

DISCUSSION PAPER Board meeting – Wednesday 11th April 2018

PUBLIC BUSINESS

Subject: Discussion paper 4 – Acquiring a Premises License

Decision to make:

To agree whether to instruct a licensing barrister to act on behalf of Kings Heath BID to acquire a Premises License for York Road and Heathfield Road, which can be used for the annual September Street Festival

Further information on costs and potential partners is discussed in the 'reserved' paper.

Background

Kings Heath BID has organised a street festival in September since 2013.

In 2017, it was cancelled for the following reasons:

- a) The BID did not have any funds available to fund the Street Festival.
- b) New conditions imposed by the city council and the police had made the possibility of a street festival excessively expensive.

In the successful renewal ballot of January 2018, it was explicated stated that the new BID would fund, up to £10k, a September Street Festival. This means the BID would have an opportunity to tackle many of the issues that the council and police introduced in 2017. These were:

- The need for hostile vehicle barriers at the entrances to all the roads. In 2017, the council were insisting on a mixture of concrete barriers and special high impact trucks at all road entrances.
- The refusal by the police to grant a Temporary Event License for the event unless the event was fenced off. The fencing was to limit the number of attendees within the fenced area to 499
- A change of £750 by the Council to close the road.

The above three factors, could take up to 50% of the £10k allocated for the event.

Your town centre manager has investigation all three factors and is finding ways to significantly reduce these costs.

Why do we need a Temporary Event Notice or Premises License.

Any event, on public or private land and which, involves the selling of alcohol and/or public entertainment, needs a license. That license can be in the form of a Temporary Event Notice (TEN) or a Premises License.

TEN's are designed for one off events and costs £21. A pub will sometimes apply for one of these if they have a late night closing event, for example on Christmas Eve.

A Premises License is permanent – all pubs will have these. Public consultation is involved, with the application having to be advertised in a local newspaper. Cost can be anywhere between £1000 to £2000.

Up until 2017, the West Midlands Police were relaxed about the conditions of a TEN and large-scale events would have several TENs covering the entire area of an event.

In 2017, the West Midlands Police decided to take a far stricter line with TENs. Their new view involved strict adherence to the TENs limit of 499 people within its defined area. The police now insisted that the area defined by the TEN must be fenced off and the number of people entering and leaving that area counted. Also, the West Midlands Police will no longer allow a series of TENs to cover a single event, instead the event must have a Premises Licence.

Your town centre manager has been advised that it would be possible to gain a Premises License for York Road and Heathfield Road to cover the September Street Festival over five years. We would have to state the date of the event on the license for the next five years.

What next?

If the Board wishes to pursue a Premises License proposal, then the following will need to be agreed:

- That the town centre manager is authorised to act on the Board's behalf to discuss a Premises License with a Licensing barrister. This is discussed further in the 'reserved' paper.
- That Frank Nutt and Brett Rehling are authorised to sign any authorisation forms giving your town centre manager permission to talk to the barrister on the company's behalf.
- That Frank Nutt and Brett Rehling are given delegated authority to give your town centre manager permission to start the process to apply for a Premises License on behalf of Kings Heath BID for York Road and Heathfield Road. Both would have to be satisfied with the Licensing Barrister being used and any partnership deals. These are discussed further in the 'reserved' paper.