 02:00 on Fridays and Saturdays and with closing time 30 minutes thereafter. The application also seeks to add and amend non-standard timings to reflect the proposed extension of hours, and extend hours for entertainment similar to music or dance in line with all other licensable activities.

Given the changes proposed, the applicant has carefully considered the application, the effect of the licensing objectives and the Council's Licensing Policy. Pre-consultation has taken place with the Police Licensing Officer and Environmental Health Officer prior to submission of the application. The applicant believes the hours sought, coupled with the existing measures in place are unlikely to have an adverse effect on the licensing objectives.

Stonegate Pub Company Limited have an extensive licensing manual in place, detailing both company policies, appropriate across the whole estate, along with procedures in place at a local level to ensure that the premises operates to the highest standard and promotes the licensing objectives. These policies include: social responsibility of underage sales, which promote responsible drinking and discourage drunkenness, as well as procedures to prevent crime and disorder, and public nuisance. Stonegate take their responsibility as a premises licence holder seriously and are aware of, and will ensure compliance with, the mandatory condition on the licence regarding irresponsible drinks promotions.

Additionally, with regard to the additional hour for terminal hours sought, the premises has operated with temporary event notices to the later hour sought without any issues of note and which have not had a negative impact on the licensing objectives.

We feel, considering the above and our application, the existing measures in place are adequate to promote the licensing objectives and we do not consider further steps or conditions are required.

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

See box a) and existing operating schedule.

**c) Public safety**

See box a) and existing operating schedule.

**d) The prevention of public nuisance**

See box a) and existing operating schedule.

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

See box a) and existing operating schedule.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	15 November 2016
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**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 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b> Suraj Desor Popleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			

#### 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. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. 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:

2308 / 6

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b> Slug & Lettuce 186-194 High Street Harborne	
<b>Post town:</b> Birmingham	<b>Post Code:</b> B17 9PP
<b>Telephone Number:</b>	

<b>Where the licence is time limited the dates</b> N/A
---

<b>Licensable activities authorised by the licence</b>	
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)

<b>The times the licence authorises the carrying out of licensable activities</b>			
Sunday - Wednesday	10:00	-	00:00 C,E,F,G,M3
	12:00	-	23:00 H
	23:00	-	00:00 L
	07:00	-	00:00 B
Thursday - Saturday	10:00	-	01:00 C,E,F,G,M3
	12:00	-	00:00 H,
	23:00	-	01:00 L
	07:00	-	01:00 B
Christmas Day: New Year's Eve - from the end of permitted hours to commencement of permitted hours on New Year's Day. On each Sunday preceding a Bank Holiday activities (H) may be provided 12:00 to 00:00.	11:00	-	23:00

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On the Sunday and Monday of each Bank Holiday weekend, Christmas Eve and Boxing Day activities (B), (C), (E), (F), (G), and (M3) may be provided from the commencement of permitted hours to 01:00 the following morning.

The premises may open for licensable activities to show the broadcast televised sporting events of national or international interest outside the normal operating hours, such operating times for this purpose to be confirmed upon 14 days prior notice in writing to the Police before the premises intend to open, such notification to include opening times and the sporting event which is to be shown.

**The opening hours of the premises**

Sunday - Wednesday	07:00	-	00:30
Thursday - Saturday	07:00	-	01:30

N.B Opening hours may be extended to reflect any such extension of the permitted times for licensable activities as are detailed above.

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

On and Off Supplies

**BIRMINGHAM CITY COUNCIL**

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Stonegate Pub Company Limited Porter Tun House 500 Capability Green	
<b>Post town:</b> Luton	<b>Post Code:</b> LU1 3LS
<b>Telephone Number:</b> N/A	
<b>Email</b> N/A	

<b>Registered number of holder for example company number or charity number (where applicable)</b> FC029833
--

<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Ms Edwina Horan	
<b>Post town:</b>	<b>Post Code:</b> - - - - -
<b>Telephone Number:</b>	

<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>	<b>Issuing Authority</b>

Dated 23/01/2015

Nicola Stansbie  
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.

## **BIRMINGHAM CITY COUNCIL**

(3) Where 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**

The provision of regulated entertainment and late night refreshment to take place indoors only.

No adult entertainment or services, with the exception of A.W.P. gaming machines, permitted on the premises.

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

Any person exercising a security activity as defined above shall be linked by means of text or radio pager to the Police enabling the Police to be alerted to instances of crime and/or disorder (where required).

No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public.

Where C.C.T.V. is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the Police.

Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

Toughened glasses shall be used for draft beer and lager at all times the premises are open to the public.

#### **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**

Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

The use of the beer garden shall cease at 23.00 on Sunday - Thursday and at midnight on Friday and Saturday.

The external doors to the beer garden to be closed at 22:00.

Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

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

Persons under the age of 16 will be admitted only if accompanied by an adult and are not permitted to enter the premises after 21:00 hours.

**BIRMINGHAM CITY COUNCIL**

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

**3a) General committee conditions**

Conditions as stated below under the appropriate licensing objective.

**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**

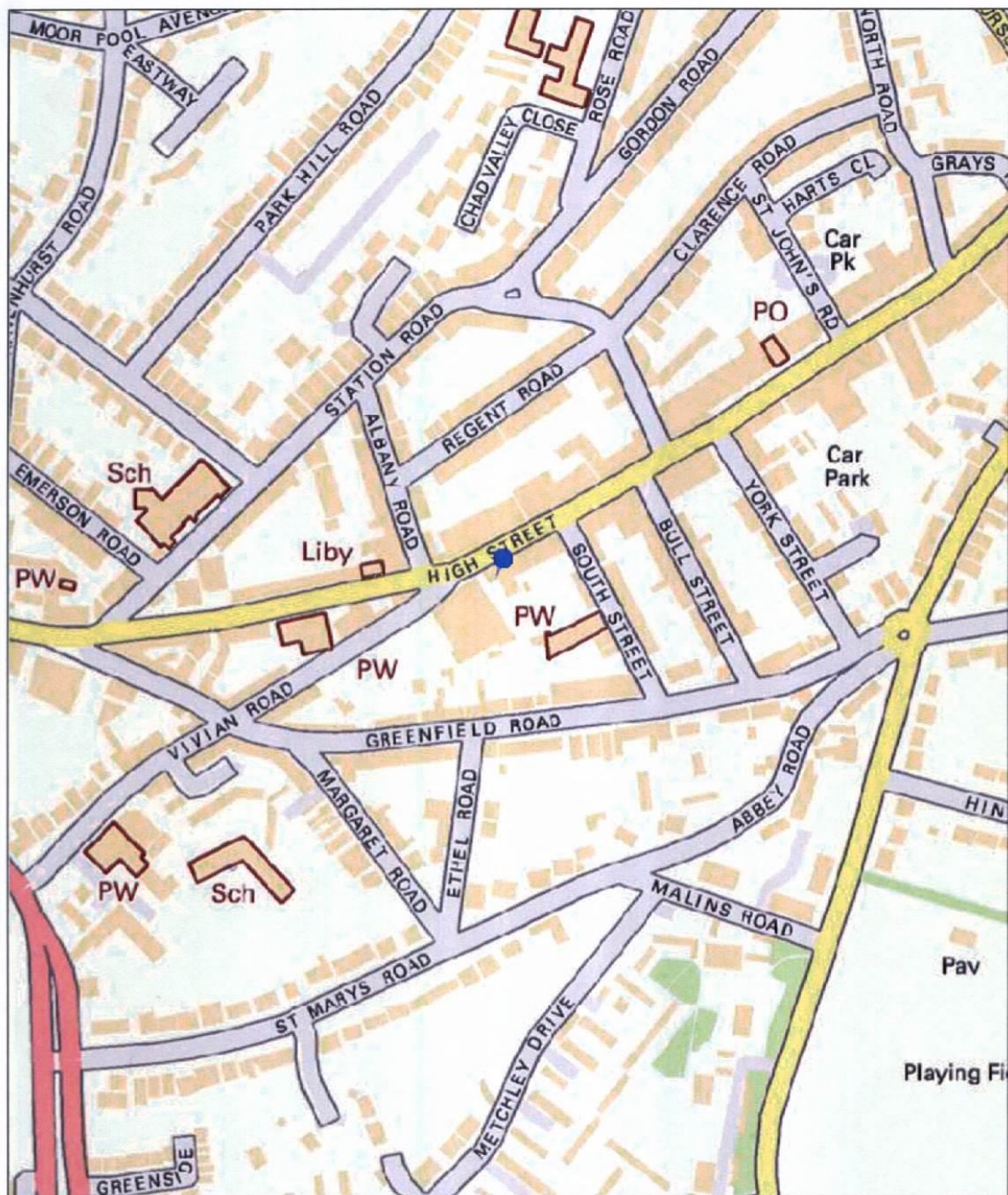
The Licence Holder shall install a noise limiter at the premises to be calibrated at a level set by Environmental Health.

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

N/A



## Appendix 4



Map Created By:

Notes

Date of Map Creation: 14/12/2016



Scale:  
1:4,000

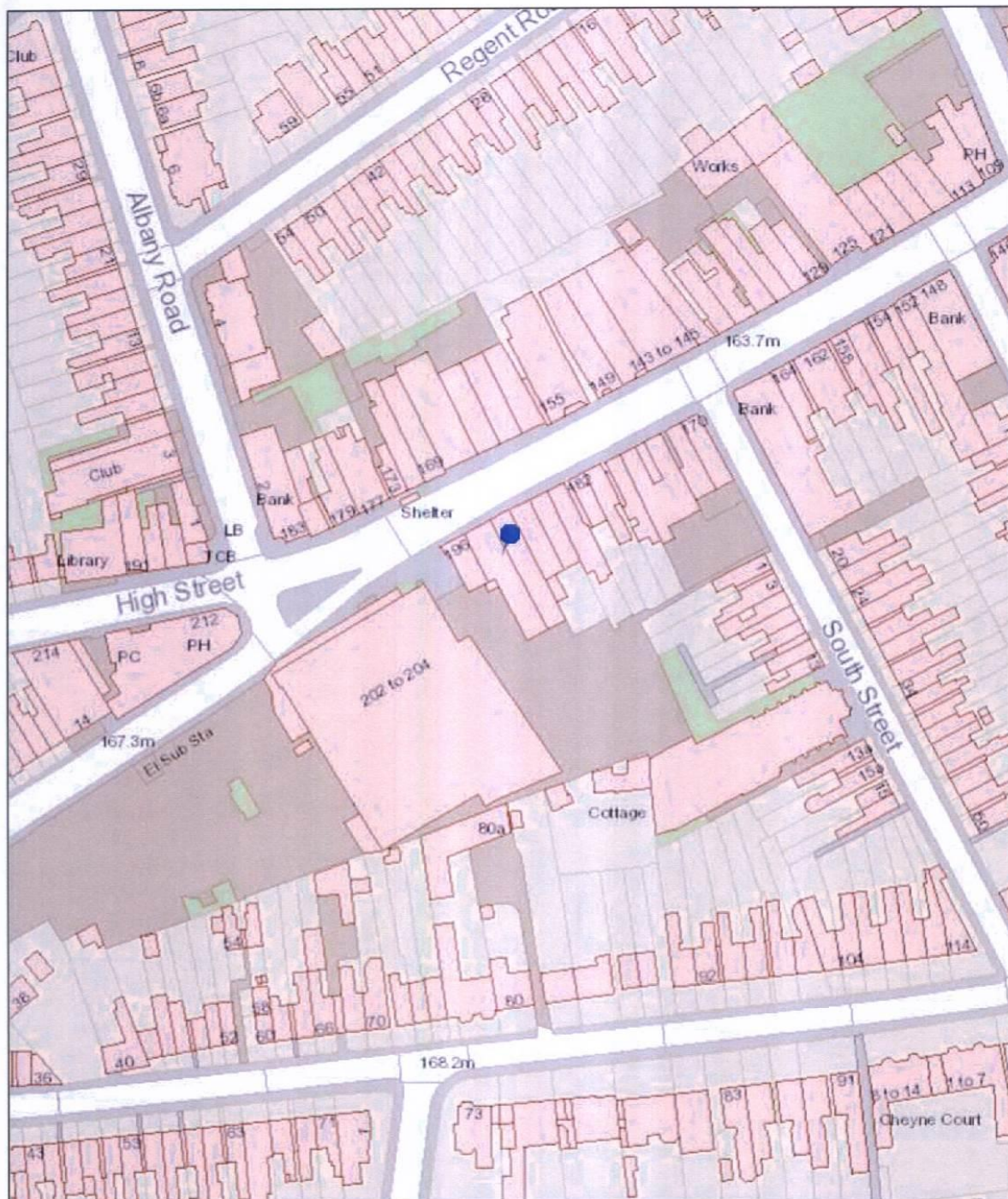
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Map Created By:

Notes

Date of Map Creation: 14/12/2016



Scale:  
1:1,250

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