
From: Rob Edge.
Sent: 04 July 2018 12:23
To: Licensing
Cc:
Subject: For Subcommittee Members 09.07.2018 - Avery Fields Sports & Events
Attachments: Invitation. Mediation meeting_Residents_19 June 2018.pdf; __Offer of mediation and site visit to all_19.06.2018_LLL.pdf; MEDIATION TO THE OBJECTIONS MADE TO THE APPLICATION - AVERY FIELDS SPORTS & EVENTS .pdf

For the attention Subcommittee Members.

I Can confirm I wish these documents to be included as supporting documents for subcommittee (including this covering email) . I have copied all parties into this email. We are still negotiating conditions with residents, I will ensure we copy all into the final outcome.

In order to allay the concerns of those who had objected to the application and in order to try and negate the need for a subcommittee hearing, I have met with:

- {1} Police Licensing {2} West Midlands Fire Service {3} Environmental Protection on Wednesday 27/06/18 on site at Sandon Road
- Residents on Thursday 28/06/18 at , Poplar Road

As a result of these meeting and after consulting the applicants, I now attach a table of the conditions sought by those who have objected and an indication of which were agreed, in order to assist members of the subcommittee.

The documentation for risk assessments and health & Safety are to follow.

Kind regards

Rob

**Rob Edge
Licence Leader Ltd
Alcohol Premises Licensing Services**

Licence-Leader Ltd
Alcohol Premises Licensing Services

Rob Edge
www.licence-leader.co.uk

AFSE/LLL-RVE

19, June 2018

Licensing Act 2003 – Application for a Premises Licence
Re: Avery Fields Sports and Events Ltd

I acknowledge receipt of your correspondence in respect of the above Premises, regarding your representations to the application for a Premises Licence.

I would like to offer the opportunity to meet with you to discuss the application and to allay any fears you may have; this could be either in person or by telephone.

The 'Operating Schedule' of the premises licence will be very robust, with sufficient conditions in place to ensure that we cause little or no public nuisance or noise to neighbouring residents in the area. As an example, one of the conditions will be that "whenever recorded music is being played, all doors and windows will remain closed, including the balcony".

Additionally, it is highly unlikely that the club will not use all of the hours requested for licensable activities, these will be used on an odd occasion for special events, and more often than not local residents will be invited to attend certain events at the club.

The purpose of the meeting will be to seek to mediate on the issues raised by you in your representations, and attempt to find a middle ground for you and for the club, in order that we work harmoniously together for what will be a great asset to the local community.

If you would like to discuss this in more detail, please don't hesitate to contact me by either telephone or email, in order that we find a way forward.

Yours sincerely

Rob Edge
Director
Licence Leader Ltd

Good morning All,

19.06.2018

Sent to

Licensing

Abdool Rohomon

Paul R Samms

Dawn Erkek

CC Shaïd Yasser

BW Police Licensing

Environment Health

West Midlands Fire Service

Senior Licensing Officer

Avery Fields Sports & Events Ltd

I have now had the opportunity to go through your objections with my client in much more detail and feel that there are many areas we can agree on, and some that may just need the conditions re-wording to make them more pragmatic and enforceable.

I can at this point say, that adjusting the 'red line' to remove toilet area from licensable activities was an oversight on my part and this will be amended accordingly.

Additionally, I have worked in the past with Birmingham SAG Chair and West Midlands Police in relation to SAG Meetings, as an Ex Chair myself of a Local Authority SAG for some years I would agree that 'events' of over 500+ could go through the SAG initially, but don't believe that 'all' events should. *Examples of those that should not need to be before a SAG could be: [1] small children's fete/sports competitions, [2] business conferences [3] children's 7 a side competitions.* This is after all a 'community facility', where many of those living nearby will wish to attend and participate in events held on site.

We would now like to organise a meeting with [a] West Midlands Police Licensing [b] Paul Samms Environmental Health/Protection [c] Fire Safety and my client in order to discuss these conditions in more detail, with the aim of negating the need for a subcommittee hearing.

If you would kindly let me know your availability, I will set about organising the meeting and venue – unless you would like to meet at one of your offices. I also believe it to be worthwhile to arrange a 'site visit', in order that you better understand the layout of the site in relation to resident's properties and the clubhouse.

Kind regards

Rob

Rob Edge

Licence Leader Ltd

Representations made against the Premises Licence Application for:
Avery Fields Sports & Events Ltd

Representations were made by: West Midlands Police Licensing. Environmental Protection. Other Persons

In order to mitigate concerns of those who have objected we have met with them and discussed the following possibilities:

Those offered by Residents.

1. "Off sales" in the outside area be restricted to daylight hours/activities between the hours of 1200-1700 hrs, for events such as Farmers markets etc.
2. All licensable activities to cease in the outside area at 2130 hrs {which would coincide with the timings for the floodlights to be switched off – as per planning condition)
 Inside activities Sun-Thu end at 2300 hrs - A 45-minute time lapse to close and vacate the premises
 Inside activities Fri – Sat end at 0000 hrs - A 45-minute time lapse to close and vacate the premises
3. That any tannoy/PA System is not used after 2130 hrs

Police Licensing	Applicants Comments	Environmental Protection	Applicants Comments
Licensable activity for the outside area for Fri/Sat/Sun to be reduced until 2230 hours		Licensable activity reduced to 2230 hours 7 days a week	
Police, Licensing and Environmental Protection unit are to be notified 28 days in advance in writing by email (address as per statement of licensing policy) of all events for the outside playing area.	AGREED. But we do need clarification on 'All' events, we believe this should be social or commercial events with over 500 persons attending, which matches the guidelines of Birmingham City Council SAG, and this should exclude minis and juniors rugby matches/training sessions and tournaments.	West Midlands Police Birmingham Central Licensing department and Birmingham City Council environmental protection unit are notified 28 days in advance in writing by email (address as per statement of licensing policy) of all events for the outside playing area.	AGREED. For all events over 500 persons attending, which matches the guidelines of Birmingham City Council SAG, and this should exclude minis and juniors rugby matches/training sessions and tournaments

The premise licence holder will organise a Safety Advisory Group (SAG) meeting for all events in the outside area, the SAG to be held as a minimum 28 days before the event. A SAG invitee will be all members of the responsible authorities, highways, and any other body/representative likely to have involvement with the event	A SAG could be organised by the applicant for events with attendance estimated at over 500 people in the outside area.	Customers who require a taxi from the site are advised, by staff to use taxi companies specified by the licensee. The Licensee shall ensure that a written agreement is made with reputable taxi companies to ensure that when taxi's pick up and drop off customers from the licensed premises noise from these vehicles does not cause a nuisance to local residents.	AGREED
Toilets area – remove any licensable activity	AGREED	The DPS shall be responsible for ensuring that patrons wishing to utilise the external areas to smoke do so quietly and that noise from patrons moving to and from the smoking shelter is kept to a minimum.	AGREED
Reduce licensable activity until 2230 hours 7 days a week		The DPS shall be responsible for ensuring that the smoking area does not create a nuisance to neighbours at premises and if necessary restrict the number of people utilising the smoking areas at any one time.	AGREED
CCTV – please show where the cameras will be located on the plans	AGREED. These will be marked on the plans and issued to West Midlands Police Licensing	No licensable activity to take place in the external area Monday to Thursday.	This conflicts with the wishes of the residents that have objected All licensable activities to cease in the outside area at 2130 hrs (which would coincide with the timings for the floodlights to be switched off – as per planning condition)

Where doorstaff are used, the premises will retain profiles of the doorstaff, to be proof of identity (SIA badge, passport or driving licence) and proof of address (dated in the last 3 months). Proof of address is not required if proof of identity is a photo driving licence	AGREED		Events in the external areas shall be restricted to 6 per year.	If we have to accept a numerical limit, then we would wish to exclude from it "Rugby Festivals and limit any restriction to non-rugby related commercial activities involving the use of a large hired marquee"
When the indoor club is hired for a private function the premise licence holder/dps is to complete a written risk assessment, detailing as a minimum, hirer, detail and description of event, artists/dj details, security provisions, search policy, dispersal policy, vulnerability and welfare policy, where it is being advertised, capacity as per the fire risk assessment (to be included)			All licensable activity for the outside area on a Friday, Saturday and Sunday shall cease at 22.30 hours. All patrons are to be cleared from the external area by 22:30 hours.	AGREED
			The premise licence holder will organise a Safety Advisory group (SAG) meeting for all events in the outside area, the SAG to be held as a minimum 28 days before the event.	A SAG could be organised by the applicant for events with attendance estimated at over 500 people in the outside area
			The Balcony and its doors are to remain closed during regulated entertainment.	AGREED

		The premise licence holder will ensure that all external windows and doors (other than for necessary access/egress) remain closed during licensable activities at the premises.	AGREED
		The applicant will supply a written noise risk assessment and noise management plan that has been approved by Birmingham City Council Environmental Health Department, prior to any regulated entertainment in the external areas.	These are normally a requirement of the Safety Advisory Group and would be complied with at their request, although we are using a consultant to draw up our document files for such events
		All operational controls and management required of the approved noise management plan shall be instigated at all times. If a noise risk assessment identifies a specific event or operation as a concern then a substantive noise assessment will be completed and shared with Birmingham City Council Environmental Health Department for approval before any events take place.	These are normally a requirement of the Safety Advisory Group and would be complied with at their request

			If a noise monitoring report is required then monitoring by an acoustic consultant using subjective (consultations perception of the noise) and objective methods (noise monitoring using a Sound Level Meter) shall be undertaken at local noise sensitive residential premises and all results documented. The monitoring locations and the methodology shall be agreed with the BCC Environmental Health before monitoring is undertaken.	
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	Any Noise limiting Devices (NLD's) installed to meet the requirements of the licence, they shall be of a type approved by the Birmingham City Council Environmental Health Department and shall be fitted to the amplification system and set at a pre-set volume level approved by the Birmingham City Council Environmental Health Department, to ensure the volume of music is pre-set so as not to cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Unit at least 14 days before its' initial operation and shall fulfil the following criteria:	
	The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given	

		The device shall be capable of cutting off the mains power to the amplification system, if the volume exceeds the pre-set level determined by the Environmental Protection Unit; or shall be capable of maintaining the volume of the music at the pre-set level determined by the EPU and shall not restore power to the sound system until the NLD is reset by the licensee or their nominated person.	
		The amplification system shall only be operated through the sockets, power points that are linked to and controlled by the NLD at all times.	
		The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification system is operational.	
		Any damage or malfunction to the NLD shall be reported to the Environmental Protection Unit as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Unit.	

		The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers they show respect for the nearby residents and keep noise levels to a minimum as they depart.	AGREED, This will form part of a standing procedure carried out by the DPS at regular intervals.
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Licence Leader Ltd.
Rob