

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 12 JUNE 2023 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

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4 **LICENSING ACT 2003 PREMISES LICENCE – VARIATION JUNGLE LOUNGE, 215 – 218 MONUMENT ROAD, LADYWOOD, BIRMINGHAM, B16 8UU**

Report of the Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 10:00am.

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5 **GAMBLING ACT 2005 LICENSED PREMISES GAMING MACHINE PERMIT ELIZABETH OF YORK, 12A ST MARY'S ROW, MOSELEY, BIRMINGHAM, B13 8JG**

Report of the Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Monday 12th June 2023
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Jungle Lounge, 215 – 218 Monument Road, Ladywood, Birmingham, B16 8UU
Ward affected:	Ladywood
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption on the premises), to operate from 10:00am until 01:00am (Sunday to Thursday) and 10:00am until 02:00am (Friday and Saturday).

To extend the provision of Regulated Entertainment consisting of recorded music, to operate indoors only, from 11:00pm until 01:00am (Sunday to Thursday) and 11:00pm until 02:00am (Friday and Saturday).

The provision of late night refreshment, to operate indoors only, from 11:00pm until 01:00am (Sunday to Thursday) and 11:00pm until 02:00am (Friday and Saturday).

Premises to remain open to the public from 10:00am until 01:30am (Sunday to Thursday) and 10:00am until 02:30am (Friday and Saturday).

2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

3. Brief Summary of Report:

Variation application received on 17th April 2023 in respect Jungle Lounge, 215 – 218 Monument Road, Ladywood, Birmingham, B16 8UU.

Representations have been received from other persons.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<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>
5. Relevant background/chronology of key events:
<p>Jungle Shisha Lounge Ltd applied on 17th April 2023 to vary the Premises Licence for the Jungle Lounge, 215 – 218 Monument Road, Ladywood, Birmingham, B16 8UU.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 – 7.</p> <p>The application is attached at Appendix 8.</p> <p>The current Premises Licence is attached at Appendix 9.</p> <p>Site Location Plans at Appendix 10.</p> <p>When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-</p> <ol style="list-style-type: none"> The prevention of crime and disorder; Public safety; The prevention of public nuisance; and The protection of children from harm.
6. List of background documents:
<p>Copies of the representations as detailed in Appendices 1 – 7.</p> <p>Application Form, Appendix 8.</p> <p>Current Premises Licence, Appendix 9.</p> <p>Site Location Plans, Appendix 10.</p>
7. Options available
<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>

From: Councillor Marcus Bernasconi
Sent: 26 April 2023 10:58
To: Licensing
Subject: AMENDED: Jungle Lounge, Monument Road

Dear Licensing

Please find below AMENDED submission that supersedes my previous comments and should be used.

I am writing to oppose granting an extended license for this premises and sale of alcohol. It will be a serious error and cause misery for residents on Monument Road and in the vicinity.

The premises is currently operating as a Shisha Lounge – and I have had numerous complaints from residents with regards to its existing operating hours. Obtaining a license until 1am in the morning Sunday to Monday will cause untold misery for residents, and a license until 3am on Friday to Saturday will only compound existing issues. The extended service of alcohol on a premises with which residents already have existing issues will only exacerbate problems.

The area is well known for its issues around noise and antisocial behaviour and I have concerns approving this license will only serve to enhance these negative characteristics.

The existing business, in my opinion, has been burden on residents due to late night noise pollution, alleged antisocial behaviour, and dreadful illegal parking blocking this main access route. I have previously driven down this route on evenings of operation after 10pm and found absolute gridlock of traffic that is more familiar to a 5pm rush hour – all due to new businesses attracting nuisance parking.

I would also remark that having written to Jungle Shisha on a previous occasion to relay concerns from residents I believe I have never received a response. I would argue this does not portray a license holder that would seek to engage with the community or representatives.

I would ask that the licensing committee also liaise with the police regarding reports in this area linked to commercial premises and consider if we want to add to the problems of residents. Extending hours and allowing extended alcohol service would undermine of the chief purposes of licensing – to prevent nuisance, and I hope members will reflect on that before their decision.

Licensing will be aware I have previously raised concerns with regards to businesses operating on Monument Road.

Thanks

Councillor Marcus Bernasconi | North Edgbaston

From: Councillor Kath Hartley
Sent: 27 April 2023 17:27
To: Licensing
Cc: Councillor Albert Bore
Subject: FW: JUNGLE SHISHA LOUNGE B16 8UU

Jungle Shisha Lounge 215-218 Monument Rd. B16 8UU Ladywood Ward
Application to vary hours for entertainments, late night refreshments and sale of alcohol
From Cllr Kath Hartley and Cllr. Albert Bore, Ladywood Ward

We object to any extension of the hours of operation of this venue because of the impact that it already has with its current licensed arrangements and of how any increase in the activities there would impact on local people and passers-by:

- Vehicles parked on-street on double yellow lines on both sides of Monument Rd. by customers are creating road safety dangers at the traffic lights at the Hagley Rd. junction and down to Plough and Harrow Rd. This also impacts on the Chamberlain Gardens Controlled Parking Zone arrangements outside older, Georgian residential properties on the Ladywood Ward side on the east of Monument Rd. Any extension of the hours will doubtlessly cause more issues. Ladywood residents have been complaining about this since the venue opened. Indeed, so have motorists from beyond the area.
- Monument Rd. has become even busier since the Metro works to Fiveways- when the road became an official alternative route to the Middleway- and the Clean Air Zone where we can see that non-compliant vehicles are being parked in streets off west side of Monument Rd. Air pollution has increased because of the increase in traffic. Additional use by the venue's customers can only exacerbate this.
- There are already 25 flats at the Edgbaston Student Studios- 197-199 Monument Rd. There is a recently-withdrawn planning application for a 3-storey rear extension for an **additional 8 self-contained flats** at 213-216 Monument Rd. (over and above the flats above shop units already in place). This should give you a clear impression of the increasingly-residential nature of this once-commercial road- most of it of Grade 11 Listed status. There should be no extension to the operating hours of any venue in this narrow, congested, mainly residential road.
- Another issue is that Monument Rd. has periodically been a hot spot for street prostitution and the other issues that arise from it. This also makes the extension of operating hours for the venue unwise.

Please add our objections to those of our colleagues in North Edgbaston Ward.

Please can you provide us with an acknowledgement of this submission?

Best regards

Cllr. Kath Hartley and Cllr. Albert Bore
Ladywood Ward

From:
Sent: 20 April 2023 14:34
To: Licensing
Subject: Jungle shisha lounge

Good afternoon, I have recently seen the new proposed timings for jungle shisha lounge to open till plus the sale of alcohol and regulated entertainment etc.

I am writing to voice my opinion against this as this is also a residential area and this will cause much nuisance and inconvenience, not to mention the antisocial behaviour.

Kind regards

From:
Sent: 20 April 2023 21:21
To: Licensing ; Preet Kaur Gill
Subject: Jungle Shisha Lounge, Monument Road, B16

I am a resident of the north Edgbaston ward and live in the Mariner Avenue estate B16.

I strongly oppose the increase in opening times of the Jungle shisha lounge on monument road, B16. Further, the alcohol licence it has obtained. I have seen dangerous parking which is a route my school children take.

This will cause parking issues and further will have anti social behaviour.

I have also copied my local MP to ensure that this is taken very seriously!

From:

Sent: 22 April 2023 17:08

To: Licensing

Subject: Jungle Shisha Lounge B16 8Uu

Hi

Regarding the late night licence for alcohol submitted for Jungle Shisha lounge on Monument Road, I strongly object to this. At the moment, on Thursdays and at weekends, we are plagued by anti social behaviour from 10 pm onwards due to people screaming, laughing, arguing or fighting on the way back to get a taxi or to their cars which are parked illegally on the pavement/road outside and opposite our houses. My 18 year daughter has been heckled / approached as she arrives home after a night out and we are often woken up by voices or loud music people play in their cars or taxi as they wait before they drive away.

In addition, the music they play in Jungle is so loud that we cant sit in our own back gardens in the summer unless willing to put up with their music drowning out your own conversation or chosen music.

It's already pretty bad to have Jungle close by at weekends. In the week when needing to get sleep and get up early for work in the morning it would be intolerable.

Monument Road

From:
Sent: 23 April 2023 22:49
To: Licensing
Cc: shabana.mahmood.mp
Subject: Ref to jungle shisha lounge

Dear Sir/Madam,
I would like to register my issues with the proposed licensing of the jungle Shisha lounge 215-218 monument rd, ladywood B168UU.

My objection is in two parts.

1: that there are enough licensed premises to cater for the needs of the area.

2: that the management have shown that they can not control the parking, noise, and behaviour of their current patrons who are sober, let alone if their patrons were intoxicated.

I am including a link to an iCloud download of 84 photographs taken by myself of illegally parked cars outside the afore mentioned premises taken by myself over a period of 3 weeks all on a Friday afternoon/evening into Saturday.

I hope that this will be of assistance in your decision I will follow up by sending a hard copy of the evidence.

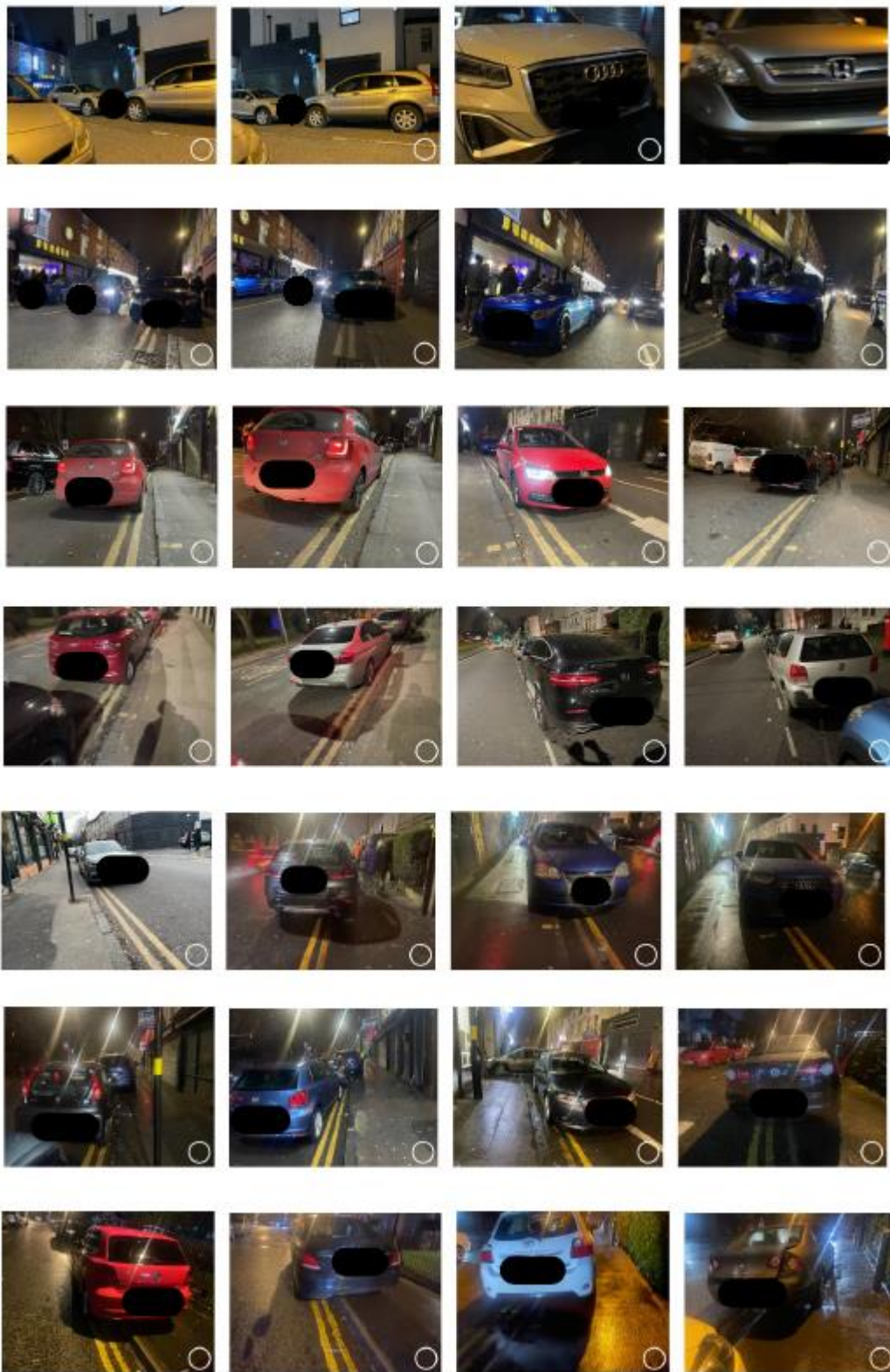


[85 Photos](#)
share.icloud.com

Please feel free to contact me:

Monument Rd
Ladywood
B16
Kind regards







From:
Sent: 24 April 2023 08:45
To: Licensing
Subject: Shisha Lounge.

Dear Sir or Madam.I on behalf of the residents on monument road and the Residents of Edgewood Court.(. Home for elderly people)who live opposite the Shisha lounge strongly oppose any such licence. The lives of those people are interrupted enough by the Noise,Illegal double parking, plus the dumping on the road and pavement of all kinds of rubbish. I understand a petition is going round at the moment on behalf of the residents.
. Community Activist.

* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

☒ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business	<input type="text" value="Manager"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Agent Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="Optimised Training Centre"/>	
Street	<input type="text" value="1 Guildford 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="B19 2HN"/>	
Country	<input type="text" value="United Kingdom"/>	

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APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name	<input type="text" value="Jungle lounge"/>
Street	<input type="text" value="215-218 Monument Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="B16 8UU"/>
Country	<input type="text" value="United Kingdom"/>

Premises Contact Details

Telephone number	<input type="text"/>
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Continued from previous page...

Non-domestic rateable
value of premises (£)

15,750

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VARIATION

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

☒ Yes

☐ No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

☐ Yes

☒ No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

Increase opening hours with the provision of Regulated entertainment, Late Night refreshment and Sale of alcohol on the premises.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to
vary is successful?

☐ Yes

☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to
vary is successful?

☐ Yes

☒ No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Provide 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.

Continued from previous page...

FRIDAY

Start 23:00

End 02:00

Start

End

SATURDAY

Start 23:00

End 02:00

Start

End

SUNDAY

Start 23:00

End 01:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

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Continued from previous page...

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes

☒ No

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PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start 10:00

End 01:00

Start

End

THURSDAY

Start 10:00

End 01:00

Start

End

FRIDAY

Start 10:00

End 02:00

Start

End

SATURDAY

Start 10:00

End 02:00

Start

End

SUNDAY

Start 10:00

End 01:00

Start

End

Will the sale of alcohol be for consumption?

- ☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Provide 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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

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Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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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

☒ I have enclosed the premises licence

☐ I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. The open nature of the Lounge allows for good viewing coverage. CCTV is installed covering both inside and outside the premises. SIA approved door staff will be recruited.

b) The prevention of crime and disorder

A Challenge 25 policy will be strictly followed by all staff. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in the refusals log, identifying the member of staff who refused the sale.

The premises licence holder shall ensure, that all staff shall be trained on all the four licensing objectives and training

Continued from previous page...

record kept on the premises. The training record will be made available to responsible authorities on request. Staffs are trained as appropriate in respect of relevant licensing law.

Staff other than personal license holders involved in the sale/ supply of alcohol are to receive documented refresher training every six months.

The premises will deploy door staff from 22.00hrs when trading past 22.00hrs. Door staff will sign on and off duty. The premises will keep a profile of all door staff which will include a copy of their SIA licence and photographic ID. (If photographic ID is not available then a utility bill no older than 3 months will be acceptable.) The signing in & out sheets and profiles will be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request. Door staff will wear a fluorescent coat, jacket or waistcoat while on duty at the premises. Door staff will remain on duty until all the customers have dispersed.

The numbers of door staff and any earlier start time will be risk assessed by the premises. This risk assessment will be made available to any of the responsible authorities immediately on request.

The premises will operate a search policy, this will be made immediately available to any of the responsible authorities on request.

The licence holder shall maintain and operate an ID Scan to all persons entering the premises whenever licensable activities are being carried on. The premises is to adopt and display a clear notice to the effect that there is a strict policy of "NO ID, NO ENTRY".

The premises will operate a search policy. The policy will be made available to any of the responsible authorities on request.

The premises will operate a vulnerability policy. The policy will be made available to any of the responsible authorities on request.

The premises will operate a dispersal policy. The policy will be made available to any of the responsible authorities on request.

No open vessels containing alcohol are permitted beyond the boundary of the licensable area.

CCTV that is approved by West Midlands police will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request.

The Premises License Holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities at any time licensable activities take place.

All windows to be closed and remain closed while regulated entertainment is taking place after 20:00 hours except for ingress and egress or cases of emergency.

Once each week the CCTV system will be checked by the DPS or their nominated deputy. The time and date of the check the identity of the checker and the result of the check will be recorded in the incident log for the premises.

Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan

If the premises is hired out or any promoted event with/by a third party the premises will notify West Midlands Police

Continued from previous page...

Central Licensing Team (by email) a minimum of 28 days prior to the event taking place. This notification will be accompanied by a risk assessment tailored for that event. As well as the security plan the risk assessment will include the names, addresses and dates of birth of the person(s) hiring the room or promoter. It will also include the real names and stages names of any artist, DJ, band or performer. Any recommendations made by West Midlands Police in relation to an event will become conditions of the premises license for that event. West Midlands Police retain a right of veto for any event proposed.

The premises will be free of customers half an hour after the conclusion of licensable activity.

The premises is to adopt and display a clear notice to the effect that there is a strict policy of "NO ID, NO ENTRY".

All persons (including staff, DJs and entertainers) entering the premises whenever licensable activities are being carried on will be subject to a search. This search will include a full body search and metal detection. Each of those activities will be undertaken by a separate door supervisor.

A refusals log will be maintained at the premises. Each entry will be signed off by the DPS.

An incident log will be maintained at the premises. Each entry will be signed off by the DPS.

The Designated Premises Supervisor or other competent person shall carry out observations in the vicinity of the premises on at least two intervals between 20:00 and 01:00 (Weekdays) and 20:00 and 02:00 (Friday - Saturday) whilst recorded music is playing in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept, records shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Records shall be available at all times upon request to an authorised officer of the Licensing Authority, Environmental Health Department or the Police.

Hot coal shisha will only be consumed in the outdoor area of the premises and the roof will be in the fully open position.

c) Public safety

A fire risk assessment will be conducted. Any findings will be actioned and the premises made safe in the allocated time of the risk assessment.

All sofas and furnishings will comply with the BS 7166 regulations (to a minimum of crib ignition source 5)

Suitable fire alarm will be installed which meets the BS 5839 standards and a copy of the certificate will be made available to responsible authorities. The system will be tested weekly and records will be kept. Any faults will be recorded and rectified by an approved competent person.

The emergency lighting system will be installed to the BS 5266 standards to ensure all exits routes are illuminated in the event of a power failure. The system will be tested monthly, and records kept.

The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

d) The prevention of public nuisance

All deliveries will be received between 10:00 and 18:00.

Continued from previous page...

The Designated Premises Supervisor or other competent person shall carry out observations in the vicinity of the premises on at least two intervals between 20:00 and 01:00 (Weekdays) and 20:00 and 02:00 (Friday - Saturday) whilst live music or recorded music is playing in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept, records shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Records shall be available at all times upon request to an authorised officer of the Licensing Authority, Environmental Health Department or the Police.

All doors shall be kept closed except for the purpose of access/egress during the performance of regulated entertainment.

The Licence Holder shall erect prominent, clear and legible signage inside the premises requesting patrons to be considerate of local residents when leaving the premises.

e) The protection of children from harm

We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises and also our approach to managing the risk of under age drinking.

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id. Training records will be maintained and updated by DPS every six months.

No adult entertainment is permitted at these premises

No persons under the age of 18 will be allowed to be on the premises after 2200 hours.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

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.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000-14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

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

☒ 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

[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/premises-licence/birmingham/change-1> to upload this file and continue with your application.

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

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

Licensing Act 2003**Premises Licence**

Premises Licence Number	5553
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Jungle Lounge, 215 - 218 Monument Road, Birmingham, B16 8UU
Telephone Number Not Specified

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence Sale of Alcohol by Retail Provision of Late Night Refreshment Playing of Recorded Music

Times the licence authorises the carrying out of licensable activities

<u>Sale of Alcohol by retail:</u>		
<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	15:00	00:00
Tuesday	15:00	00:00
Wednesday	15:00	00:00
Thursday	15:00	01:00
Friday	15:00	01:00
Saturday	15:00	01:00
Sunday	15:00	00:00
Place:		
Seasonal Variations:		
Non-Standard Times:		

<u>Provision of Late Night Refreshment:</u>		
<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	01:00
Friday	23:00	01:00
Saturday	23:00	01:00

Sunday	23:00	00:00
Further Details: Place: Seasonal Variations: Non-Standard Times:		

Playing of Recorded Music:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	01:00
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	23:00	00:00

Further Details: Place: Seasonal Variations: Non-Standard Times:		
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The opening hours of the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	15:00	00:30
Tuesday	15:00	00:30
Wednesday	15:00	00:30
Thursday	15:00	01:30
Friday	15:00	01:30
Saturday	15:00	01:30
Sunday	15:00	00:30

Seasonal Variations:
Non-Standard Times:

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

For consumption On the premises

Part 2

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

Jungle Shisha Lounge Ltd
215-218 Monument Road, Birmingham, B16 8UU

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

Company Number:14345811

Name and address of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Arnold Tafa

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: 159305
Issuing Authority: BIRMINGHAM CITY COUNCIL

Dated: 17-02-2023

Shaid Yasser
Senior Licensing Officer
For Director of Regulation & Enforcement

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: 1/2 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 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 the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.(4) Where the permitted price on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Annex 2 – Conditions consistent with the Operating Schedule

The premises licence holder shall ensure, that all staff shall be trained on all the four licensing objectives and training record kept on the premises. The training record will be made available to responsible authorities on request. A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. CCTV cameras are installed which will retain recording for a minimum of 31 Days.

CCTV is installed inside the premises. CCTV will be recording at all times the premises are open for any licensable activities and images will be held for a minimum of 31 days and made available immediately on request by any of the Responsible Authorities.

The Premises License Holder will ensure that a trained member of staff will be on duty and be available to download the CCTV to any of the Responsible Authorities at any time licensable activities take place.

The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol.

Any person who appears drunk /aggressive will not be permitted on the premises.

A challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the challenge 25policy.

A record of refusal shall be kept in the refusals register and kept on the premises. This will be made available to responsible authorities on request.

All staff shall be trained on the four licensing objectives and a training record kept on the premises. The training record will be made available to responsible authorities on request.

No open vessels containing alcohol are permitted beyond the boundary of the licensable area.

The licence holder shall maintain and operate an ID Scan to all persons entering the premises whenever licensable activities are being carried on. The premises is to adopt and display a clear notice to the effect that there is a strict policy of "NO ID, NO ENTRY".

The premises will operate a search policy this will be made immediately available to any of the responsible authorities on request.

No person will be allowed entry to the premises after 23:00 hours, save for re-entry for persons who were on the premises before 23:00 hours. Every person re-entering the premises will be strictly subject to a search.

The premises will cease licensable activity at 01:00 hours on a Thursday, Friday and Saturday and midnight hours Sunday to Wednesday and close at 01:30 hours Thursday, Friday and Saturday and 00:30 hours Sunday to Wednesday.

The premises will operate a dispersal policy this will be made immediately available to any of the responsible authorities on request.

The premises will operate a vulnerability policy which will be made available to any of the responsible authorities on request. As part of this policy the premises will have a safe space for vulnerable people.

Staff other than personal license holders involved in the sale of alcohol are to be trained under the Licensing Act 2003 prior to being allowed to sell/ supply alcohol. All training is to be documented and signed by the Premises License Holder and the trainee.

All training records are to be made available to any of the responsible authorities on request.

Staff other than personal license holders involved in the sale/ supply of alcohol are to receive documented refresher training every six months.

The company will operate the Challenge 25 Policy. The only acceptable forms of identification will be a passport, photo driving license, military id card or PASS id card with the hologram logo.

A refusals log will be maintained at the premises. Each entry will be signed off by the DPS. The log will be made immediately available to members of the responsible authorities on request.

An incident log will be maintained at the premises. Each entry will be signed off by the DPS. The log will be made immediately available to members of the responsible authorities on request.

CCTV that is approved by West Midlands police will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked to ensure that it is working each day prior to licensable activity taking place. The time of the check, the identity of the person carrying this out and the result of it will be recorded in the incident log.

All windows to be closed and remain closed while regulated entertainment is taking place after 2000 hours except for ingress and egress or cases of emergency.

While regulated entertainment is taking place the premises will ensure that regular noise assessments (minimum of 1 check every 3 hours) are carried out at the nearest residential property to ensure noise or vibration from the premises does not cause a public nuisance. These checks are to be documented, dated, timed and signed by the person who has made the check. This documentation to be made immediately available to any of the responsible authorities on request and held on the premises for a minimum of 3 months.

The volume of all entertainment/music will be controlled by the DPS, premises licence holder or their nominated representative and not the DJ.

The venue will not be hired out to third parties.

The premises will deploy door staff when trading as informed by the risk assessment. Door staff will sign on and off duty. The premises will keep a profile of all door staff which will include a copy of their SIA licence and photographic ID. (If photographic ID is not available then a utility bill no older than 3 months will be acceptable.) The signing in & out sheets and profiles will be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request. Door staff will wear a fluorescent coat, jacket or waistcoat while on duty at the premises. Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan.

The numbers of door staff will be risk assessed by the premises. This risk assessment will be made available to any of the responsible authorities immediately on request.

No persons under the age of 18 will be allowed into the premises unless accompanied by a person over the age of 18.

No persons under the age of 18 will be allowed to be on the premises after 23:00 hours.

Hot coal shisha will only be consumed in the outdoor area of the premises and the roof will be in the fully open position.

A fire alarm system will be installed to meet BS 5839 Part 1 current standards. An emergency lighting system will be installed to meet BS 5266 current standards. Firefighting equipment will be available in the premises to meet BS 5306 current standards. Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management. The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

Notices will be displayed at the exit of the premises asking patrons to leave the premises quietly. All deliveries will be conducted prior to 7pm to control noise nuisance. In conjunction with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises. The Designated Premises Supervisor will arrange to monitor levels of noise from both inside and outside the premises and remedial action will be taken as appropriate. Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty have will be trained and made aware of these requirements and the need to demand an acceptable form of age id. The premises will operate Challenge 25 policy. No adult entertainment is permitted at these premises.

The premises will operate Challenge 25 policy.

No adult entertainment is permitted at these premises.

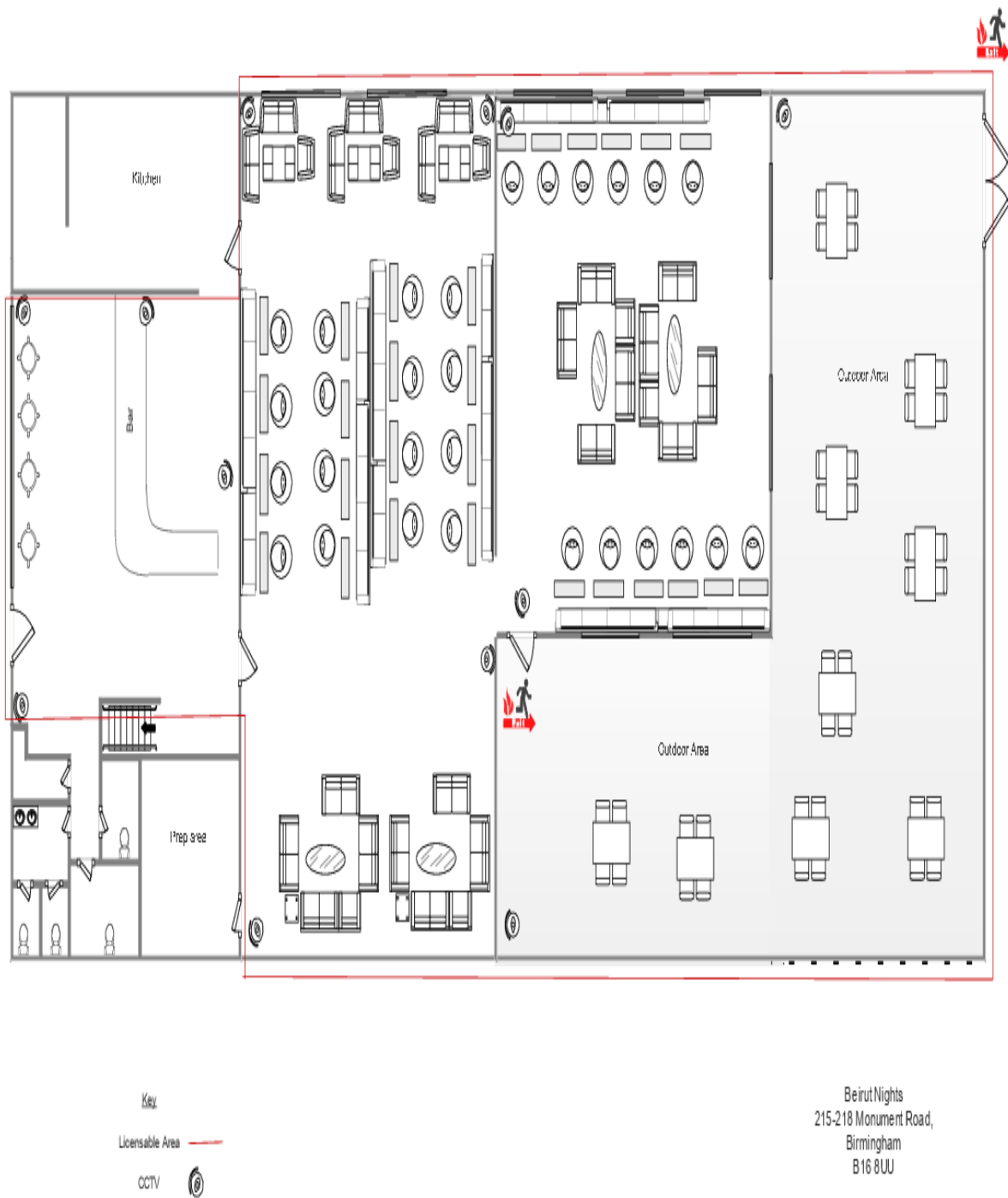
Annex 3 – Conditions attached after a hearing by the Licensing Authority

N/A

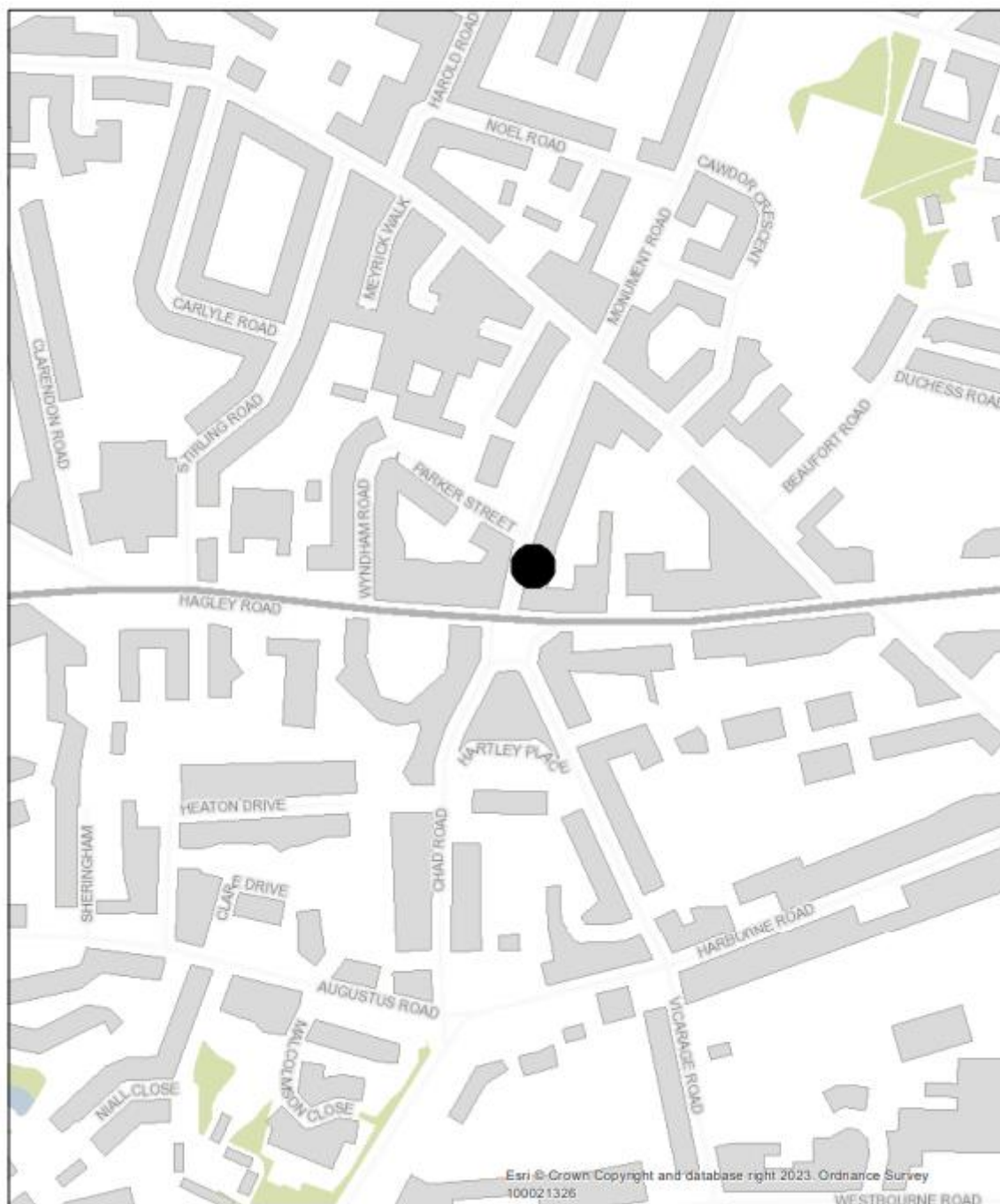
Annex 4 – Plans

Plan Reference; - 162468 as attached.

Scale plan 1:100 @A3



Wijayarathnam March 2022





BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee A
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Monday 12th June 2023
Subject:	Gambling Act 2005 Licensed Premises Gaming Machine Permit
Premises	Elizabeth of York, 12A St Mary's Row, Moseley, Birmingham, B13 8JG
Ward affected:	Moseley
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

Officers have delegated authority to grant Permits in respect of up to 4 Licensed Premises Gaming Machines, Category C & D in an Alcohol Licensed Premises.

This application seeks to have permission to operate a total of 5 Category C Gaming Machines, at the premises.

2. Recommendation:

The Sub-Committee is requested to consider the application to operate a total of 5 Category C Gaming Machines on an Alcohol Licensed premises.

3. Brief Summary of Report:

An application for the variation of a Licensed Premises Gaming Machine Permit was received on 29th March 2023.

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

<p>5. Relevant background/chronology of key events:</p> <p>JD Wetherspoon Plc submitted an application for the variation of a Licensed Premises Gaming Machine Permit on 29th March 2023 for the Elizabeth of York, 12A St Mary's Row, Moseley, Birmingham, B13 8JG.</p> <p>The application, including supporting documents, is attached at Appendix 1.</p> <p>Birmingham City Council Licensing Enforcement visited the premises and confirmed that they have no objections to the application. Their confirmation is attached at Appendix 2.</p> <p>The premises have the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits 4 Category C machines. See attached Appendix 3.</p> <p>Gaming Machine Categories by maximum stake and maximum prizes available, see attached Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>Where an application for a licensed gaming machine permit is made, the licensing authority shall consider it having regard to the licensing objectives, any relevant guidance issued by the Commission under section 25 and such other matters as they think relevant.</p> <p>The licensing objectives are:</p> <ol style="list-style-type: none"> Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. Ensuring that Gambling is conducted in a fair and open way Protecting Children and other vulnerable persons from being harmed or exploited by gambling.
<p>6. List of background documents:</p> <p>Application Form and supporting documents, Appendix 1 Birmingham City Council Licensing Enforcement no objection confirmation, Appendix 2 Current Gaming Machine Permit, Appendix 3 Gaming Machine Categories, Appendix 4 Site Location Plans, Appendix 5</p>
<p>7. Options available</p> <ol style="list-style-type: none"> Grant the application Refuse the application Grant the application in respect of; <ol style="list-style-type: none"> A smaller number of machines than is specified in the application A different category of machines from that specified in the application, or both <p>A licensing authority may not refuse an application or grant it in respect of a different category or number of gaming machines without first notifying the applicant and giving the applicant an opportunity to make representations (either in written or oral form, or both).</p>

APPLICATION FOR THE NOTIFICATION / GRANT / VARIATION /
TRANSFER OF A LICENSED PREMISES GAMING MACHINE PERMIT
(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION
ON THE PREMISES)

Please refer to guidance notes at the back of this form before completing

To:
Licensing Team
Birmingham City Council
PO Box 17831
Birmingham
B2 2HJ

Section A – Applicant Details

1. Name of Applicant

JD Wetherspoon Plc

2. Date of Birth or Company registration No. as applicable

1709784

3. Address / registered office of applicant

Wetherspoon House, Reeds Crescent, Watford, Hertfordshire WD24 4QL

4. Telephone number (daytime) of applicant

5. E-mail address of applicant

6. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant

.....
.....

SECTION B – Premises Details

1. Name of premises

Elizabeth of York

.....
..

2. Address of premises

12a St Mary's Row, Moseley Birmingham, B13 8JG

.....

3. Telephone number of premises

.....
...

4. E-mail address of premises (where available)?

.....
.....

5. Licensing Act 2003 Premises Licence Number

2547/2.....

SECTION C – What do you want to do?

Please indicate what you would like to do:

a) Notify licensing authority that you intend to provide up to a maximum total of 2 gaming machines of category C and / or D. *If you choose this option then please complete section F.*

☐

b) Apply to the licensing authority for more than 2 gaming machines. *If you choose this option then please complete sections D and F.*

☐

c) Apply to vary an existing permit. *If you choose this option then please complete sections D and F.*

☒

d) Request that the licensing authority transfers an existing permit to yourself. *If you choose this option then please complete sections E and F.*

☐

SECTION D – Grant and variation requests

1. How many gaming machines are you currently authorised to provide and how many do you wish to provide? Please complete the boxes in the table.

Category machine	Number currently authorised to provide	Number wish to provide
C	...4...	...5...
D
Total5...

2. If you are authorised to provide more than 2 machines, please provide your existing permit, or provide reasons stating why it cannot be provided.

Existing permit provided ☒

Reasons why existing permit cannot be provided

.....
.....

Section E – Transfer request

1. Name of person requesting the transfer

JD Wetherspoon plc

.....
...

2. Please confirm that an application to transfer the relevant Premises Licence under the Licensing Act 2003 has been:

Requested ☐

Granted

☐

3. Please provide your existing permit, or provide reasons stating why it cannot be provided.

Existing permit provided

☐

Reasons why existing permit cannot be provided

.....
.....
.....
.....

Section F – Fee and Signature(s)

1. I enclose

In all cases

- *the relevant fee*

✓

2. I confirm that

- the premises where the machines are proposed to be located are licensed to supply alcohol for consumption on the premises and that there is a bar for serving alcohol to customers on the premises (without the requirement that alcohol is served only with food).
✓
- I am aware of and will abide by the Gaming Machine Code of Practice for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission.
✓
- *All staff will be trained as to the limits of any stakes and prizes and the requirements of the Act, Guidance and any appropriate codes of practice or conduct*
✓

Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.

Dated29th March 2023
.....

Signed by or on behalf of the applicant

Name (please print)...Jennie Odell

.....

* If you wish to have a maximum of 2 gaming machines then the fee payable is £50. If you wish to have more than 2 gaming machines then the fee payable is £100 by an existing operator or £150 in all other cases.

To Vary the Permit £100

To Transfer the Permit £25

**GUIDANCE NOTES: APPLICATION FOR THE NOTIFICATION / GRANT / VARIATION /
TRANSFER OF A LICENSED PREMISES GAMING MACHINE PERMIT
(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)**

1. This form is to be used for the NOTIFICATION of up to 2 gaming machines of categories C and / or D under Section 282 of the Gambling Act 2005, or the GRANT / VARIATION / TRANSFER of a gaming machine permit under Section 283 and Schedule 13 of the Gambling Act 2005.
2. All references to 'Premises Licence' refer to a Premises Licence under the Licensing Act 2003 authorising the sale of alcohol for consumption on the premises.
3. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. The gaming machines must be located on these licensed premises and there must be a bar for serving alcohol to customers on the premises, without the requirement that alcohol is served only with food.
6. The permit's duration is indefinite as it is linked to the Premises Licence. There is a first annual fee payable 30 days after the grant of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.
7. Two types of gaming machines can be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £25
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
8. The holder of a licensed premises gaming machine permit must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005. The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of such a code of practice please contact your local licensing officer at the council address provided.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.

Official Use Only

Date of receipt:

Signature and name of staff who received:

Date of receipt of fee:

Signature and name of staff who received fee:

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable):

From: Jennie Odell

Sent: 03 May 2023 13:41

To: Licensing

Subject: RE: GA2005 - Licensed Premises Gaming machine Permit Variation RE: Elizabeth of York, 12a St Mary's Row, Moseley Birmingham, B13 8JG

Hi Bhapinder

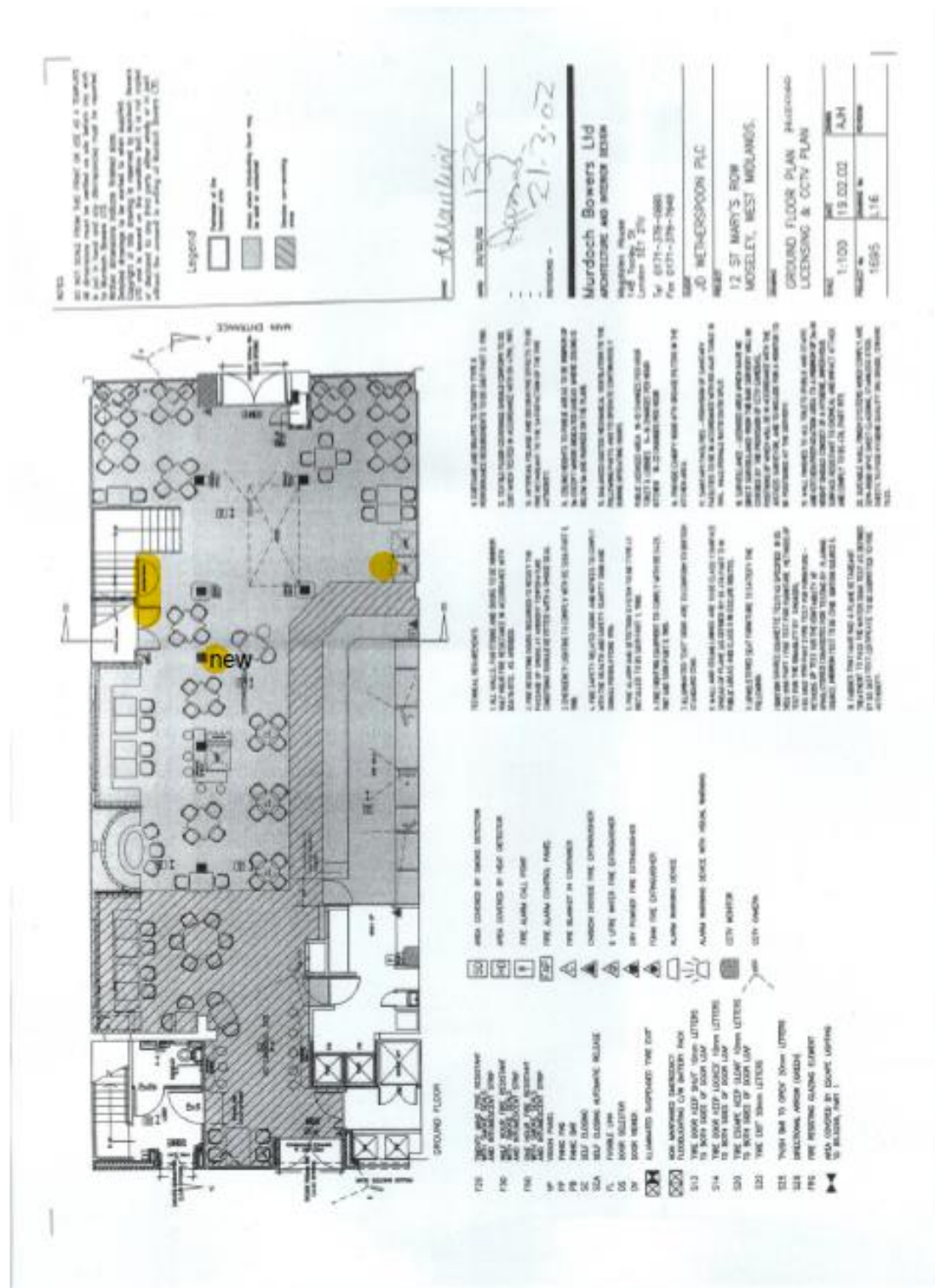
Thank you for your email, I have asked the pub to mark up the locations of the current machines 4 machines and where the additional 5th machine will be which is what they discussed with the Licensing Officer when they visited the pub.

There are currently 3 machines altogether in a row and the 4th machine is by the bar and the additional 5th machine will be against a pillar facing towards the bar and can be seen at all times.

I have also attached a copy of the Company's Policy in relation to Gaming Machines which may assist with our application at the hearing.

Kind Regards

Jennie Odell
Licensing Paralegal
JD Wetherspoon plc



JD Wetherspoon PLC

Licensed Premises Gaming Machines

Policy and Procedure Overview

We understand when considering this application that the Licensing Authority will consider the 3 objectives of the Gambling Act 2005 and therefore have set out below the policies and procedures JD Wetherspoon undertakes in its pubs to promote these objectives. In addition, the Gambling Commission's "Gaming Machine Permits Code of Practice" is complied with.

1. Protecting children and other vulnerable people from being harmed or exploited by gambling.

To ensure that no persons under the age of 18 are permitted to play on our gaming machines, we abide by a Challenge 21/25 policy in all of our premises. Under this policy, all of our employees are trained to ask any customer who appears to be under the age of 21/25 years to provide valid proof of age that they are over the age of 18. When in use, Door Supervisors are also fully briefed on our policy and what is expected of them in the implementation of the same.

JD Wetherspoon has adopted the industry standards and the recommendations of the Gambling Commission and recognises only the following forms of identification as valid forms of proof of age:

- Valid National passport (any nationality)
- Valid Photographic Drivers' Licence
- United Kingdom 'PASS' accredited age identification card with photograph.
- UK Military ID
- Valid photographic European ID
- Ireland Age Card (Republic of Ireland only)
- NI Electoral Identity Card (Northern Ireland only)

We apply this policy to all age restricted activities on our premises.

All employees receive induction training on our Challenge 21/25 policy when they commence employment with the Company and then receive regular refresher training. All employees complete video training, quizzes and sign a letter to confirm that they have had this training and understand their responsibilities. Records of all training is retained centrally at head office via our online training platform. Staff training records are regularly reviewed by the pub management team and members of our Retail Audit department to ensure that the training system is being satisfactorily completed.

Staff compliance with our Challenge 21/25 policy is tested by a number of means:

1. Management review of a 'refusals log' which records when and how often bar staff are recording when a sale has been refused.
2. Independent mystery visitors who are aged 18 and 19 years are sent into our pubs to test compliance with our Challenge 21/25 policy.

Our Challenge 21/25 policy is also actively promoted within the premises using self-adhesive signs at every entrance and on/around gaming machines.

All front of house staff are aware of their responsibility for preventing underage gambling.

All machines are situated in a place where their use can be supervised and in front of the bar where possible to increase visibility.

Information shall be made available to customers on how to gamble responsibly and how to access information about and find help in respect of problem gambling. The Gamcare Charity's details are made available by way of a sticker on each of the gaming machines.

JD Wetherspoon ensures that there is always a duty manager working on every shift. This means that there is always a senior member of the team on duty to assist with the monitoring and supervision of persons using the machines should customer interaction be required.

2. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

The power to all gaming machines is turned off after the pub has closed to ensure potential thieves are not attracted by the lights in the pub.

JD Wetherspoon pubs also have two types of alarm systems, the panic alarm and intruder alarm, which cover the majority of the pub including the customer area where gaming machines are located.

The monitored intruder alarm covers the main entry points when the pub is closed. It is mainly activated by a forced entry into the pub triggering the door contacts or motion detectors. This pub is internally described as having a 'level 1 response' to its alarm system, meaning police response. This is an automated system which feeds through to Secom central station, our alarm consultants, who notify the police and the registered key holders of the pub.

JD Wetherspoon prides itself on provide safe, well run premises for all people to enjoy themselves in. Over our estate of over 800 pubs we spend considerable time and resources ensuring they are all well equipped with adequate and appropriate CCTV coverage.

3. Ensuring that gambling is conducted in a fair and open way.

All of our AWP machines are located in well supervised areas and are regularly monitored by staff and door staff.

JD Wetherspoon PLC
Updated: January 2022

From: Gary Callaghan
Sent: 25 April 2023 09:01
To: Arvinder Loyal
Cc: Licensing
Subject: Variation for additional Gaming Machine

RE: Elizabeth of York
12A St Marys Row, Birmingham, B13 8JG

Hi Arvi

I have no objection to the variation for an additional gaming machine, I have done a sight visit and the machine will be placed near to the other 3 machines already in place and in the middle of the bar area , so that bar staff can clearly see who is playing the machines, the premises have roving managers on duty and glass collectors to also monitor the situation, as such I am satisfied that they can promote the Gambling Act 2005 objectives Please see attached paperwork and photos taken of the current set up

Regards
Gary

Gary Callaghan
Licensing Enforcement Officer
Birmingham City Council Licensing Enforcement





BIRMINGHAM CITY COUNCIL



This form is prescribed by regulation 4 of the Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007

Licensed Premises Gaming Machine Permit

No: 529 / 1

This licensed premises gaming machine permit authorises:

JD Wetherspoon Plc

to make gaming machines, of the category and number specified below, available for use on the following premises

Elizabeth of York, 12A St Mary's Row, Moseley, Birmingham, B13 8JG

Number of Category C Gaming Machines authorised by this permit:	4
Number of Category D Gaming Machines authorised by this permit:	0

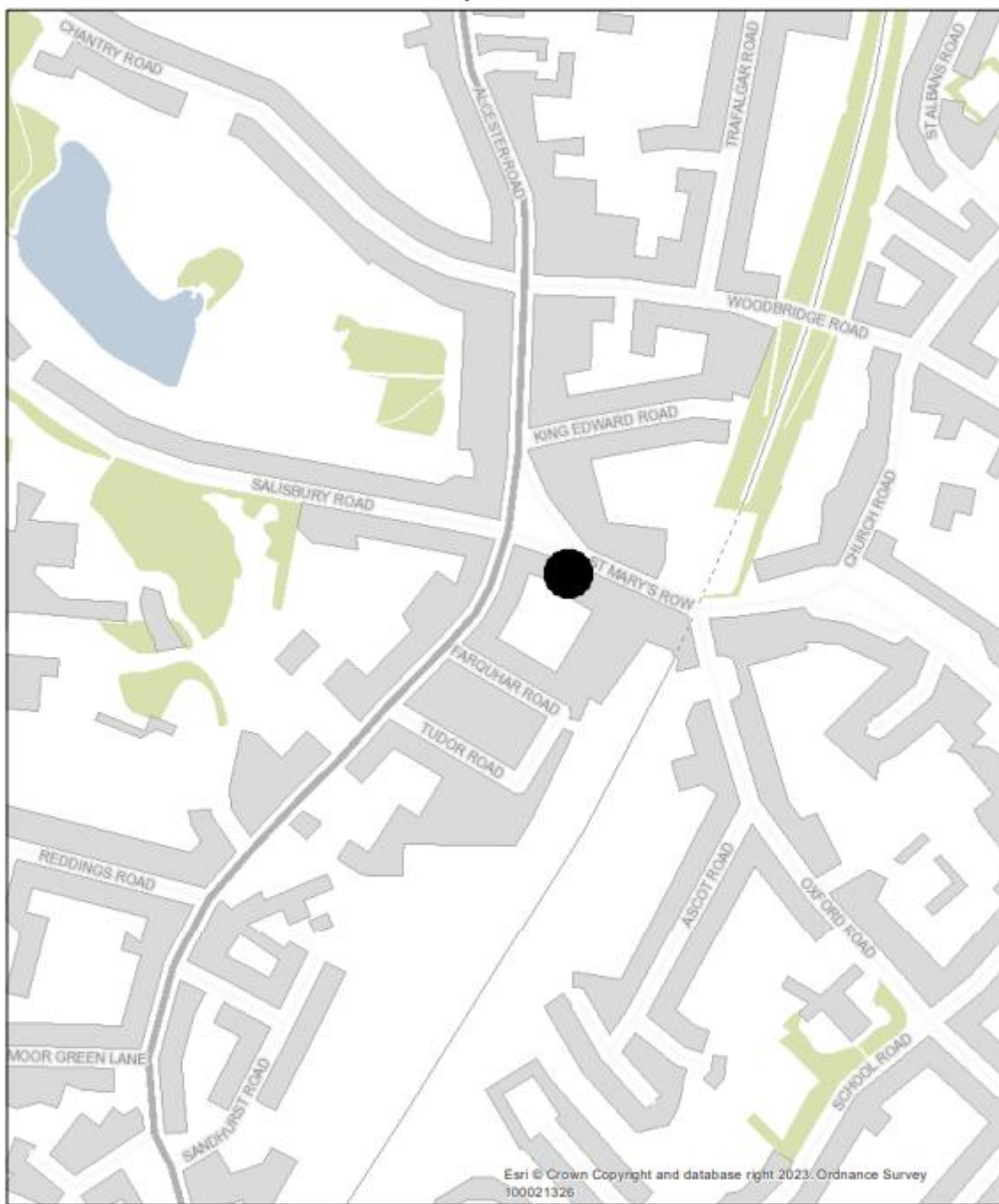
Date on which this permit takes effect or is renewed:
03/06/2010


This permit is issued by:
Birmingham City Council
 Licensing Section, Crystal Court, Aston Cross Business Village,
 50 Rocky Lane, Aston, Birmingham, B6 5RQ

Gaming Machines (Fruit Machine, Slot Machine) Categories**Summary of gaming machine categories and entitlements**

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

* With option of max £20,000 linked progressive jackpot on premises basis only



 Birmingham

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