## **PUBLIC REPORT**

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation &
-	Enforcement
Date of Meeting:	Tuesday 20 <sup>th</sup> November 2018
Subject:	Licensing Act 2003
	<b>Temporary Event Notice</b>
Premises:	O'Neills, Broad Street, Birmingham City Centre,
	Birmingham, B1 2HG
Ward affected:	Ladywood
Contact Officer:	<b>Bhapinder Nandhra, Senior Licensing Officer</b>
	0121 303 9896 <u>licensing@birmingham.gov.uk</u>

# 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), the provision of regulated entertainment and the provision of late night refreshment on Sunday  $2^{nd}$  December 2018, to operate from 02.00am until 06.00am.

## 2. Recommendation:

To consider the objection notice made by West Midlands Police.

# 3. Brief Summary of Report:

A Temporary Event Notice was received on 12<sup>th</sup> November 2018 in respect of O'Neills, Broad Street, Birmingham City Centre, Birmingham, B1 2HG.

An objection notice has been received from West Midlands Police.

## 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.

# 5. Relevant background/chronology of key events:

Stefan Reidy submitted on 12<sup>th</sup> November 2018 a Temporary Event Notice in respect of O'Neills, Broad Street, Birmingham City Centre, Birmingham, B1 2HG.

The Temporary Event Notice is attached, see Appendix 1.

An objection notice has been received from West Midlands Police, see Appendix 2.

The current premises licence is attached at Appendix 3.

Site location plans are attached, see Appendix 4.

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.

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.

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.

When giving a TEN, consideration should be given to the following four licensing objectives:

- 1. The prevention of crime and disorder
- 2. public safety
- 3. The prevention of public nuisance; and
- 4. The protection of children from harm

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.

## 6. List of background documents:

Temporary Event Notice, attached at Appendix 1.

Objection Notice from West Midlands Police, attached at Appendix 2.

Premises Licence, attached at Appendix 3.

Site location plans, Appendix 4.

# 7. Options available

Allow the proposed temporary licensable activities as stated in the TEN Impose conditions on a TEN to promote the licensing objectives Refuse the proposed temporary licensable activities as stated in the TEN



Birmingham	For help contact
Temporary Event Notice	<u>licensingonline@birmingham.gov.uk</u>
Licensing Act 2003	Telephone: 0121 303 9896

Section 1 of 9		
You can save the form at ar	ny time and resume it later. You do not ne	eed to be logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on	behalf of the applicant?	Put "no" if you are applying on your own  behalf or on behalf of a business you own or
C Yes ©	No	Work for. BCC REGULATION & ENFORCEMENT LICENSING SECTION
Applicant Details		DATE RECEIVED
* First name	Stefan	1 2 NOV 2018
* Family name	Reidy	
* E-mail	I ·	REE NO
Main telephone number	***************************************	Include country code:
		include country code.
Other telephone number	·	
Indicate here if you w	ould prefer not to be contacted by teleph	hone
Are you:		
Applying as a busines	s or organisation, including as a sole trade	ler A sole trader is a business owned by one person without any special legal structure.
C Applying as an individ	dual	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 i the UK with Companies House?	n <b>©</b> Yes C No	Note: completing the Applicant Business section is optional in this form.
Registration number	01001181	
Business name	Mitchell & Butlers PLC	If your business is registered, use its registered name.
VAT number GB	232153895	Put "none" if you are not registered for VAT.
Legal status	Public Limited Company	

<sup>©</sup> Queen's Printer and Controller of HMSO 2009

Continued from previous page		
Your position in the business	General Manager	]
Home country	United Kingdom	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	27	
Street	Fleet Street	]
District	Birmingham city centre	]
City or town	Birmingham	]
County or administrative area	West Midlands	]
Postcode	B3 1JP	
Country	United Kingdom	]
Section 2 of 9		
APPLICATION DETAILS (See a	also guidance on completing the form, gene	ral notes and note 1)
Have you had any previous or I	maiden names?	
	No	
* Your date of birth	dd mm yyyy	Applicant must be 18 years of age or older
National Insurance number	Name of the state	This box need not be completed if you are an individual not liable to pay UK national insurance.
Place of birth		]
Correspondence Address		
•	imilar to) the address given in section one?	If "Yes" is selected you can re-use the details
C Yes	No	from section one, or amend them as required. Select "No" to enter a completely new set of details.
Building number or name	O'Neills	]
Street	Broad Street	
District	Birmingham city centre	]
City or town	Birmingham	]
County or administrative area	West Midlands	
Postcode		
	B1 2HG	

<sup>©</sup> Queen's Printer and Controller of HMSO 2009

Continued from previous page		
Additional Contact Details		
Are the contact details the san	ne as (or similar to) those given in section one?	from section one, or amend them as
• Yes	C No	required. Select "No" to enter a completely new set of details.
E-mail		]
Telephone number		
Other telephone number		
Section 3 of 9		
THE PREMISES		
activity at the premises describ		
	ses where you intend to carry on the licensable a Inance Survey references). <u>(See also guidance c</u>	
* Does the premises have an a	ddress?	
Yes	C No	
Address		
is the address the same as (or	similar to) the address given in section one?	If "Yes" is selected you can re-use the details
C Yes	<b>⑥</b> No	from section one, or amend them as required. Select "No" to enter a completely new set of details.
* Building number or name	O'Neills	] .
* Street	Broad Street	
District	Birmingham city centre	
* City or town	Birmingham	
County or administrative area	West Midlands	
* Postcode	B1 2HG	
* Country	United Kingdom	
* Does a premises licence or cl to the premises (or any part of	lub premises certificate have effect in relation the premises)?	
C Neither © Premise	es licence C Club premises certificate	
* Premises licence number	2500/7	
Location Details		
* Provide further details about	the location of the event	
within existing venue, no char	nges or additional bar areas	

<sup>©</sup> Queen's Printer and Controller of HMSO 2009

·				
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)				
**	•	e		
Describe the nature of the	he premises below <u>(see also guidance on co</u>	ompleting the form, note 4)		
within existing venue, n	o changes or additional bar areas			
Describe the nature of the	ne event below (see also guidance on comp	oleting the form, note 5)		
Deontay Wilder/Tyson F	Fury fight in Las Vegas, we want to show thi	s fight & would like to serve alcohol until the fight ends		
	,,			
Section 4 of 9				
LICENSABLE ACTIVITIES	5			
	vities that you intend to carry on at the prer	nises		
(see also guidance on co	ompleting the form, note 6):			
	f alcohol			
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club				
	gulated entertainment	(See also guidance on completing the form,		
		<u>note 7).</u>		
	te night refreshment			
☐ The giving of a late	temporary event notice	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		note of		
There must be a period of when you will be using t	of at least 10 working days between the dat hese premises for licensable activities.	e you submit this form and the date of the earliest event		
State the dates on which	Nous intend to use these many in a few lines.	and the constitution		
	you intend to use these premises for licens	sable activities		
	mpleting the form, note 9)			
Event start date	02 / 12 / 2018	The maximum period for using premises for		
	dd mm yyyy	licensable activities under the authority of a temporary event notice is 168 hours or seven days.		
Event end date				
rvent enu udle	02			

© Queen's Printer and Controller of HMSO 2009

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)   02	2:00-06:00 (Sat 1st Dec night into Sunday	
(see also guidance on 2r	nd Dec morning)	
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		Note that the maximum number of people
during the times when you intend to carry on licensable	30	cannot exceed 499.
activities, including any staff,		
organisers or performers		
(see also guidance on		
completing the form, note 11)		
supplies will be for consumption of	ude the supply of alcohol, state whether the	
(see also guidance on completing		
On the premises only		
C Off the premises only		
C Both		
Section 5 of 9		
	See also guidance on completing the forn	n, note 13)
RELEVANT ENTERTAINMENT (	ll include the provision of relevant entertain	
RELEVANT ENTERTAINMENT ( State if the licensable activities wi	ll include the provision of relevant entertain	
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide	ll include the provision of relevant entertain	
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide	ll include the provision of relevant entertain	
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide	ll include the provision of relevant entertain	
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide n/a  Section 6 of 9	Il include the provision of relevant entertain de relevant entertainment	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide n/a  Section 6 of 9	ll include the provision of relevant entertain	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide n/a  Section 6 of 9	Il include the provision of relevant entertain de relevant entertainment	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid (	Il include the provision of relevant entertain de relevant entertainment See also guidance on completing the form	ment. If so, state the times during the event
State if the licensable activities will period that you propose to provid n/a  Section 6 of 9  PERSONAL LICENCE HOLDERS (	Il include the provision of relevant entertain de relevant entertainment	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid (	Il include the provision of relevant entertain de relevant entertainment See also guidance on completing the form	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid (	See also guidance on completing the form  Yes C No	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid personal licence?  Provide the details of your person	See also guidance on completing the form  Yes C No	ment. If so, state the times during the event
State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid personal licence?  Provide the details of your person Issuing licensing authority  Bit	See also guidance on completing the form  Yes C No	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT  State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS (  Do you currently hold a valid personal licence?  Provide the details of your person Issuing licensing authority  Licence number  56	Il include the provision of relevant entertained relevant entertainment  (See also guidance on completing the form  Yes C No  Ital licence below.  Irmingham City Council	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT  State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS (  Do you currently hold a valid personal licence?  Provide the details of your person Issuing licensing authority  Licence number  56	See also guidance on completing the form  Yes C No  al licence below.  rmingham City Council  587/3	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT  State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS (  Do you currently hold a valid personal licence?  Provide the details of your person Issuing licensing authority  Licence number 56  Date of issue 2	See also guidance on completing the form  Yes C No  al licence below.  rmingham City Council  587/3	ment. If so, state the times during the event
RELEVANT ENTERTAINMENT ( State if the licensable activities will period that you propose to provide In/a  Section 6 of 9  PERSONAL LICENCE HOLDERS ( Do you currently hold a valid personal licence?  Provide the details of your person Issuing licensing authority   Bit Licence number   56 Date of issue   2	See also guidance on completing the form  Yes C No  al licence below.  rmingham City Council  587/3	ment. If so, state the times during the event

<sup>©</sup> Queen's Printer and Controller of HMSO 2009

Continued from previous page						
Section 7 of 9						
PREVIOUS TEMPORARY EVEN	IT N	OTICES (	See also guid	ance on complet	ting 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	C	No		
State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3					
Have you already given a temporary event notice for the same premises in which the event period:  a) Ends 24 hours or less before; or b) Begins 24 hours or less after the event period proposed in this notice?	С	Yes	<b>©</b>	No		
Section 8 of 9						······································
ASSOCIATES AND BUSINESS	COL	LEAGUES	(See also gu	idance on comp	leting 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?	C	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 b) Begins 24 hours or less after the event period proposed in this notice?	С	Yes	િ	No		

<sup>@</sup> Queen's Printer and Controller of HMSO 2009

Continued from previous page	•		
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?		<b>⊚</b> 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 b) Begins 24 hours or less after the event period proposed in this notice?	C Yes	<b>€</b> No	
Section 9 of 9			
CONDITION (See also guidar	nce on completing the f	orm, note 18)	
			able activities described in Sections 4 and 5 der the authority of the premises user.
PAYMENT DETAILS	3		
This fee must be paid to the au		the application online	e, you must pay it by debit or credit card.
DECLARATION (See also guio		e form, note 19)	
			MY KNOWLEDGE AND BELIEF. I UNDERSTAND
* (I) TO KNOWINGLY OR RECKL			TION WITH THIS TEMPORARY EVENT NOTICE DEFENCE TO A FINE OF ANY AMOUNT; AND
(II) TO PERMIT AN UNAUTHOI	RISED LICENSABLE ACTIVI CTION FOR ANY SUCH OF	ITY TO BE CARRIED OF	N AT ANY PLACE AND THAT A PERSON IS ANY AMOUNT, OR TO IMPRISONMENT FOR A
☐ Ticking this box indicat	es you have read and und	derstood the above d	eclaration
This section should be comple behalf of the applicant?"	ted by the applicant, unle	ess you answered "Yes	s" to the question "Are you an agent acting on
* Full name	Stefan Reidy		
* Capacity	380		]
* Date	18 / 07 / 2018		
	dd mm yyyy		
	Add another	r signatory	7

© Queen's Printer and Controller of HMSO 2009

From: bw licensing energy to the state of th

**Sent:** 15 November 2018 15:16

**To:** Licensing Online; bw licensing; Pollution Team

Cc:

Subject: RE: 2 X TENS - O'Neills Broad Street

#### Dear Licensing,

In relation the Ten application 712213 (for an event on 2<sup>nd</sup> Dec). This application is to show the boxing match and for an extension until 7am. West Midlands Police have requested a detailed risk assessment for this as the potential for an increase in crime and disorder and public safety increases with such an event through the late hours.

This request has only been sent today but as we are limited to 3 working days to respond, West Midlands Police are having to object to this application on the above grounds. If a satisfactory risk assessment is submitted to us before any potential hearing date West Midlands Police will reconsider its objection.

Please accept this email as the objection the above Ten (the other ten 712215 is not being objected to)

#### regards

#### **Abs Rohomon**

PC 4075 Rohomon BW Licensing Police headquarters Lloyd House Colmore Circus Birmingham B4 6NQ

## Follow us on Twitter - @brumcopslicensing

#### **West Midlands Police**

Website: <a href="https://www.west-midlands.police.uk">www.west-midlands.police.uk</a> <a href="https://www.twitter.com/brumpolice">www.twitter.com/brumpolice</a>

Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

## **LICENSING ACT 2003**

# PREMISES LICENCE

Premises Licence Number:		2500 / 7		
Part 1 - Premis	es details:			
		nance survey map reference or description	· · · · · · · · · · · · · · · · · · ·	
O'Neill Broad	-			
Post town:		Post Code:		
Birming	gham	B1 2HG		
Telephone Nu	mber:			
Where the lice	nce is time limited the dates	State 1		
N/A				
Licensable ac	tivities authorised by the lice	nce		
В	Films			
ç	Indoor sporting events			
E F	Live music Recorded music			
г G	Performances of dance			
ı	Late night refreshment			
M3	Sale of alcohol by retail (bo	oth on & off the premises)		
	and an and the state (by			

Monday - Saturday	00:00	_	23:59	F
, ,	10:00	_	02:00	B ,C ,E ,G, M3
	23:00	_	02:00	L , , , , , , , , , , , , , , , , , , ,
Sunday	00:00	_	23:59	F
<b>-</b>	10:00	_	00:30	B ,C ,E ,G, M3
	23:00	_	00:30	L
On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day. On the commencement of British Summer Time a further additional hour to the permitted times.  A further additional 2 hours into the morning every St Patrick's Day, Halloween, Christmas Eve, Boxing Day, 27th,28th and 30th December and every Sunday prior to each May Bank Holiday, Spring/Whitsun bank Holiday and August Bank Holiday.				

Page 1 of 10

A further additional hour into the morning every New Years Day, St David's Day, Easter Sunday and Easter Monday and every May Bank Holiday, Spring/Whitsun Bank Holiday and August Bank Holiday. In the event of a transmission of any recognised international sporting event which falls outside the current permitted hours on the premises licence to permit the activity commencing 1 hour before the start of the event and ending 1 hour after the event has ended Details of the activity to be notified to the police 21 days beforehand. The event will not proceed if the police serve, 7 days prior to the event, written notification upon the designated premises supervisor. The event will not proceed after the 7 day period if the police have intelligence that disorder is likely to occur and they notify the designated premises supervisor.

## The opening hours of the premises

 Monday - Saturday
 07:00
 02:30

 Sunday
 07:00
 01:00

 N B Opening hours may be extended to

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

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

On and Off Supplies

Page 2 of 10

## Part 2

Name, (registered) address, telephone number a licence	nd email (where relevant) of holder of premises	
Mitchells and Butlers Leisure Retail Limited 27 Fleet Street		
Post town:	Post Code:	
Birmingham	B3 1JP	
Telephone Number:		
Email		
Registered number of holder for example compa	ny number or charity number (where applicable)	
01001181		
authorises for the supply of alcohol	premises supervisor where the premises licence	
Stefan James Reidy		
Post town:	Post Code:	
Telephone Number:		
N/A		
Personal licence number and issuing authority o supervisor where the premises licence authorise		
Licence Number	Issuing Authority	
5687 BIRMINGHAM CITY COUNCIL		

Dated 18/04/2016



David Kennedy Senior Licensing Officer For Director of Regulation and Enforcement

Page 3 of 10

#### Annex 1 - Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises— (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either— (a) a holographic mark, or (b) an ultraviolet feature.

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Page 4 of 10

- (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) In this condition:— (a) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where 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.

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

#### Annex 2 - Conditions consistent with operating schedule

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

Regulated entertainment is permitted to take place inside the premises only.

The Licence Holder will ensure that staff are trained in the standards required by the relevant legislation and as required by company policy.

The voluntary closure policy for the operation of these premises is 30 minutes after the approved closure time for the supply of alcohol.

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

The Licence Holder monitors the need for door supervisors and in doing so takes into account any advice given by the police.

The pub manager is required to actively participate in and support the Local Pub Watch Scheme (where active).

The Licence Holder will ensure that text and/or radio pagers, where already used will continue to be used on the premises during the hours of operation.

Existing CCTV system will continue to operate during the hours of operation.

The Licence Holder will ensure that there will be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

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

Maximum occupancy levels:

Limited to 550 persons on the ground floor

Limited to 324 persons on the first floor

The Licence Holder will extend existing policies to cover the increase in hours of operation.

The Licence Holder will ensure internal health and safety due diligence and incident reporting system will continue to operate during the additional times.

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

The Licence Holder must where necessary implement reasonable steps to recognise the rights of local residents and encourage customers to leave the premises quietly.

The manager is required to liaise with local neighbours as part of their duties and resolve any reasonable concerns.

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

The Licence Holder will promote the protection of children from harm through a commitment to health and safety in the operation and maintenance of the premises.

Page 6 of 10

The Licence Holder will promote the protection of children from harm through an approach to managing the risk of under-age drinking.

No adult entertainment is permitted at the premises.

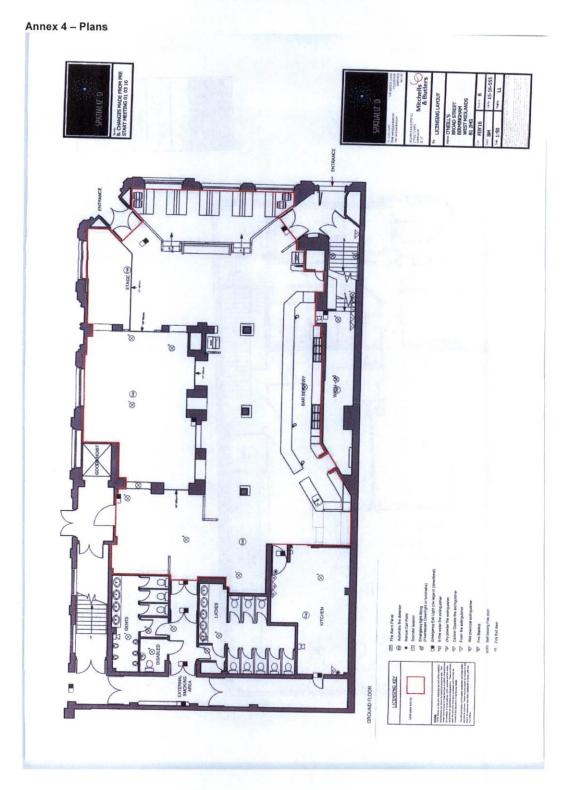
Staff are not allowed to be in sole supervision of children.

Page 7 of 10

# 3a) General committee conditions N/A

Annex 3 - Conditions attached after hearing by licensing authority

- **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
- 3e) Committee conditions to promote the protection of children from harm N/A



Page 9 of 10

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

