

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B

TUESDAY, 31 OCTOBER 2023 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 - 20

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on 30 August 2023 at 1000 hours.

To note the public part of the Minutes of the meeting held on 10 October 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

To note the public part of the Minutes of the meeting held on 10 October 2023 at 1200 hours and to confirm and sign the Minutes as a whole.

21 - 72

5 **LICENSING ACT 2003 PREMISES LICENCE – GRANT JUNGLE RUMBLE, UNIT 21, STAR CITY, WATSON ROAD, NECHELLS, BIRMINGHAM, B7 5SA**

Report of the Director of Regulation and Enforcement.

N.B. Application scheduled to be heard at 10:00am.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES**

To note the private part of the Minutes of the meeting held on 10 October 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

To note the private part of the Minutes of the meeting held on 10 October 2023 at 1200 hours and to confirm and sign the Minutes as a whole.

2 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE B,
WEDNESDAY 30 AUGUST,
2023**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B, HELD ON WEDNESDAY, 30 AUGUST, 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Diane Donaldson in the Chair;

Councillors Kooner and Wagg

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Louisa Nisbett - Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/300823 **NOTICE OF RECORDING/WEBCAST**

The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2/300823 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

There were no interests declared.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/300823 An apology was submitted on behalf of Councillors Adam Higgs and Saddak Miah, Councillors Narinder Kooner and Penny Wagg were the nominee Members.

LICENSING ACT 2003 -

3/300823 The following report of the Director of Regulation and Enforcement was submitted:-

(See document attached)

On Behalf of the Applicant

Madhuri Aulak – Premises Licence Holder

Those Making Representations

No representative in attendance.

The Chairman introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Bhapinder Nandhra informed the Committee that he had received communication that Environmental Health had agreed conditions with the Premises Licence Holder to amend the scope of the application and they had therefore withdrawn their objections to the application. Environmental Services were not present. Owing to this taking place less than 24 hours before the meeting the withdrawal of the objection needed to be agreed at the meeting. The objection to the TEN was therefore withdrawn.

The meeting ended at 1018 hours.

Chair

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 10 OCTOBER 2023
--

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 10 OCTOBER 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Saddak Miah (Councillor Penny Wagg took over) and
Julien Pritchard.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not
actively participating in the meeting)

1/101023 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or
subsequent broadcast via the Council's Public-I microsite ([please click this
link](#)) and that members of the press/public may record and take photographs
except where there are confidential or exempt items.

2/101023 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other
registerable interests arising from any business to be discussed at this meeting.
If a disclosable pecuniary interest is declared a Member must not participate in
any discussion or vote on the matter and must not remain in the room unless they
have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter
only if members of the public are allowed to speak at the meeting but otherwise
must not take part in any discussion or vote on the matter and must not remain in
the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the
interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of
Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an

interests flowchart which provides a simple guide to declaring interests at meetings.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/101023 Apologies were submitted on behalf of CouncillorS Diane Donaldson and Saddak Miah and Councillor Sam Forsyth and Penny Wagg was the nominated substitute Members.

MINUTES

4/101023 The Public section of the minutes of the meetings held on 26 August 2023 at 1000 hours were noted.

LICENSING ACT 2003 PREMISES LICENCE – VARIATION – O BAR, 265 BROAD STREET, LADYWOOD, BIRMINGHAM, B1 2DS.

On Behalf of the Applicant

Duncan Craig – Barrister
Kerry Cox – Associate of Duncan Craig
Mike Olley – Westwide Bid
Abdul Muhit – Director
Klaudian Lekstaki – Director
Sophie Walker – Designated Premises Supervisor (DPS)

On Behalf of The Premises Licence Holder

Chris Jones – West Midlands Police (WMP)
Ben Reader - WMP

* * *

The Chair introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. Bhapinder Nandhra, Licensing Section, outlined the report.

The Chair reminded Mr Craig that he must make his presentation and that on behalf of Mike Olley within the 20 minutes.

At this stage the chair invited the applicant/their representative to make their presentation and Duncan Craig, Barrister made the following points: -

a) That he was contacted in August 2023 regarding the application.

- b) He was aware of the Expedited Review in relation to the premises in May and the conditions that were added to the licence following those proceedings.
- c) He put the application in and then had a discussion with the applicant following that.
- d) The issue with the condition added at the review hearing is that it was affecting the amount of people able to enter the premises. Lots of groups did not take ID out with them. There was a group of teachers – eight of them had ID and two didn't so the whole group left the premises.
- e) That the body cam footage showed people attempting to get into the premises and being turned away. It would give the Committee an idea of what the premises were having to deal with in reality.

At this stage the Chair asked if Mr Craig was content for the footage to be screened in public as it was a public hearing, or whether he felt it necessary for it to be screened in private.

Mr Craig said he had no intention of making an application to screen the footage in private, but that he had no problem with it being held in private.

Due to technical difficulties the footage was played but without sound.

At 1055 the meeting was adjourned to allow Mr Craig an opportunity to resolve the technical issues.

The meeting was reconvened at 1112 hours and Councillor Wagg was invited as a substitute for Councillor Miah who sent apologies.

The Chair then asked Mr Craig again whether the footage should be shown in private due to members of the public being recorded without knowledge that they may end up livestreamed on Public-1 microsite.

Mr Craig agreed that the footage should be screened in private. West Midlands Police also agreed that it should be held in private and believed that Mr Craig should have requested that as a preliminary matter.

At this stage all parties went into the private session in order that Mr Craig could share the footage.

EXCLUSION OF THE PUBLIC

5/101023

RESOLVED:-

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt information under Schedule 12A of the Local Government Act 1972.

Following the submissions made in private the public were re-admitted to the meeting.

Duncan Craig on behalf of the PLH continued with his submissions and made the following points: -

- a) That the representations from WMP is that the premises agreed to the condition in June 2023 and did not appeal that decision. It was an agreed position, however the PLH was allowed to change his mind. The premises were not looking to remove the condition entirely, they were requesting to modify it.
- b) The premises had tested the condition and experiencing problems with it so had applied to vary it.
- c) That business was down 75%.
- d) On page 74 of the agenda he had produced a spreadsheet, it outlined the numbers and ages of people entering the premises. Thursday & Friday the average age was 25. Then Saturday and Sunday the ages were 30/31/32. The age range had reduced significantly since the condition was put on the licence, mainly because older people don't tend to carry ID with them.
- e) The Duncan Craig's son was 24 years old and carried his ID with him all the time. The older generation didn't tend to carry it.
- f) The premises used to open Monday, Tuesday and Wednesday and used to have many patrons who had visited the Symphony Hall. The majority of those people didn't carry ID so they don't open those days anymore.
- g) The condition shouldn't act as a punishment.
- h) The condition was crippling and destroying the business after trying and testing it.
- i) The conditions should balance out legitimate business interests against their duty to promote the licensing objectives in a proportionate way.
- j) There are many other premises operating without ID scanners, all nearby.
- k) The premises weren't asking for the ID scanner to not be used, they were asking for the Committee to take a balanced and proportionate decision.
- l) The licence was granted in 2012, operated without issues for 11 years. Then there were two incidents earlier in the year. The decision notice from the review comments on how well operated the premises was and that it was just an isolated incident.

- m) They were just asking for some leniency to allow the premises to operate without having to turn so many people away.
- n) The matter which resulted in the review earlier this year was unforeseeable by the premises.
- o) The DPS was Sophie Walker who was experienced and a personal licence holder.
- p) That the Council had to have regard for their own statement of licensing policy. The decisions made had to consider the Equality Act.
- q) That older people tended not to go with ID, yet younger people did. They were two different groups of people.

At this stage the Chair then invited WMP to make their case. Ben Reader, on behalf of WMP made the following points: -

- a) That he had listened to the submissions made by the PLH. However the ID scanner was not used a purpose of verifying age, it was to record who was inside the premises, which helped WMP with the detection of crime or acts as a deterrent.
- b) They were a well-used resource in the night time economy.
- c) That WMP would not support the removal of anything that the Committee had put in place.
- d) There were two Section 18 woundings in May where door staff received injuries and people received stab wounds after a disorder broke out inside the premises. As a result of the review proceedings and consultation with the premises the Committee added conditions to the licence in order to secure the front door and make sure there was a process in place.
- e) The DPS variation had been submitted and WMP did not object to that application.
- f) If an ID scanner had been in place when the disorder and subsequent Section 18 woundings occurred then WMP would have been able to identify to offender, thus the incident may not have occurred at all.
- g) That during the footage shown in private, the door staff handled the challenges very well, no confrontation broke out and a number of time the door man stated that the ID requirement was not about age. Therefore, it was no discriminatory under the Equalities Act as it was not about age.

No Members had any questions.

The Chair invited closing submissions and Ben Reader, WMP made the following statements: -

- That what the PLH was asking for could have significant repercussions on the night time economy.
- The conditions the PLH had suggested would undermine the effectiveness of the scanner.
- WMP offered a resolution – that discretion could be given to the duty manager or head door person who could allow persons in if the group had ID but a few people in the group didn't. The condition needed to be worded to ensure that any patrons without ID were still recorded in another way to ensure there was some kind of audit trail.
- He wasn't sure how it could be worded, but he had explained as best as he could.

Then Duncan Craig was invited to make a closing submission on behalf of the PLH, he made the following closing statements: -

- That WMP had presented a curveball and he wanted to take instruction. He suggested that an adjournment may be suitable in order to allow the PLH and WMP to enter into discussions.

The Chair advised that much time had been spent on the hearing and that Duncan Craig should address the submissions from WMP as the Committee would be considering the application and not be adjourning.

Duncan Craig continued: -

- That the condition should be well worded and concise.
- That his client did not have any problems with using an ID scanner.
- It was impossible to disorder the age verification.
- What was the benefit of requesting ID from someone at midday?
- They were asking the Committee to allow them to operate effectively and to grant the application.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the short decision of the Sub-Committee was announced in public, then a full written decision was sent to all parties as follows;

6/101023

RESOLVED:-

That the application by City Leisure Entertainment Limited to vary the premises licence in respect of O Bar, 265 Broad Street, Ladywood, Birmingham B1 2DS,

under section 34 of the Licensing Act 2003, be granted subject to the conditions proposed by counsel for the licence holder, namely:

- From 21.00hrs premises to operate an ID scanner. All customers who appear to be under 25 will be required to provide ID to satisfy the scanning requirement. In relation to these customers, no ID, or ID not accepted, then no entry
- Persons who appear to be under the age of 25 should be required to provide proof of age by way of passport, photo driving licence or PASS accredited proof of age scheme

Those other matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to form part of the licence issued.

The company which held the premises licence wished to vary the licence, following a determination by the Sub-Committee regarding an Expedited Review application in June 2023. The Review had been brought as a result of a double stabbing at the premises, in which two members of the premises' security staff had been injured whilst encouraging boisterous patrons to leave. The Sub-Committee noted at the start of the meeting that the conditions which had been imposed at the Summary Review hearing had been expressly agreed between the licence holder and West Midlands Police.

The licence holder company was represented by counsel, who attended the meeting together with various members of the premises' management team, and was also accompanied by the director of the WestSide Business Improvement District; the latter had submitted a written representation of his own. Also in attendance were two officers from West Midlands Police, who had submitted a representation opposing the application to vary the licence.

Part of the meeting, namely the playing of the licence holder company's door staff bodycam footage, was conducted in private session after the Sub-Committee considered an application made by counsel under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, as members of the public were shown on the footage. The police endorsed this course. The meeting therefore went into private session so that the Sub-Committee could view the footage recorded by the door staff.

The Sub-Committee then heard detailed submissions from counsel, who explained that the premises had been trading with the ID scanner condition in place, but had been finding the condition to be placing an unreasonable burden on the operation. He estimated that approximately 75% of the premises' trade was being lost due to the requirement to turn away older patrons who had not brought ID with them. He was aware that the Police did not agree that the ID scanner condition should be removed, and accordingly he had sought to redraft the condition - in a manner which was, in effect, more onerous to the licence holder than the removal which had initially been proposed. However, he was aware that after consideration the Police had found the redrafted proposal to be equally unacceptable.

Counsel considered that the Police representation made much of the fact that the licence holder had agreed to the ID scanner condition (amongst numerous other conditions) in June 2023. He confirmed that it was correct that the company had agreed, and moreover had not appealed against the decision, because those at the premises accepted that it “would have been wrong for them to appeal at that time because it was an agreed position between them and the Police”.

However, he asked the Sub-Committee to reflect on the premises’ experience after implementing the condition, and to revisit the decision made in June 2023, given the negative effect on the business. The Sub-Committee agreed that to do so would follow the guidance of its own Statement of Licensing Policy.

Counsel stressed to the Sub-Committee that all the premises was seeking to do was to modify the ID scanner condition, not to remove it, and asked the Members not to forget that there were 39 non-mandatory conditions on the licence, twelve of which had been imposed at the Summary Review hearing. The licence holder had no desire to evade its responsibilities to promote the licensing objectives; instead, now that the company had had the opportunity of testing the new procedure, problems had arisen, and therefore the company now asked for it to be modified.

The premises attracted a significant number of older patrons, as evidenced by the documents in the Committee Report and the door staff bodycam which had been played to the Sub-Committee. Counsel observed that it was only younger persons, aged in their twenties, who would routinely carry ID when going out for the evening. He said that this was particularly the case for patrons of the O Bar, many of whom were older persons who would come to the premises after a show at the Royal Symphony Hall, after 21:00 hours, only to find that one in their group did not have ID, and therefore the whole group would turn away and proceed elsewhere. This was creating a significant loss of trade which the premises was worried would cause the business to become unviable.

Counsel reminded the Sub-Committee that any condition on a licence had to be proportionate, and should not act as a punishment. The premises had been trading under the ID scanner condition for a few months, but had found it necessary to return to the Sub-Committee to say that whilst it accepted eleven of the conditions that had been imposed at the Summary Review hearing, the ID scanner condition was placing a burden on the business which was “crippling and destroying the business”.

Counsel accepted the Police’s point that the variation application was being made for commercial reasons, but remarked that the reason that premises held licences was for the commercial benefit, and the real issue was that any condition on a licence should balance the legitimate business interests of a licence holder against the duty to promote the licensing objectives, in a proportionate and fair way. The Sub-Committee agreed with this.

Counsel noted that none of the nearby premises which offered a similar style to the O Bar were trading under an ID scanning condition. Notwithstanding this, the premises did not deny that such a condition was a benefit to the premises; the issue was that the premises was having to turn away significant numbers of

potential patrons, to an extent that it was threatening to cripple the business. Counsel asked the Sub-Committee to consider the age profile of the persons shown arriving at the door on the bodycam footage, and also to reflect on how likely it was that such persons would be undertaking activities which could undermine the licensing objectives. The Sub-Committee agreed that the persons shown were of an older age group.

Counsel urged the Members to take a balanced and proportionate decision, asking them to bear in mind that the licence had been granted in 2012, yet since then, it had not been subject to any Review proceedings. Whilst the Police had focused on the two serious assaults which had happened recently, the fact was that the O Bar premises had operated for eleven years without creating any concerns that it was any kind of 'problem premises'.

Counsel further observed that the Decision Notice published after the Summary Review hearing had commented on how proactive the premises had been, and how the incident had been a one-off. It was therefore entirely proportionate that the licence holder should simply ask that patrons of the older demographic, who did not carry their passports on nights out, should be permitted to enter the premises. The Sub-Committee noted this.

Counsel confirmed that the premises would continue to undertake all the searches required, and would continue to responsibly decline to admit persons if they were intoxicated, so that they would not be able to enter the premises. He remarked that there was no suggestion that the premises had not been compliant at any time, and reiterated that the incident earlier in the year had not been foreseeable by the premises. He asked that the Sub-Committee consider the satisfactory past trading history of the premises, and to reflect on the fact that the premises had made the instant request in order to ensure that the business remained viable.

Written submissions had been made by the director of the WestSide Business Improvement District, relating to the public sector equality duty. Counsel explained that section 43A of the Licensing Act 2003 was clear that the licensing authority must have regard to its own Statement of Licensing Policy; other City Council documents were also referenced within the representation. The Sub-Committee noted its responsibilities under the public sector equality duty.

The Sub-Committee then heard from the Police, who said that the issue was the need to make a distinction between age verification and the use of an ID scanner. The Police had noted that on the bodycam clips played in the private session, people had been saying that they were clearly over 25 to the door staff. The purpose of the condition was not to verify age; it was an ID scanner machine which took the identities of patrons, such that there would be a record of patrons, which could assist in the prevention and detection of crime.

The system had been noted to work at other venues, who had noted a significant reduction in the numbers of incidents/reported crimes. This was because it acted as a deterrent (as some persons might decide not to enter if they knew they would have to give their ID), and secondly, it ensured that persons were traceable at a later date.

The Police reminded the Sub-Committee that the new conditions were imposed following two stabbing incidents at the premises in May 2023, and after the premises had been happy to accept the condition and to cooperate with the Police, and also observed that the premises had confirmed to the Sub-Committee at the previous meeting that an ID scanner and bodycam equipment had been ordered. The Police had noted that at the last meeting the Members had been reassured that the designated premises supervisor understood her responsibilities and could be trusted to take proper management control of the premises in implementing the new measures, as she was a very capable and experienced person.

The Police considered that the new designated premises supervisor was an “unknown quantity”; although the Police had been sent her CV and had not objected to her, the Police asked the Sub-Committee to note that they had been asked to take on trust that the person was as experienced as the previous person.

The Police considered that had an ID scanner been in place on the evening of the incident, it was possible that the offender could have been positively identified and brought to justice, and moreover that it might even have prevented the whole incident happening, given that the offender would have been through an ID scanner and thus their identification would have been captured.

For these reasons, the Police view was that the inclusion of ID scanners as a condition of premises licences was an effective and efficient tool to promote the licensing objectives, as ID scanning dramatically reduced the number of incidents in such venues; this made operation safer for both patrons and staff.

However, the Police acknowledged that the door staff seen on the bodycam footage dealt with some of the challenges very well and in a manner which did not lead to any conflict at the door. The Sub-Committee agreed with this.

The Police also observed that the suggestion from the WestSide BID director that the use of ID scanners was discriminatory under the Equality Act 2010 was not correct as the intention was not to check the age of patrons, but to ensure that they provided identification. The Sub-Committee noted this.

The Police advice was that if the application to vary were to be granted, it would negate the effectiveness of the ID scanner. The purpose of the ID scanner was to flag up that a person had been barred on a previous occasion, or had been involved in some incident elsewhere; this would give the door staff an alert as to the risks.

The Police observed that the decision made in regard to the instant application would have significant repercussions for the night-time economy of Birmingham, as a number of licensed premises had ID scanners in place; what the Police wanted was safeguarding of those measures which were working effectively. The condition suggested by counsel, in the opinion of the Police, would undermine the effectiveness of the ID scanner system not only at the O Bar, but at premises across the city centre. The Police therefore asked the Sub-Committee to carefully

consider what the outcome might be in terms of the knock on effect on other premises.

However, the Police then suggested that a satisfactory way forward would be to permit an element of discretion to be exercised by the premises, to make decisions that were based on the situation at any given time. The Police recommended that the Sub-Committee could impose an alternative condition, which would allow a manager or head doorman to take it upon themselves to make a decision to allow certain persons into the premises even though those persons did not have ID, provided the premises documented it and based it on a particular rationale.

The Police considered that this would be a resolution to the problem of whole groups turning away when one or two did not have ID. Those with ID would pass through the ID scanner, and thereafter a discretion to allow those without ID to enter would be exercised (by either the duty manager or the head doorman), and they would record this via bodycam, so that there would be some sort of control measure in place.

The Police invited the Sub-Committee to word a condition to allow the duty manager or head doorman to make the assessment, and to document that those persons were appropriate customers for that premises, and that they were not intoxicated. Groups would therefore not necessarily be turned away, and there would be identification available via the scanner machine of some of the group, which would be a form of control measure on the group members who did not have ID on them. In the event of any crime and/or disorder, the Police felt that this would be satisfactory in terms of contacting or working out who the relevant people were, whilst also allowing the venue to have flexibility.

The Police repeated their concern that the ID scanner issue might potentially impact on other venues that had similar conditions in place after a Review process. They asked that the Sub-Committee should make sure that that it was a workable condition which would give the Police confidence that the licensing objectives would be promoted.

Upon hearing this, counsel expressed surprise at this change of stance by the Police; the Sub-Committee agreed with him. Counsel observed that conditions should be precise, enforceable and capable of being clearly understood by all parties; he considered that it was his proposed conditions which met this standard. The Challenge 25 system was enshrined as an overarching principle in most licences nowadays, and it would be very straightforward for any responsible authority to enforce.

Regarding proportionality, counsel asked the Sub-Committee to reflect on the 21.00 start time for the use of the ID scanner; he noted that a start time for the scanner made it a qualified condition, not an absolute condition. The start time for its use was for proportionality, and he therefore invited the Sub-Committee to apply common sense and take a proportionate approach. The O Bar was the only licensed premises in the immediate vicinity operating under an ID scanner condition and was facing a hugely negative effect on business as a result.

Counsel therefore invited the Sub-Committee to grant the variation application in the terms requested.

When deliberating, the Sub-Committee carefully considered the proposal put forward by the licence holder, and the likely impact of the application. The Members bore in mind paragraph 9.12 of the Guidance issued under s182 of the Act, namely the need for robust evidence in decision making.

The representations which had been received from the Police had been concerned with the impact on the prevention of crime and disorder if the variation were to be granted, and on that basis the Police (in their documents in the Committee Report) had said that they were not prepared to endorse any departure at all from the existing ID scanner condition - yet during the meeting the Police had said that the issue could be left to the discretion of the duty manager or even the head doorman. The Sub-Committee therefore noted that the mandatory use of the ID scanner was clearly not as important to the upholding of the prevention of crime and disorder objective as had been suggested in the Police documents.

After viewing the bodycam footage, the Sub-Committee agreed that the ID scanner requirement was creating an undue burden on the premises, such that it was putting the viability of the business in jeopardy. This had not been the intention behind the adoption of the ID scanner condition at the Summary Review hearing. The intention had been to adopt a condition which had been agreed between the parties. However, the premises had found it to have exerted an unreasonably negative effect on trading, and therefore the premises had instead offered an alternative which would adequately cover the risks.

Whilst the Police had raised doubts about aspects of the operating style, especially given that there was a new designated premises supervisor, they had not in fact maintained their advice that the ID scanner condition should remain exactly as it was. Instead they had advised, at a very late stage of the meeting, that the Sub-Committee should draft a condition which would give the staff a discretion to admit persons without the use of the ID scanner.

The Sub-Committee found this unsatisfactory, and considered that this type of proposal was something that the Police should have discussed with counsel for the premises in advance of the meeting.

The Sub-Committee carefully examined the submission from the director of the WestSide BID, and was aware of its responsibilities under the public sector equality duty.

Age was a protected characteristic under the legislation and the BID had asked whether, in making the original determination, an equalities impact assessment had been made. The Members were aware that the City Council was committed to seeking and eliminating unlawful discrimination, harassment and victimisation, to advancing equality of opportunity between people who shared protected characteristics and those who did not, and to fostering good relations between people who shared protected characteristics and those who did not.

However, the Members did not accept that the requirement for an ID scanner, which had been imposed as an agreed condition at the Summary Review meeting, discriminated against or disadvantaged persons on the grounds of their age. The Members considered that the adoption of an agreed ID scanner condition had been the correct course at the Summary Review hearing; it had been agreed between the parties on the basis that both sides were of a shared view that it was necessary to ensure that the prevention of crime and disorder objective would be upheld. In the instant matter however, counsel had asked the Sub-Committee to note that a significant number of the premises' clientele were of the older age groups, and this had been evidenced by bodycam footage showing such persons arriving at the door.

The Sub-Committee had been taken aback by the change of position announced by the Police at a very late stage of the meeting; it had been something of an ambush of both the Sub-Committee and those representing the licence holder. The Members hoped that in future the Police would discuss such issues with applicants before a meeting, in order that an agreed position might be presented.

Leaving that issue aside, the Sub-Committee wanted well-run businesses to thrive in Birmingham, and had been worried at talk of the premises losing 75% of its custom due to the requirements of the ID scanner condition. The proposal put forward by the premises was precise and enforceable, and would cover any risk adequately. The Sub-Committee therefore resolved to vary the licence in the terms proposed by counsel for the licence holder.

The Sub-Committee determined that the applicant's responsible style of management, and the proposed variation, would enable the premises to uphold the licensing objective relating to crime and disorder, and therefore granted the application. The Sub-Committee noted in particular the professionalism shown by the door staff who had dealt politely and respectfully with persons approaching the door; the Members had confidence that the premises would operate responsibly under the varied condition.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under s182 of the Licensing Act 2003 by the Home Office, the application for the variation of the premises licence, the written representations received and the submissions made at the hearing by the applicant company via its counsel, and by the Police.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

Please note the meeting ended at 1218 hours.

Chair.....

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE B
10 OCTOBER 2023**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 10 OCTOBER 2023 AT 1200 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Saddak Miah and Julien Pritchard.

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

9/101023 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

10/101023 **DECLARATION OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an

interests flowchart which provides a simple guide to declaring interests at meetings.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

11/101023 Apologies were submitted on behalf of CouncillorS Diane Donaldson and Saddak Miah and Councillor Sam Forsyth and Penny Wagg was the nominated substitute Members.

EXCLUSION OF THE PUBLIC

12/101023 **RESOLVED:-**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 31st October 2023
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Jungle Rumble, Unit 21, Star City, Watson Road, Nechells, Birmingham, B7 5SA
Ward affected:	Nechells
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:
<p>To consider a representation that has 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 10:00am until 11:30pm (Monday to Sunday).</p> <p>The provision of Regulated Entertainment consisting of indoor sporting events, to operate from 10:00am until 11:30pm (Monday to Sunday).</p> <p>To permit the provision of Late Night Refreshment, to operate indoors only, from 11:00pm until 11:30pm (Monday to Sunday).</p> <p>Premises to remain open to the public from 10:00am until 12:00midnight (Monday to Sunday).</p>

2. Recommendation:
<p>To consider the representation that has been made and to determine the application, having regard to:</p> <ul style="list-style-type: none"> • The submissions made by all parties • The Statement of Licensing Policy • The Public Sector Equality Duty • The s182 Guidance

3. Brief Summary of Report:
<p>An application for a Premises Licence was received on 11th September 2023 in respect of Jungle Rumble, Unit 21, Star City, Watson Road, Nechells, Birmingham, B7 5SA.</p> <p>A representation has been received from other persons.</p>

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.</p>

5. Relevant background/chronology of key events:

Jungle Rumble (Star City) Limited applied on 11th September 2023 for the grant of a Premises Licence for Jungle Rumble, Unit 21, Star City, Watson Road, Nechells, Birmingham, B7 5SA.

A representation has been received from other persons, which is attached at Appendix 1.

The application is attached at Appendix 2.

Conditions have been agreed with West Midlands Police and the applicant, which are 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 Appendix 1.

Application Form, Appendix 2.

Conditions agreed with West Midlands Police, 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.

From:

Sent: 23 September 2023 20:33

To: Licensing

Subject: Objection to jungle rumble star city b7 5sa

Hello

I am just writing to express my concerns with the new establishment that is going to open, called jungle rumble at star city birmingham.

I have seen the notice which states it will be serving alcohol.

We have been going to star city for many years now and in the past there have been issues with asbo's and drunkard youth starting random fights. I have 2 little ones who really enjoy going on a weekly basis. Alcohol should not be allowed as star city is already unsafe.

Thank

Birmingham City Council

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.

We Jungle Rumble (Star City) Ltd

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			
Jungle Rumble Unit 21, Star City Watson Road Nechells			
Post town	Birmingham	Post code	B7 5SA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£83,500	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |

- ga a person who is registered under Chapter 2 of ☐ please complete section (B)
) Part 1 of the Health and Social Care Act 2008
 (within the meaning of that Part) in an
 independent hospital in England
 h) the chief officer of police of a police force in ☐ please complete section (B)
 England and Wales

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- 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 ☐
 o statutory function or ☐
 o 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 old or over			I am 18 years <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)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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 old or over			I am 18 years <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)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(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 Jungle Rumble (Star City) Ltd
Address Horizon Ca 12 Somerset Place Glasgow Scotland G3 7JT
Registered number (where applicable) SC763387
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?

Day	Month	Year
A	S	A

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

Day	Month	Year

A

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

Jungle Rumble is an indoor adventure mini golf centre comprising of 2 golf courses over 2 floors.

The premises already has a premises licence (no 3044) but due to difficulties transferring the premises licence an application is being made for a new premises licence.

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 of the Licensing Act 2003 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) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☒
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

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				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed						
Thur			State any seasonal variations for performing plays (please read guidance note 5)			
Fri						
Sat						
Sun			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)			

--	--	--	--

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both <input type="checkbox"/>
Tue				
Wed				
Thur			State any seasonal variations for the exhibition of films (please read guidance note 5)	
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)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	23:30	
Tue	10:00	23:30	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	23:30	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 (please read guidance note 6)
Sat	10:00	23:30	
Sun	10:00	23:30	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
				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 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"/>
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 live music</u> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded 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"/>
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 playing of recorded music</u> (please read guidance note 5)		
Thur					

Fri			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)
Sat			
Sun			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance 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	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)			
Wed						
Thur			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 (please read guidance note 8)			
Fri						
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)			
Wed						
Thur						

Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</u>
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 (please read guidance note 6)</u>
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	23:30	Please give further details here (please read guidance note 4) The provision of hot food and drink for consumption on the premises.		
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	23:30			
Fri	23:00	23:30	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 (please read guidance note 6)		
Sat	23:00	23:30			
Sun	23:00	23:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (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	10:00	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:30			

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

Name Alexander Vowles
Date of birth

Address	
Postcode	
Personal Licence number (if known) SGC/20/0595	
Issuing licensing authority (if known) South Gloucestershire Council	

K

<p>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)</p> <p>N/a.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	<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)
Mon	10:00	midnight	
Tue	10:00	midnight	
Wed	10:00	midnight	
Thur	10:00	midnight	
Fri	10:00	midnight	
Sat	10:00	midnight	
Sun	10:00	midnight	

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

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

1. The main purpose of the premises is for playing crazy golf. Alcohol sales will be ancillary to the use of the premises as a crazy golf centre.

b) The prevention of crime and disorder

1. A CCTV system will be installed and maintained to the specifications and at the locations requested by West Midlands Police (Licensing Department at Queens Road Police Station). All images will be held for a minimum of 7 days. All images held are available immediately on request by any of the responsible authorities.
 2. Security are present throughout the Star City site.
 3. A radio link will be maintained with Star City Security at all times the premises are open to the public.

c) Public safety

1. Provisions for First Aid will be made available at the premises at all times.

d) The prevention of public nuisance

1. No music other than background music is permitted in the café.
 2. A link to Star City security will be maintained in case public nuisance is caused.

e) The protection of children from harm

1. No adult entertainment, services or activities on the premises at any time.
 2. Children under the age of 12 will only be allowed on the premises when accompanied by a responsible adult after 22:00.
 The premises will operate a 'Challenge 21' policy with all staff given the appropriate training.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- 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 or my share code issued by the Home Office online right to work checking service (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 11). 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	11/09/2023
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

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)			
Poppleston Allen Solicitors			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not

- exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for

- example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

1. by providing with this application copies or scanned copies of the documents which an applicant may provide to demonstrate their entitlement to work in the UK (which do not need to be certified) that are published on GOV.UK and in guidance issued under section 182 of the Licensing Act 2003.
2. by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below)

Home Office online right to work checking service

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work check service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

NOT TO SCALE FROM THIS DRAWING. ANY ERROR IS TO BE REPORTED TO ARCHITECT IMMEDIATELY.

Symbols:

The location and type of any fire safety and other safety equipment is shown as it appears. This may be varied from time to time with the agreement of the Fire Officer or other relevant authorities.


- Extinguisher
- Fire hose
- Fire pump
- Fire equipment
- Sand
- Fire evacuation horn
- Emergency Lighting
- Flashing Beacon
- Smoke alarm
- Fire alarm



- KEY**
- Golf Course 02
 - Golf Course 03

MEZZANINE LAYOUT





McINNES GARDNER

Est. 1991

Tel: 01473 332 334

Number: JN306 E 003 D

Title: Licensing Drawings

Project: JR Star City

Client: Mr Angus Wright

Date: 23/03/24

Checked By: SB

Architect: AM

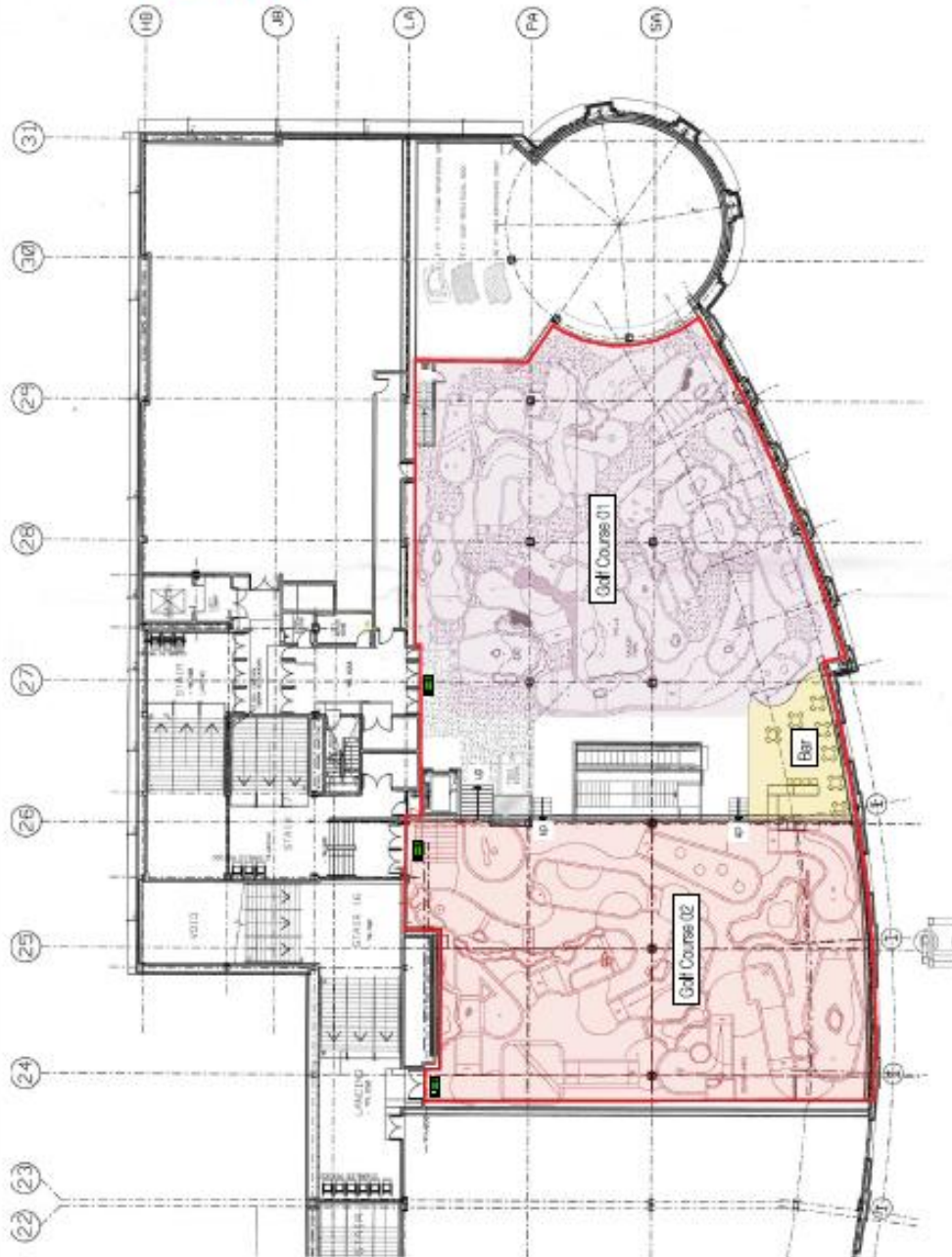
NOT TO SCALE FROM THIS DRAWING. ANY AREA TO BE APPROVED BY APPLICANT IMMEDIATELY.

Symbols:

The location and type of any fire safety equipment is shown as follows. This may be varied from time to time with the agreement of the Fire Officer or other relevant authority.



FIRST FLOOR LAYOUT



Red line demarks area for the provision of licensable activities (Area 1068 sqm)



McINNES GARDNER
 Est. 1910
 T: 0147 332 3941

Number: JN906 E 002 D
 Title: Licensing Drawings
 Project: JN Star City
 Client: Mr Angus Wright
 Date: 23/05/24
 Checked By: SG
 Architect: AM

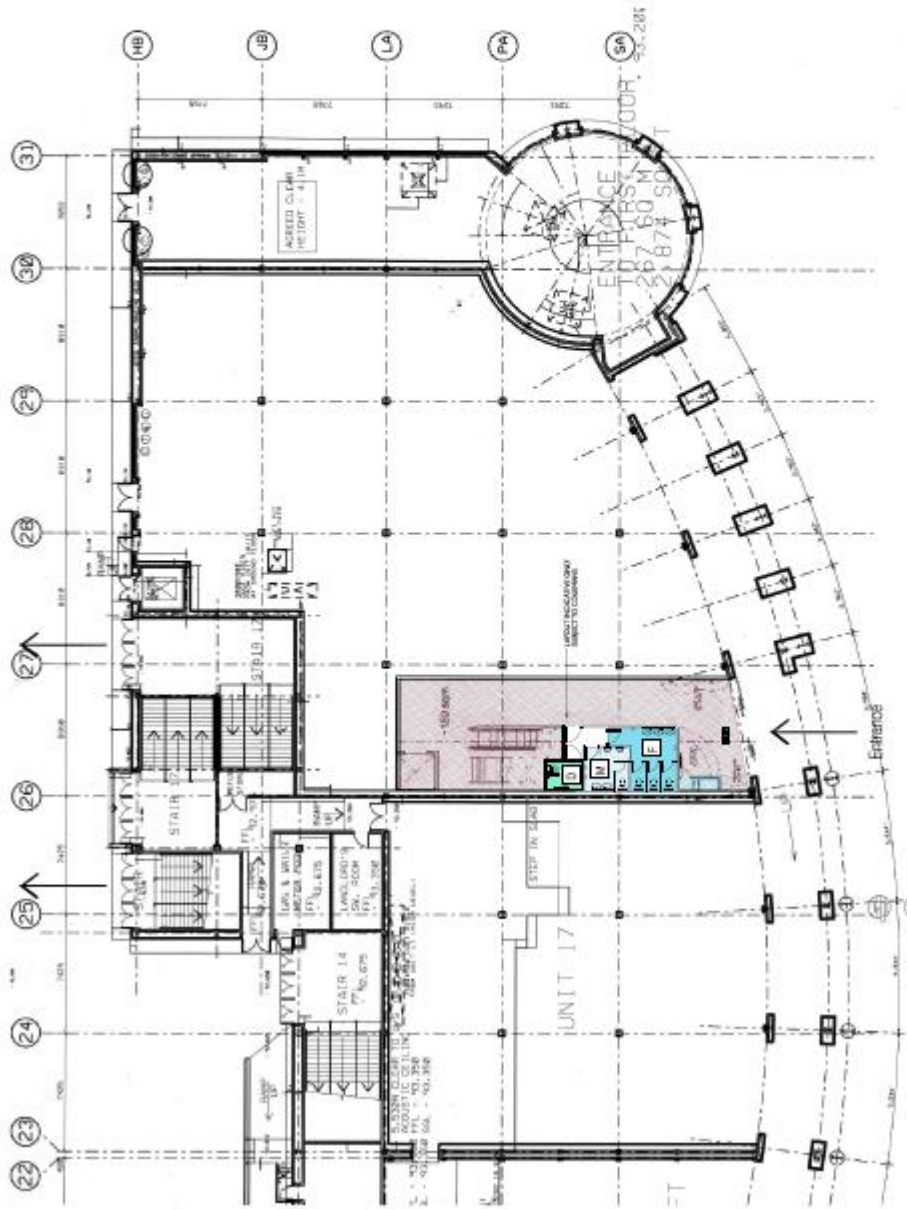
NOT TO SCALE

- Symbols:**
- Extinguisher
 - Fire hose
 - Fire pump
 - Fire equipment
 - Sand
 - Fire evacuation room
 - Emergency Lighting
 - Flashing Beacon
 - Smoke alarm
 - Fire alarm



- KEY**
- DDM WC
 - Female Toilets
 - Male Toilets
 - (Area 34.2sqm)

GROUND FLOOR LAYOUT



McINNES GARDNER
Est. 1910
T: 01 41 332 1841

Number: JN906 E 001 D
Title: Licensing Drawings
Project: JR Star City
Client: Mr Angus Wright
Date: 23/03/24
Checked By: SB
Architect: AM

From: bw licensing
Sent: 14 September 2023 08:01
To: Licensing
Cc: e varley
Subject: Grant Application - Jungle Rumble (Star City) Ltd - Unit 21_ Star City - B7 5SA - 169898
PCX:000071000001136

Good Morning Licensing,

With regard to the premises licence application for Jungle Rumble, Star City B7 5SA

West Midlands Police have reviewed this application and are happy that if the below conditions are added / amended to the licence, together with the operating conditions already offered by the applicant then the licensing objectives will be met and promoted.

The below conditions have been agreed with the applicant via their legal representative, as per below email chain who is copied into this.

Please note that condition 1 is a reword from the application form - b) The prevention of crime and disorder (1)

1. A CCTV system will be installed and maintained to the specifications and at the locations requested by West Midlands Police (Central Licensing Department). All images will be held for a minimum of 7 days. All images held are available immediately on request by any of the responsible authorities.
- There will be someone on site, while the premises is carrying licensable activity who is capable of operating the CCTV system.
 - The CCTV system will be checked daily to ensure it is full working order and recording, prior to the premises carrying out licensable activity. This check will be documented, timed, dated and signed by the person checking. This documentation will be made available to any of the responsible authorities on request.
 - If for any reason the CCTV hard drive needs to be replaced then the previous/old hard drive will be kept on the premises for a minimum of 7 days. This hard drive will be made immediately available to West Midlands Police on request.
 - The premises will risk assess the need to deploy door staff at the venue. If door staff are deployed at the premises then they will sign on and off duty together with their full SIA licence number. This signing in book will be made available to any of the responsible authorities on request.
 - Door staff will be identifiable by wearing either a high-visibility jacket, coat, tabard OR/and corporate uniform.
 - All staff working front of house, while it is carrying out licensable activity will be trained in their responsibility of the licensing act 2003. This training will be documented and signed by both the trainer and trainee. These training records will be made available to any of the responsible authorities on request.

If the above conditions are imposed onto the licence then West Midlands Police have no objection to this licence application.

Regards and thanks

Chris Jones 55410

Central Licensing Team West Midlands Police

OFFICIAL

From: Elizabeth Varley
Sent: 13 September 2023 19:53
To: bw licensing
Cc: Jonathan Smith
Subject: [External]: RE: Grant Application - Jungle Rumble (Star City) Ltd - Unit 21_ Star City - B7 5SA - 169898 PCX:000071000001136

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Hi Chris

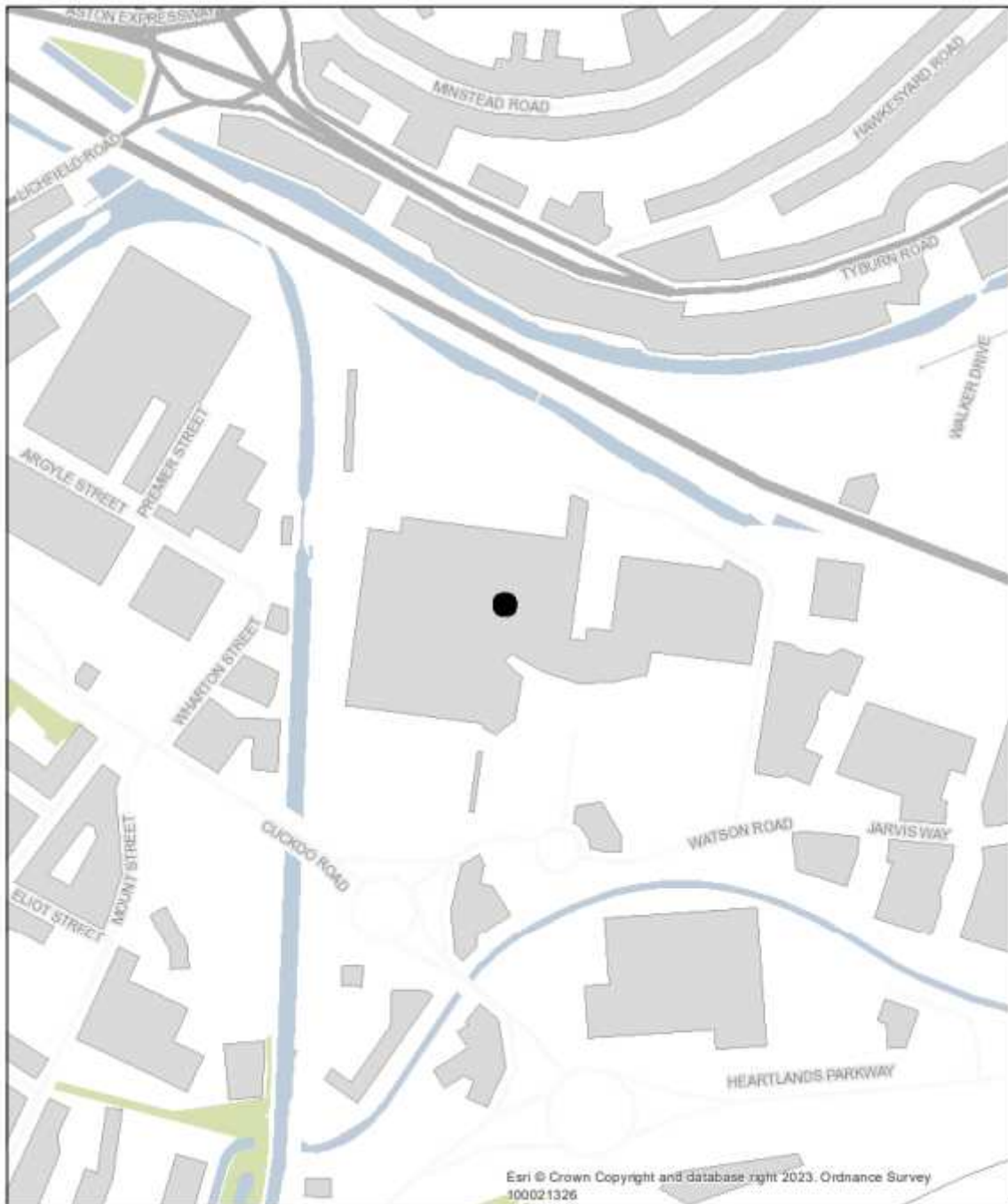
I have spoke to the client and they are happy to agree the conditions outlined below.

If you have any further queries please just ask.

Thanks

Elizabeth Varley | Trainee Solicitor

Poppleston Allen





**Birmingham City Council
Licensing Sub Committee B –31 October 2023
10:00am**

**Licensing Act 2003: Determination of an Application for a
PREMISES LICENCE – JUNGLE
RUMBLE, UNIT 21, STAR CITY, WATSON ROAD, NECHELLS,
BIRMINGHAM, B7 5SA**

Supplementary Documentation.

Index	
1.	Jungle Rumble Mood Boards
2.	Birmingham Site Photos
3.	Price Menu.
4.	Challenge 25 Training Documentation.
5.	Previous Premises Licence No:91340.
6.	Emails to Objector.

TAB 1





TAB 2



@JungleRumble

TAB 3

JUNGLE RUMBLE



ONE COURSE

Adult.....	£12.00
Student/Concession....	£10.00
Child.....	£8.50
Under 5.....	£5.00
Family of 4.....	£36.00
4 Student Deal.....	£36.00



TWO COURSES (NOT VALID ON WEEKENDS)

Adult.....	£18.00
Student/Concession....	£16.00
Child.....	£14.00
Under 5.....	£8.00
Family of 4.....	£48.00
4 Student Deal.....	£48.00



TAB 4



CHALLENGE 25 TRAINING AND GO TO.

Please scroll below to
begin

Check 25 – Information for Staff

- You should be regularly trained about Check 25 to ensure you are confident about who to challenge and how to challenge.
- You should feel supported by everybody working within the business to give you confidence when you make the decision to challenge customers.
- Posters should be prominently displayed in your business to advertise your proof of age policy and to deter potential underage customers.
- Keep records of challenged attempts to buy alcohol and tobacco - this may help you and Trading Standards.
- Your employer should be clear about what ID is acceptable - Check 25 recommends PASS approved cards, a passport or driving licence.
- You should have been trained about the types of ID that are acceptable and how to look out for fake ID.



National Campaign

The Constabulary is currently working with Trading Standards Services on a joint enterprise to ensure that the PASS card becomes the preferred proof of age. We are asking licensed premises across the county to accept the PASS card as the key tool for age verification.

Our aim is to discourage young people from carrying and presenting passports and driving licenses as proof of age, thus reducing the number of valuable documents being lost within the night time economy and the associated offences of identity theft and fraud that can result. We would therefore like to see the PASS card used as the primary acceptable form of age verification.

Visit www.lancashire.gov.uk/lancan for more information on the National Proof of Age Standards Scheme.



Test purchasing

Trading Standards is the organisation that carries out official test purchases at your business by sending in a customer who is underage to see if they can purchase an age restricted product. The purpose of these tests is to check if you are meeting both your legal requirements and your own published policy, such as **CHECK 25**.

Trading Standards Advice to ensure you Retail Responsibly

- Look at every customer – CHECK 25.
- If in doubt as to the customer's age, ask for ID.
- Do not ask any other questions such as "How old are you?" - the only question you should be asking is to see an approved form of ID.
- Don't forget, once the challenge has taken place you **MUST** see valid ID before authorising the sale. Under no circumstances must you ever change your mind and allow the sale without seeing valid ID.
- You can ask for confirmation of their date of birth or other information on the ID to check that it is their own ID and not somebody else's.
- If it's a driving licence ask them when they passed their driving test or ask them where they've been on holiday if their passport has been stamped.
- If in any doubt always refuse, even with ID.
- Record all refusals or ID checks in your refusal record book/sheet.

Comprehensive information to support you in making effective challenges and ID checks is located in this guidance.

Main Reasons for Failing Test Purchases made by Trading Standards

- Only assessing if a customer appears to be 18 or over – which is extremely risky! Always CHECK 25 to protect yourself and your underage customers.
- Not concentrating, being distracted by talking to somebody else or texting on their phones.

Due Diligence

Selling alcohol or tobacco to an under 18 is a strict liability offence - the owner of the business can be held responsible as well as the member of staff who made the sale. A person who is charged with this offence has a legal defence available to them to prove that they took all reasonable precautions and exercised all due diligence to avoid committing the offence. This is commonly known as the 'due diligence' defence.

Ignorance is not a defence. Due Diligence is usually used in Court to prove that it was an accident and not your normal procedure. Its aim is to prove that you know the law & understand

your legal responsibilities and obligations and that you comply by all of your policies and procedures and would not normally break the law.

It is not acceptable for you to say "I didn't know the law", or "I didn't understand the law." Everyone who is involved in the sale of alcohol or tobacco is expected to understand their responsibilities.

Your employer should have effective underage sales policies in place to ensure you play your part to prevent age restricted products landing in the hands of children. However, it is also important for them to show you have strong policies and procedures if an underage sale takes place at your business as this can protect them, and you, as it may significantly reduce the sanction you receive for having made an underage sale.



Identification

REMEMBER young people attempting to deceive you into selling them an age restricted product can do so by presenting you with:

- A genuine ID that has been tampered with.
- A genuine ID that is not actually theirs.
- A fake ID that is an imitation of a genuine ID card type.
- A fake ID that is made for the purpose of looking genuine, but is not a real scheme.

STEP 1: CHECK THE PHOTOGRAPH

- Ensure that the photograph is of the person presenting the card.
- The photograph must be printed directly onto the plastic of the card – NOT stuck on top of the plastic.

STEP 2: CHECK THE DATE OF BIRTH

- Calculate the age of the person from the date of birth.
 - (You should have the date of birth calculator at the till point or at the door).
- The date of birth must be printed onto the plastic – NOT handwritten or stuck on top of the plastic.

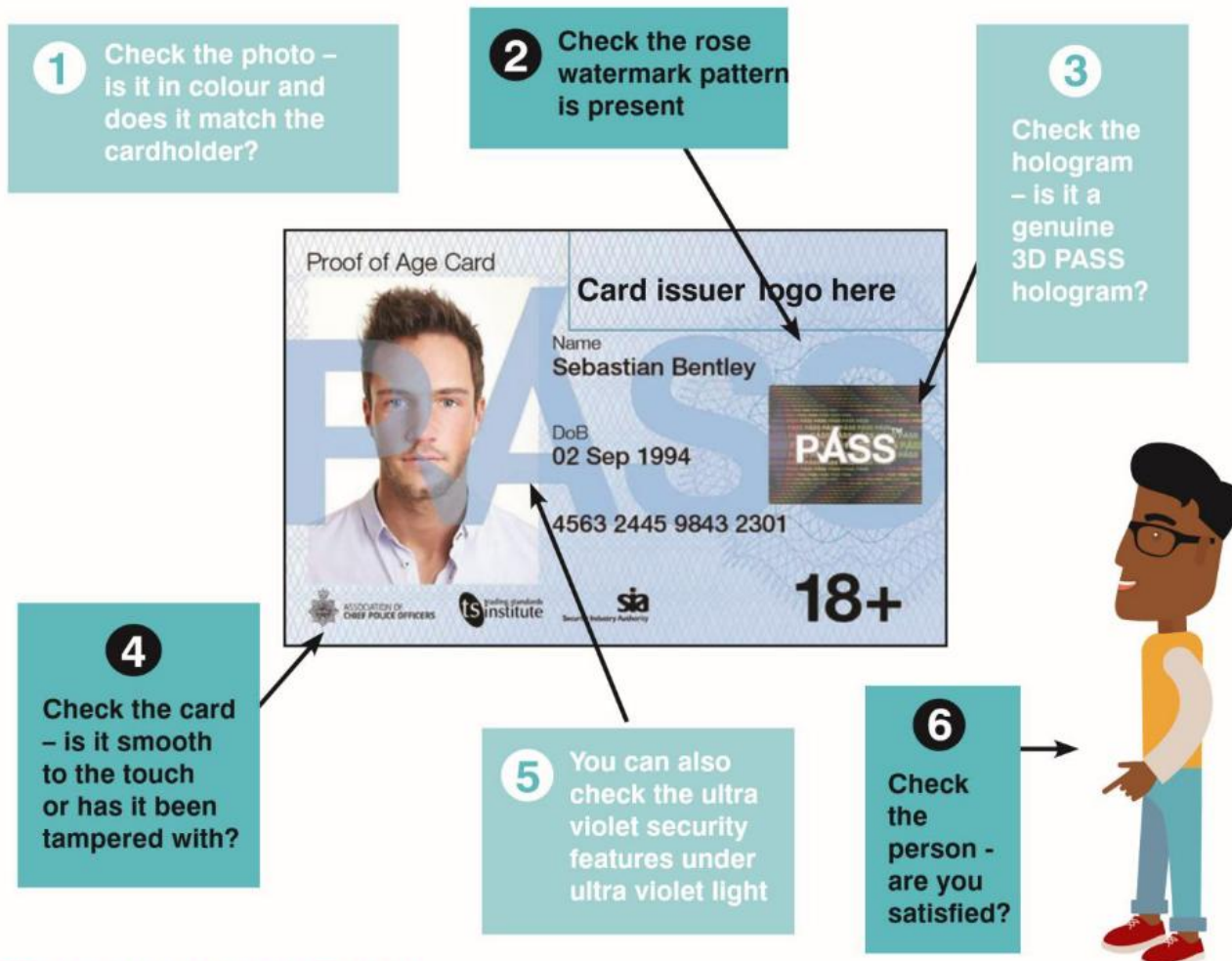


STEP 3: CHECK THE DOCUMENT

- Ensure the card has not been tampered with or altered (for example the printed dates have been altered using a pen or marker).
- Feel the card in order to identify whether anything has been stuck to the card. Look out for official looking cards that are actually fake. There is no such thing as a UK National Identity Card or a Motorcycle Learners Permit.
- The only official documents you should accept are passports, driving licences and PASS cards.

STEP 4: CHECK THE PASS CARD (IF NOT A PASSPORT OR DRIVING LICENCE)

PASS Card information for staff



STEP 5: CHECK THE PERSON

- If you are still unsure about a person's age, your legal responsibility is to refuse to sell.

Personal Safety

When carrying out a refusal you should always consider your own personal safety. This does not mean you can ignore your legal responsibility to make challenges and undertake refusals, but it does mean by following a few basic common sense procedures you will reduce any potential risk of harm.

- If you have door staff they will always act as your first line of defence to prevent under age sales of alcohol or tobacco taking place. However, you should not rely on ID checks taking place at the entry to the venue. You should always Check 25 at the point of sale.
- Refuse or ask for ID first - only present the goods to them once you are satisfied they are old enough to buy them.
- Ensure you always appear calm, positive and professional, this way you can reduce the likelihood of a potential conflict situation occurring.
- Be pleasant and helpful – maintain eye contact. If you avoid eye contact you may seem nervous and therefore not in control; this must be natural eye contact, not staring.
- Always speak clearly.
- Explain why you are refusing the sale or entry, that you are following your company policy and the law.
- To create space, take one step back before you inform the customer you are refusing the sale or entry.
- Do not appear aggressive. Some customers may be excitable, drunk, be affected by prescription drugs or have a medical condition unknown to you, but whatever the situation they are more likely to respond aggressively if you appear aggressive towards them.
- Show you understand your customer's feelings by nodding, this will help them to accept what you are saying. Try not to slouch, fidget or avoid eye contact. If you do, it may appear to the customer that you are disinterested in them or uncomfortable in carrying out the refusal and they may attempt to put more pressure on you to change your mind.
- If you need to be more assertive raise the level of your voice, but do not shout and always avoid using sarcasms or offensive tones in your voice.
- Never talk down to the customer.



- Your decision is final. Once you have decided to refuse the sale or entry do not let anybody persuade you to change your mind. Other colleagues should not interfere or overturn your decision.
- Act consistently and fairly. You can do this by always asking for ID, all the time, every time, explain why you are refusing the sale or entry.
- If you feel intimidated call for assistance and support from a colleague. Always help each other out. If you see a colleague who could do with your help, offer it. Just your presence next to your colleague could make all the difference. Remind customers they are being recorded on CCTV.
- Call the Police if the customer becomes aggressive. If you fear for your safety or the safety of others press the panic alarm buttons.
- If a confrontational, violent or potentially violent incident occurs always inform your supervisor of the incident.

Proxy Sales

It is illegal to sell alcohol or tobacco to a person who you know is going to supply it to a person under age. This is commonly called a 'proxy sale'. Whilst this is not the case for some other age restricted products, you should consider adopting a common approach to identifying and preventing proxy sales across all age restricted products.

It can be very difficult to know if an adult intends to buy an age restricted product for or on behalf of someone who is underage. Therefore, you are only expected to act when you suspect a proxy sale is taking place.

Here are some common scenarios:

1. Just because a customer is accompanied by someone who is clearly underage, that does not mean you should suspect them of being a proxy purchaser.
2. If you see the adult asking the child what restricted product they want, or if the child's behaviour suggests the product is for them – then you should refuse the sale.



Do you know the penalties for underage sales of alcohol?

These are the penalties that you could face if you sell alcohol to a person under the age of 18:

- A fine of up to £5,000 if a member of staff makes an underage sale, unless they can show they have taken all measures, including asking for identification that would convince a reasonable person that they were over 18.
- A fine of up to £20,000 for a premise that persistently sells to people underage, defined as happening on 2 or more occasions in a 3 month period.
- Closure orders for a maximum of 14 days following persistent underage sales.
- A fine of up to £5,000 for proxy sales, where a person purchases alcohol on behalf of a minor.

Training

In addition to induction training, you should also receive regular refresher training. This is where you refresh your knowledge about the law and company policies. Remember, refresher training does not have to be formal and your employer should aim to regularly discuss underage sales prevention issues with you and your colleagues.

Did you know?

Trading Standards provides you with FREE online learning resources, for all your staff, at www.lancashire.gov.uk/lancan

We recommend that you undertake formal refresher training with your staff at least once every six months. Another form of refresher training is to use simple questions and answer sheets. Ensure your staff sign and date a copy of their training sheets and keep it on file with your other training records. Question and answer sheets accompany this guide.

Trading Standards advice is for your employer to make this guide readily available to all your managers, supervisors and staff at all times.

Selling Alcohol to Someone Who Is Drunk

- It is illegal to knowingly sell alcohol, or attempt to sell alcohol, to a person who is drunk. It is also illegal to allow alcohol to be sold to someone who is drunk.
- Breaking the law could result in a fine. If the convicted person is a personal licence holder, they could lose their licence.
- It is also an offence for a person to knowingly get, or try to get, alcohol for a drunken person on a licensed premises.

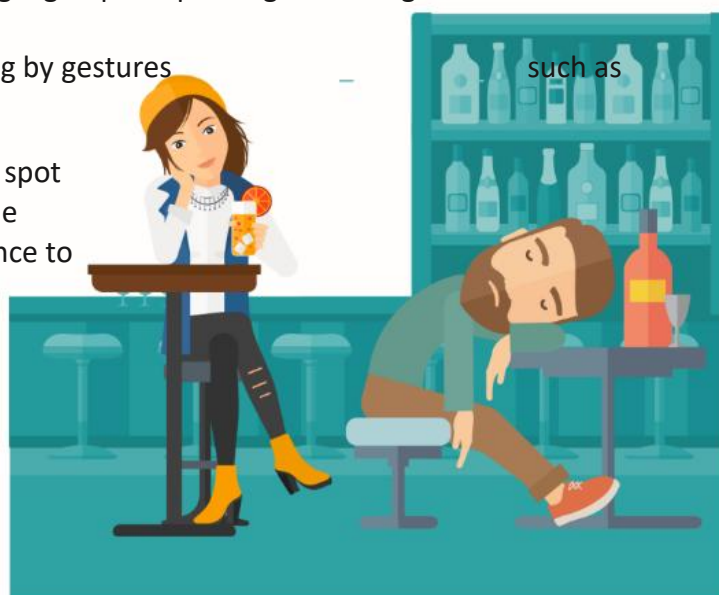
Signs to look out for

- Unsteady on feet, bumping into things, glazed eyes, smell of alcohol on breath, being propped up by friends, falling asleep, slurred words.
- Loss of some normal coordination such as struggling to pick up change or taking cards from a wallet or purse.
- Can't find the right words to use, communicating by gestures such as pointing.

Staff training on the effects of alcohol, and how to spot early signs of customers becoming drunk, should be provided to give them the knowledge and confidence to deal with drunken customers.

Caffeine based drinks

There are potential dangers of mixing popular caffeine based drinks with alcohol. Drinkers may take more risks, as an increased state of alertness may make them less aware of how drunk they actually are.



TAB 5

1. [Home](#)
2. [Registers](#)

Licence Details

Application Number:

91340

Licence Number:

3044

Licence Description:

Licensing Act 2003

Licence Type:

Premises Licence

Application Type:

Premises Licence New Application

Status:

Granted

Licensee:

Mr John Denton Whitehead

Trading Name:

Adventure Island Mini Golf

Licence Address:

Unit 21

Star City

Watson Road

Nechells

Birmingham

B7 5SA

Issue Date:

20-05-2008

Start Date:

02-05-2008

Licence Specifics

Premises Licence

Description:

Bowling/Leisure Complex

Plays:

No

Films:

No

Indoor Sporting Events:

Yes

Boxing Or Wrestling Entertainment:

No

Live Music:

No

Recorded Music:

No

Performance Of Dance:

No

Other Standard Activities:

No

Late Night:
Yes
Supply Of Alcohol:
Yes

Designated Premises Supervisor

Name:
Mr John Denton Whitehead
Start Date:
13-03-2008
Dps:
Yes

Designated Premises Supervisor Times

PLAYS
No Data Available
FILMS
No Data Available
INDOOR SPORTING EVENTS
Start Time
End Time
Monday
10:30
23:00
Tuesday
10:30
23:00
Wednesday
10:30
23:00
Thursday
10:30
23:00
Friday
10:30
00:00
Saturday
10:30
00:00
Sunday
10:30
00:00

BOXING OR WRESTLING ENTERTAINMENT
No Data Available
LIVE MUSIC
No Data Available
RECORDED MUSIC
No Data Available
PERFORMANCE OF DANCE
No Data Available
OTHER STANDARD ACTIVITIES

No Data Available

LATE NIGHT

Licence Location

Start Time

End Time

Monday

Tuesday

Wednesday

Thursday

Friday

23:00

00:00

Saturday

23:00

00:00

Sunday

23:00

00:00

SUPPLY OF ALCOHOL

Licence Location

For consumption on the premises

Start Time

End Time

Monday

13:00

22:00

Tuesday

13:00

22:00

Wednesday

13:00

22:00

Thursday

13:00

22:00

Friday

13:00

23:00

Saturday

13:00

23:00

Sunday

13:00

23:00

OPENING HOURS

Start Time

End Time

Monday

10:30

23:00

Tuesday

10:30

23:00
Wednesday
10:30
23:00
Thursday
10:30
23:00
Friday
10:30
00:00
Saturday
10:30
00:00
Sunday
10:30
00:00

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.

No adult entertainment, services or activities permitted on the premises at any time.

Patrons not playing golf will not be able to enter the cafe area.

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

A CCTV system will be installed and maintained to the specifications and locations of West Midlands Police (Licensing Department at Queens Road Police Station.) All images will be held for a minimum of 7 days. All images held are available immediately on request by any of the responsible authorities.

Drinks must be consumed in the cafe area only.

Door Supervisors and Security are present throughout the site.

A radio link will be maintained with Star City Security at all times the premises is open to the public.

No music is permitted at the cafe.

A link to Star City Security will be maintained in case public nuisance is caused.

Provisions for First Aid will be made available at the premises at all times.

Emergency/Safety lighting will be maintained at the premises.

Full ventilation will be in place at the premises.

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

Fire Notices will be prominently displayed at the premises.

Children will be permitted in the cafe only if accompanied by an adult.

Only those coming to play golf (with leisure in mind) will be permitted access to the cafe.

No Person will be permitted on the premises solely for the purposes of consuming alcohol.

Children under the age of 12 will only be allowed on the premises when accompanied by a responsible adult.

The premises will operate a 'Challenge 21' policy with all staff given the appropriate training.

TAB 6

Alex Tomlinson

From: j.smith@popall.co.uk
Sent: 11 October 2023 11:16
To: [REDACTED]
Cc: a.tomlinson@popall.co.uk; a.tomlinson@popall.co.uk
Subject: Application for a New Premises Licence PCX:000029000001742
Attachments: SKM_C45823062315110.pdf

Good morning [REDACTED]

I am the solicitor who is dealing with the application for a new Premises Licence for Jungle Rumble at Star City.

We would like to suggest you meet with the General Manager of Jungle Rumble Adventure Golf, Majid on site so he could explain the operation to you, and you could see if for yourself.

There is already a premises licence in place for the building (details attached) when it operated as Adventure Island Mini Golf but due to difficulties in transferring the premises licence to Jungle Rumble, an application has been made for a new Premises Licence in the name of the new operators, Jungle Rumble.

Would you be happy to meet and if so, could you tell me when would be convenient to do so?

Many thanks.

Alex Tomlinson

From: Jonathan Smith
Sent: 20 October 2023 07:49
To: [REDACTED]
Cc: Alex Tomlinson; Sue Deacon
Subject: Re: Application for a New Premises Licence PCX:000029000001742

[REDACTED]

Would a meeting with the General Manager be of any help to you? Can you come back to me?

Sent from [Outlook for iOS](#)

From: Jonathan Smith <J.Smith@popall.co.uk>
Sent: Wednesday, October 11, 2023 11:16
To:
Cc: Alex Tomlinson <a.tomlinson@popall.co.uk>
Subject: Application for a New Premises Licence PCX:000029000001742

Good morning [REDACTED]

I am the solicitor who is dealing with the application for a new Premises Licence for Jungle Rumble at Star City.

We would like to suggest you meet with the General Manager of Jungle Rumble Adventure Golf, Majid on site so he could explain the operation to you, and you could see if for yourself.

There is already a premises licence in place for the building (details attached) when it operated as Adventure Island Mini Golf but due to difficulties in transferring the premises licence to Jungle Rumble, an application has been made for a new Premises Licence in the name of the new operators, Jungle Rumble.

Would you be happy to meet and if so, could you tell me when would be convenient to do so?

Many thanks.

