

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee B
Report of:	Acting Director of Regulation & Enforcement
Date of Meeting:	Tuesday 30th May 2017
Subject:	Licensing Act 2003 Premises Licence – Grant
Premises:	Starbucks, Northfield Drive Thru, Sir Herbert Austin Way, Birmingham, B31 1PT
Ward affected:	Weoley
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 6920, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application for a Premises Licence which seeks to permit the Late Night Refreshment (indoors only) between 23:00 hours and 05:00 hours, Monday to Sunday.

Premises to remain open to the public 24 hours a day (Monday to Sunday)

2. Recommendation:

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

3. Brief Summary of Report:

An application for a Premises Licence was received 10th April 2017 in respect of Starbucks, Northfield Drive Thru, Sir Herbert Austin Way, Birmingham, B31 1PT

Representations have been received from West Midlands Police (Responsible Authority) and other persons.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

Starbucks Coffee Company (UK) Limited applied on 10th April 2017 for the grant of a Premises Licence for Starbucks, Northfield Drive Thru, Sir Herbert Austin Way, Birmingham, B31 1PT.

Representations have been received from West Midlands Police, as a Responsible Authority, see Appendix 1.

Representations have been received from other persons. See Appendices 2 – 3.

The application is attached at Appendix 4.

Conditions have been agreed with Birmingham City Council, Licensing Enforcement and the applicant, which are attached at Appendix 5.

Site Location Plans at Appendix 6.

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

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

6. List of background documents:

Copy of the representations as detailed in Appendices 1 – 3

Application Form, Appendix 4

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 5

Site Location Plans, Appendix 6

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.

Appendix 1

ENTERED 

From: Abdool Rohomon
Sent: 08 May 2017 10:52
To: Licensing
Subject: Starbucks - Northfield Drive thru

Dear Licensing,

West Midlands Police have received the application for a premise licence for Starbucks, Northfield Drive Thru, Sir Herbert Austin Way, B31 1PT. West Midlands Police wish to object to this application on the grounds of the prevention of crime and disorder, public safety and public nuisance. The premises is located in an area that already has issues with ASB from boy racers and has seen an emerging trend with gangs in the area.

The premises wishes to trade as a drive thru with an associated car park, this could easily lead to the location being a congregation point which will likely cause crime and disorder and public nuisance issues.

West Midlands Police have concerns that currently there is no CCTV coverage for the car park, and the premises does not have policies and procedures to deal with issues on their car park. West Midlands Police are working with the applicant around conditions to ensure that these issues are addressed but as of this date these have not been formalised.

West Midlands Police therefore object to this application

Kind regards

Abs Rohomon

**PC 4075 Rohomon
BWC Planning and Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

West Midlands Police

Website: www.west-midlands.police.uk
Twitter: www.twitter.com/brumpolice
Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

Appendix 2

From:
Sent: 25 April 2017 19:46
To: Licensing
Subject: 101327

I wish to raise an objection against starbucks opening 24 hours a day under the following reasons

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance

We live directly behind Bellfield school playground, opposite the car park of starbucks and get all the noise from the relief road - cars and bikes racing, sainsburys petrol station - inconsiderate users leaving their radios on full blast with bass and now the noise from starbucks drive through and car park. The "acoustic" fence for the relief road has been moved back and is now lower than originally erected because of the hill. It has also been opened up in places so we get all the noise channeled in from the traffic and car parks.

We live in an area where crime and public disorder is on the increase and letting starbucks open 24 hours is only going to encourage this anti social behaviour and unwelcome visitors which will add to the misery we already endure. We no longer enjoy our garden and will have to put up with more noise at night by people who aren't really interested in coffee.

We were originally assured by starbucks and Birmingham city council that there would not be 24 hours opening and only by chance did we get to hear about it which makes this application very sneaky.

This is a residential area and we would like to be given some respite from noise that will be generated in the car park during the early hours of the morning.

The fact that a drive through has been placed next to a school entrance in the first place is beyond our comprehension. It's only a matter of time before there is a serious accident. We already see adults walking back to their cars at school times, through the drive in area with their children rather than using the pavement.

Please see sense and leave the hours as they are. No good (or profit) will come from opening all around the clock.

From:
Sent: 03 May 2017 17:49
To: Licensing
Subject: Re: Licensing Act 2003 (Grant) RE: Starbucks, Northfield Drive Thru, Sir Herbert Austin Way, Birmingham, B31 1PT

Thank you for your email

I DO still wish to appeal against the 24 hr opening regardless of their amendments. As I stated in my previous email the noise from the car park will affect our quality of life and sleep as our bedrooms all face the opening across Bellfield school playground through to the starbucks car park.

In response to starbucks' revised application I would like to add the following comments:

CCTV will not prevent crime or discourage it, only record it. Neither will having a minimum of 2 staff on site (what happens if one goes off sick?). And how can starbucks care about the welfare of their staff if they're leaving 2 people on their own all night to deal with goodness knows what. These staff are not going to jeopardise their own safety trying to diffuse bad behaviour.

Has anyone seen the news for Northfield lately, robberies, muggings, stabbings and yet another shooting.

Opening 24 hours is a ridiculous idea, we don't need or welcome 24 hour opening, this is a residential area not Birmingham city centre. Let people live normally and have peace and quiet in the evenings not more chaos and noise. If this application is approved the car park will become a gathering for undesirables who have no respect for residents, including the retirement apartments over the main road. We still have problems with idiot car users who race their cars up and down the relief road so the car park will serve as a pit stop with refreshments!

Putting up signs asking people to leave quietly and starbucks saying they do not tolerate disturbances and nuisance is not going to prevent them or discourage anti social behaviour.

If this application goes through what next? 24 hour opening for sainsburys garage and supermarket? Then the Black Horse pub? Why, when the high street is all closed up anyway at a normal time and people have gone home? We need to prevent anti social behaviour not encourage it.

Please, please, please no 24 hour opening in this fragile residential area.

Leave things as they are, it's already bad enough.

Appendix 3

From:
Sent: 24 April 2017 12:40
To: Licensing
Subject: 101327

I want to complain against all 4 sections, we already have enough noise and crime, there is a school right next to this drive through which is severely dangerous, it never has any customers which leaves it open to drug dealers parking in the car park and not to mention they promised a 10pm closing time and it actually closes at 10:30 pm

This should have never been built here in the first place.



Birmingham
Application for a premises licence
Licensing Act 2003

For help contact
licensingonline@birmingham.gov.uk
 Telephone: 0121 303 9896

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Steffan

* Family name

Davies

* E-mail

Main telephone number

Other telephone number

BCC
 REGULATION & ENFORCEMENT
 LICENSING SECTION
 DATE RECEIVED

10 APR 2017

Include country code.....

REF NO

INITIALS

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

2959325

Business name

Starbucks Coffee Company (UK)

If your business is registered, use its registered name.

VAT number

GB

651446345

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business Assistant Acquisition Manager

Home country United Kingdom

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name Building 4, Chiswick Business Park

Street 566 Chiswick High Road

District Chiswick

City or town London

County or administrative area

Postcode W4 5YA

Country United Kingdom

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name Northfield Drive Thru

Street Sir Herbert Austin Way

District

City or town Birmingham

County or administrative area

Postcode B31 1PT

Country United Kingdom

Further Details

Telephone number

Non-domestic rateable value of premises (£) 67,500

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Starbucks Coffee Company (UK) Ltd

Details

Registered number (where applicable)

2959325

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality

Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

Starbucks coffee shop application for a premise license to trade hot and cold food and beverages late night.

Continued from previous page...

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes

☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- ☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

late night refreshment- no alcohol

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- ☐ Yes ☒ No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
☐ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

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Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Starbucks takes all of its corporate responsibilities very seriously and would accordingly ensure that the store does its best to promote the four licensing objectives- more specifically described below.

b) The prevention of crime and disorder

The store work closely with the company partners and Asset Protection to identify and minimise risks to the partners and the public. The store itself has monitored CCTV.

c) Public safety

In addition to the security mentioned above, the company promotes a minimum number of staff on shift at all times to enhance public safety.

d) The prevention of public nuisance

In addition to the measures described in promoting the second licensing objective, our view is that our store provides a relaxing environment in which measures of the public can utilise as a haven. Behaviour or anything promoting disturbances or nuisance is not encouraged or tolerated at Starbucks.

e) The protection of children from harm

In addition to these measures described in promoting the second licensing objective, our employees are instructed to report any unaccompanied children under the age of 16 to security. Also on every shift a member of staff is likely to administer first aid if necessary.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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 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 premises 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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

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.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

I/WE UNDERSTAND 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.

I/WE UNDERSTAND 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.

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

Appendix 5

From: Steffan Davies <
Sent: 24 April 2017 10:42
To: Gary Callaghan
Subject: RE: Starbucks Northfield

Hi Gary,

As discussed, I am happy for you to make the appropriate amendments below.

Steffan

Steffan R. Davies
Assistant Manager | Real Estate Acquisitions Starbucks Coffee Company (UK) Ltd Building 4 | 566 Chiswick High Road |
London W4 5YE
M:
E:
Subject to Contract

-----Original Message-----

From: Gary Callaghan [<mailto:Gary.Callaghan@birmingham.gov.uk>]
Sent: 24 April 2017 09:12
To: Steffan Davies
Subject: Starbucks Northfield

RE: Starbucks Northfield Drive Thru
Sir Herbert Austin Way
Northfield
Birmingham
B31 1PT

Hi Steffan

Further to our telephone conversation last Thursday regarding some of the proposed conditions put forward to promote the Licensing objectives (see attached scan)

I would like to suggest some slight changes/ wording amendments

- 1) The prevention of crime & disorder - Amend to

The premises will ensure that CCTV is in operation and all images are retained for a minimum period of 31 days and made immediately available to any responsible authority on request.

- 2) Public Safety

The company promotes a minimum number of 2 staff on shift at all times to enhance public safety (currently does not specify a number)

3) The prevention of Public Nuisance

Behaviour or anything promoting disturbances or nuisance is not encouraged or tolerated at Starbucks

A notice will be prominently displayed in the premises requesting that customers respect the needs of local residents in the vicinity and to leave the premises quietly.

4) The protection of children from harm

(As you do not have security)

Children under the age of 16 will only be allowed in Starbucks when accompanied by an appropriate adult. ^{When premises in force.} (Can you advise if this is the policy only when the premises licence is in force 23:00 to 05:00 ?) A member of staff on duty is trained in first aid and will administer first aid if necessary

Can you please advise me if you are happy with the above ? if so they will be attached to the premises licence (I am aware that the other responsible authorities may also contact you ?)

Regards
Gary

Gary Callaghan
Licensing Enforcement Officer
Birmingham City Council Licensing Enforcement

Address: Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES
Website: www.birmingham.gov.uk/licensing Twitter: @BCCLicensing

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to
<http://publicregister.birmingham.gov.uk>

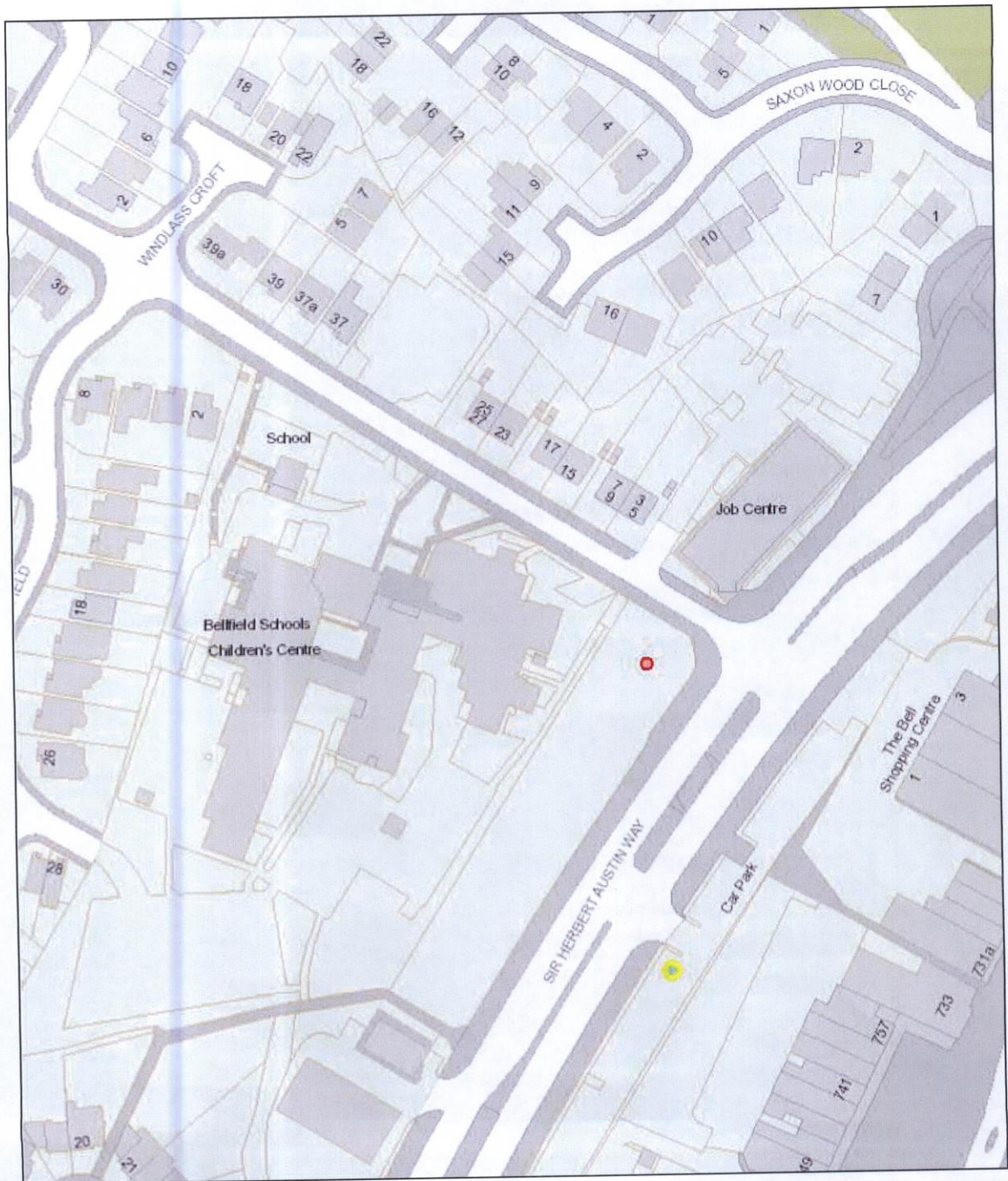
"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"

-----Original Message-----

From: MFDProject
Sent: Monday, April 24, 2017 8:02 AM
To: Gary Callaghan
Subject: Message from "RNP002673AB1C58"

This E-mail was sent from "RNP002673AB1C58" (MP C6003).

Scan Date: 04.24.2017 09:01:33 (+0200)
Queries to: mfdproject@birmingham.gov.uk



Birmingham City Council

Map Created By:

Date of Map Creation: 10/05/2017

Notes



Scale:
1:1,250

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Date of Map Creation: 10/05/2017

Notes

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Scale:
1:4,000