

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Wednesday 3rd August 2016
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	The Acorn, High Street, Erdington, Birmingham, B23 6SJ
Ward affected:	Erdington
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider an application to review a Premises Licence.

2. Recommendation:

To consider and determine the review application.

3. Brief Summary of Report:

Review application received on 14th June 2016 from the Chief Constable of West Midlands Police in respect of The Acorn, High Street, Erdington, Birmingham, B23 6SJ

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:

The Chief Constable of West Midlands Police applied on 14th June 2016 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for The Acorn, High Street, Erdington, Birmingham, B23 6SJ.

Representations have been received from other persons, see Appendices 1 – 6.

Review application is attached, see Appendix 7.

At the time of writing this report West Midlands Police have submitted supporting evidence. Due to the size of the supporting evidence bundle they have not been included into the main body of this report but are published on the authorities CMIS webpage as:

Appendix 8 West Midlands Police – Supporting Evidence.

Appendix 9 West Midlands Police – Intelligence Reports.

Appendix 10 West Midlands Police – Recorded Crime

All documents in relation to The Acorn review hearing are accessible via the authorities website using the following link: <https://birmingham.cmis.uk.com>

The Premises Licence is attached at Appendix 11.

Site location plans are attached at Appendix 12.

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 representations as detailed in Appendices 1 - 6

Review Application Form, Appendix 7

West Midlands Police Supporting Evidence, Appendices 8 – 10

Copy of Premises Licence, Appendix 11

Site location plans, Appendix 12

7. Options available

Modify the conditions of Licence

Exclude a Licensable activity from the scope of the Licence

Remove the Designated Premises Supervisor

Suspend the Licence for a period not exceeding 3 months

Revoke the Licence

No Action

Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Appendix 1

From: Councillor Gareth Moore
Sent: 11 July 2016 12:13
To: Licensing
Cc: Councillor Robert Alden; Councillor Bob Beauchamp;

Subject: Representations for Premises Licence Review - The Acorn, High Street, Erdington

Dear Licensing

Myself and Cllrs Alden and Beauchamp wish to make representations with regards to the premises licence review that has been submitted for the Acorn by West Midlands Police. We support the review and would ask that the premises licence be revoked on the grounds of Prevention of Crime & Disorder, Public Safety and Prevention of Public Nuisance.

The Acorn is one of several premises within the High Street which we receive complaints from local residents, visitors and shoppers and local businesses. Such complaints have been as recent as the last meeting of the Erdington Ward Committee, where concerns were raised by members of the public in attendance. Many of the complaints also originate from residents of Church Road and other nearby residential roads as they live in close proximity to the premises.

Several of the allegations made to us have included criminal and drug-related activity. Issues regarding the Acorn have been discussed with the Police on a number of occasions over the last few years. The Section 182 Guidance states that the Police should be considered the experts in relation to Crime & Disorder, and they will have access to more evidence and information to demonstrate how this Objective is not being complied with. However, we support the Police and the revocation of the premises licence will prevent further crime and disorder from taking place.

Notwithstanding the above, the premises is also contravening the Objectives of Public Safety and Prevention of Public Nuisance through its operation. Many of the clientele who attend this premises are particularly unsavoury, engaging in loud, drunken raucous both during the day and in the evenings. This includes loud, aggressive behaviour and excessive swearing and profanity. This activity has created an intimidatory atmosphere around the premises, which is made worse by this clientele often standing outside on the pavement drinking and smoking. This has a direct impact of shoppers and visitors to the High Street, who are not able to avoid being witness to this behaviour and many are forced into the road or to cross the street when passing the premises.

Such behaviour is the same as to that witnessed at the former Hairy Lemon pub, which was located just up the High Street. That premises had its licence revoked following a review submitted by the Police. It would therefore be consistent for the Acorn to have its licence revoked on the same grounds so that this troublesome premises can be removed from our High Street.

Cheers

Gareth

COUNCILLOR GARETH MOORE

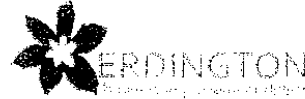
Serving Abbey Fields, Court Farm, Erdington Village, Pitts Farm, Short Heath & Wylde Green - Working for ERDINGTON all year round!!!

Shadow Lead Member - Licensing & Public Protection Committee | Conservative Group Treasurer
The Council House, Victoria Square, Birmingham, B1 1BB

Appendix 2

BCC
REGULATION & ENFORCEMENT
LICENSING SECTION
DATE RECEIVED

REF NO _____
INITIALS _____



Erdington Town Centre Partnership
Suite B, Eldon House
Central Square
High Street
Erdington B23 6RY

11 July 2016

**Birmingham City Council
Licensing Section,
Ashted Lock, Build 1 – 3, Ground Floor,
Birmingham Science Park Aston,
Dartmouth Middleway, Aston,
Birmingham, B7 4AZ.**

Reference: Premises Licence Review: The Acorn public house, High Street, Erdington.

In my role as BID Manager for the High Street area of Erdington, I wish to make the following points about the above public house for the Premises Licence Review:

- a) The Acorn has for some years now been the source of anti-social behaviour and public safety issues in the town centre.
- b) Obviously inebriated individuals can be seen daily in groups on the pavement outside the premises presenting an intimidating picture to passers-by.
- c) I have had numerous complaints from shoppers and visitors about The Acorn, to the degree that many avoid going to that part of the town centre, or have stopped shopping in the area due to harassment and anti-social behaviour.
- d) There is no doubt that The Acorn has played a large part in deterring shoppers from the High Street, and recent examples of anti-social behaviour, including fights outside the premises, has reinforced this view for many.
- e) The poor reputation that The Acorn has is long running, and shows no sign of improving.
- f) My role includes trying to attract not only shoppers but also investors to the town centre, and The Acorn's reputation has always preceded my efforts.
- g) My view is that The Acorn's reputation and the ongoing behaviour of drinkers there has also affected our chances of creating some semblance of a night-time economy in Erdington. I live local to the High Street myself, and the area around this public house at night is always intimidating.
- h) Businesses nearby have long complained to me about the issues at The Acorn, several refusing to make official complaints because of fear of reprisal.

I would be happy to discuss the content of this letter at the review.

Erdington Town Centre Partnership

Registered in England: 04428948 Vat 929 2769 77
Registered Office: Eldon House, Central Square, High Street, Erdington, Birmingham, B23 6RY
Directors: R Alden, W Byrne, C Green, J Guest, J Hollyoak,

Appendix 3

From:
Sent: 07 July 2016 10:44
To: Licensing
Subject: The Acorn Pub

I am a resident of Church Rd, I live in one of the flats at the top of the Road, I for one would love to see the Acorn closed down, I have been a resident for twenty years but I have to say in the last 18 months this part of the high street has been a no go area for me, I do not use Iceland because it means passing the Acorn I use the one in Sutton Coldfield, for me (I am 71yrs old) I find it very intimidating and worrying to pass this pub, I have taken to having taxi's home or if I do catch the bus I get off the stop before six ways at Barnabus Rd and walk onto the high street and then I cut through the church yard. It comes to something when I have to plan my journey out and back before I even step outside my home.

Thank you

Appendix 4

From:
Sent: 10 July 2016 11:19
To: Licensing;
Subject: REVIEW OF PREMISES LICENCE, THE ACORN, HIGH STREET ERDINGTON

Sir,

I wholeheartedly support West Midlands Police and our local Councillors in their aim to revoke the licence of The Acorn Public House, High Street, Erdington in line with the licensing objectives of Prevention of Crime & Disorder, Public Safety and the Prevention of Public Nuisance.

On 12 November 2012 I attended a Licensing Sub-committee hearing at Birmingham Council House to complain about the anti-social behaviour concerning the Hairy Lemon Public House on Erdington High Street and succeeded, on 1 May 2013 at another hearing, in helping to achieve the revocation of the licence of that premises. I mentioned to the Police Licensing Officer, Sergeant Walker, at the time that the clientele and the problems would migrate down the High Street to the nearby Acorn and inevitably this has proved to be the case.

I live in the flats situated at the top of Church Road, some fifty yards around the corner from the Acorn and am all too familiar with the problems it causes. The clientele stand outside The Acorn smoking, drinking, using foul language, arguing, littering the pavement with nub ends and cigarette packets, and impeding the progress along the High Street of decent people going about their ordinary business by blocking the pavement with their intimidating presence, despite the Public Space Protection Order in place. It is simpler to cross the road to circumnavigate the Acorn frontage.

Another problem which I believe is likely to be linked to The Acorn is drug users utilising the churchyard of St Barnabas and even the grounds of the flats where I live. (I have found cannabis wraps in the back garden.)

Erdington is a multi-cultural area which is struggling to achieve urban regeneration. The presence of such a licensed premises on the High Street is detrimental to both the commercial interests of local retail outlets and residents alike. I urge you to revoke the licence in support of West Midlands Police and the residents of Erdington .

Appendix 5

From:
Sent: 09 July 2016 19:12
To: Licensing
Subject: Acorn Pub,Erdington High Street

Dear Sir/Madam,I am writing with regards to the application by the Police to have the license at the above named premises revoked.I have lived in Erdington for 37 years(not all that far from The Acorn),and I can honestly say that the level of antisocial behaviour associated with the pub has never been as bad as it has in the last few years.It has got to the stage where my wife and a lot of other women that we know,simply will not walk past the pub,and cross the road to avoid it.There always seems to be a crowd of people outside using foul language,even when there are children around,people are subjected to rude and /or sarcastic remarks,and the pavement is almost always covered in discarded cigarette ends,because the customers who go outside to smoke can't be bothered to use the bins provided.I think most local people would be pleased if the license was revoked. Yours Sincerely

Appendix 6

From:
Sent: 07 July 2016 11:15
To: Licensing
Subject: The Acorn Pub, Erdington, license.

From:

I write somewhat in the defence of the Acorn Pub License continuing.

While I can see obliquely, why The Cross Keys had its License to present entertainment pulled. I only attended there on Sunday Evenings and noted a slight air of disturbance through a white 'thuggish' element in the crowd.

The Acorn though is a different 'kettle of fish' - a mixed white and black crowd (especially on Friday and Saturday Evenings), with young people there and old persons, with the group of 30-40 year olds missing to a large extent, for whatever reason.

I would dispute the Police's assertion that there is fighting within the Pub. I would ask that they prove that. I go there extremely often and have never seen a fight within the Pub. You will always get minor disputes outside a Pub, as with every Pub.

Of the other charges placed, I can say that I have never been offered anything stolen to buy, if that occurs. I am white and older - maybe that is why.

From:
Sent: 07 July 2016 12:00
To: Licensing
Subject: Acorn Pub license (continuation of my earlier e-mail of today)

From:

It seems to me that the wider picture needs to be taken into account. I have no commercial interest in any of the Pubs in Erdington or elsewhere; I submit only as a consumer; where I quote a person - that person has said that directly to me, and I attest that is what they said.

Martin & Chris (can't quite remember Martin's last name at the moment, though begins with a B). I have it written down somewhere, owned the Hairy Lemon. They took strong umbrage when I said it was closed down the second time for drugs - they said that was not true, in the second instance it was for fighting. They had had the Pub for a short time, according to them and were trying to get it under control from any fighting - they run numerous other pubs, Dubella in Boldmere and a second Dubella (in Brindley Place, near to the Bank bar restaurant) - so they are experienced in the Pub trade.

So Hairy Lemon lost, Cross Keys - now with limited music; and now the possibility of the Acorn Pub to be closed down on Erdington High street, so what would Erdington be left with - no single Pub on the High Street with entertainment. Where will people go? Fights on Street, perhaps. Music entertainment is a harmless way to let off steam after a week of working for all.

The strength of the Acorn needs to be taken into account - white and black people side by side, happy and tolerant, every night of the week. Any trouble I have seen outside of the Pub or any Pub has always been - one girl/bloke jealous of another; too much drink; the security people do a good job, in a friendly manner, of asking anyone who acts like trouble to leave. What the expelled then subsequently do in the High Street cannot be fairly held at the Licensee's head. Often, persons are told 'you have too much - no more drinks to be served to you'.

The Police have listed a litany of 'crimes' in a hysterical way 'a catalogue of' crime. The Conservatives have now run with this - by putting a flyer through every letterbox based on encouraging fear. I am sure most people who will vote to revoke will have never seen any problem in or out of the Acorn. Erdington is a working class area.

Appendix 7

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate 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 The Chief Constable of West Midlands Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Acorn High Street,	
Post town - Erdington	Post code (if known) - B23 6SJ

Name of premises licence holder or club holding club premises certificate (if known)
Sheldon Inns Limited

Number of premises licence or club premises certificate (if known)
2724

BCC
REGULATION & ENFORCEMENT
LICENSING DIVISION
DATE RECEIVED
REF NO
INITIALS
Please tick <input checked="" type="checkbox"/> yes

Part 2 - Applicant details

I am

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address West Midlands Police Licensing Sutton Coldfield Police Station Lichfield Road Sutton Coldfield B74 2NR
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

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

Please state the ground(s) for review (please read guidance note 2)

The grounds for this application are that the licensing objectives in terms of the prevention of Crime and Disorder, public safety and the prevention of public nuisance are being undermined in that:

Over the past year the premises has seen a catalogue of crime and disorder take place which has included disorder, fights, anti-social behaviour, intelligence informing police of drug dealing and stolen property from local shops being sold in the premises.

Some of the incidents that have occurred have also involved weapons ranging from a knife taken by a customer from the premises kitchen onto to the High Street following a fight involving intoxicated customers from the pub. Also quite recently information was passed to the police that a regular drug dealer had entered the location and was in possession of a gun.

Over the months both the licensing officer and the local neighbourhood policing team have attempted to work closely with all the DPS's and the licence holder to address the issues at the location and most recently addressing the licence conditions imposed by the licensing committee following a review in October 2010. It is also suspected that the current DPS has had a blasé attitude to reporting crime and disorder at the location.

It is quite evident that management at the premises is inadequate and falls below the standard expected of responsible operators. The current DPS's has not met their responsibilities to the role in ensuring that the licensing objectives are being promoted. This has been evident in their time at the location, incidents have occurred and no staff have called for the police and there have been occasions when the DPS has been far from truthful when giving incident details to the police.

By reason of the matters aforesaid, it is felt that it would be a necessary and proportionate response to request a review of the premises licence. West Midlands Police believe that due to the history of the premises there are no solutions to its problems as they were addressed at the last review in October 2010. Conditions were put in place then in an attempt to quell the issues but it is evident that this has not worked. It has also been shown that the last two DPS's that have been put in place by the licences holder resulting in the reviews has also had no bearing on the way the location has been run or reduced the crime and disorder that's taken place. West Midlands Police respectfully request that the licensing committee use all the options available to them when assessing the evidence and making a decision on the future of this licence.

Please provide as much information as possible to support the application (please read guidance note 3)

The following incidents have been noted by Police:

Over the past 1 months the location has seen:

1. All incidents relate to the location and have been seen as under the control of the premises. They have included drunken violent crime, disorder and anti-social behaviour.
2. Reports of crime which include criminal damage, assaults, drunk & disorderly, wounding.
3. Intelligence logs which contain information of drug dealers frequenting the location, information regarding assaults and wounding and information that stolen property from local shops are being sold in the pub.
4. Also over these months the conditions have been breached on several occasions, this being:
 - Customers being allowed to drink at the front of the premises
 - Customers being served to excess.
 - On occasions when responsible authorities request CCTV it's taken days to be supplied as staff have no knowledge of its use.
 - Staff training records have not been produced and it's believed that they didn't exist.

It is the submission of West Midlands Police that since March 2011 these premises have become associated with alcohol fuelled disorder and serious crime which has been caused by poor management at the location. Attempts have been made to work with management to eradicate the problems associated with the location.

The licensing objectives are therefore being undermined in terms of crime and disorder, public safety, the prevention of public nuisance and it is at the expense of financial gain for the premises.

Please tick ✓ yes

☐

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day			Month			Year		
1	1	1	1	1	1	1	1	1

If you have made representations before relating to the premises please state what they were and when you made them

In October 2010 West Midlands Police requested a review on the licence as there was a catalogue of events which included crime and disorder, anti-social behaviour.

As a result of this hearing the management were removed and various conditions were placed on the licence.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date - 13th June 2016

.....

Capacity - Local Policing Superintendent for Birmingham North LPU

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Appendices 8 – 10 West Midlands Police Supporting Evidence attached separately on the authorities webpage.

Appendix 11

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

2724 / 4

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description The Acorn High Street Erdington	
Post town: Birmingham	Post Code: B23 6SJ
Telephone Number:	

Where the licence is time limited the dates N/A

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

The times the licence authorises the carrying out of licensable activities			
Monday – Sunday	09:00	-	23:30 E,F,H,I,M3
	23:00	-	23:30 L

The opening hours of the premises	
Monday – Sunday	09:00 - 00:00

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

BIRMINGHAM CITY COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Sheldon Inns Limited 51 Clarke Grove Road	
Post town: Sheffield	Post Code: S10 2NH
Telephone Number: Not Specified	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 08139867
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Jacqueline Vinning	
Post town:	Post Code:
Telephone Number:	

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

Dated 13/11/2013

David Kennedy
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol:-

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 a holographic mark.

Where any of the following alcoholic drinks is sold or supplied for sale or 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) the responsible person shall ensure that it is available to customers in the following measures:-

1. Beer or cider - ½ pint;
2. Gin, rum, vodka or whisky - 25ml or 35ml; and
3. Still wine in a glass - 125ml; and

The responsible person must also ensure that customers are made aware of the availability of the aforementioned measures.

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

BIRMINGHAM CITY COUNCIL

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The provision of entertainment facilities (H and I) and late night refreshment is to take place indoors only.

No adult entertainment or services to be provided under the authority of this licence.

All staff are to be trained on the requirements of the Licensing Act 2003 so as to promote the four licensing objectives.

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

Prominent signs are to be displayed informing customers of the requirement for "Proof of age for the purchase of alcohol and tobacco".

There is to be no right of entry or re-entry after 23:00.

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

All emergency lighting is to be checked on a monthly basis.

Children are to only be allowed in the Beer Garden under adult supervision.

Staff are to be required to be alert and attentive with regard to broken glass etc.

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

When entertainment is provided all doors and windows, save exits, are to be kept closed.

Prominent signs are to be displayed requesting customers vacate the premises quietly and have regard for local residents.

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

No one under the age of 16 is to be allowed on the premises after 21:00.

BIRMINGHAM CITY COUNCIL

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

CCTV -

The CCTV system at the premises is to be installed to the satisfaction of West Midlands Police. It must include additional cameras in the bar area and on the main door entrance both inside and out. It will be digital recorded for up to 31 days and must be made immediately available on request to all responsible authorities. It must be in operation during opening hours with one hour overlap an hour before opening and an hour after closing. All members of staff are to be trained in the operation of the complete system.

DOOR STAFF -

All door staff shall be SIA licensed. They will be in place from 1900hrs on Friday and Saturday evenings and up to 30 minutes after closing. They will also be in place for any function night, either private or run by staff from the location. All door staff will wear as a minimum a fluorescent/high visibility tabard jacket which will display "Door Supervisor" to the front and rear. All door staff must book on and off duty and their profiles must be recorded on the premises, this record to be made available on request by any responsible authority.

EVENTS -

The local policing team and police licensing officer must be informed of any events and be given 28 days notice in writing. Details should include the nature of the event, name and address of booking party, number of persons attending and a full risk assessment for each event. If the police have any concerns with the event in relation to the four licensing objectives, then the police shall have the ability to veto the event.

PUBWATCH -

The licence holder or the Designated Premises Supervisor must play an active part in the local Pubwatch, work closely with other members in the watch and must be represented at all pre-arranged meetings.

CHALLENGE 21 POLICY -

The premises shall promote the Challenge 21 policy by training staff on different ID methods. This training will be carried out monthly and be recorded on the premises.

STAFF TRAINING -

All staff shall be trained monthly both on signs of drug abuse on persons and how to look for signs of use on the premises. Training will also be given on signs of persons drinking to excess. A training record must be kept on the premises and be made available to responsible authorities immediately on request.

CAPACITY - The premises must have a full risk assessment carried out by a responsible authority or company. The capacity must be assessed by West Midlands Fire Service and then displayed at the front of the premises.

SIGNAGE - The Challenge 21 policy is to be on display at all times. Signage advising customers to "Respect local residents, please leave quietly" is to be displayed around the premises and especially at the exit.

WIND DOWN TIME - Music levels will be reduced considerably 30 minutes before last drinks are served, to encourage customers to begin to leave the location as this will indicate the night is ending. It will also reduce noise escaping from the premises through the opening and closing of the main door when customers leave, thereby reducing annoyance to local residents.

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

N/A

BIRMINGHAM CITY COUNCIL

3c) Committee conditions to promote public safety

N/A

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

N/A

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

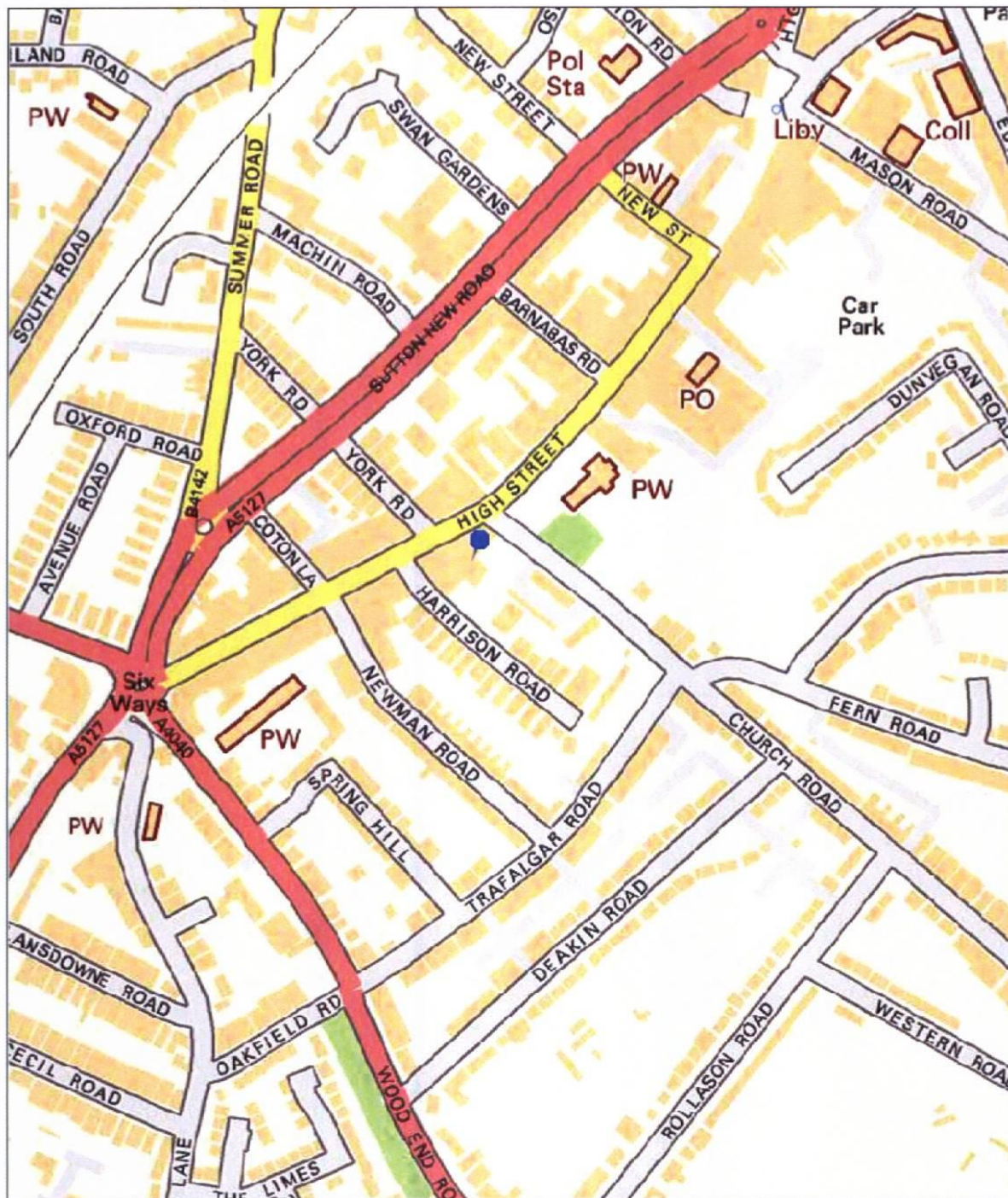
N/A

BIRMINGHAM CITY COUNCIL

Annex 4 – Plans

The plan of the premises with reference number **83368-2724/4** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection between the hours of 9am – 4pm Monday, Tuesday and Thursday, 10am – 4pm Wednesday and 9am – 3.30pm Friday (excluding Bank Holidays etc) at the Licensing Service, Crystal Court, Aston Cross Business Village, 50 Rocky Lane, Aston, Birmingham B6 5RQ.

Appendix 12



Birmingham City Council Map Created By:

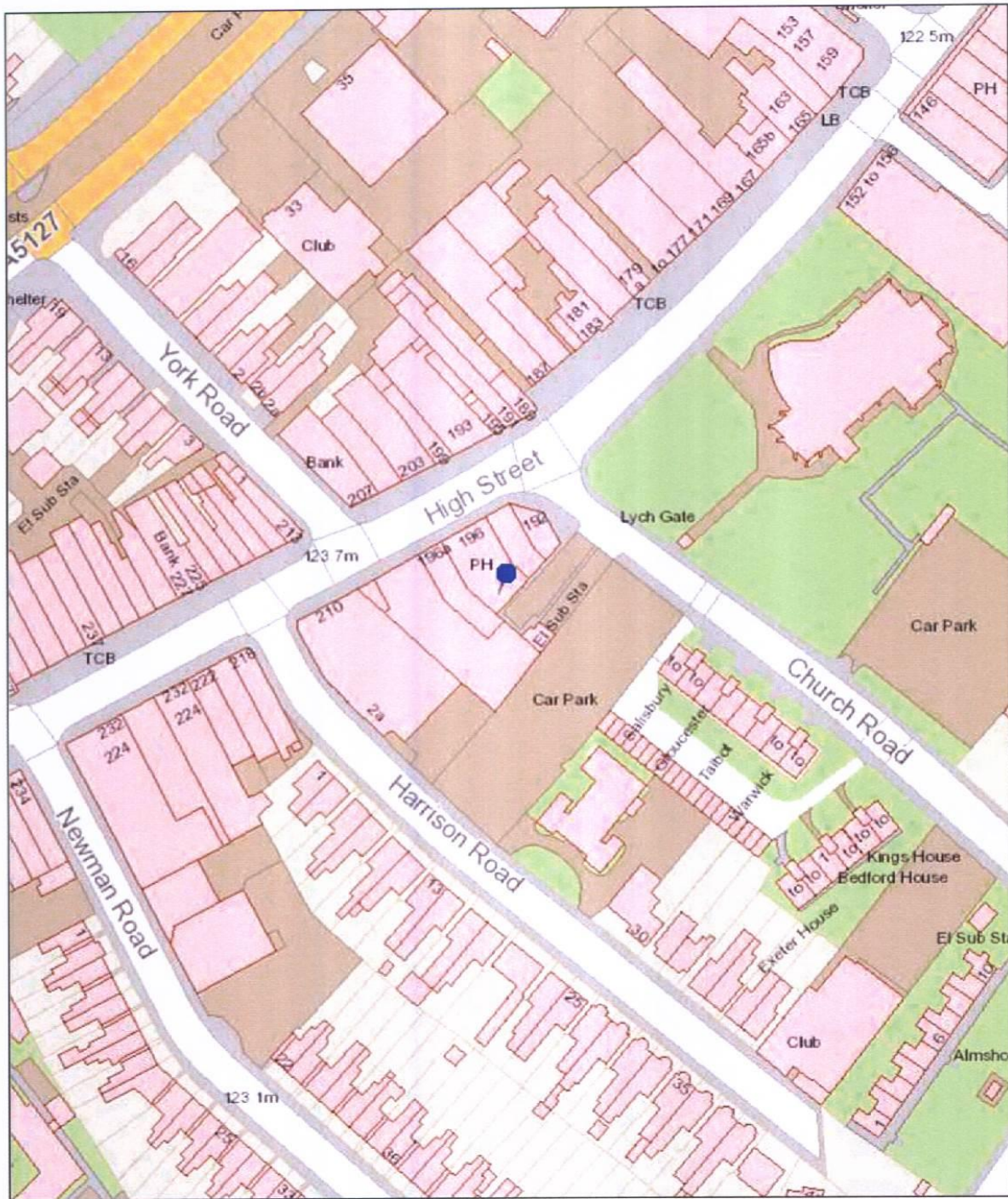
Date of Map Creation: 06/07/2016

Notes



Scale:
1:4,000

(c) Crown copyright. All rights reserved. Birmingham City Council 100021326 (2016).
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.
(c) GeoPerspectives, supplied by Bluesky International Ltd
Cities Revealed® copyright by The GeoInformation® Group, 2014 and Crown Copyright © All right reserved



Birmingham City Council Map Created By:

Date of Map Creation: 06/07/2016

Notes



Scale:
1:1,250

(c) Crown copyright. All rights reserved. Birmingham City Council 100021326 (2016).
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

(c) GeoPerspectives, supplied by Bluesky International Ltd

Cities Revealed® copyright by The GeoInformation® Group, 2014 and Crown Copyright © All right reserved