



**West Midlands Police Evidence Bundle for The Temporary
Event Notice Application by Nude Bar & Grill, 38 Bennetts
Hill B5 2SN.**

Event date 24th in 25th June 2022

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WITNESS STATEMENT

Crime Number:.....

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5BURN

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Statement of: 55410 Christopher Jones.....

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Licensing Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: .....Date 16 May 2022.....Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by West Midlands Police as a Licensing Officer based at Police Headquarters, Lloyd House Birmingham. I work within a specialised team that have responsibility for all the licensed premises and licence applications across the Birmingham Council area.

I am making this statement in relation a temporary event notice (TEN) application submitted by The Nude Bar and Grill, 38 Bennetts Hill, B5 2SN. The application is for an event on 24th June 2022 starting at 7pm until 25th June 2022 finishing at 3am. The licensable activity applied for is the sale of alcohol, regulated entertainment and late-night refreshment for up to 250 people. (Pages 4 to 10 of the evidence bundle.)

The application stated the event was a '**private party with all venue hire and a DJ between 1900 and 0300**'

The application raised concerns as the vast majority of the times requested by the TEN are covered by the current premises licence number 4897 which allows the sale of alcohol, regulated entertainment and late-night refreshment between 1000 and 0200 seven days a week.

With the TEN in place this would effectively nullify the premises licence and the premises operating conditions on that licence, for the time of the TEN. These operating conditions are in place to ensure the licensing objectives are met and promoted,

While checking deeper into the application I found that this event was not in fact how it was described on the TEN application as **private party** but a promoted event with tickets on sale openly on the internet.

The cost of tickets being sold between £12.50 and £30.00 with table packages on sale (extra to the ticket price) of between £400.00 and £960.00. (Pages 11 to 13 of the evidence bundle.)

With the concerns mounting I emailed the applicant with a number of questions to understand their understanding about the nature of event. Also, to ensure they have considered the promotion of the licensing objectives while hosting this event at their premises as it appears somewhat different to their normal business of trading as a restaurant and bar. (Page 14 of the evidence bundle)

I asked the premises the below questions:

- Why is the TEN between 1900 & 0300? As your premises licence is valid until 02.00 for the licensable activity requested.
- The details of the DJ, both stage and real name and date of birth.
- What is the event and who has hired the premises (names, address and date of birth)
- Risk assessment for the event and security arrangements – numbers etc.
- Can you confirm that the event is a private event and not being advertised on social media or a being organised by a promoter?
- Can you confirm that the operating conditions attached to your premises licence will be in place when the TEN is in operation?

The applicant replied with answers to the questions posed, although some of the answers raised more concerns about the lack of control the premises licence holders had over the event. (Pages 15 to 16 of the evidence bundle)

The concerns came from the following answers from the applicant:

- ***The reason why we need the extended licence is people after work would come around 7/8pm and due to later start would want to have longer hours*** – This did not answer the question.
- ***The security would be provided by the organisers (5 door man)*** – This effectively gives the premises no control of the building.
- ***40th birthday party / event launch*** – a difference in what was originally stated on the TEN application.

I contacted the applicant and arranged a meeting at the premises to discuss West Midlands Police's concerns about the premises licence holder's lack of control and to understand what the event actually was.

I met with the applicant on 11th May 2022 and explained West Midlands Police concerns.

- The applicant explained that the event is a birthday party but they were aware that the person hiring the venue was going to advertise tickets on the internet and it was a promote / part-promoted event.
- She also explained that the organisers hiring the venue were supplying the security / door staff.
- The applicant had not seen a risk assessment from the promoters nor did she know who many tickets had been sold.
- The applicant explained that she had not had any experience of TEN applications hence the times requested on the application were for the who event and not just for the extension of hours, which was an error.

After a long conversation with the applicant, offering advice of how to take the application and how they could as premises address the concerns of West Midlands Police I informed her that I would objecting to the application in it's current form for the below reasons:

- ❖ Although West Midlands Police had little concern over the event itself, as it was a promoted event by a third party, the concerns were about the lack of control the premises licence holders had over the event, impacting on their ability to promote the licensing objectives.
- ❖ It is in the promoter's interest to sell as many tickets as possible with as many people as possible attending the event.
- ❖ By allowing the promoter to supply the security / door staff the venue are effectively handing control of the building over to the promoters.
- ❖ The venue will have no control of door staff, as it's the promoters who are 'paying their wages'
- ❖ The venue were even unaware of which security / door company were being deployed at the premises.
- ❖ The venue had not seen a risk assessment from the promoters which should indicate the risks and give a rational of why they have deployed the numbers of security they have.

- ❖ The risk assessment would also contain information of how the licensing objectives would be promoted – things like an entry policy, ejection policy, search policy, dispersal policy, vulnerability policy. etc.
- ❖ Without having control of the door staff how can the premises ensure that any vulnerability issues reported to door staff or any incidents at the premises are going to be dealt with in a manner and standard they would expect of their staff.
- ❖ That the premises licence holder is relying on 3rd party promoters and their contracted staff to uphold the licensing objectives using the applicant's licence, when the applicant doesn't know the basic arrangements of the event.
- ❖ In reality the promoter has an interest in making as much money as possible and would not be held responsible for any breaches of the licensing objectives or premises licence. If an issue at the premises led to any enforcement action it would be taken against the premises licence holders.

West Midlands Police object to the granting of the TEN application as in their opinion the premises has little or no control of the venue as the application and arrangements currently stand, which does not promote the licensing objectives of public safety and prevention of crime and disorder. (Page 17 of the evidence bundle)

Signature:



Signature witnessed by:

* required information

Section 1 of 9

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

System reference

Not Currently In Use

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

Your reference

event june 23

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

Jolanta

* Family name

[REDACTED]

* E-mail

[REDACTED]@nude-barandgrill.co.uk

Main telephone number

[REDACTED]

Include country code.

Other telephone number

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

Are you:

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

☐ Applying as an individual

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

Applicant 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

11271083

Business name

Nude bar and Grill

If your business is registered, use its registered name.

VAT number

GB

988140780

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

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

Have you had any previous or maiden names?

☐ Yes

☒ No

* Your date of birth

/ /

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Correspondence Address

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

☐ Yes

☒ No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

☒ Yes

☐ No

E-mail

[REDACTED]@nude-barandgrill.co.uk

Telephone number

[REDACTED]

Other telephone number

Section 3 of 9

THE PREMISES

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

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

* Does the premises have an address?

☒ Yes

☐ No

Address

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

☐ Yes

☒ No

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

* Building number or name

38

* Street

Bennetts Hill

District

* City or town

Birmingham

County or administrative area

* Postcode

B5 2SN

* Country

United Kingdom

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

☐ Neither

☒ Premises licence

☐ Club premises certificate

* Premises licence number

4897/2

Location Details

* Provide further details about the location of the event

to host private event at licensed venue with longer opening hours

Continued from previous page...

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

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

restaurant and bar

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

private party with all venue hire

Section 4 of 9

LICENSABLE ACTIVITIES

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

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

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

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

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

Event Dates

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

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

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

Event start date

24 / 06 / 2022
dd mm yyyy

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

Event end date

25 / 06 / 2022
dd mm yyyy

Continued from previous page...

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

1900 to 0300

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

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

250

Note that the maximum number of people cannot exceed 499.

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

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

(see also guidance on completing the form, note 12):

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

Section 5 of 9

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

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

dj between 1900 and 0300

Section 6 of 9

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

Do you currently hold a valid personal licence?

- ☐ Yes ☒ No

Section 7 of 9

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

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

- ☐ Yes ☒ No

Continued from previous page...

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

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

Section 8 of 9

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

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

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

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

Continued from previous page...

Section 9 of 9

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

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

PAYMENT DETAILS

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

This formality requires a fixed fee of £21

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

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

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

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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

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

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

blocco

June 24th 10:00 pm - June 25th 3:00 am
From **£12.50 - £30.00**

DJ BOAZZING

DJ TO

HOSTS

MAXFIELD

DEANE

+MORE

TICKET AND PALE PACKAGES

EARLY BIRD: 11:50

LADIES: 11:50

STANDARD: 12:00

LIMITED VIP: £20 includes access to exclusive bar + DJ

TABLES: tables DO NOT include entry

LADIES SPECIAL: £100 (4 bottles made up of 1 x spirit & 3 x Prosecco)

STANDARD: £400 (3 bottles made up of 2 x spirit & 1 x champagne)

EXCLUSIVE VIP: £950 (6 bottles made up of 3 x spirit & 3 x champagne)

For table bookings visit www.blocco.co.uk or info@blocco.co.uk as an Instagram endoscopy

blocco

NOBIS Summer Launch PARTY

June 24th 10:00 pm - June 25th 3:00 am
From **£12.50 - £30.00**

Special Menu

NOBIS

Summer Launch Party

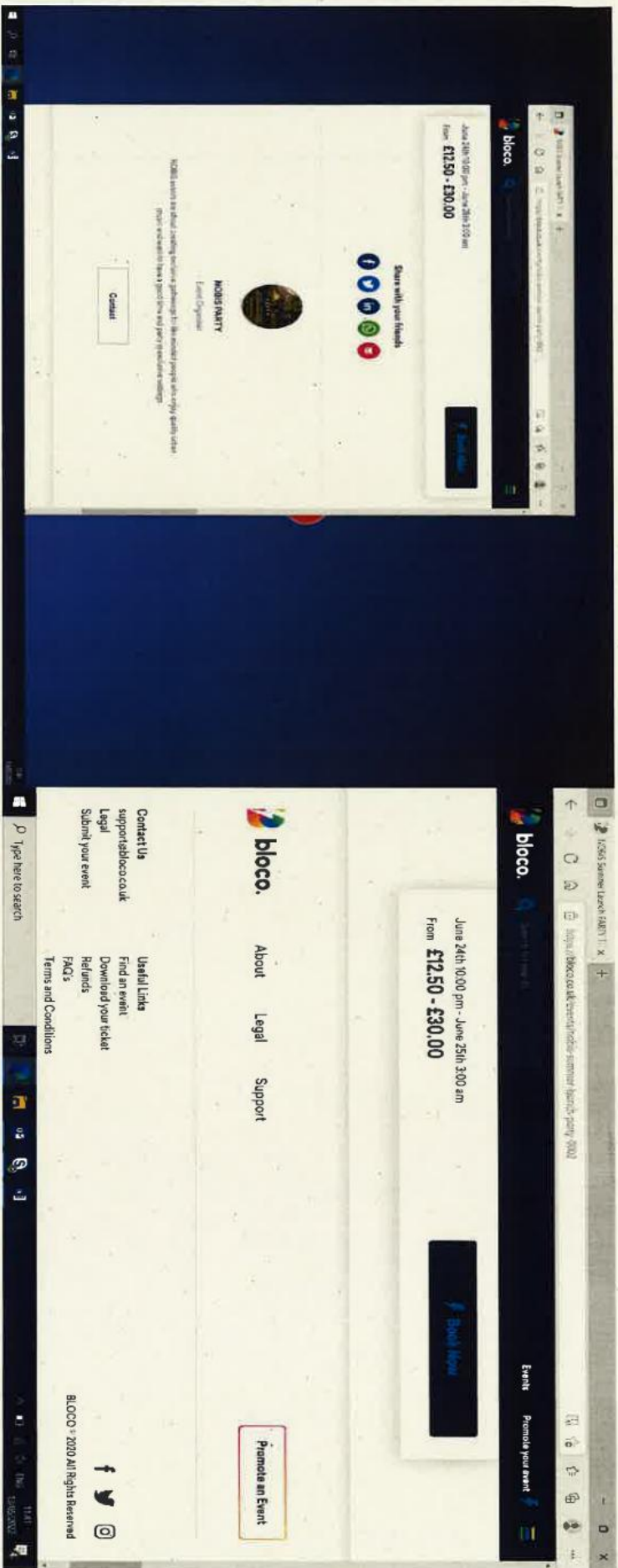
FRIDAY 24TH JUNE

TOP FLOOR BAR & GRILL

NOBIS

Summer Launch Party

Events Promote your event



Christopher Jones

From: bw licensing
Sent: 09 May 2022 09:23
To: [REDACTED]@nude-barandgrill.co.uk'
Subject: FW: [External]: FW: Temporary event notice: new application
Attachments: birmingham-1216299-Birmingham_Temporary_Event_Notice.pdf

Importance: High

Categories: innkeepr done

Good Morning Jolanta,

West Midlands Police have received your temporary event notice application. Before WMP can make an informed decision about this application we will require more details.

- Why is the TEN between 1900 & 0300? As your premises licence is valid until 02.00 for the licensable activity requested.
- The details of the DJ, both stage and real name and date of birth.
- What is the event and who has hired the premises (names, address and date of birth)
- Risk assessment for the event and security arrangements – numbers etc.
- Can you confirm that the event is a private event and not being advertised on social media or a being organised by a promoter?
- Can you confirm that the operating conditions attached to your premises licence will be in place when the TEN is in operation?

Due to the tight legal timescales that responsible authorities have to assess TEN applications West Midlands Police will require the above information no later than 09.00hrs on Wednesday 11th May 2022.

Please feel free to contact me with any question for clarification.

Regards

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police
Tel: 101 (ext. 801 1628) - DD: 0121 626 6099

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If it's not 999, search WMP Online



[View all our social network links](#)

From: [REDACTED] [mailto:[REDACTED]@birmingham.gov.uk] **On Behalf Of** Licensing Online
Sent: 06 May 2022 20:51
To: Pollution Team; bw licensing
Subject: [External]: FW: Temporary event notice: new application

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Christopher Jones

From: Jolanta <[REDACTED]@nude-barandgrill.co.uk>
Sent: 10 May 2022 19:52
To: bw licensing
Subject: Re: FW: [External]: FW: Temporary event notice: new application
Importance: High

Dear Mr Jones,

Thank you for email.

Requested information is as follows:

Dj's

Dj silk shutdown- [REDACTED]

Dj TQ - [REDACTED]

Dj Melstarr - [REDACTED]

Dj Brazz- [REDACTED]

Dj Rb- [REDACTED]

Name of event/ what it is / who's hired it

NOBIS

[REDACTED] birthday party / event launch

Donna [REDACTED] (event organiser)

[REDACTED]

[REDACTED] Road, [REDACTED], Birmingham, [REDACTED]

Kenneth [REDACTED] (person who's [REDACTED] birthday and event organiser)

[REDACTED]

[REDACTED] Road; [REDACTED] Birmingham, [REDACTED]

Darren [REDACTED] (event organiser)

[REDACTED]

Event has been advertised on social media to family and friends

Reason why we need extended licence is people after work would come around 7/8pm and due to later start would want to have longer hours.

Security would be provided by organisers Donna and Darren (5 door man)

Public liability insurance also been requested from DJ`s.

Maximum capacity is 250 people at once in the building including staff and is based on Fire risk assessment.

Hope this answers all question, if you require anything else, please let me know

Kind Regards,

Jolanta [REDACTED]
General Manager
NUDE Bar & Grill Birmingham
38 Bennetts Hill
B2 5SN

ComfyPubCo.

Nude

HOOFBEATS
BAR & BOTTLE

WINEHOUSE

On 2022-05-09 09:23, bw licensing wrote:

Good Morning Jolanta,

Christopher Jones

From: bw licensing
Sent: 11 May 2022 14:47
To: 'Licensing@birmingham.gov.uk'
Cc: [REDACTED]@nude-barandgrill.co.uk
Subject: FW: [External]: FW: Temporary event notice: new application
Attachments: birmingham-1216299-Birmingham_Temporary_Event_Notice.pdf

Importance: High

Good Afternoon Licensing,

West Midlands Police object to the granting of this TEN application for Nude Bar & Grill 38 Bennetts Hill Birmingham B5 2SN on 24th in 25th June 2022 between 1900x0300.

The event is promoted by a third party and while West Midlands Police have no concerns with the event itself, West Midlands Police do have concerns about the lack of control the premises have in relation to this event.

It is West Midlands Police stance that the lack of control the premises licence holder currently has over this event may lead to a breach of the licensing objectives in relation to the prevention of crime & disorder and public safety.

The concerns are:

- The promoters are supplying the security staff which means the premises licence holder has no control of their premises as the door staff will be directed and managed by the promoters. (The premises need to have control of the door team and they need to be deployed by the premises licence holder to have this control.)
- The premises have no way of controlling ticket sales and limiting the sales to the numbers on the TEN application and premises fire certificate.
- The premises are unaware of any risk assessment carried out by the promoter for numbers of door staff, which company they intend to deploy, entry policy, search policy, dispersal policy etc.
- Any risk assessment ideally needs to be carried by the premises holder or at least signed off by them as agreement.
- The fact that the TEN application is between 1900x0300 when the premises is licenced until 0200 so the TEN would nullify the premises licence from 1900.

I have spoken with the applicant at length, explained the above concerns and offered assistance of how to take this forward, who is copied into this email.

If the above concerns are addressed to the satisfaction of West Midlands Police then the objection would be withdrawn.

Many thanks

Regards

Chris Jones 55410

Birmingham Central Licensing Team West Midlands Police
Tel: 101 (ext. 801 1628) - DD: 0121 626 6099

Preventing crime, protecting the public and helping those in need.

If it's not 999, search WMP Online