

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Tuesday 14th July 2015
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	Taste of the Town (Genesis Club), 286 Stratford Road, Birmingham, B11 1AA
Ward affected:	Sparkbrook
Contact Officer:	David Kennedy, Principal Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:
To consider an application to review a Premises Licence.

2. Recommendation:
To consider and determine the review application.

3. Brief Summary of Report:
Review application received on 27 th May 2015 from West Midlands Police in respect of Taste of the Town (Genesis Club), 286 Stratford Road, Birmingham, B11 1AA.
No additional representations have been received from representatives of other responsible authorities or other persons.

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

<p>5. Relevant background/chronology of key events:</p> <p>West Midlands Police applied on 27th May 2015 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for Taste of the Town (Genesis Club), 286 Stratford Road, Birmingham, B11 1AA.</p> <p>No additional representations have been received from representatives of other responsible authorities or other persons.</p> <p>Review application is attached, see Appendix 1.</p> <p>West Midlands Police have submitted additional documents in support of their review application. These are attached at Appendix 2.</p> <p>The Premises Licence is attached at Appendix 3.</p> <p>A site plan is attached at Appendix 4.</p> <p>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.</p> <p>The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are: -</p> <ul style="list-style-type: none"> a. The prevention of crime and disorder; b. Public safety; c. The prevention of public nuisance; and d. The protection of children from harm.
<p>6. List of background documents:</p> <p>Review Application Form, Appendix 1 Supporting documents from West Midlands Police, Appendix 2 Copy of Premises Licence, Appendix 3 Site Plan, Appendix 4</p>
<p>7. Options available</p> <p>Modify the conditions of Licence Exclude a Licensable activity from the scope of the Licence Remove the Designated Premises Supervisor Suspend the Licence for a period not exceeding 3 months Revoke the Licence No Action</p> <p>Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.</p>

Appendix 1

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I The Chief Constable of West Midlands Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description 286 Stratford Road, Sparkbrook		<div style="border: 1px solid black; padding: 5px; text-align: center;">BNC REGULATION & ENFORCEMENT LICENSING SECTION DATE RECEIVED REF NO INITIALS</div>
Post town Birmingham	Post code (if known) B11 1AA	

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

Mohammed Altaf

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

4068

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises ☐
- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐

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

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

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Superintendent Moore Birmingham East Local Policing Unit Stechford Police Station 338 Station Road Stechford Birmingham B33 8RR
Telephone number (if any)
E-mail address (optional)

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

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The grounds for this application are that the Licensing Objectives in terms of prevention of crime and disorder and public safety are undermined in that:

The premises are serving alcohol after their permitted hours, allowing smoking inside the venue when trading and are in breach of their premises licence operating conditions.

Please provide as much information as possible to support the application
(please read guidance note 2)

On Wednesday 6th May 2015 at approximately 5.30pm a visit was made to the Genesis Club, as part of planned routine visits to licensed premises in Sparkbrook with PC 20328 Morgan, Student Officer 21948 Woodward and myself (Chris Jones - Licensing Officer for Birmingham East Local Policing Unit)

We had driven past the premises approximately 15 minutes before the visit and I noticed that the front door leading to Stratford Road was wide open and also the internal door leading from a small lobby into the main premises was also open being able to see into the club.

As we entered Mr Altaf was standing outside by the entrance door which was open, the door leading into the club was held open by a doorstep. On entering the main premises cigarette smoke could be smelt, on the bar area there was a plate with cigarette ash on it. One of the officers passed me an ash tray which he had found on one of the tables, this contained cigarette ends and ash. I asked Mr Altaf about the ash and ash tray he did not originally give an instant explanation then stated that he had some friends in the bar the previous evening giving the indication of some sort of private gathering.

I asked to review the CCTV for the previous evening. Mr Altaf had some difficulty operating the system and relied on help from a male that was sitting by the bar. The CCTV was reviewed for 5th May between the hours of 10.50pm and 11.30pm. The footage viewed quite clearly showed Mr Altaf standing at the bar, customers openly smoking inside the premises and alcohol being sold and purchased after permitted licensable hours.

I then choose another two random dates to view, Monday 27th April 11.15pm to 11.40pm and Friday 1st May 11.15pm to 12.15am. Mr Altaf was present on both occasions standing by the bar area.

On 27th April again customers were openly smoking in the premises and again alcohol being sold and purchased after the permitted licence hours.

On 1st May customer were openly smoking in the premises – but no alcohol was seen to be sold or purchased after permitted hours during the time viewed.

Whilst reviewing the CCTV it became evident that the footage was only being stored for 14 days.

I asked Mr Altaf was asked to supply a copy of the CCTV that I had viewed, he stated that he had nothing to download the footage onto. A short discussion took place and it was agreed that an officer would return with a storage device to have the footage downloaded onto. Mr Altaf gave his mobile phone number to be contacted on.

Mr Altaf has been contacted and has not made this footage available to the officer wishing to collect.

I asked to look at a club membership folder, which Mr Altaf produced. I checked the folder for a list of the members and none of the entries were accompanied with photographic ID. When question Mr Altaf stated that his members did not want to supply photographic identification.

While in the premises I noticed a sign on the wall advertising the opening times of the club these were longer than the licensable and operational hours between Sunday and Thursday.

I previously visited the premises on Wednesday 12th November 2014 and spoke with Mr Altaf.

On this visit the following points were noted:

- The main door intercom was not working and front door was insecure.
- There was no working CCTV
- Membership folder was incomplete with no photographic ID

At this visit Mr Altaf was warned that he was in breach of his licence conditions and that he needed to rectify the issues identified. He was also given general advice in relation to running the premises and given the opportunity to ask any questions he wished.

Mr Altaf has breached his licence conditions by:

1. Selling alcohol after permitted licensable hours.
2. Not following the closure policy of 30 minutes after approved time for the sale of alcohol.
3. Not having a membership list with photographic ID.
4. Not maintaining an entry control system on the entrance door.
5. CCTV not retaining images for 28 days.
6. CCTV not being made immediately available to the responsible authorities.

On top of the above Mr Altaf has also allowed smoking inside his premises.

There will be supporting evidence submitted - statements from the officers who visited the premises on 6th May 2015 and the sign taken from the wall of the premises.

West Midlands Police would ask the committee to consider all options available to them when reviewing the licence of this premise.

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

1	1	1	1	1	1	1	1
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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

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

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

CW-SOPT 7600

Date

22-5-15

Capacity Chief Superintendent Birmingham East Policing Unit

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
55410 Chris Jones Licensing Officer Birmingham East Local Policing Unit Stechford Police Station Station Road	
Post town Birmingham	Post Code B33 8RR
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

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

Appendix 2



Evidence Index

**Review: Genesis, taste of the town, 286 Stratford Road.
B11 1AA**

- Pages 1, 1a & 1b – Statement from 55410 Jones – Licensing Officer.
- Pages – 2 & 2a – Statement from PC 20328 Morgan.
- Page 3 – Statement from PC 21948 Woodward.
- Page 4 – Copy of sign showing trading times taken from the wall of the premises.

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

Page No1

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of Christopher Andrew Jones

Age if under 18 Over 18 (if over 18 insert 'over 18').

Occupation Licensing Officer

This statement (consisting of 03 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature

Date: 20th May 2015

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person and employed by West Midlands Police as a Licensing Officer based at Stechford Police Station covering the Birmingham East area which includes Sparkbrook.

On Wednesday 6th May at approximately 1730hrs together with PC 20382 Morgan and PC 21948 Woodward I carried a routine licensing visit to Taste of the Town (Genesis Club) 286 Stratford Road, Sparkbrook. B11 1AA.

On arrival Mr Altaf (Premises License Holder) was standing outside the premises. As we entered I could instantly smell cigarette smoke, while standing at the bar area I saw a plate with ash on it. One of the officers then passed me an ash tray containing used cigarettes and a large amount of ash. I asked Mr Altaf to give an explanation regarding the cigarettes he eventually stated that he had some friends in the bar the previous evening.

I asked Mr Altaf if I could view the CCTV from the previous night, due to the smell of cigarette smoke. Mr Altaf could not initially operate the CCTV system and was given help and advice from a male sitting on stool at the bar. I viewed the CCTV for the 5th May and it showed Mr Altaf standing at the bar, customers openly smoking within the premises and alcohol being sold after the permitted licensable hours. Pints were seen being poured, money changing hands and then the money going into the till. I then requested to view two dates, chosen at random – Monday 27th April and Friday 1st May. Both days between the timed viewed showed Mr Altaf standing at the bar area and customers openly smoking inside the premises. Again on 27th May it showed alcohol being sold after permitted licensable hours, pints being poured, money changing hand and the money being put in the till.

Whilst the CCTV was being reviewed Mr Altaf became visibly nervous and began to sweat and when asked to explain the footage stuttered his words and asked for another chance admitting he had made mistakes.

Whilst reviewing the CCTV it became evident the footage was only being stored for 14 days and not the 28 days as per the premises licence.

I asked Mr Altaf to supply a copy of the CCTV I had just viewed, he stated that he had nothing to download the images onto. A short discussion took place as if the hard drive should be seized. It was decided with Mr Altaf that he would be contacted by an officer who would return to a storage device to download the footage. Mr Altaf gave his mobile phone in order that he could be contacted.

I asked Mr Altaf for the membership folder which he handed to me. The folder contained names and addresses for members but did not have any photographic ID attached. Mr Altaf stated that his members did not want to supply ID. I reminded him that it was a licence condition, he was the premises licence holder and therefore it was his place to enforce all the conditions on his premises licence. Mr Altaf again asked for one more chance admitting he should enforce the conditions.

Signature

Signature Witnessed By

2006/07(1)

RESTRICTED (when complete)

1a

RESTRICTED (when complete)

Page No. 2

Continuation of Statement/Interview

Whilst at the premises I noticed a sign advertising the open hours of the club. The notice stated that the premises was open Monday to Sunday 5pm to midnight and a charge of 50 pence will be charged to members who enter after 11pm. (This is over and above the premises licensable activity of 11pm and operational hours of 11.30pm Sunday to Thursday.) I removed this sign with the agreement of Mr Altaf which I produce as part of this review.

Before leaving the premises I informed Mr Altaf that he was in breach of his licence conditions and that I would be starting review procedures with the council. Mr Altaf apologised and again asked for another chance.

Mr Altaf has been contacted by PC 20328 Morgan on two occasions since the original visit on 6th May to download the CCTV. Mr Altaf has given excuses as to why he cannot supply the CCTV requested.

I previously visited on Wednesday 12th November 2014 and spoke with Mr Altaf and noted the following points: The entrance intercom was not working, there was no CCTV in operation and the membership folder had no photographic ID. At this visit Mr Altaf was warned that he was in breach of his licence conditions, informed he needed to rectify the issues highlighted and given general advice about running the premises.

Three days were viewed on CCTV, alcohol was being sold after the permitted hours on two of these days indicating that this is a regular occurrence. Mr Altaf was present on all three days showing that he was totally complicit in the breaches of permitted hours. This is confirmed by the sign taken down from Mr Altaf's club advertising trading hours after the permitted time and charging members entering the club after the licensable hours. The hours shown on this sign also openly breach the premises closure policy of 30 minutes after the permitted hours for the sale of alcohol.

On all three days viewed customers were openly smoking within the premises with Mr Altaf standing at the bar seemingly not caring for the health and safety of customers or employees.

Mr Altaf originally stated that on the 5th May he had friends over and indicated that there was some sort of private gathering at the premises. When the CCTV was viewed Mr Altaf's attitude changed being nervous and stammering over his words. CCTV clearly showed that Mr Altaf had lied, no doubt in an attempt to cover the reality of the situation.

The sign prominently displayed in the premises, giving the opening times of the club clearly indicates that the premises has been operating on a regular basis outside the permitted hours.

Mr Altaf has not supplied the CCTV footage requested and in fact has been obstructive when contacted by PC 20328 Morgan.

Mr Altaf still had not rectified issues raised at the visit six months previous. The entrance door was wedged open and the intercom was not being used, membership forms still had no photographic ID and CCTV although now working did not meet the standard required as stated in the licence conditions. The fact that Mr Altaf had six months to rectify the photographic ID on the membership folder and has not done so, that CCTV was now working although not to the standard on the licence conditions and that the intercom system was working but over ridden by the door being wedged open indicates Mr Altaf's indifference to his premises licence conditions and previously advice given.

Signature**Signature Witnessed By**

RESTRICTED (when complete)

1b.

Continuation of Statement/Interview**Page No. 3**

In my opinion Mr Altaf has no intention of running the club to meet or promote the licensing objectives or adhering to the operating conditions on his licence.

The fact that during in the visit on 6th May Mr Altaf made apologies and asked for one more chance shows that he was fully aware of his responsibilities and knew that he was breaching the conditions of his licence. This is compounded by the fact he has not supplied the CCTV footage requested and openly complicit in allowing smoking within the premises.

Mr Altaf has demonstrated a total disregard for the operating conditions on his licence and the health and safety of anyone in the premise.

Signature**Signature Witnessed By**

RESTRICTED – (when complete)

MG11

2

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No.

URN

Statement of Paul MORGAN

Age if under 18 O18 (if over 18 insert "over 18")

Occupation Police Constable 20328

This statement (consisting of TWO page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false, or do not believe to be true.

Signature

(witness)

Date 13/05/2015

This is a statement regarding my attendance at The Taste of Town – Genesis Club, Startford Road, Sparkbrook on Wednesday 6th May 2015 at approximately 17:30 hours for a licensing visit.

During this visit I was in full police uniform and in company with PC 21948 Woodward and Licensing Officer 55410 Jones.

On arrival at the above location there was a male standing outside the main entrance on the pavement who gave his name as Mohammed ALTAF who I was informed was the licensee of the premises. The front door to the club was just inside this entrance, was wide open and we all taken through to the main bar area of the club with ALTAF going first and then leaving the door open behind us which was held open by a wedged door stop.

Once inside I could immediately smell cigarette smoke. When I had a look around by the seating area directly in front of the bar I saw an ashtray and when I looked in the ashtray it was full of cigarette ash.

55410 Jones asked ALTAF to show footage from the clubs CCTV system. ALTAF was unable to work and had to reply on someone else who was in the club to do it for him. The CCTV was three dates was reviewed. The first date was Monday 27th April 2015 between the times of 23:15 hours and 23:40 hours. During this time ALTAF could be seen in the club with several other people most of which appeared to be drinking. The footage also showed people within the club smoking, drinking and drinks being ordered and paid for at the bar. The second date was Friday 1st May from 23:15 hours until 00:15 hours on Saturday 2nd May 2015. Again the footage showed ALTAF was present and that people were smoking, drinking purchasing drinks from the bar. The final date that was viewed was Tuesday 5th May 2015 from 22:50 hours to 23:30 hours and, as before the footage showed ALTAF was present and that people were smoking, drinking and buying drinks from the bar.

55410 Jones asked ALTAF to provide a copy of the CCTV that had been viewed but ALTAF was unable to do so as he nothing to download the footage onto. 55410 pointed out to ALTAF that there were license breaches being committed at which ALTAF, who appeared nervous by stammering with his speech and

Signature

Signature witnessed by

07/2013

RESTRICTED – (when complete)

RESTRICTED – (when complete)

MG11

2a

Crime No.

URN

Statement of Paul MORGAN

sweating with beads of sweat visibly running down his forehead, immediately began asking for another chance and that he had made mistakes.

We then left the location at approximately 18:15 hours with ALTAF being asked to make arrangements to have the CCTV available.

On Thursday 7th May 2015 at approximately 14:20 hours I called ALTAF on his mobile number, 07710 600 168, to arrange to go and collect the CCTV but ALTAF said this would not be possible as he would have no one present to do it for him and that he still had nothing to download the footage onto. I told ALTAF I would call him back the following day to make arrangements to collect the footage that day and that he would need to arrange for someone to be available to do this. I then called ALTAF back on Friday 8th May at approximately 14:00 hours and again ALTAF said he had not made any arrangements to have anyone do download the footage and asked me to call back in about 15 minutes. As requested I did call ALTAF back who again told me that the only person he knew that would be able to download the footage would not be able to get to the club and that I would need to try again the following day. I told ALTAF that this would not be possible due to other working commitments and then being off work. I informed ALTAF that he had had a reasonable amount of time to make the required arrangements and that the footage would need to be obtained asap. ALTAF ended the conversation by saying he didn't know how he was going to be able to help or when he was going to be able to.

The conversation then ended and I have not spoken to ALTAF since.

Signature ..

07/2013

Signature witnessed by

RESTRICTED – (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

3

Crime No. URN

Statement of Robert Woodward

Age if under 18 (Over 18) (if over 18 insert "over 18")

Occupation Police Constable

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: R Woodward (witness)

Date 19th May 2015

I am PC 21948 WOODWARD of the West Midlands Police. I am currently stationed at Stechford Police Station on Volume Crime Investigation Team 1.

At approximately 1730 hours on Wednesday 6th May 2015 I was on duty in company with PC 20328 MORGAN and Chris JONES who is the Birmingham East licensing and planning officer. We attended GENESIS TASTE OF THE TOWN, STRATFORD ROAD, SPARKBROOK, BIRMINGHAM to conduct a licensing visit on the premises.

We were met by the male who runs the licensed premises Mr ALTAF at the front door and walked in to the premises with him. Upon entering there was a strong smell of cigarette smoke and there was an ashtray on the ledge opposite the bar with a number of discarded cigarette ends and ash. JONES was having a discussion with ALTAF about his conditions on the license. JONES has then asked to check ALTAFS CCTV from the premises. He asked ALTAF to show him last night's footage just after the time his license the sell alcohol had finished. This footage was then played for some time and displayed a number of the occupants smoking in the premises. It also showed ALTAF taking payment for alcohol after the times stated on his license. JONES has then checked the CCTV on another two random dates around the time ALTAFS license to sell alcohol has finished. This has further showed smoking within the premises and payment for alcohol being taken. The CCTV footage within the premises only goes back for 14 days but on these three separate occasions there have been a number of breaches to the license for the premises and ALTAF has been present on all three occasions.

I have then had no further dealings with this matter.

Signature Signature witnessed by

07/2013

RESTRICTED – (when complete)

4.

TASTE OF THE TOWN

OPEN MONDAY TO SUNDAY 5:00 PM – 12:00AM

NO ADMISSION AFTER 11:00PM REGARDLESS

FREE ENTRANCE IS FOR MEMBERS ONLY

UNDER 18 NOT ACCEPTED (ID'S MAYBE ASKED FOR)

ALL MEMBERS WILL BE CHARGED £0.50 EXTRA AFTER 11:00PM

DRINKS AND FOOD FROM OUTSIDE NOT ACCEPTED IN THE CLUB

THE USE AND SALE OF DRUGS ON THE PREMISES IS PROHIBITED

– POLICE WILL BE CALLED (NO ACCEPTANCES)

HOODS AND CAPS ARE NOT ACCEPTED.

THE USE OF ABUSIVE LANGUAGE, RACIAL OR OTHERWISE TO
BOTH THE STAFF AND CUSTOMERS LEADS TO AN INDEFINITE
BAN FROM THE CLUB.

UNSOCIAL BEHAVIOUR WITH THE INTENT TO ANNOY,
IRRITATE OR PROVOKE OTHERS, LEADS TO AUTOMATIC BAN
FROM THE CLUB.

INTENTIONAL AND MALICIOUS DAMAGE TO CLUB PROPERTY
LEADS TO PROSECUTION AND £1000 FINE FROM THE CLUB AS
WELL AS DAMAGES BEING PAID.

NO DRINKS ON THE POOL TABLE.

ALL ABOVE ARE LIABLE TO CHANGE WITHOUT PRIOR NOTICE.

THE MANAGEMENT RESERVES THE RIGHT OF ADMISSION.

Appendix 3

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003

PREMISES LICENCE

Premises Licence Number:

4068 / 1

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description Taste of the Town (Genesis Club) 286 Stratford Road	
Post town: Birmingham	Post Code: B11 1AA
Telephone Number: Not Specified	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

A	Plays
B	Films
C	Indoor sporting events
E	Live music
F	Recorded music
G	Performances of dance
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

The times the licence authorises the carrying out of licensable activities

Sunday - Thursday	10:00	-	23:00	A , B , C , E , F , G , H , M3
Friday - Saturday	10:00	-	00:00	A , B , C , E , F , G , H , M3
	23:00	-	00:00	L
New Year's Eve	10:00	-	02:30	A , B , C , E , F , G , H , M3
	23:00	-	02:30	L

The opening hours of the premises

Sunday - Thursday	10:00	-	23:30
Friday - Saturday	10:00	-	00:30
New Year's Eve	10:00	-	03:00

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

On and Off Supplies

BIRMINGHAM CITY COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mr Mohammed Altaf	
Post town:	Post Code:
Telephone Number: Not Specified	
Email Not Specified	

Registered number of holder for example company number or charity number (where applicable) N/A

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Michael Thomas Dunne	
Post town:	Post Code:
Telephone Number: Not Specified	

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

Dated 04/02/2014

Nicola Stansbie
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

Annex 1 – Mandatory Conditions

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

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

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

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

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

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

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:— (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

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

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Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

All staff will be trained on their responsibilities under the Licensing Act 2003. Training will be updated on a regular basis.

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

No enforceable conditions identified from the operating schedule.

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

No enforceable conditions identified from the operating schedule.

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

Prominent signs to be on display requesting customers vacate the premises quietly having regard for local residents.

All outside areas will be closed to patrons after 22:30.

Maximum numbers permitted on the premises shall be

Ground Floor - 102

First Floor - 30 covers

or such numbers as shall be agreed from time to time with the fire service. Notices to be displayed showing maximum numbers.

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

A challenge 25 initiative will be operational at the premises.

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Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Conditions stated below imposed by Birmingham Magistrates Court on 03rd February 2014

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

Hours of licensable activity: Monday, Tuesday, Wednesday, Thursday & Sunday 10.00 x 23.00 hours - Friday and Saturday 10.00 x 00.00 hours, New years Eve 10.00 x 02.30 hours

A closure policy for the operation of these premises will be 30 minutes after the approved closure time for the supply of alcohol.

The premises will operate as a members club and rules of the club shall form an annex to the premises licence. (Please see Annex 4 below).

All guests will be signed in by a member, the guest supplying their name and address, verified by photographic ID. The signing in book to be retained by the club and produced on demand of any of the responsible authorities.

All regulated services will only be supplied to members, their guests or patrons at a pre booked private function.

A list of names and addresses of all members, which is verified by photographic ID, shall be kept on the club premises and produced on demand for inspection by any of the responsible authorities.

All customers will enter and exit the premises by the main front door on the Stratford Road only.

The main front door will be operated by an entry control system.

Drinks not to be removed from the premises in open containers.

The volume of all recorded or amplified music will be controlled by the DPS or their nominated person and not the musician, artist, customers or DJ.

When regulated entertainment takes place at the premises the Designated Premises Supervisor, or other nominated person shall undertake regular subjective noise assessments at the nearest residential premises to prevent noise or vibration from the premises causing a nuisance to nearby residents.

A record of the time and date of the noise assessment, the person who carried out the assessment, the findings of the assessment and any action taken shall be maintained at the premises and shall be available for inspection by any of the responsible authorities.

Regulated activities to take place indoors only.

During regulated entertainment windows / doors to be kept closed no later than 22.00 hours except for access and egress.

Customers, members, guests and staff are not to be allowed to smoke at the front on the premises on the Stratford Road.

No drinks to be consumed outside the premises after 22.30 hours.

Premises to provide in writing, a month in advance a list of all events and details of room hire to the Licensing Department at Stechford Police Station. (Events are classed as any corporate event or play, film, indoor sporting event, dance, live or recorded music - (except for background music and juke box) where the premise is hired for a private function.

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The premises will provide a risk assessment, if requested by any of the responsible authorities which is to include ticket sales, security arrangements, names of artists, performers, DJs and details of persons who have hired the premises or part of the premises. The risk assessment then must be adhered to. West Midlands have a power to veto over the event.

All staff to be trained in the relevant parts of The Licensing Act 2003 regarding the sale of alcohol and challenge 25 policy before they start their first shift serving customers. Refresher training to take place at least twice a year.

All licensing training to be documented signed by both the trainer and trainee and made available to any of the responsible authorities on request.

Premises to install / update CCTV to the specifications and recommendations of West Midlands Police. CCTV to be retained for no less than 28 days. CCTV images and recordings to be made immediately available and downloadable on request of the responsible authorities.

CCTV to operate throughout the whole period of licensable activity.

Premises to operate a Challenge 25 policy.

Challenge 25 signage to be prominently displayed on bar areas and entrance doors.

No adult entertainment allowed on the premises

3c) Committee conditions to promote public safety

N/A

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

N/A

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

Staff not to be left in sole charge of any child.

Persons under the age of 18 must be accompanied by an adult at all times whilst on the premises.

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Annex 4 – Membership Rules

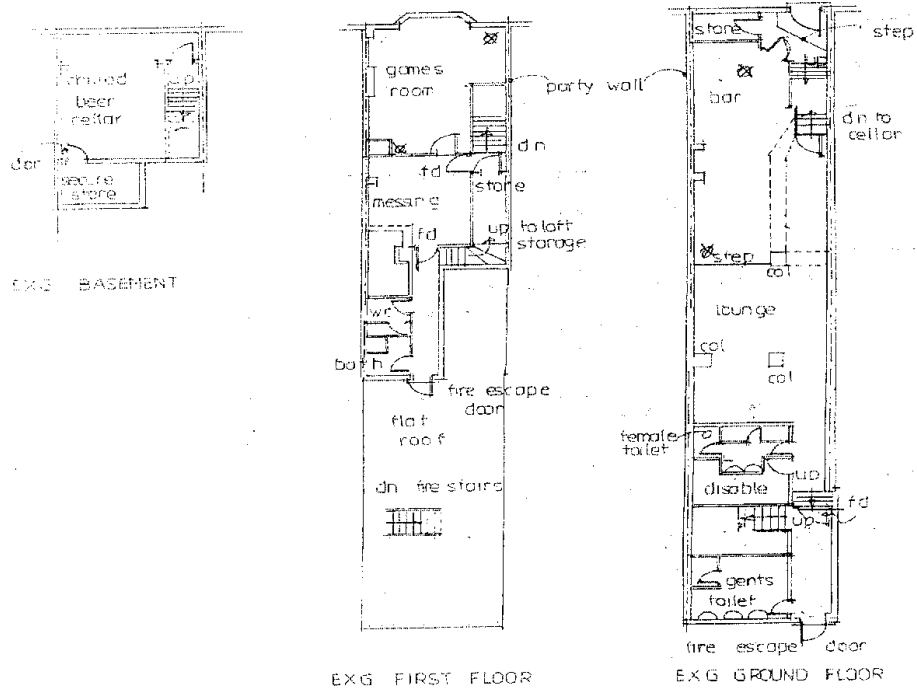
Taste of the Town

Rules of Membership

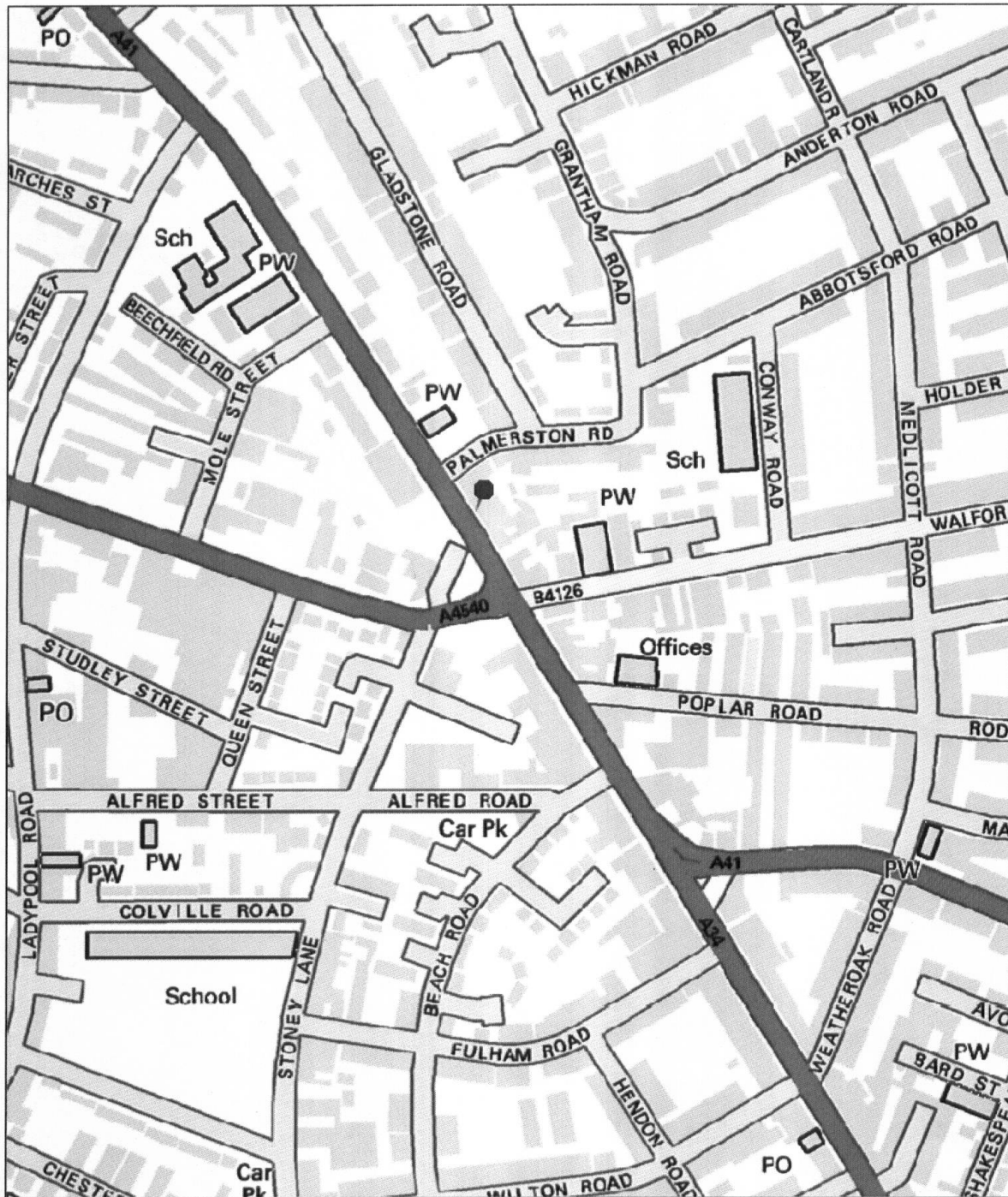
1. Persons wishing to become members of Taste of the Town must complete an application for membership and supply the following details:
 - a. full name,
 - b. address,
 - c. date of birth,
 - d. telephone and/or email address.
2. At the time of applying for membership, applicants will be required to produce an original form of photo identification, for example, passport or photo driving licence, to the premises licence holder, DPS or person nominated to administer membership in his/her absence.
3. The premises licence holder and DPS are authorised to approve members. In the event of a complaint about membership, the premises licence holder's decision shall be final.
4. Each member shall be permitted up to 3 non-member guests on any given day.
5. All non-members must be signed in by the accompanying member in a guests book/register which shall be maintained at the premises.

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Annex 5 – Plans



Appendix 4



Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 29/06/2015



Scale:
1:4,000

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