

Email received into Licensing on 15/1/2026
From Mr Boran and Mr Barnsley

FORMAL REPRESENTATION / OBJECTION

Licensing Act 2003 – Application for Variation of Premises Licence

HMV Empire Coventry, 22 Hertford Street, CV1 1LF

1. INTRODUCTION AND STATUS

I make this representation as an interested party under sections 18 and 35 of the Licensing Act 2003 and as the parent of a young adult who attends events at the premises regularly.

This objection is made on the grounds that the proposed variation, if granted as applied for, would undermine the Public Safety licensing objective. I respectfully request that this representation be referred to the Licensing Sub-Committee for determination.

2. SUMMARY OF OBJECTION

I object to the application because:

1. The application does not clearly or fully describe the current means of escape from the premises.
2. It fails to give adequate prominence to the removal of the original internal rear fire exits, which fundamentally alters evacuation strategy.
3. The premises has operated for a prolonged period under a materially altered layout, at occupancies comparable to historic levels.
4. Independent professional evidence and real-world observations demonstrate that actual occupancy exceeds safe assumptions.
5. The premises continues to advertise a standing capacity of 1,200, which appears incompatible with the revised one-direction means of escape.
6. Granting the variation as drafted would risk retrospectively legitimising unsafe operation and would weaken public confidence in the licensing regime.

3. MATERIAL CHANGE TO MEANS OF ESCAPE

The defining change to the premises is that:

- the original internal rear fire exits adjacent to the stage are no longer present, and

- the premises now operates with all effective evacuation routes in a single direction, towards Hertford Street.

This represents a fundamental alteration to:

- ingress and egress,
- evacuation dynamics,
- travel distances,
- exit redundancy and independence, and
- crowd behaviour under emergency conditions.

The loss of the rear exits is not incidental. It is a material change that goes to the heart of public safety and must be assessed as such.

It is a well-recognised principle in crowd safety and evacuation design that escape routes should not narrow or introduce significant direction changes where large numbers of people are expected to pass simultaneously. Where upstream circulation routes feed into narrower stairways or require multiple turns, flow rates reduce and the risk of tripping, compression and loss of balance increases, particularly in crowded, alcohol-affected environments.

The proposed escape arrangement at this premises relies on first-floor egress with multiple turns and vertical descent via external staircases. This introduces precisely the type of pinch point risk that good practice seeks to avoid, and which cannot be fully mitigated by management controls alone.

It should be noted that any blockage at the front of the building will leave all in attendance with no viable escape route.

4. REGULATORY CONTEXT AND EVOLUTION OF THE APPLICATION (Attachment A)

I respectfully place on record the sequence of events that led to the present full variation application, as it is relevant to the level of scrutiny now required.

In mid-October 2025, I was advised by Licensing that a major variation was not considered necessary on the basis that internal features such as the stage or bars were not being relocated. Subsequently, the Licensing Authority worked with the premises licence holder on a minor variation application, which was later rejected, with the Authority determining that a full variation was required due to the nature of the changes.

During inspection of the plans submitted in support of the full variation, it was stated that “nothing else has changed” beyond the addition of the external staircases from the balcony, notwithstanding that the plans inspected no longer show the internal rear fire exits serving the main room.

I do not raise this to criticise individuals. I raise it to explain why members of the public may reasonably be concerned that the significance of the loss of exit redundancy was not fully recognised at an early stage, and why it is now particularly important that the Sub-Committee applies careful and independent scrutiny to the application as presented.

5. ADVERTISED CAPACITY AND PUBLIC EXPECTATION (Attachment B (i) and B (ii))

Despite the loss of the internal rear fire exits and the resulting change to a one-direction means of escape, the premises has continued to advertise events on the basis of a “1,200 standing capacity”, including events promoted as “sold out”.

Screenshots of promotional and ticketing material are enclosed.

Members of the public purchasing tickets are entitled to assume that advertised capacities reflect a safe and approved layout. Where the physical means of escape has materially changed, continuing to market the premises at historic capacity raises serious concerns under the Public Safety licensing objective.

This concern is heightened by the fact that the advertised capacity appears inconsistent with both the revised means of escape and the professional and observational evidence set out below.

6. EVIDENCE OF ACTUAL OCCUPANCY IN PRACTICE (Attachment C)

On 14 and 15 November 2025, contemporaneous counts were undertaken of all persons entering the premises during sold-out live music events, using continuous video recording at the sole public entrance.

- 14 November 2025: 1,087 patrons
- 15 November 2025: 1,123 patrons

These figures exclude staff, performers, crew and contractors. Crowd density and internal conditions appeared comparable to events held prior to the loss of the rear exits.

A short written summary of the methodology is enclosed. Underlying video footage is available on request.

7. INDEPENDENT PROFESSIONAL EVIDENCE (Attachment D)

An independent crowd safety and fire risk observation report prepared by ██████████ (CEO, Crowd Safety Ltd) is enclosed.

That report identifies risks associated with:

- reliance on a single-direction means of escape,

- evacuation bottlenecks and pinch points,
- dependence on management controls rather than structural resilience, and
- optimistic evacuation assumptions when set against observed crowd density.

8. DISCREPANCY WITH FIRE AUTHORITY ASSUMPTIONS (Attachment E)

In correspondence dated 6 October 2025, ██████████ of West Midlands Fire Service advised that, following the loss of the rear fire exits, the available capacity would be “considerably lower and well under 1000 people”.

The observed patron counts of 1,087 and 1,123 materially exceed that understanding. This raises concern as to whether the assumptions underpinning the Fire Risk Assessment are being adhered to in practice.

9. FIRE SAFETY AND LICENSING REGIMES

I acknowledge that West Midlands Fire Service have indicated satisfaction with the premises’ Fire Risk Assessment. However, fire safety approval does not legalise trading under an unapproved licensing layout.

The Licensing Authority must independently determine whether the Public Safety licensing objective is promoted, having regard to the premises as actually operated.

10. ACCESS TO PLANS AND PROCEDURAL FAIRNESS

Although in-person inspection of the plans was permitted, permission to photograph them for the purpose of preparing an accurate statutory representation was refused. I have therefore proceeded on the basis of inspection notes and independent expert evidence.

11. PHOTOGRAPHIC CONTEXT – LOSS OF REAR EXITS (Attachment E (i) and E (ii))

Photographs are enclosed illustrating the former location and discharge point of the rear fire exits and the demolition beyond those exits. These images demonstrate the permanent loss of exit redundancy and are provided solely to illustrate the physical context relevant to public safety.

12. REQUESTED OUTCOME

I respectfully request that the Licensing Sub-Committee:

Either

1. Refuse the application as drafted;

Or

2. Defer determination pending submission of:

- full and accurate plans clearly identifying all removed and proposed exits;
- a clearly stated maximum occupancy derived from the revised layout; and
- enforceable licence conditions reflecting that figure.

13. CONCLUSION

This representation is made in good faith and solely in the interests of public safety.

Given the loss of rear exits, the move to a one-direction means of escape, and the continued advertising and operation at or near historic capacity, I respectfully submit that the application requires careful scrutiny before any variation is granted.

Mr Aran Boran and Mr Oliver Barnsley. (Please redact our personal details if permissible)