

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Acting Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 30<sup>th</sup> October 2018</b>
<b>Subject:</b>	<b>Licensing Act 2003 Temporary Event Notice</b>
<b>Premises:</b>	<b>The Flapper, Kingston Row, Birmingham, B1 2NU</b>
<b>Ward affected:</b>	<b>Ladywood</b>
<b>Contact Officer:</b>	<b>Bhapinder Nandhra, Senior Licensing Officer 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

To consider the objection to a Temporary Event Notice (TEN), which seeks to permit the sale of alcohol (for consumption on the premises only) and the provision of regulated entertainment, on Sunday 25<sup>th</sup> November 2018, to operate from 00.00midnight until 03.00am.

### **2. Recommendation:**

To consider the objection notice made by Environmental Health.

### **3. Brief Summary of Report:**

A Temporary Event Notice was received on 18<sup>th</sup> October 2018 in respect of The Flapper, Kingston Row, Birmingham, B1 2NU.

An objection notice has been received from Environmental Health.

### **4. Compliance Issues:**

When carrying out its licensing functions, a licensing authority must have regard to the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

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

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

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Ms Deirdre Whyte submitted on 18<sup>th</sup> October 2018 a Temporary Event Notice in respect of The Flapper, Kingston Row, Birmingham, B1 2NU.</p> <p>The Temporary Event Notice is attached, see Appendix 1.</p> <p>An objection notice has been received from Environmental Health, see Appendix 2.</p> <p>The current premises licence is attached at Appendix 3.</p> <p>Site location plans are attached, see Appendix 4.</p> <p>Under the licensing system of TENs, no actual permission is required to carry out a licensable activity on a temporary basis. An applicant must merely give notice of his intentions to operate a licensable activity to the licensing authority.</p> <p>However, the police or local authority exercising environmental health functions may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.</p> <p>Where a TEN is submitted, the licensing authority must consider the objection(s) at a hearing before a counter notice, or a notice including a statement of conditions can be issued.</p> <p>When giving a TEN, consideration should be given to the following four licensing objectives:</p> <ol style="list-style-type: none"> <li>1. The prevention of crime and disorder</li> <li>2. public safety</li> <li>3. The prevention of public nuisance; and</li> <li>4. The protection of children from harm</li> </ol> <p>If the TEN is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate for the promotion of the licensing objectives.</p>
<p><b>6. List of background documents:</b></p> <p>Temporary Event Notice, attached at Appendix 1.</p> <p>Objection Notice from Environmental Health, attached at Appendix 2.</p> <p>Premises Licence, attached at Appendix 3.</p> <p>Site location plans, Appendix 4.</p>
<p><b>7. Options available</b></p> <p>Allow the proposed temporary licensable activities as stated in the TEN</p> <p>Impose conditions on a TEN to promote the licensing objectives</p> <p>Refuse the proposed temporary licensable activities as stated in the TEN</p>

## Appendix 1



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

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

\* required information

### Section 1 of 9

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

System reference  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

Other telephone number

BCC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED  <b>18 OCT 2018</b>  ----- Include country code. REF NO ----- INITIALS -----
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☐ 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

Business name

VAT number

Legal status

If your business is registered, use its registered name.

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

*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

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth

/  /

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

*Continued from previous page...*

**Correspondence Address**

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

☒ Yes

☐ No

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

Building number or name	<input type="text" value="The Flapper"/>
Street	<input type="text" value="Kingston Row"/>
District	<input type="text"/>
City or town	<input type="text" value="Birmingham"/>
County or administrative area	<input type="text" value="West Midlands"/>
Postcode	<input type="text" value="B1 2NU"/>
Country	<input type="text" value="United Kingdom"/>

**Additional Contact Details**

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

☒ Yes

☐ No

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

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

**Section 3 of 9**

**THE PREMISES**

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

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

\* Does the premises have an address?

☒ Yes

☐ No

**Continued from previous page...**

**Address**

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

☒ Yes

☐ No

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

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

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

☐ Neither

☒ Premises licence

☐ Club premises certificate

\* Premises licence number

**Location Details**

\* Provide further details about the location of the event

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

Whole premises

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

Public House

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

Spanish rock community of Birmingham celebration

Continued from previous page...

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

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

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

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

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

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

**Event Dates**

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

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

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

Event start date 

25	/	11	/	2018
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	/	11	/	2018
dd		mm		yyyy

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

00:00 - 03:00

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

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

300

Note that the maximum number of people cannot exceed 499.

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

**Continued from previous page...**

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

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

**Section 5 of 9**

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

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

N/A

**Section 6 of 9**

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

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

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

26	/	11	/	2006
dd		mm		yyyy

Any further relevant details

None

**Section 7 of 9**

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

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



Continued from previous page...

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

5

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

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

#### Section 8 of 9

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

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

☐ Yes ☒ No

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

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

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

☐ Yes ☒ No

**Continued from previous page...**

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

☐ Yes

☒ No

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

**Section 9 of 9**

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

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

**PAYMENT DETAILS**

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

This formality requires a fixed fee of £21

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

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

\* (I) TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS TEMPORARY EVENT NOTICE AND THAT A PERSON IS LIABLE ON SUMMARY CONVICTION FOR SUCH AN OFFENCE TO A FINE OF ANY AMOUNT; AND

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

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

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

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

## Appendix 2

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**From:** Martin Key on behalf of Pollution Team  
**Sent:** 19 October 2018 15:38  
**To:** Licensing Online; !  
**Cc:**  
**Subject:** RE: ON-LINE TEN - THE FLAPPER

Hi

On behalf of the Pollution Team at Birmingham City Council (a responsible authority) I wish to object to the granting of this TEN application for The Flapper, Kingston Row, Birmingham on 25 November 2018 between 00.00 and 03.00 hrs which was received on 19 October 2018 on the basis of the prevention of public nuisance. The reasons for my objection are that the application is partly for a period already covered by a premises licence (00.00 – 01.00) thus disapplying all licence conditions during this period, there are no proposed controls to address nuisance and the proposed 03.00 finish without the incorporation of adequate operational controls to prevent noise nuisance may impact nearby receptors. However, I would be prepared to remove my objection if all of the existing licence conditions were attached to the TEN.


Best Regards

Martin Key on behalf of Pollution Team  
Environmental Protection Officer

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Environmental Health | Regulation & Enforcement Division

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

 Please consider the environment before printing this email

## BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

444 / 3

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b> Flapper Cambrian Wharf Kingston Row	
<b>Post town:</b> Birmingham	<b>Post Code:</b> B1 2NU
<b>Telephone Number:</b>	

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

N/A

**Licensable activities authorised by the licence**

B	Films
E	Live music
F	Recorded music
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
I	Provision of facilities for making music
J	Provision of facilities for dancing
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

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

Monday – Sunday	12:00	-	18:00	I
Monday - Wednesday	10:00	-	00:00	B ,E ,F ,H ,J ,M3
	23:00	-	01:00	L
Thursday - Sunday	10:00	-	01:00	B ,E ,F ,H ,J ,M3
	23:00	-	02:00	L
Additional hour into the following morning every Monday of each statutory Bank holiday weekend.	10:00	-	01:00	B ,E ,F ,H ,J ,M3
	23:00	-	02:00	L
Additional hour into the following morning every Friday, Saturday Sunday, of each statutory Bank holiday weekend, the Thursday before Good Friday and Christmas Eve.	10:00	-	02:00	B ,E ,F ,H ,J ,M3
	23:00	-	03:00	L
Additional hour into the following morning every Friday, Saturday Sunday and Monday of each statutory Bank holiday weekend, the Thursday before Good Friday and Christmas Eve	12:00	-	19:00	I

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Additional hour into the following morning every Saint David's Day, Saint Patrick's Day, Saint George's Day and Saint Andrew's Day subject to seven days notice to, and agreement with, the Police ( IF ON MONDAY-WEDNESDAY)	10:00	-	01:00	B ,E ,F ,H ,J ,M3
	23:00	-	02:00	L
Additional hour into the following morning every Saint David's Day, Saint Patrick's Day, Saint George's Day and Saint Andrew's Day subject to seven days notice to, and agreement with, the Police ( IF ON THURSDAY TO SUNDAY)	10:00	-	02:00	B ,E ,F ,H ,J ,M3
	23:00	-	03:00	L
Additional hour into the following morning every Saint David's Day, Saint Patrick's Day, Saint George's Day and Saint Andrew's Day subject to seven days notice to, and agreement with, the Police	12:00	-	19:00	I
Private entertainment for gain may be provided throughout the premises without limitation. If the premises remains open for licensable activities after 23:00 on Thursday, Friday or Saturday there will be a ratio of 1:100 + 1 doorstaff to customers from 21:00 hours until the end of licensable activities.				
On occasions of local, national or international significance or charitable events (these in addition to those listed above) , the finish time will be extended by one hour subject to the following conditions:-				
i)	There will be 21 days notice to the Police of an event which is deemed by the Designated Premises Supervisor to be 'high risk' and requiring additional levels of staffing due to the nature of the event.			
ii)	There will be 7 days notice to the Police in respect of any other event.			
iii)	In each case the Police will have a veto and the requests will be limited to a total of 12 in one calendar year.			
New Year's Eve – from end of permitted hours to commencement of permitted hours New Year's Day				

<b>The opening hours of the premises</b>				
Monday - Wednesday	09:00	-	01:00	
Thursday - Sunday	09:00	-	02:00	
For Statutory Bank Holiday Weekend periods (Fri, Sat and Sun) and for the Thursday before Good Friday, the finish time will be extended by 1 hour beyond these times.	09:00	-	03:00	
If Christmas Eve falls on MONDAY-WEDNESDAY the finish time will be extended by 1 hour beyond these times.	09:00	-	02:00	
If Christmas Eve falls on THURSDAY-SUNDAY the finish time will be extended by 1 hour beyond these times.	09:00	-	03:00	
On occasions of local, national or international significance or for charitable events, the finish time will be extended by 1 hour, with 7 days notice and agreement with the police. (IF IT FALLS ON MONDAY-WEDNESDAY)	09:00	-	02:00	
On occasions of local, national or international significance or for charitable events, the finish time will be extended by 1 hour, with 7 days notice and agreement with the police. (IF IT FALLS ON THURSDAY-SUNDAY)	09:00	-	03:00	
On St David's Day, St Patrick's Day, St	09:00	-	02:00	

**BIRMINGHAM CITY COUNCIL**

Georges Day, St Andrews Day the finish time will be extended by one hour with 7 days notice and in agreement with the police (IF IT FALLS ON MONDAY-WEDNESDAY)

On St David's Day, St Patrick's Day, St Georges Day, St Andrews Day the finish time will be extended by one hour with 7 days notice and in agreement with the police (IF IT FALLS ON THURSDAY-SUNDAY) 09:00 - 03:00

Private entertainment for gain may be provided throughout the premises without limitation.

If the premises remains open for licensable activities after 23:00 on Thursday, Friday or Saturday there will be a ratio of 1:100 + 1 doorstaff to customers from 21:00 hours until the end of licensable activities.

On occasions of local, national or international significance or charitable events (these in addition to those listed above), the finish time will be extended by one hour subject to the following conditions:-

- i) There will be 21 days notice to the Police of an event which is deemed by the Designated Premises Supervisor to be 'high risk' and requiring additional levels of staffing due to the nature of the event.
- ii) There will be 7 days notice to the Police in respect of any other event.
- iii) In each case the Police will have a veto and the requests will be limited to a total of 12 in one calendar year.

New Year's Eve – from end of permitted hours to commencement of permitted hours New Year's Day

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

On and Off Supplies

BIRMINGHAM CITY COUNCIL

Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> Deirdre Whyte	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b>	
<b>Email</b>	

<b>Registered number of holder for example company number or charity number (where applicable)</b> N/A
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<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Ian Whyte	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b> N/A	

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

Dated 04/03/2009

N Stansbie

Nicola Stansbie  
Senior Licensing Officer  
For Director of Regulatory Services

## **BIRMINGHAM CITY COUNCIL**

### **Annex 1 – Mandatory Conditions**

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

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

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.

#### **Embedded Restrictions**

The times the licence authorises the sale of alcohol do not prohibit: (a) during the first twenty minutes after the said times, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; (b) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises; (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (d) the sale of alcohol to a trader or club for the purposes of the trade or club; (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; (f) the taking of alcohol from the premises by a person residing there; or (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Where the number of children attending the entertainment exceeds 100 the licensee shall ensure the provisions of Section 12 of The Children and Young Persons Act 1933 are complied with.

This licence is granted subject to compliance with the conditions attached to the Film Exhibition Licence, previously issued in respect of these premises, as detailed in document reference number: FILM4.1 (copies of which are available upon request from the Licensing Section)

This licence is granted subject to compliance with the conditions attached to the Public Entertainment Licence, previously issued in respect of these premises, as detailed in document reference number: PEL4.7 (copies of which are available upon request from the Licensing Section)



## **BIRMINGHAM CITY COUNCIL**

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

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

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

The provision of recorded music and late night refreshment to take place indoors only.

The exhibition of films is limited to the use of a video jukebox and occasional karaoke only.

The Licensee will ensure that the premises respect Spirit Group's Approach to Responsible Drinking.

When appropriate, non-alcoholic refreshment will be available.

The licence holder shall ensure that Birmingham City Councils Licensing Act 2003 Statement of Licensing policy is adhered to.

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

When door supervisors are engaged they will be SIA approved.

A zero-tolerance policy towards illegal drugs will be enforced at all times.

All instances of crime and disorder will be reported to the police and will be recorded in an incident log book.

If a disc jockey is used on any night then he/she will ask customers to leave quietly.

In the absence of a disc jockey, staff to ask customers to leave the premises quietly.

A CCTV system is installed and notices to the public, about this, are displayed.

SIA approved door supervisors to be used every Friday and Saturday, and for any events thought necessary.

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

Free drinking water will be available at all times.

The licensee will ensure that all management and staff are trained to the standards required by the relevant Health and Safety legislation.

The licence holder shall ensure that management and staff are fully briefed and trained in accordance with the premises Health and Safety policy.

The licence holder shall ensure that there is increased monitoring by personal licence holders and staff at 14+ gigs.

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

Additional patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.

Notices will be displayed asking customers to respect our neighbours when leaving the premises.

Soft drinks and non-alcoholic refreshment will be available during any period for which the premises remain open after the cessation of the supply of alcohol.

The licence holder shall ensure that the public are not allowed to remove glasses or bottles from the

**BIRMINGHAM CITY COUNCIL**

premises, there are signs stating this as well as staff and SIA monitoring.

Whenever there is live entertainment or band practice in any of the rooms, the external doors and windows leading to room/s where any of these activities are taking place shall be fixed closed, except for access and egress.

A Noise monitor will be in operation to check noise levels internally and externally.

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

When persons under the age of 16 are permitted on the premises, any entertainment offered within the premises will be suitable for young persons.

A no-smoking area will be provided.

Soft drinks and non-alcoholic drinks will be available.

A recognised Proof of Age policy is in force on the premises.

Persons under the age of 18 will not be permitted to play on the licensed A.W.P. machines.

Children under the age of 16 will be supervised by an accompanying adult at all times.

The licence holder shall ensure that a "Challenge 21 Policy" is fully briefed, trained and fully operational within these premises with licence holders, staff and SIA Door Supervisors.

Children will not be allowed access to AWP's or cigarette machines.

All drinks will be decanted into polycarbonate.

All under-age persons will wear a neon green wristband to identify they are under the age of 18.

All persons for the 14+ gigs will be checked for age identification at the premises entrance by a personal licence holder and will then be directed into the concert room.

A personal licence holder will be present throughout the duration of any 14+ gigs.

All female/male toilets are located on the ground floor level.

Persons under the age of 18 will leave the premises by 23:30hrs.

Bags will be searched before entrance to the concert room.

All teachers will have undertaken an enhanced CRB check.

**BIRMINGHAM CITY COUNCIL**

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

**3a) General committee conditions**

N/A

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

N/A

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

N/A

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

N/A

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

N/A

**Conditions attached after appeal to Birmingham Magistrates Court**

If the premises remains open for licensable activities after 23:00 on Thursday, Friday or Saturday there will be a ratio of 1:100 + 1 doorstaff to customers from 21:00 hours until the end of licensable activities.

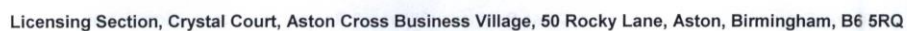
The Licence Holder will install C.C.T.V. to the satisfaction of West Midlands Police before using the extended hours granted by way of variation under the Licensing Act 2003.

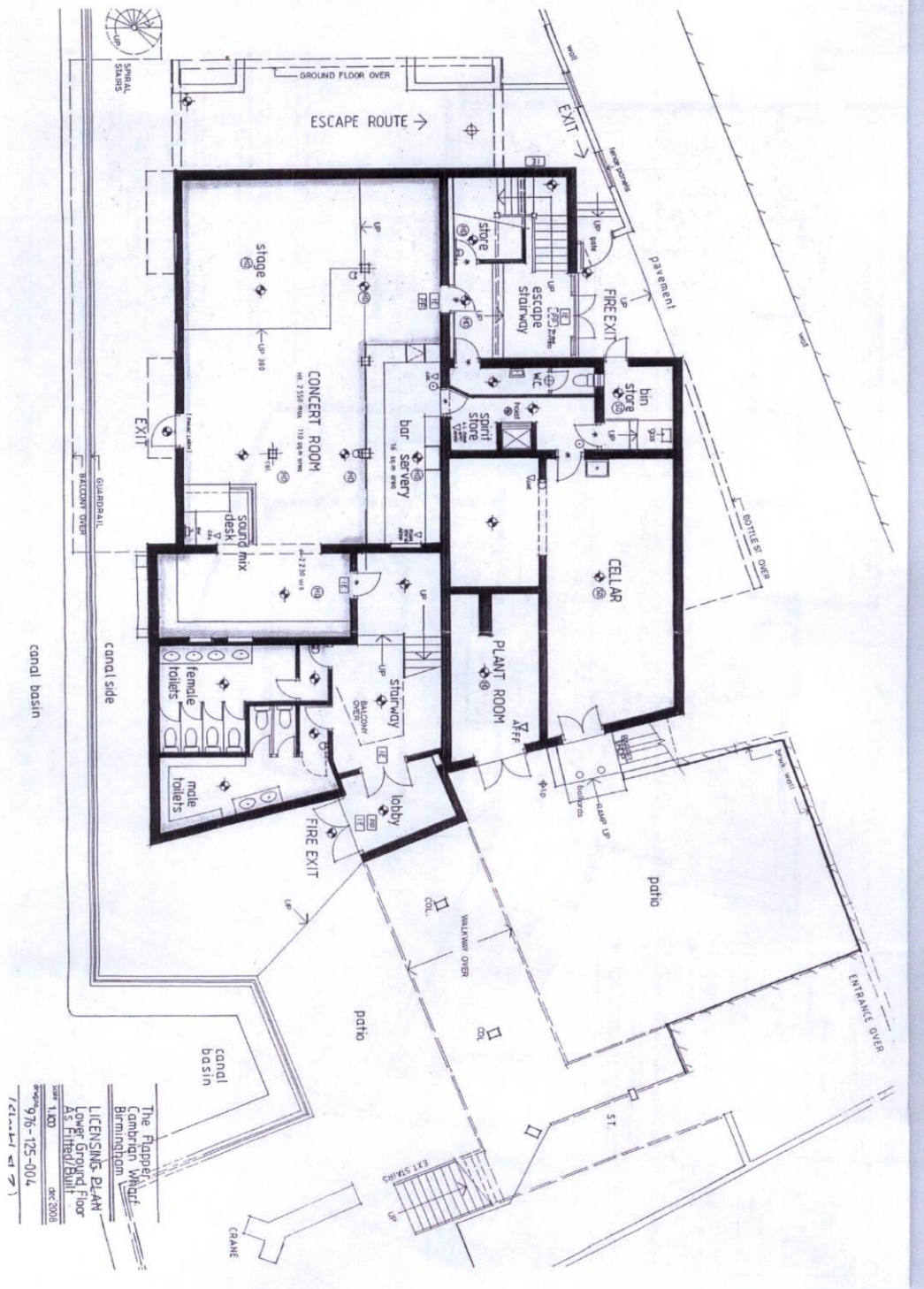
A written drugs policy will be disclosed to the Police.

Signage will be displayed on the premises requesting customers to leave the premises quietly.

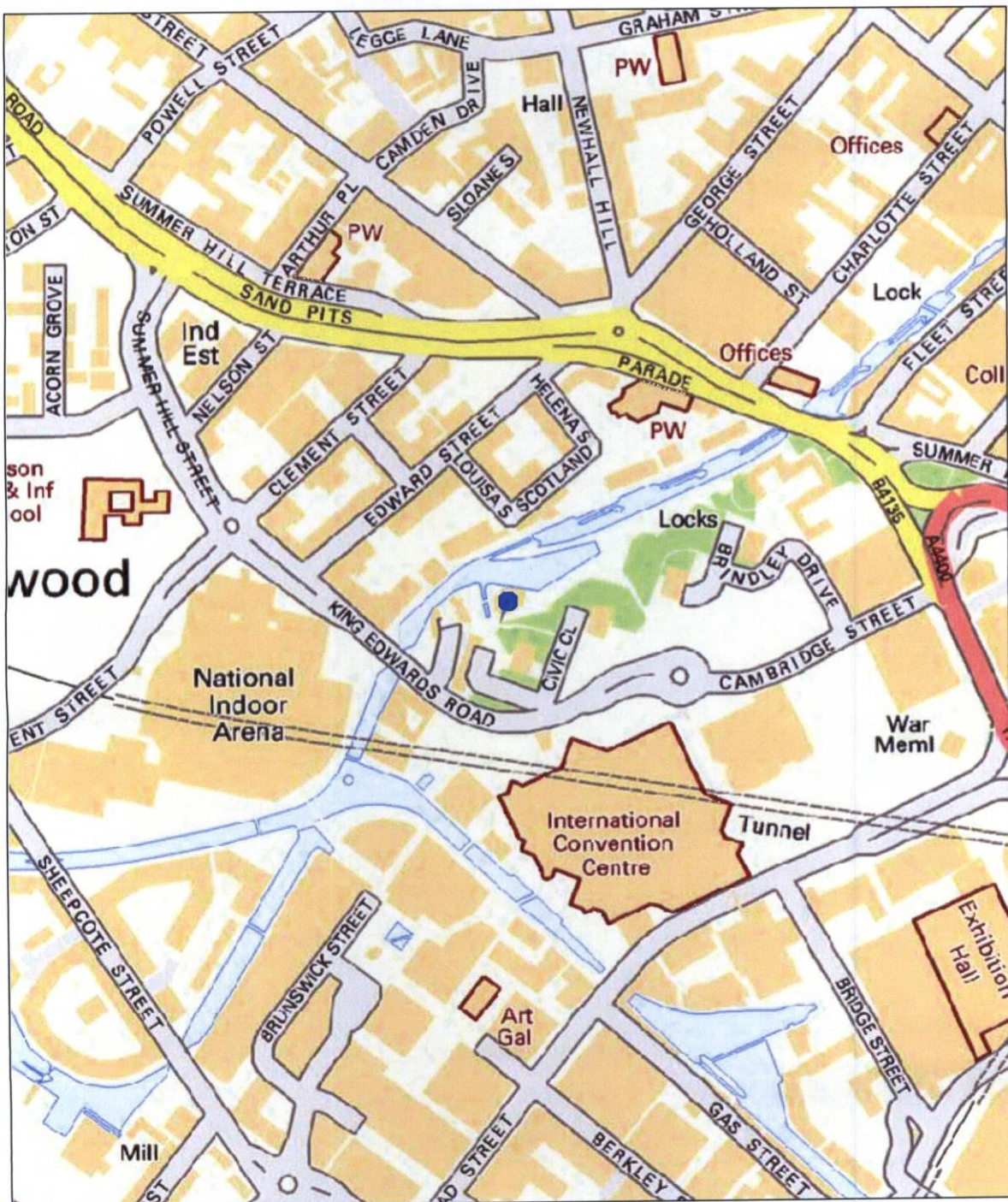
Signage will be displayed on the boundary of the premises stating "No glasses or bottles to be taken beyond this point"

Regular checks of the beer garden will be undertaken and any incidents will be recorded in an incident book kept at the premises.









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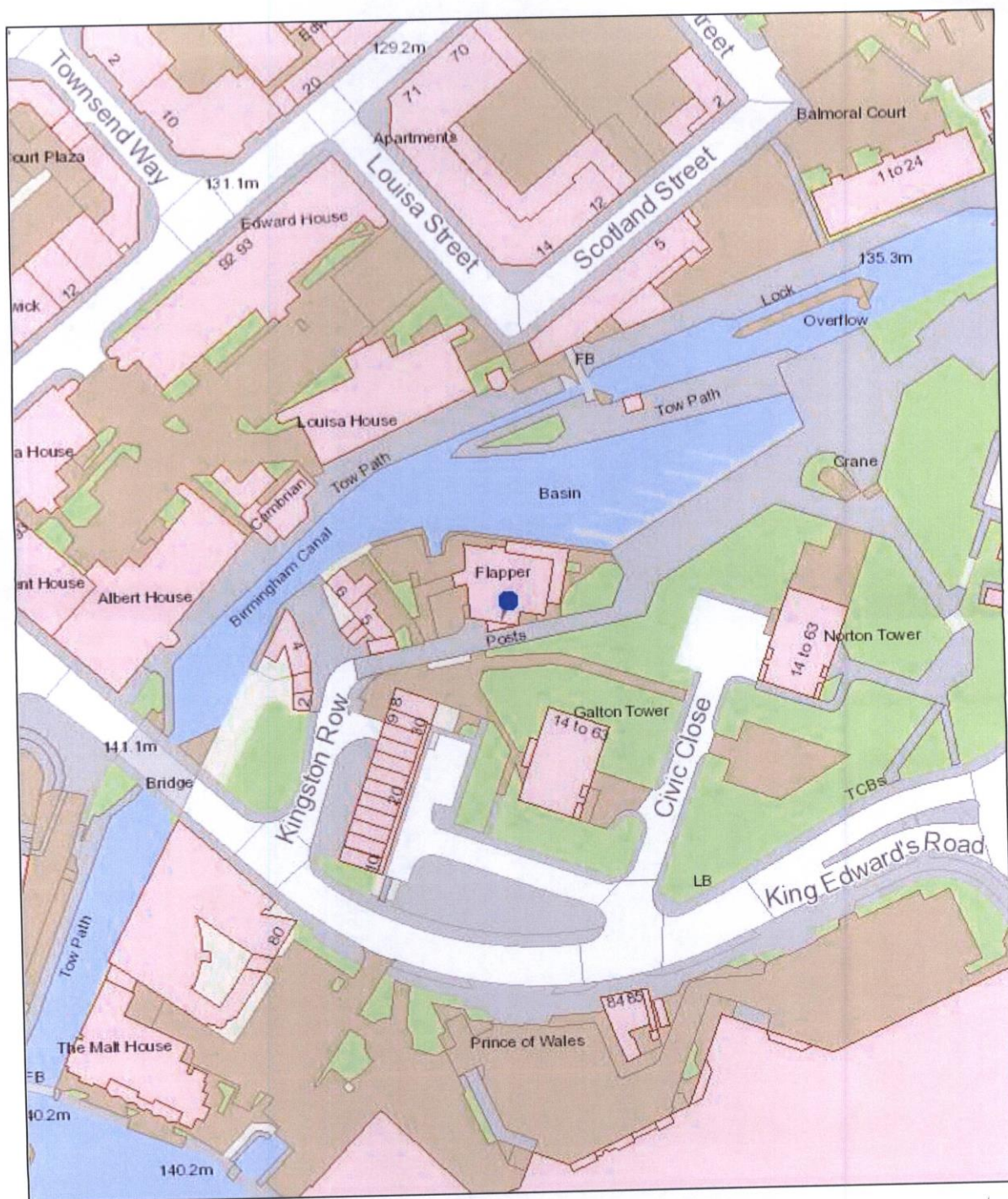
Notes



Scale:  
1:4,000

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N

Scale:  
1:1,250