

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Tuesday 23rd April 2019
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, B27 6DN
Ward affected:	Acocks Green
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider representations that have been made in respect of an application for a Premises Licence which seeks to permit the Sale of Alcohol (for consumption on the premises) to operate from 4:00pm until 10:45pm (Monday to Sunday).

The provision of Regulated Entertainment consisting of live music and recorded music, to operate indoors only, from 4:00pm until 10:45pm (Monday to Sunday).

Premises to remain open to the public from 4:00pm until 11:00pm (Monday to Sunday).

The applicant has agreed to amend the provision of live music to operate from 4:00pm until 10:45pm (Friday and Saturday) and from 4:00pm until 6:00pm (Sunday).

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

An application for a Premises Licence was received on 22nd February 2019, in respect of So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, B27 6DN.

Representations have been received from other persons.

4. Compliance Issues:

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:

So Called Studios Limited applied on 22nd February 2019 for the grant of a Premises Licence for So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, B27 6DN.

Representations have been received from other persons. See Appendices 1 & 2.

The application is attached at Appendix 3.

Site Location Plans at Appendix 4.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copy of the representation as detailed in Appendices 1 & 2
Application Form, Appendix 3
Site Location Plans, Appendix 4

7. Options available

To Grant the licence in accordance with the application.

To Reject the application.

To Grant the licence subject to conditions modified to such an extent as considered appropriate.

Exclude from the licence any of the licensable activities to which the application relates.

Refuse to specify a person in the licence as the premises supervisor.

Entered RJ

From:
Sent: 17 March 2019 18:21
To: Licensing; Councillor Roger Harmer
Cc:
Subject: Licence Application Ref No 110063 : So called Studios, rear of 32 Station Road, Acocks Green B27 6DN
Attachments: Mallard Close - Objections.pdf;

Cllr. Roger Harmer
 Acocks Green Ward
 Council House
 Birmingham B1 1BB

Dear Licensing Dept. and Cllr. Harmer,

I write with respects regarding the alcohol & music licence application made for rear of 32 Station Road, see attached a PDF.

At the very outset I have to comment that I have only just got the advisement/notification letter within the last week! Merely days prior to the deadline for any objections to be raised, which I find deceptively and ominously late. More importantly, I am severely disappointed that the council could even entertain such an application amidst the quiet & family orientated village of Acocks Green.

I am who resides at Mallard Close, Acocks Green B27 6BN, I would like the following objections duly noted.

1) **Noise of people traffic and loud music after hours.** As part of the local and adjacent roads surrounding the studios - we currently enjoy the serenity and calm atmosphere of Acocks Green - which would be compromised as a result of granting this licence. We also currently have a gym (Stevie B's) at the rear of our house, which in itself is a disturbance enough. When the music from this gym is switched on - the rumble from this not pleasant for many of the elderly who reside on Mallard Close. It's as if there is a persistent gentle earth tremor similar to Jurassic Park where the water in a glass is shaking. This is clearly not the desired atmosphere for a residential area, to add further noise and a level of people traffic would only worsen this situation.

2) **Security.** In the past, we have had people jump our rear fence in a bid to escape from situations and we have had to call the police in a few occasions. This has created an increased sense of anxiety about the safety of Acocks Green. The residents of Mallard Close have the right to feel safe in their homes. Hence, such incidents are likely increase, should a licence be granted.

3) **Car Parking.** The car parking on Mallard Close is very limited indeed and we have had people park on this road on a regular basis, should this licence be granted I feel this situation would worsen and may need intervention.

4) **Residential Area.** The introduction of alcohol in the area of Station Road as a side street would also, in my view, be detrimental to the overall status quo of Acocks Green. Acocks Green, last year, went through a massive upgrade in infrastructure and has been cleaned up with respect to road system and pedestrian areas. Should this licence be granted Acocks Green

would undoubtedly suffer the from the disturbances of crowds of people under the influence of alcohol. Acocks Green is hardly the area fit for a nightclub or convert venue.

5) **The church.** We also have a church directly in front of the studios on Station Road who also may feel the this affects the status quo of the area.

6) **Children Sleeping hours.** The introduction of noise during the Weekday 4pm to 10.45pm also affect the local residents w.r.t. children who go to sleep early evening time.

The licensing agency must understand, is that the all residents at Mallard Close have worked hard to set up their entire lives around community living and their family homes. It would be **immoral, unjustified and disrespectful** to permit such a license, jeopardising the residential nature of the neighbourhood.

In summary, I along with many other residents feel this this licence should definitely not be granted, and that it is the councils moral obligation to reject such a proposal/application. Many of the residents are already in agreement and will be forming a petition for the rejection of this licence.

I do sincerely, hope that the council will reject the granting of this licence based on the concerns of the local resident who have raised their objections.

Your sincerely,

<input type="checkbox"/>	<input type="checkbox"/>
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PETITION

We, the undersigned, object to the Licensing Application submitted by So Called Studios, rear of 32 Station Road, Acocks Green, B27 6DN, Application Ref: 110063, for a Live Music/Concert Venue with an alcohol licence. The site is close to residential communities in Mallard Close, Station Road and Oxford Road and we believe these communities will suffer from extra noise and anti-social behaviour from the concerts and the traffic caused as patrons arrive for events and leave afterwards, potentially at 11pm, 7 days a week. There are already such noise issues from patrons of the neighbouring gyms and this licence would significantly add to this noise, with extra traffic and the impact of alcohol consumption.

NAME	ADDRESS	SIGNATURE
	HAZELWOOD ROAD ACOCKS GREEN B27 7XW	
	MALLARD CLOSE B27 6BN	
	MALLARD CLOSE ACOCKS GREEN B27 6BN	
	MALLARD CLOSE ACOCKS GREEN B27 6BN	
	MALLARD CLOSE B27 6BN	
	Mallard Close B27 6BN	
	Mallard Close ACOCKS GREEN B27 6BN	
	MALLARD CLOSE B27 6BN	
	MALLARD CLOSE B27 6BN	
	Mallard Close, "	
	B27 6BN	
	MALLARD CLOSE	
	B27 6BN	
	MALLARD CLOSE	
	MALLARD CLOSE B27 6BN	
	B27 6BN	
	MALLARD CLOSE	
	Mallard Close	
	B27 6BN	
	Mallard Close	
	B27 6BN	

2/6

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NAME	ADDRESS	SIGNATURE
	B27 6DN Teall Close	
	B27 6DN Flat	
	B27 6DN Teall Close	
	B27 6DN Teall Close	
	B27 6DN Teal Close B27 6DN	
	Teall Close	
	B27 Teall Close, 6DN	
	B27 6DN Teall Close	
	B27 6DN FLAT DAVIDSON HOUSE	
	B27 6DN Flat Davidson House	
	B27 6DN FLAT STATION RD	
	B27 6DN Teall Close	
	B27 STATION RD 6DN	
	B27 Station Rd 6DN	
	B27 Station Rd 6DN	
	" " " "	

4/6

PETITION

We, the undersigned, object to the Licensing Application submitted by So Called Studios, rear of 32 Station Road, Acocks Green, B27 6DN, Application Ref: 110063, for a Live Music/Concert Venue with an alcohol licence. The site is close to residential communities in Mallard Close, Station Road and Oxford Road and we believe these communities will suffer from extra noise and anti-social behaviour from the concerts and the traffic caused as patrons arrive for events and leave afterwards, potentially at 11pm, 7 days a week. There are already such noise issues from patrons of the neighbouring gyms and this licence would significantly add to this noise, with extra traffic and the impact of alcohol consumption.

NAME	ADDRESS	SIGNATURE
	Mallard Close B27 6DN	
	Mallard Close B27 6DN	
	Mallard Close B27 6DN	
	Oxford Rd B27 6DR	
	B27 6DR	
	Oxford Rd B27 6DR	
	Oxford Road B27 6DR	
	Oxford Road B27	
	B27	

REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED 22 FEB 2019 PO £190 INITIALS BN

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **So Called Studios Limited (Company number 09304177)**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green			
Post town	Birmingham, West Midlands	Postcode	B27 6DN
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£10,250	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
- statutory function or ☐
- a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name So Called Studios Limited
Address So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, West Midlands, United Kingdom, B27 6DN
Registered number (where applicable) Company number 09304177
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
08	03	2019

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

So Called Studios, run by So Called Studios Limited (Company number 09304177) offers recording studio facilities with rehearsal rooms at Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, B27 6DN. The company plans to convert rehearsal space into a performance area with stage and bar to the rear.

The main entrance is positioned on the south-east side of the building in the access passage to the rear of 30 Station Road. The main entrance opens onto the reception lobby with desk. A door on the north side of the lobby provides access to stairs to the first floor with rehearsal space. The first-floor rehearsal space is not relevant to the current application as no alcohol will be stored, sold or consumed in this area. Doors on the west side of the lobby open onto the bar area which is positioned against the south side of the building. Limited seating is sited directly adjacent to the bar and in the corner of the building to the south-west of the bar. The performance space is to the north of the bar. Male and female toilets are sited to the west of the performance space with doors to rehearsal rooms to the east, north-west and north (the latter two positioned either side of the stage). A door to the rear of the stage provides access to a corridor, locked storage room and the rear fire-exit to the north-west of the building. Access to the rear fire exit from the performance space is also provided via the north-west rehearsal room.

There are a total of twelve CCTV cameras installed covering the main entrance, rear fire exit, rear storage room, rehearsal rooms, reception desk, performance space and all areas of the bar and surrounding seating.

The fire control panel is positioned next to the main entrance and reception desk. Fire extinguishers (foam and CO₂) are positioned near the main entrance and rear fire exit. A fire alarm button is situated in the performance space with smoke detectors being positioned in the lobby, bar, performance space, all rehearsal rooms, storage room and rear corridor.

The closest licensed premises in the area are:

Indianos Restaurant, 2a Station Road, Acocks Green, Birmingham, B27 6DN: premises licence number 3875, held by Mrs Shamim Akhtar. Bar/restaurant with on-licence permission to serve alcohol Monday to Thursday 12:00 to 15:00 and 17:00 to 24:00, Friday 12:00 to 15:00 and 17:00 to 00:30, Saturday 17:00 to 00:30 and Sunday 17:00 to 24:00 (70m distant).

The Spread Eagle, 1146 Warwick Road, Acocks Green, Birmingham, B27 6BL: premises licence number 110, held by JD Wetherspoon Plc. Bar/restaurant with on/off-licence permission to serve alcohol Sunday to Thursday 07:00 to 00:30 and Friday to Saturday 07:00 to 01:00 (150m distant).

Champagne Restaurant, 1160 Warwick Road, Acocks Green, Birmingham, B27 6BP: premises licence number 1281, held by Mr Kathirvelan Ganesh. Restaurant with on/off-licence permission to serve alcohol Monday to Sunday 12:00 to 23:30 (237m distant).

Inn on the Green, 2 Westley Road, Acocks Green, Birmingham, B27 7UH: premises licence number 274, held by Mitchells and Butlers Leisure Retail Limited. Bar/restaurant with on/off-licence permission to serve alcohol Monday to Saturday 10:00 to 01:00 and Sunday 10:00 to 24:00 (345m distant).

The closest residential units to the premises are:

30 Station Road, Acocks Green, Birmingham B27 6DN (10m distant)

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 4)	
Tue				
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	16:00	22:45	<u>Please give further details here</u> (please read guidance note 4) Performances of live music will be amplified. The premises is sound-proofed. All access doors will be kept closed and music will be not be audible from outside the premises.		
Tue	16:00	22:45			
Wed	16:00	22:45	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) Closed during Bank Holidays, News Year's Day, Christmas Day and Easter Sunday.		
Thur	16:00	22:45			
Fri	16:00	22:45	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) N/A		
Sat	16:00	22:45			
Sun	16:00	22:45			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	16:00	22:45	Please give further details here (please read guidance note 4) Performances of recorded music will be amplified. The premises is sound-proofed. All access doors will be kept closed and music will be not be audible from outside the premises.	
Tue	16:00	22:45		
Wed	16:00	22:45	State any seasonal variations for the playing of recorded music (please read guidance note 5) Closed during Bank Holidays, News Year's Day, Christmas Day and Easter Sunday.	
Thur	16:00	22:45		
Fri	16:00	22:45	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) N/A	
Sat	16:00	22:45		
Sun	16:00	22:45		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> <u>- please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	16:00	22:45	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) Closed during Bank Holidays, News Year's Day, Christmas Day and Easter Sunday.		
Tue	16:00	22:45			
Wed	16:00	22:45			
Thur	16:00	22:45			
Fri	16:00	22:45	<u>Non standard timings. Where you intend to use the premises for</u> <u>the supply of alcohol at different times to those listed in the</u> <u>column on the left, please list</u> (please read guidance note 6) N/A		
Sat	16:00	22:45			
Sun	16:00	22:45			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Ryan John Lowry	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Application Ongoing	
Issuing licensing authority (if known)	
Birmingham City Council Licensing Section, PO Box 17013, Birmingham, B6 9ES. Telephone: 0121 303 9298	

Licensing, Bromsgrove District Council, Parkside, Market Street, Bromsgrove,
 Worcester shire, B61 8DA. Telephone: 01905 822 749

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
N/A There are no activities which may give concern to children.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) Closed during Bank Holidays, News Year's Day, Christmas Day and Easter Sunday. <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) N/A
Day	Start	Finish	
Mon	16:00	23:00	
Tue	16:00	23:00	
Wed	16:00	23:00	
Thur	16:00	23:00	
Fri	16:00	23:00	
Sat	16:00	23:00	
Sun	16:00	23:00	

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

a) General -- all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. Licensing Policy: the Applicant has considered the Birmingham City Council Statement of Licensing Policy dated July 2015.

2. Legal advice: the applicant has sought legal advice in relation to this application for a New Premises Licence and relevant acts of legislation have been considered. These include, but are not limited to: The Licensing Act 2003 and Regulations (as amended), Anti-Social Behaviour Act 2003, Clean Neighbourhoods and Environment Act 2005, Violent Crime Reduction Act 2006, Police Reform and Social Responsibility Act 2011, The Legislative Reform (Entertainment Licensing) Order 2014, The Deregulation Act 2015, The Immigration Act 2016, The Policing and Crime Act 2017 and the Licensing Act 2003 (Miscellaneous Amendments) Regulations 2017.

3. General: So Called Studios Limited (Company number 09304177) offers recording studio facilities with rehearsal rooms in their sound-proofed facility at So Called Studios, Forward House, Rear of 32 Station Road, Acocks Green, Birmingham, B27 6DN. They intend to offer performance facilities for small live musical performances with alcohol sold for on-premises consumption. Alcohol sales will be limited to before 22:45 and there will hence be limited spill-over from other licensed premises in the area which have equivalent or longer licensing hours (refer to Part 3 above).

4. Mandatory Conditions: the Applicant is aware of and shall comply with the mandatory conditions attached to the premises licence. These measures include, but are not limited to:

1. Supplies of alcohol will only be made when a Designated Premises Supervisor, who is a personal licence holder, has been appointed in respect of the premises.
2. All sales of alcohol will be made or authorised by a personal licence holder. Anyone selling alcohol without a licence will be given permission by a licence holder.
3. Each individual carrying out a security activity must be licensed by the Security Industry Authority. A record shall be kept of the names and registration number of such persons and this record shall include full details of all events that take place during their period of duty.
4. Alcohol will be available for purchase in small measures which will be displayed on a menu, price list, or other printed material. Where a customer doesn't specify a measure, they will be made aware of the range of measures available.
5. No irresponsible drinks promotions will take place and the list of prohibited promotions will be respected.
6. Free tap water will be provided on request to customers where it is reasonably available
7. An age verification policy will be in place requiring staff to check the ID of anyone who appears to be under 25 years of age. The designated premises supervisor will ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.
8. There will be a ban on the sale of alcohol below the "permitted price" (the level of alcohol duty plus VAT). For the purposes of this condition "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a) and "permitted price".
9. For the purposes of the condition set out in paragraph 8 above -
 - a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)
 - b) "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.
 - c) "relevant persons" means, in relation to premises in respect of which there is in force a premises licence - the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or 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) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)
- 10. Where the permitted price given by sub-paragraph (b) of paragraph 9 would not be a whole number of pennies, the price given by sub-paragraph (b) shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 - 11. Where the permitted price given by sub-paragraph (b) of paragraph 9 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.
- 5. Supervisor's Register:** A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the Designated Premises Supervisor and all personal licence holders. The register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out. This information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.
- 6. Fire Safety:** a Fire and Emergency Planning Risk Assessment will be carried out.
- 7. Display of Licence:** the premises licence will be permanently displayed on, or directly adjacent to, the main entrance of the premises.
- 8. Premises Plan:** any detail shown on the plan that is not required by the licensing plans regulations is indicative and subject to change at any time.

b) The prevention of crime and disorder

1. CCTV

- A Closed-Circuit Television (CCTV) camera system is installed and will be maintained in working order as per the minimum requirements of Birmingham Police Crime Prevention Officer. All entry and exit points and alcohol storage and sales areas will be covered.
- The locations of CCTV cameras are identified on the site plan of the premises. No changes to the locations of the cameras will be made without prior consultation with Birmingham Police and the Licensing Authority.
- The CCTV will be in operation when the premises is open to the public. CCTV recordings shall be of a satisfactory quality enabling the identification of persons and activities, and other fine details such as vehicle registration number plates. CCTV recordings shall be retained for a minimum period of 31 days with date and time stamping.
- The CCTV system will be capable of securing relevant pictures for review at a later date, and/or export via removable media. Records will be made immediately available on request by the Police or an authorised council officer. Exported files shall be re-playable immediately without requirement for re-indexing of files or verification checks.
- The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
- A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
- The CCTV system will be adequately maintained. If the CCTV becomes inoperative, the Police and Local Authority will be informed as soon as practically possible and immediate steps will be taken to put the equipment back into action.

2. Security Personnel

- The premises will risk assessment each event. Security Industry Authority (SIA) approved/contracted status, Door Supervisors or Contractors shall be employed at the premises on Fridays, Saturdays and Sundays. The numbers, start and finish time of the door staff will be as per the event risk assessment. The premises will risk assess the need for door staff on other evenings/events. These risk assessments will be held on the premises for a minimum of 3 months after the event and made available to any of the responsible authorities on request.
- A Door Supervisors' register shall be maintained and shall be the property of the premises and available for inspection by Birmingham Police and Local Authority Enforcement Officers.
- All incidents that take place during a period of duty shall be recorded in the Incident Report Register. This shall be made available for inspection by Birmingham Police and Local Authority Enforcement Officers.

3. Prevention of Drug Use:

- All staff will be provided with mandatory drug awareness training.
- Random drug searches shall be carried out by security staff when present. Persons refusing drugs searches will be refused admittance. Clear, visible signage relating to this drugs search policy will be placed at all points of entry to the premise. All drug searches whether positive or negative shall be recorded in the Incident Report Register and made available for inspection by Birmingham Police and Local Authority Enforcement Officers where required.
- A drugs safe for use by staff will be fitted in a secure location not accessible to members of the public and to which only premises management shall have access.

4. Proof of Age Policy: A proof of age policy to the satisfaction of Birmingham police and the Local Authority will be in place. This will follow the guidelines set out in the "Challenge 25" policy developed by the Retail of Alcohol Standards Group.

5. Drunkenness and violent or anti-social behaviour on the premises:

- These shall not be tolerated and anyone suspected of or engaging in the same shall be asked to leave and, if necessary, the police contacted.
- A policy will be in force for the management of large groups, i.e. hen and stag parties. The group will be required to nominate a responsible person to liaise with staff.
- Staff shall implement a dispersal policy outside the premises within the Applicant's direct control.

6. Incident Report Register: The Premises Licence Holder/Designated Premises Supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

7. Drinking-up time: A 15 minute drinking-up period will be provided at the end of the evening. All service of alcohol, performance of live music and playing of recorded music will stop at 22:45 with the premises closing at 23:00.

8. Theft: Crime prevention notices will be displayed warning customers of the prevalence of crime which may target them, e.g. "bags should not be left unattended", "watch out for pickpockets".

9. Alcohol Designated Public Places Orders: Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.

10. Maintenance of smoke-free environments: The premises shall comply with all non-smoking legislation

11. Bottles and Glasses:

- No customers carrying open or sealed bottles or glasses will be admitted to the premises at any time.
- No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

12. Staff Training:

- New staff shall receive induction training at the commencement of employment. Staff shall receive regular re-training a minimum of four times a year. Staff training records shall be maintained for inspection by Birmingham Police and Local Authority Enforcement Officers.
- Staff training will include mandatory drug awareness training and underage alcohol sales training.

c) Public safety

1. Fire safety:

- Emergency lighting, smoke detectors and fire cylinders shall be installed and inspected at appropriate intervals to ensure that they are in good working order.
- Access routes to fire escapes will be kept unobstructed.
- Exits will be easily identifiable and will be kept unobstructed and free of trip hazards with non-slippery, even surfaces.
- All emergency doors shall be maintained effectively, self closing and not held open other than by an approved device.

2. Electrical Installations:

- Electrical installations, including any temporary electrical wiring and distributions, will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person.
- Inspection records/certificates will be kept and made available at the request of an authorised officer.

3. First Aid:

- Adequate and appropriate supply of first aid equipment and materials will be available on the premises.
- The first aider will be trained to deal with drug and alcohol related problems.

3. General: Free drinking water will be made available at all times the premises is open to the public.

d) The prevention of public nuisance

1. The Applicant shall conduct regular risk assessments on noise levels outside the premises.

2. Noise from amplified and non-amplified music, singing and speech arising from entertainment at the premises shall not be audible inside habitable rooms of noise sensitive, residential properties in the vicinity.

Informative Note:

For the purpose of providing an objective standard to assess whether this condition is being complied with or not, noise shall be considered not to be audible if:

- a) the measurement of sound when music etc is on (expressed as LAeq, 1min) does not exceed the measurement of sound (expressed as LA90, 5min) when the music is off, and*
- b) the measurement of sound in each 1/3rd octave band between 40Hz and 160 Hz when music is on (expressed as L10, 1min) does not exceed the measurement of sound in the same 1/3rd octave bands between 40Hz and 160Hz when the music is off (expressed as L90, 5min)*

All measurements to be taken within the habitable room normally occupied at the time in question, using a Type 1 integrating-averaging sound level meter compliant with BS EN 60804, with either windows open for normal ventilation or closed, whichever situation causes greater noise disturbance.

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Steps should then be taken to reduce the volume of the noise.

3. All external doors and windows to the room(s) where entertainment is provided shall remain closed during the course of said entertainment, other than for the purposes of access and egress. External doors to the premises (including the main entrance and fire exit) shall not be propped open whilst entertainment is ongoing.

4. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00.
5. Staff shall place a sign at the exit encouraging patrons to be quiet and respect the needs of local residents when entering/leaving.
6. Staff shall implement a litter clearing policy outside the premises as within the definition of 'immediately outside'. At the end of business every night, the pavement to the frontage of the premises shall be cleared of litter and waste and cleansed of any urine, vomit or similar fouling.
7. No adult entertainment shall take place on the premises.

e) The protection of children from harm

1. All customers attempting to purchase alcohol who appear to be under the age of 25 shall be required to produce a valid form of identification in line with the guidelines set out in the "Challenge 25" policy developed by the Retail of Alcohol Standards Group. Acceptable forms of identification will be those bearing the customers photograph, date of birth and either a holographic mark, or an ultraviolet feature. Examples of accepted forms of identification include a proof of age card bearing the PASS hologram logo, an EU photo card, full driving licence or a passport.
2. Suitable signage shall be displayed at the premises advising customers and staff of the 'Challenge 25' policy. This policy shall be brought to the attention of customers at the bar.
3. All staff shall receive training and regular refresher training regarding the Licensing Act 2003 and the 'Challenge 25' identification policy.
4. Children under the age of 16 may be present with an accompanying adult until 19:00 but shall not be able to remain in the premises thereafter.
5. The date, time and circumstances under which any attempted purchase by a young customer has been refused will be recorded in the Incident Register. This will be made available for inspection by any police officer, community support officer or authorised person upon demand.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

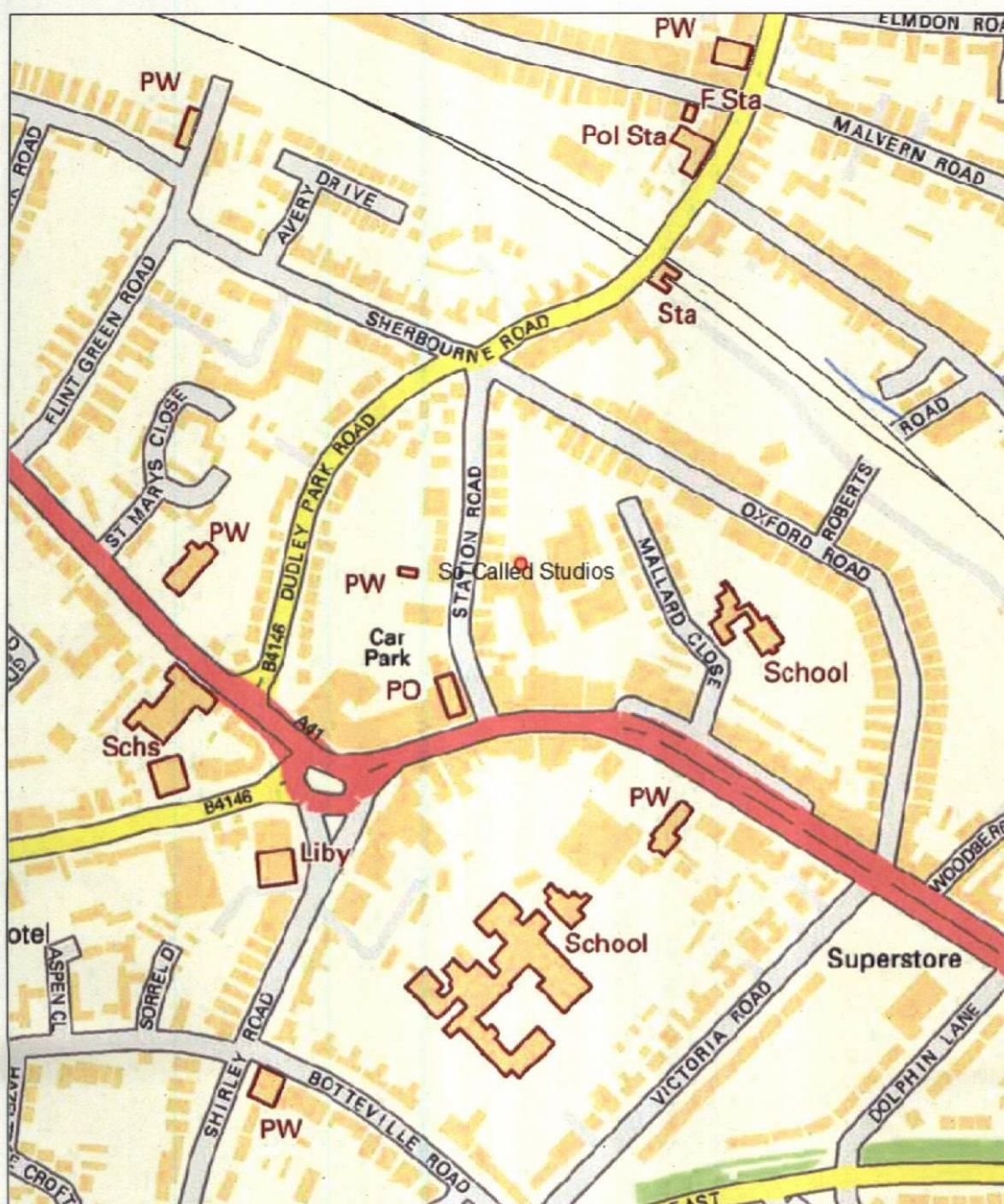
Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	18 th February 2019
Capacity	Ryan John Lowry, director of So Called Studios Limited (Company number 09304177)

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)		
Post town		Postcode
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		





Birmingham City Council Map Created By:

Date of Map Creation: 08/04/2019

Notes



Scale:
1:4,000

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Scale:
1:1,250