



West Midlands Police

Supporting Evidence

**Sutton Tap
67 South Parade
Sutton Coldfield
B72 1QU**



West Midlands Police

Police Impact Statement

**LICENSING IMPACT STATEMENT**Statement of: **PC 1978 Deano Walker**

Age if under 18: Over 18

(if over 18 insert 'over 18')

Occupation: **Police Officer**

This statement (consisting of 6 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 **10th April 2019**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am PC 1978 Deano Walker of the West Midlands Police; I am part of the Birmingham Police Central Licensing Team based at West Midlands Police Headquarters, Lloyd House. My role as licensing officer is to process licensing matters in accordance with the licensing act of 2003 and I have been carrying out the position for the past 9 years.

I am making this statement in relation to West Midlands Police request to review the premises licence number 2061 at the Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU. This request is in relation to the increase in crime, disorder, anti-social behaviour (ASB) and evidence of drug dealing and taking.

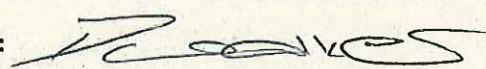
Sutton Coldfield and the Night Time Economy (NTE) –

Sutton Coldfield is a vibrant community town with the shops themselves serving the local people who live within it. There is a variety of ages that use the town, elderly, young mothers and their children, school and collage children; office workers from the business are just an example of the local community and workers using Sutton Town on a daily basis.

The town not only serves both shoppers and offices in the day but it also serves a busy NTE for those revellers seeking night time entertainment, for drinking, restaurants and late night refreshments outlets.

Around the town and also within walking distance of the Sutton Tap are 12 other Public Houses & Clubs where alcohol is served on premises. Along with these there are also over 20 other types of premises that serve customers alcohol both off/on sales such as restaurants and off licences and are all again within walking distance of the this pub.

Historically, Sutton Town had a busy NTE which would see onward of up to 2000 people entering to enjoy the nightlife. However, over the past few years these numbers have more than halved and it has seen many of the late venues closes which has resulted in the Sutton Tap being one of the latest premises open into the early hours. Historically, the town would suffer with alcohol related offences, this was due to the large the number of premises where alcohol could be both purchased and consumed. Due to the number of premises in the area and the late nights they were open it was difficult to identify premises that were at fault. The decline in the NTE the town has seen a reduction in alcohol related crime and anti-social behaviour. To the extent that when it does occur it has been identifiable due to the location and the time it occurs. The Local Police Team will have good idea that if an offence occurs in a certain location and after a certain time they can identify the premises it's associated with.

Signature: 

Signature witnessed by:

Sutton Tap –

The Sutton is situated in the centre of Sutton Town on South Parade. It has formed part of the NTE for as long as I can remember during my 23 years of policing. Over the past 9 years of licensing I have seen various DPS's and licence holders come and gone as it has changed hands many times.

Over these years there have been 15 DPS's and 9 different licence holders. I have to say, this is the most variations and transfers I've seen whilst being in this licensing post, I believe this is testament to the issues that have been associated with the premises and in particular over the past 5 years.

Until November 2017 I was the local licensing officer for Sutton Coldfield and so I had daily dealings with pubs and clubs in the town. Prior to the centralization of police licensing in Birmingham I always had concerns with the way the Sutton Tap was managed and the issues associated with the pub. When this occurred I would always work with management to address the issues. However, on most occasions anything implemented did not make any improvement to the issues. It would only be then a review would be considered but it was at this stage a new DPS and licence transfer would always be submitted and this was a vicious circle that was to occur over time, until now.


As a Central Licensing Officer we rely on the Local Police Team to monitor local licensing issues especially during the NTE. We have been contacted many times over the past 12 months regarding the Sutton Tap due to serious periodic issues ranging from crime, disorder, ASB, drug use and dealing. The local team have made extensive attempts to work with the DPS (who is also the licence holder) in an attempt to combat these issues. You can see from the police "Innkeeper" system entries, there have been numerous visits to the venue, on most occasions the DPS has not been present, the staff aren't aware where he is or when he's next back on site and officers have been unable to follow up crime enquiries such as CCTV requests.

The licence has been held by DGENTERTAINMENTS LTD since November 2017 with Mr David Galil being the companies' director since September 2017. Mr Galil has also held the position of DPS since August 2018. It has been in this time that local police have seen a steady increase in issues which have intensified over the past 10 months.

Over the past 12 months there has been a pattern of crime, ASB, intelligence and licensing issues such as –

- Assaults and wounding.
- Disorder and fights breaking and all over when police attend.
- Victims of crime refusing to work with the police.
- Doorstaff and bar staff being assaulted and refusing to make a complaint or statement.
- Drug dealing, nitrous oxide being sold in the pub.
- Drug taking, staff are aware it's occurring but turn a blind eye.
- DPS/licence holder never being on site and not contactable.
- CCTV not being made available by staff including the DPS/licence holder.
- CCTV has also shown drug taking and trading past their hour the licence allows them.

The most recent information from the Local Police Team had located empty nitrous oxide capsules, at the rear of the Sutton Tap and amongst rubbish identifiable from the pub. As the licensing officer I did not believe I could evidence sufficiently that these capsules were either purchased or consumed at the Sutton Tap. However, in December 2018 local police were able to view CCTV from the pub (which Mr Galil was reluctant to show) which showed customers inhaling balloons which Police believe to contain nitrous oxide. Police believe that this illegal physco active substance is being sold at the pub by staff, doorstaff are aware of this (as CCTV will show) and also that the licence holder/DPS is also party to its sale and subsequent profits.

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Based on the sheer number of capsules seen at the rear of the pub, what was shown on CCTV Police licensing requested the review of the licence.

It is quite evident from the Police crime reports, recorded Police incidents, intelligence gathered the pub has fallen well below what would be expected from a responsibly run premises that promotes the licensing objectives.

It was evident that the current DPS/licence holder had been putting profit over public safety and had total disregarded the help and guidance that the Police have afforded him. It appears that he has a total disregard or inability to promote any licensing objectives. Since submitting the review application Police licensing have attempted to contact Mr Galil via his licensing consultant to again work with him but have found that the consultant has withdrawn their services. At no point has Mr Galil attempted to contact us himself.

Police Licensing believe that whilst the current licensing holder/DPS has control or influence at the pub it will see no improvement to its issues and therefore request revocation of its licence.

In January 2019 West Midlands Police Licensing Section submitted a requested to Birmingham Council Licensing to review the licence. This was due to their concerns that the licensing objectives, the prevention of crime and disorder and public safety were not being promoted.

On the 25th February 2019 a licensing subcommittee heard the evidence presented by the police and during the hearing the licence holder pledge to the committee that by keeping the licence dramatic changes would be made to the management and the running of the premises. This included replacing the DPS and employing a manager, improving the CCTV with a more effective system, improving the security in particular the doorstaff, better staff training and making a change to the type of customers that attended the premises.

The subcommittee concluded –

- Concerns by West Midlands Police and the Licensing Enforcement Authority in relation to the poor management of the premises by the individual acting as the DPS in addition to holding the premises licence.
- Members noted since the licence was held by the current DPS, there was a plethora of evidence from West Midlands Police and supporting information from the Licensing Enforcement Authority of very limited engagement from the premises licence holder to rectify and improve the areas of concern highlighted to him and members of his staff over a period of time, and to cooperate in a satisfactory manner with the Responsible Authorities.
- They considered the cause of an increase in crime and disorder, and risk to public safety within the premises as presented in the West Midlands Police's evidence could be linked to the way the premises had been operated by the premises licence holder. They felt the licensee was lacking in the right set of skills and experience to uphold and promote the relevant licensing objectives despite numerous offers of help and assistance from the Responsible Authorities.
- The Sub Committee took into account, Counsel conceded on behalf of the premise licence holder there were obviously serious problems at the premises, and a radical change in the operation was needed. Further, Counsel proffered several conditions including a new security firm of good repute, well known to the West Midlands Police for turning around problematic venues.
- The licensing committee decided that these conditions did not go far enough and revoked the licence.

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Since the revocation of the licence the licence holder has submitted an appeal to the committees decision, a hearing is awaiting to be heard and the premises have continued to trade

Incident that triggered the Expedited Review

Saturday the 16th March 2019 –

- At 3:26am - Police received a 999 call from staff at the Sutton Tap stating there was a disorder involving 15 males but no weapons had been seen.
- Police arrive at 3:36am and inform control that there are lots of people but no disorder seen.
- Police speak to a male believed involved in the incident but no customers or staff from the Sutton Tap of any issues or crime.
- Police left the scene with no offences disclosed.

Monday 18th to 20th March 2019 –

- Police licensing become aware of this incident and request the local police team view both the CCTV from the local Shopping Centre and also the Sutton Taps own system.
- Local Police Team attend the Sutton Tap and request to see their CCTV to be told it wasn't available for the requested times as there was a fault with the system.
- Local Police Team view the CCTV at the Shopping Centre and inform that they have viewed a large scale disorder involving a number of customers from the Sutton Tap
- Licensing officers eventually obtain the CCTV and observed –
 - 03:18 & 47 seconds - The incident starts with a small scuffle falling out of the pub and into the smoking area.
 - Police did not receive the call from the DPS until 03:26,
 - Nearly 10 minutes after the disorder started and there were no further calls from staff.
 - There then begins periodic fights and large disorder involving in excess of 30 people.
 - The fighting and disorder occurs around the main entrance to the pub and well as in the road.
 - During the fighting you see punches being thrown and people kicking each other.
 - Customers thrown to the floor and kicked in the head.
 - Customers are jumping over the security barriers and attempt to get back into the pub.
 - It is clear that the incident began inside the pub.
 - A group of males are seen punching and kicking another male to the head, he manages to break away; he's chased in to the road where he is again knocked to the ground with a punch. He is then repeatedly kicked in the head by up to five other males.
 - You then see him helped up and require help to walk away.
 - You can see customers have left the pub with bottles which are then see to be thrown into the crowd.
 - From 03:21 & 14 seconds the barriers are pulled away, missiles are thrown towards the pub and the fighting continues.
 - The fighting that occurs is the customer's now attacking doorstaff.
 - Barriers are wrestled between doorstaff and customers which are pulled over knocking customers to the ground.
 - At 03:23 & 48 seconds you see two males begin to attack a car parked in the road and at the same time fighting again breaks out near the entrance to the pub.
 - It is then you see a hooded male pick up one of the barriers and launch it at the parked car. Another kicks the car before it speeds off and missiles are thrown in its direction.
 - The CCTV camera follows the car where you see customers with bottles in the street.
 - You see the barrier in the middle of the road.

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- The car involved is seen to turn around, speeding erratically back along South Parade and customers begin to attack it.
- 3 Police vehicles arrive on scene at 03:29 & 24 seconds.
- You see the main offender talking in the entrance, you see arms raised and at one point the offender is pushed away by a member of doorstaff. This doorstaff is the same that was involved in previous incidents from the first licencing review.

Police Concerns

- Customers have been allowed in the street with bottles which have then been used as weapons.
- Customers are attacked, they sustain viscous punches and kicks to the head and you can see they are injured but no ambulance is called by the venue.
- At the previous hearing, CCTV footage showed doorstaff allowing customers to inhale nitrous oxide from balloons inside the venue and it showed the same doorstaff bursting them as they left the venue so as not to be seen by police or captured on street CCTV. These same doorstaff are still employed at the premises.
- No doorstaff or management approached the police to say what happened even though they know who the main offender was and it was the DPS who eventually made the only call to police.
- It took the DPS/licence holder over 8 minutes to call the Police by which time it was all over.
- It is evident that the doorstaff have no control, they get involved in the street but they are ineffective and have to retreat back into the pub to protect themselves.
- The doorstaff incident report only says "Kicked off outside, all ok" (found in Police other evidence bundle). This incident was not ok, there was a violent disorder, crime was committed and inevitably people received potential injuries.
- Lack of control from the DPS/Licence holder, not only since taking over the premises licence 2 years ago but in particular since the last review where the licence was revoked.
- During the previous hearing in February 2019, via their legal counsel the licence holder offered various improvement changes to prevent the licence being revoked. These were summed up in the committee's decision on the day –
 - The Sub Committee took into account, Counsel conceded on behalf of the premise licence holder there were obviously serious problems at the premises, and radical changes in the operation was needed. Further, Counsel proffered several conditions including a new security firm of good repute, well known to the West Midlands Police for turning around problematic venues.
None of these have been implemented, no new door team, no new CCTV, no dress code and no new drug or search policy implemented

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- Members noted since the licence was held by the current DPS, there was a plethora of evidence from West Midlands Police and supporting information from the Licensing Enforcement Authority of very limited engagement from the premises licence holder to rectify and improve the areas of concern highlighted to him and members of his staff over a period of time, and to cooperate in a satisfactory manner with the Responsible Authorities.
- Members considered the cause of an increase in crime and disorder, and risk to public safety within the premises as presented in the West Midlands Police's evidence could be linked to the way the premises was operating by the premises licence holder. Members felt the licensee was lacking in the right set of skills and experience to uphold and promote the relevant licencing objectives despite numerous offers of help and assistance from the Responsible Authorities.

West Midlands Police have received no engagement from the DPS/Licence holder or their legal team in an attempt to rectify the problems other than a licence transfer.

Representation has been made to this as the Police believe that there are links from the proposed new holder and the old.

- West Midlands Police have recently received information that the building owners "Santander" are currently in the process of repossession of the premises. This is covered in an email attached in "Police other supporting evidence".
- **On Wednesday the 10th April 2019 Police Licensing were made aware of an incident at the venue**
 - **Police officers on patrol in Sutton Coldfield during the NTE.**
 - **Attended the Sutton Tap at 03:01hrs as there was a report of a disorder.**
 - **Officers found 6 to 7 people stood outside and one male with a bloody nose.**
 - **Officers entered the Sutton Tap and found the brother of the DPS/Licence holder.**
 - **Officers observed signs that a disorder had taken place.**
 - **There was blood stained tissues on the floor.**
 - **A strong smell of cannabis in the room.**
 - **Nitrous Oxide canisters along with balloons on the floor.**
 - **Officers observed cash in the till and customers confirmed payment for alcohol.**
 - **This Police indent log can be found on page 21 & 22 of this evidence bundle.**

This further incident along with only one to police shows that nothing has changed at the premises. I conclude that the premises licence holder/DPS still has no control; it has become a venue that is synonymous for drunken crime, disorder, drug use and anti-social behaviour and this is totally unacceptable by any reasonable standards of modern premises management. West Midlands Police is not unreasonable to ask that this licence is revoked for a second time.

Signature:



Signature witnessed by:



West Midlands Police

Police Incident Log

Restricted			
West Midlands Police command and control report			
Ref No	Date Occurred	Time Occurred	Incident Type
404	16-MAR-19	03:26:00	DISORDER
Crime Number	Beat	SIG Warnings	
20BE/68071U/19	BEGC	!!! VPH	
Location	TALK OF THE TOWN-67-THE HAIRY LEMON,SOUTH PARADE,SUTTON COLDFIELD-WEST MIDLANDS,		
Caller:	[REDACTED] - LANDLORD		
Caller Add:			
Caller Tel. No.:	[REDACTED]		
Final Classification.:			
Detail	DISORDER - 15 MALES - NO WEAPONS		

Time	Date	Update
03:28:57	16-03-19	RCV8 Despatched
03:29:39	16-03-19	AD68 Automatic STM notification generated
03:29:39	16-03-19	AD68 Allocated to Incident
03:29:44	16-03-19	AD68 WILL MONITOR
03:30:21	16-03-19	RCM68 Redeployed from Incident 229 16-03-19
03:30:21	16-03-19	RCM68 Automatic STM Notification generated
03:30:21	16-03-19	RCM68 Despatched
03:30:27	16-03-19	RCR35 Redeployed from Incident 303 16-03-19
03:30:27	16-03-19	RCR35 Automatic STM Notification generated
03:30:27	16-03-19	RCR35 Despatched
03:32:04	16-03-19	MATCHED WITH 402 (16-03-19) - REASON AS BELOW :-
03:32:04	16-03-19	SAME INCIDENT
03:32:06	16-03-19	V8- LOTS OF PEOPLE NO DISORDER SEEN YET
03:36:00	16-03-19	REO96 Arrived at Incident
03:37:39	16-03-19	BERA ONTO SECURITY
03:38:05	16-03-19	PNC - #NE [REDACTED]
03:38:58	16-03-19	NO TRACE
03:40:02	16-03-19	POSS OFFENDER OF ASSUALT AND DAMAGE TO AN AUDI-
03:40:14	16-03-19	MALE SLIM BUILD- WHITE SHIRT AND BLUE JEANS
03:42:25	16-03-19	PNC - #NE [REDACTED]
03:42:48	16-03-19	PNC screen captured - 1 to Log
03:42:57	16-03-19	PNC screen captured - 2 to Log
03:55:50	16-03-19	REO96 Redeployed to Incident 435 16-03-19
03:59:27	16-03-19	RCM68 Redeployed to Incident 285 16-03-19
04:00:24	16-03-19	ADDRESS OF [REDACTED]
04:15:03	16-03-19	PC HOPE 22261 HAS RECORDED SUSPECT IDENTIFIED
04:15:03	16-03-19	CCTV ON BWV AND CONFIRMED DETAILS AS PER LOG NO
04:15:03	16-03-19	FOR APPARENT OFFENCES HAVE BEEN IDENTIFIED AS THE
04:15:03	16-03-19	SCENE I SUGGEST THIS LOG IS CLOSED PENDING ANY
04:15:03	16-03-19	COMPLAINTS BEING RECEIVED
04:51:30	16-03-19	RCV8 Redeployed to Incident 503 16-03-19
07:09:14	16-03-19	All Resources Leave Scene-Dispatch Cancelled etc
07:09:29	16-03-19	Incident Closed By Terminal BER4
07:09:29	16-03-19	Incident End (Result - Close)
1/ /BVSD	/1/ /BV	Wednesday 20 Mar 2019
1/ /BVSD	/1/ /BV	The following was entered after the Incident was
1/ /BVSD	/1/ /BV	Closed

Printed on -- 09/04/2019 at 12:50 by FLINTS user WALKER_1978 on ws19841.(Audit ref: 3346222)

1/ /BVSD	/1/ /BV	The following was entered after the Incident was
1/ /BVSD	/1/ /BV	Closed
16:08:40	20-03-19	Re-Opened by BVSD3
16:09:01	20-03-19	CRIME NUMBER 20BE-68071U-19
16:09:18	20-03-19	Incident Closed By Terminal BVSD3
16:09:18	20-03-19	Incident End (Result - Close)
03:26:11	16-03-19	Saturday 16 Mar 2019
03:26:11	16-03-19	Location was on 23-02-19
03:26:11	16-03-19	Location was VIEW PREVIOUS HISTORY on 23-02-19
03:26:11	16-03-19	Routed To Radio Operator(s)
03:26:12	16-03-19	CLI data: VODAFONE- 0711000041224
03:26:12	16-03-19	412224- 296000- 100- 100- 80- 90- OSGB36
03:26:29	16-03-19	THIS IS IN PROGRESS
03:26:30	16-03-19	Incident Transfer Accepted by terminal BER4
03:26:38	16-03-19	WE NEED YOU TO GET HERE ITS PRETTY BAD
03:26:41	16-03-19	NO OTHER INFO
03:26:45	16-03-19	OFF THE LINE
03:26:59	16-03-19	Incident Switch - Abandoned
03:27:12	16-03-19	Incident Switch to Terminal YMR1-YMR2-YMMSS
03:27:12	16-03-19	ANY AD UNITS FREE
03:27:12	16-03-19	Incident Switch
03:27:16	16-03-19	Incident Switch Accepted By YMR2
03:28:38	16-03-19	OPEN SHOUT TG40
03:28:45	16-03-19	REO96 Redeployed from Incident 303 16-03-19
03:28:45	16-03-19	REO96 Automatic STM Notification generated
03:28:45	16-03-19	REO96 Despatched
03:28:57	16-03-19	RCV8 Redeployed from Incident 285 16-03-19
03:28:57	16-03-19	RCV8 Automatic STM Notification generated

Restricted



West Midlands Police

Police Crime Report



RESTRICTED

WEST MIDLANDS POLICE OFFENCE REPORT

Page 1 of 2

"UNRESOLVED"

Offence No. 20BE/68071U/19

OFFENCE DETAIL

Offence Code PU86002 Description PUB VIOLENT DISORDER
Offence Times Between 03:10 hours Sat 16th Mar 2019
and 03:25 hours Sat 16th Mar 2019
Main File Incident
Location THE SUTTON TAP, 67, SOUTH PARADE,
SUTTON COLDFIELD, WEST MIDLANDS B72 1QU
Grid Ref 412059296035
Neighbourhood BEGC BE SUTTON TRINITY Sector SUTTON COLDFIELD

REPORTING DETAIL

Reported Time 03:25 hours Sat 16th Mar 2019
How Reported EMERGENCY TELEPHONE CALL 999

Reported By
Received By PC 9611 SANDHU

VICTIM DETAILS

MODUS OPERANDI & PROPERTY

BST, APROXIMATELY 30/40 UNKNOWN OFFENDERS ARE SEEN TO ENGAGE IN UNLAWFUL VIOLENCE WHERE PHYSICAL VIOLENCE IS SEEN. UNKNOWN OFFENDERS THROWING METAL RAILINGS THAT HAVE BEEN UTILISED TO THROW ON TO PARKED VEHICLES. THE CONDUCT TAKEN ALTOGETHER WOULD CAUSE A PERSON OF REASONABLE FIRMNESS TO FEAR FOR THEIR PERSONAL SAFETY. REF LOG 402 16/03/19

FURTHER INFORMATION

Crime Interests

PUBLIC PLACE VIOLENCE

ALL OTHER ROLES NOT PREVIOUSLY LISTED

Type INPT Name CIV 50992 TOHER
Nominal Ref 8747H
Reason

Type PREP Name [REDACTED] D.O.B. [REDACTED]
Nominal Ref 6296959W Ethnic Appearance [REDACTED]
Reason

Address1 [REDACTED] THE PARADE,
Business Sutton Coldfield, West Midlands B72 1PA
Home Tel. Work Tel. [REDACTED]
Mobile Tel. [REDACTED]

Type VICR Name REGINA/REX VICTIM

Date : 09-APR-19 13:09:13 Oracle User: PORTAL_USER

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RESTRICTED

WEST MIDLANDS POLICE
OFFENCE REPORT

Page 2 of 2

"UNRESOLVED"

Offence No. 20BE/68071U/19

Nominal Ref

Reason

*** End of Report ***



West Midlands Police

Other Police Evidence


Door Supervisor Duty Log

INCIDENT REPORT


All Incidents must be recorded.

Where an incident may lead to further action, for example an accident or injury to a customer or a team member, it is vital that the company incident reporting procedure is followed in full, and that all relevant details are correct, and the appropriate CCTV tapes are retained on site to assist in any investigation.

Where there are no incidents on any particular date, please ensure that the log clearly states that.

Time	Type of Incident	Details of Action Taken (Not if Police/ambulance called)	Name/Badge No.	Signature	Reported (Yes/No)
03:15		Open on table kicked off outdoor cushion called All okay			

Enforcement Visit Log:	Time of Visit	Details of Action Taken:	Manager Informed:
Police Officers Attending:			
Ambulance/Fire ID:			
Crime Ref Number:			
Number of Expulsions:			
Drunk:	Disorderly Conduct:	Smoking Violations:	Other:

Daily Sign Off - 'I confirm that all incidents have been recorded and all information is correct'	<input checked="" type="checkbox"/>	Signature	Date
Head Doorman	<input checked="" type="checkbox"/>		16.03.19



TLG Management Ltd
Unit 1 Tilton Road
West Midlands
Birmingham B9 4EG

tel: 0845
visit: www.tlgmanagement.co.uk
email: enquiry@tlgmanagement.co.uk
www.facebook.com/tlgmanagement

To Whom it may concern,

I can confirm that on Friday 15th March, TLG UK Management Ltd provided 3 SIA Security staff for the Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU.

Our staff worked from 11pm till 4:00am. During the night there was some disorder which escalated and the police were called. Our staff were not injured and they filled in an incident report, which was reviewed by TLG management.

If you have any questions, or require details of the Badge numbers of our guards then please contact me on 01 [REDACTED].

Thanks

[REDACTED]
Compliance and Contract Manager
[REDACTED]



Registered office: Unit 1, Tilton Road, West Midlands
Birmingham B44 9EG
Company Registration No: 09508490 VAT No: 238572484



BIRMINGHAM CITY COUNCIL
LICENSING SUB-COMMITTEE - A
MONDAY 25 FEBRUARY 2019

THE SUTTON TAP, 67 SOUTH PARADE, SUTTON COLDFIELD, BIRMINGHAM, B72
1QU

That, having reviewed the premises licence held under the Licensing Act 2003 by DG Entertainment LTD. in respect of **The Sutton Tap, 67 South Parade, Sutton Coldfield, Birmingham, B72 1QU** upon the application of the West Midlands Police, this Sub-Committee hereby determines that the licence be revoked, in order to promote the prevention of crime and disorder, and public safety objectives in the Act:

The Sub-Committee's reasons for revoking the licence are due to concerns by West Midlands Police and the Licensing Enforcement Authority in relation to the poor management of the premises by the individual acting as the DPS in addition to holding the premises licence.

Members noted since the licence was held by the current DPS, there was a plethora of evidence from West Midlands Police and supporting information from the Licensing Enforcement Authority of very limited engagement from the premises licence holder to rectify and improve the areas of concern highlighted to him and members of his staff over a period of time, and to cooperate in a satisfactory manner with the Responsible Authorities.

Members considered the cause of an increase in crime and disorder, and risk to public safety within the premises as presented in the West Midlands Police's evidence could be linked to the way the premises was operating by the premises licence holder. Members felt the licensee was lacking in the right set of skills and experience to uphold and promote the relevant licensing objectives despite numerous offers of help and assistance from the Responsible Authorities.

The Sub Committee took into account, Counsel conceded on behalf of the premise licence holder there were obviously serious problems at the premises, and a radical change in the operation was needed. Further, Counsel proffered several conditions including a new security firm of good repute, well known to the West Midlands Police for turning around problematic venues.

However, members determined those various conditions did not go far enough to ensure the responsibility for the management of the premises would not reside with the licensee for reasons given above.

The Sub-Committee gave consideration as to whether it could remove the Designated Premises Supervisor or suspend the licence for a specified period of not more than 3

months, but was not satisfied given the evidence submitted, that the licensing objectives would be properly promoted following any such determination.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for review, the written representations received and the submissions made at the hearing by the applicant, premises licence holder and their legal adviser and other Responsible Authority.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision. The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.

Deano Walker

19

From: David Galil <[REDACTED]>
Sent: 09 April 2019 15:34
To: Deano Walker
Subject: Fwd: The Sutton Tap, 67 South Parade, Sutton Coldfield - License Number 2061

[Get Outlook for iOS](#)

From: [REDACTED] on behalf of Licensing
Sent: Friday, April 5, 2019 10:29:36 AM
To: david_g [REDACTED]
Subject: FW: The Sutton Tap, 67 South Parade, Sutton Coldfield - License Number 2061

Dear Sirs,

Further to my email of 2 April 2019, please see the below representation received during the statutory consultation period.

Kindest Regards

[REDACTED]
Senior Licensing Officer

Licensing Section
PO Box 17013 | Birmingham | B6 9ES

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

From: [REDACTED]
Sent: Wednesday, April 03, 2019 5:18 PM
To: Licensing
Cc: [REDACTED]
Subject: The Sutton Tap, 67 South Parade, Sutton Coldfield - License Number 2061

We act for Santander UK PLC who own the freehold interest in the premises from which the Sutton Tap operates and additionally my clients occupy the adjacent property as an operational branch of the Santander banking network.

We understand that Police have sought an Expedited Review of the License at the premises due to a series of disorder events over a period of some months. Clearly as a neighbour of the premises where we have customers and members of the public transacting financial business we fully support the Police in preventing future recurrences of public nuisance and disorderly behaviour.

Santander also have possession of the upper floors of the property which extend over the premises currently occupied by the Sutton Tap. [REDACTED]

[REDACTED]

You would also advise that neither the Sutton Tap nor the Licensee have any legal right to occupy the premises and action is being commenced to recover possession of the premises.

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Should you require any further information please feel free to contact me, but in the meantime, I would reaffirm my clients support of the Police actions.

Regards

Director – Real Estate Advisory

Real Estate & Infrastructure

Capita 65 Gresham Street London EC2V 7NQ

capitaproperty.co.uk



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Command & Control - Search Results

Intranet Homepage

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URN	Date & Time	Secure Record	Owner	Operator	Beat
2991	06/04/2019 23:51:00	No	BER4	59057	BEGC
Initial Class	Response	Crime No.	Arrests	Date Closed	Status
MISCELLANEOUS P8	INTERNAL TASK		0	07/04/2019 05:12:11	CLOSED
Method Received	Telephone Call				
Caller	POLICE 7447				
Caller Address					
Caller Phone					
Incident Location	SOUTH PARADE SUTTON COLDFIELD-WEST MIDLANDS				
OSGR	412171, 295964				
Incident Detail	SUTTON COLDFIELD NIGHT TIME ECCONOMY				
Incident Result	NO FURTHER POLICE ACTION REQUIRED				

Updates

User	Date	Time	Terminal	Text
59057	06/04/2019	23:55:42	BER4	RCK16 Automatic STM Notification generated
59057	06/04/2019	23:55:42	BER4	RCK16 Despatched
59240	07/04/2019	00:54:31	BERA	Sunday 07 Apr 2019
3263	07/04/2019	02:38:29	BER1	Resources Dealing with this Incident Enquiry
59240	07/04/2019	02:38:55	BERA	RCK16 - WITNESSED LICENSE OFFENCES THAT ARE STILL
59240	07/04/2019	02:39:04	BERA	OCCURRING ALTHOUGH LICENSES HAVE BEEN LOST.
59240	07/04/2019	02:39:21	BERA	RCK16 - OFFENCES COMMITTED.
3263	07/04/2019	02:51:15	BER1	THE SUTTON TAP IS CLOSING GAS CANNISTERS AT
3263	07/04/2019	02:51:40	BER1	LOCATION. BLOOD ON THE DOOR NO COMPLAINTS BEING
3263	07/04/2019	02:51:41	BER1	MADE.....
22492	07/04/2019	03:01:29	IncApp	OFFICERS WERE DIRECTED TOWARDS SUTTON TAP
				STATING
22492	07/04/2019	03:01:29	IncApp	THAT THERE WAS DISORDER. THERE WAS APPROXIMATELY
				6-7
22492	07/04/2019	03:01:29	IncApp	PEOPLE OUTSIDE AND A MALE WITH A BLOODY NOSE. THE
22492	07/04/2019	03:01:29	IncApp	MALE WAS NOT MAKING ANY COMPLAINT OF ASSAULT.
22492	07/04/2019	03:01:29	IncApp	OFFICERS ENTERED THE TAP AND WE'RE APPROACHED BY
22492	07/04/2019	03:01:29	IncApp	████████ GALIL 6-██████████ WHO WAS IN CONTROL OF THE
22492	07/04/2019	03:01:29	IncApp	PREMISES. THERE WERE SIGNS OF DISORDER INSIDE THE
22492	07/04/2019	03:01:29	IncApp	PUB. THERE WAS TISSUE WITH BLOOD ON THE FLOOR
				FROM
22492	07/04/2019	03:01:29	IncApp	THE MALES NOSE. THERE WAS PLENTY OF ALCOHOL ON
				THE
22492	07/04/2019	03:01:29	IncApp	BAR AND TABLES. THERE WAS A VERY STRONG SMELL OF
22492	07/04/2019	03:01:29	IncApp	CANNABIS WITHIN THE PUB AND THERE WERE GAS
				CANISTERS
22492	07/04/2019	03:01:29	IncApp	AND BALLOONS AROUND THE PUB. PC 21536 HAS
				RECORDED
22492	07/04/2019	03:01:29	IncApp	THIS ON BWC.
7447	07/04/2019	03:04:55	WebOASIS	IT WOULD APPEAR THAT THERE WAS CASH IN THE TILL
				AND
7447	07/04/2019	03:04:55	WebOASIS	THE CUSTOMERS HAD CONFIRMED THAT THE SALE OF
				ALCOHOL
7447	07/04/2019	03:04:55	WebOASIS	WAS TAKING PLACE- DUTY INSPECTOR V20 WAS MADE
				AWARE.
7447	07/04/2019	03:04:55	WebOASIS	THIS MATTER WILL BE SENT BACK TO THE
				NEIGHBOURHOOD
				TEAM TO PROGRESS- CLEAR LICENSING OFFENCES.

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7447 07/04/2019 03:04:55 WebOASIS PHOTO'S
 7447 07/04/2019 03:04:55 WebOASIS AND VIDEO WERE CAPTURED.
 7447 07/04/2019 03:05:44 WebOASIS PLEASE ATTACH SGT GREG RICHARDS + PC H SANDU TO THIS
 7447 07/04/2019 03:05:44 WebOASIS LOG. TO REMAIN OPEB FOR THEIR ATTENTION.
 59240 07/04/2019 03:15:26 BERA FOR BOOK OFF
 59240 07/04/2019 03:15:31 BERA 7447 Not at an Incident - Cannot Leave
 59240 07/04/2019 03:15:31 BERA 3437 Not at an Incident - Cannot Leave
 59240 07/04/2019 03:15:31 BERA 21536 Not at an Incident - Cannot Leave
 59240 07/04/2019 03:15:31 BERA 22492 Not at an Incident - Cannot Leave
 59240 07/04/2019 03:15:37 BERA RCK16 Not attached to this Incident
 59240 07/04/2019 03:15:44 BERA RCK16 Cancelled
 59057 07/04/2019 05:12:12 BER4 Incident Closed By Terminal BER4
 59057 07/04/2019 05:12:12 BER4 Incident End (Result - Close)

Resources

Rank	Name	Collar No	Dispatched	Arrived	Left	Cancelled	Informed	Informed Cancelled	Dealt With	Call Sign
PS	STRONG	7447	06/04/2019 23:55			07/04/2019 03:15				RCK16
PS	WITHERS	3437	06/04/2019 23:55			07/04/2019 03:15				RCK16
PC	DAVIS	21536	06/04/2019 23:55			07/04/2019 03:15				RCK16
PC	ANDREW	22492	06/04/2019 23:55			07/04/2019 03:15				RCK16

Final Classification ADMINISTRATION POLICE GENERATED RESOURCE ACTIVITY

Qualifier NONE

Power of Arrest Used

Anti-social behaviour

Closing Text

Officer Dealing 7447

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