

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation and Enforcement
Date of Meeting:	Wednesday 28th June 2023
Subject:	Licensing Act 2003 Premises Licence – Summary Review
Premises:	Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU
Ward affected:	Ladywood
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

A review of the premises licence is required following an application for an expedited review under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006).

2. Recommendation:

To consider the review application and to determine this matter, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

3. Brief Summary of Report:

An application under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) was received on 5th June 2023 in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU.

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:

On 5th June 2023, Superintendent Munro, on behalf of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Sugar Leisure Limited in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU.

The application was accompanied by the required certificate, see Appendix 1.

Within 48 hours (excluding non-working days) of receipt of an application made under Section 53A, the Licensing Authority is required to consider whether it is appropriate to take interim steps pending determination of the review of the Premises Licence, such a review to be held within 28 days after the day of its receipt, review that Licence and reach a determination on that review.

Licensing Sub-Committee C met on 7th June 2023 to consider whether to take any interim steps. The Sub-Committee resolved that the conditions of the licence be modified pending a review of the licence. A copy of the decision is attached at Appendix 2.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other persons ended on 20th June 2023.

Representations have been received from Other Persons, which are attached at Appendices 3 – 5.

A copy of the current Premises Licence is attached at Appendix 6.

Site location plans are attached at Appendix 7.

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's functions under the Licensing Act 2003 are to promote the licensing objectives: -

- 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:

Review Application and Certificate from West Midlands Police, Appendix 1
Sub-Committee Interim Steps Meeting decision 7th June 2023, Appendix 2
Copies of the representations from Other Persons, Appendices 3 – 5
Current Premises Licence, Appendix 6
Site location plans, Appendix 7

7. Options available:

Modify the conditions of Licence
Exclude a Licensable activity from the scope of the Licence
Remove the Designated Premises Supervisor
Suspend the Licence for a period not exceeding 3 months
Revoke the Licence
Take no action

In addition the Sub Committee will need to decide what action, if any, should be taken regarding the interim steps imposed on the 7th June 2023.



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I - Superintendent 2643 James Munro,

(on behalf of) the chief officer of Police for the West Midlands Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003

1. Premises details: Velvet Music Rooms.

Postal address of premises, (or if none or not known, ordinance survey map reference or description):

200, Broad Street, City Centre.

Post Town: **Birmingham**

Post Code (if known): **B15 1SU..**

2. Premises Licence details:

Name of premise licence holder (if known):

Sugar Leisure Ltd.

Number of premise licence (if known):

3282..

3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that this is a certificate has been given by a senior member of the police force for the police area above that in his/her opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)



4. Details of association of the above premises with serious crime, serious disorder or both:
(Please read guidance note 2)

Velvet Music Rooms is a licensed premises situated at 200, Broad Street, City Centre, Birmingham. B15 1SU. The premises license holder is Sugar Leisure Ltd and designated premises supervisor is Mr Steven Emmison.

The premises is licensed to sell alcohol for consumption on and off the premises between the hours of 1000 and 0600 each day of the week.

Between 0049 and 0054 hours Monday 5th May 2023 the premises were open and conducting licensable activity.

At this time disorder has occurred within the premises and as a result of this a customer in the premises has received several stab wounds and a member of security staff has received a superficial wound to his arm. The offender has left the scene prior to police arrival. It would also appear that the scene had been cleaned prior to the police attending the scene.

This matter is subject of a crime report for wounding against section 18 wounding against The Offences Against The Persons Act 1861 which is a serious crime by virtue of the maximum sentence on conviction being life imprisonment. This is an ongoing enquiry which may lead to more reports of injuries.

West Midlands Police have serious concerns for the promotion of the licensing objectives at this premises. There are concerns as to how the scene was managed by management and staff from the venue. This is a live on-going criminal investigation and any CCTV footage of the incident has not been viewed by Licensing Staff.

West Midlands Police have had communications with the premises and are awaiting the results of this.

Signature of applicant:

Date: 5th June 2023.

Rank/Capacity: Superintendent 2643 Munro

Contact details for matters concerning this application: BW Licensing

Address: Licensing Dept c/o Birmingham West and Central Police Station, Birmingham

Telephone Number(s):

E-mail -

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly

state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious Disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder or both.

West Midlands Police

CERTIFICATE UNDER SECTION 53A (1)(B) OF THE LICENSING ACT 2003

I Superintendent 2643 James Munro hereby certify that in my opinion the premises described below are associated with both serious crime and serious disorder.

Premises: Velvet Music Rooms

Address: 200, Broad Street, City Centre, Birmingham. B15 1SU.

Premise Licence Number: 3282

Premise Licence Holder: Sugar Leisure Ltd.

Designated Premise Supervisor: Steven Emmison.

I am a Superintendent in West Midlands Police.

I am giving this certificate because I am of the opinion that the summary review procedure is necessary to ensure the licensing objectives are promoted expeditiously. Given the seriousness of the trigger incident on 5th June 2023, which involved a disorder at the premises Whereby two victims have been stabbed one multiple times and the other once. Other steps available under the Licensing Act 2003, including a standard review application, cannot lead to the imposition of immediately effective steps to promote the licensing objectives and so these are inadequate. I view this application as a proportionate and necessary response to the serious incident at the venue.

In coming to my opinion, I have had regard to the facts of the incident and current investigation, the terms of section 53A of the Licensing Act 2003 and Chapter 12 ("Summary Reviews") of the Guidance issued under section 182 of the Licensing Act 2003 (December 2022 revision).

Signed:

Dated: 5th June 2023



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE - C

WEDNESDAY 7 JUNE 2023

**VELVET MUSIC ROOMS, GROUND FLOOR, CUMBERLAND HOUSE,
200 BROAD STREET, LADYWOOD, BIRMINGHAM B15 1SU**

That having considered the application made and certificate issued by a Superintendent of West Midlands Police under Section 53A of the Licensing Act 2003, for an expedited review of the premises licence held by Sugar Leisure Ltd in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham B15 1SU, this Sub-Committee hereby modifies the conditions of the premises licence, namely by adopting all those conditions proposed by West Midlands Police in advance of the meeting, pending a review of the licence, such review to be held within 28 days of receiving the Superintendent's application.

The conditions are as follows:

- From Thursdays through to Sundays or on any evenings where promoted events take place from 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- From Thursdays through to Sundays or on any evenings where promoted events take place from 21.00hrs premises to operate an ID scanner. All customers will be required to provide ID to satisfy the scanning requirement. No ID or ID not accepted then no entry
- All staff will be trained in (crime) scene management. This training will be documented and signed by the trainer and trainee. These training records to be made immediately available to any of the responsible authorities on request
- The premises security risk assessment for deployment and numbers will be made available to any of the responsible authorities immediately on request
- All door staff to wear either a hi- visibility coat, jacket or tabard
- The premises to ensure that door staff will wear body cams. There will be a minimum of 50% of door staff on duty who wear a body cam. These cameras will record throughout the tour of duty with images & audio, be downloadable and be made available to West Midlands Police on request. Images will be kept for a minimum of 31 days
- Door staff to sign on and off duty. Each entry will include their full SIA licence number. This documentation to be made immediately available to any of the responsible authorities on request and kept on the premises for a minimum of 2 months
- Premises to keep a profile of all door staff to include a copy of their SIA licence, photographic ID (or if photographic is not available then a copy of a utility bill, no older than 3 months.) These profiles to be kept on the premises for a minimum of 2 months after the last shift
- The premises will have a staff member on duty that is first aid trained
- The premises will have a bleed kit available on site

- The premises will maintain an incident register. Each incident will be signed off by the DPS or their nominated deputy. The incident register will be made available to any of the responsible authorities on request

The Sub-Committee's reasons for imposing the modification of conditions were due to the concerns which were expressed by West Midlands Police in relation to matters pertaining to serious crime and/or serious disorder, which had come to light as outlined in the Superintendent's certificate and application. The Sub-Committee accepted the advice of the Police that the risks of further serious crime and/or serious disorder could only be managed satisfactorily via the adoption of the Police's suggested conditions.

The Police were represented at the meeting. The director of the licence holder company also attended the meeting, accompanied by others. Those from the premises were represented by their solicitor.

The meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005. The Police explained that to view the CCTV evidence in public could prejudice an ongoing criminal investigation. The Police therefore asked for the Sub-Committee to go into private session for the meeting. The Police also observed that the proper way to proceed was for only the director of the licence holder company and her solicitor to attend the meeting and address the Sub-Committee.

The solicitor considered that there was no reason to exclude the other persons from the meeting, and also considered that whilst the CCTV should be viewed in private, the oral submissions should be heard in public.

However, the Sub-Committee was aware that under paragraph 4.3 of the Procedural Rules (issued to all parties in advance of the meeting), it was at the discretion of the Sub-Committee whether to permit the request for other persons to appear at the meeting. The Police had observed that the company director was present, and the Members noted that she was represented by a solicitor; in the interests of focusing properly on the issues, and in particular the risks of further serious crime and/or serious disorder, the Sub-Committee considered that the proper course was to restrict attendance to only the company director and her solicitor.

Regarding the application to conduct the meeting in private, the Sub-Committee considered that the best course was to hear all of the evidence and submissions in private session. This was to ensure fairness to all parties, and to ensure that the licence holder company was able to properly address the Police submissions without the need to avoid mentioning those parts of the evidence shown in private.

The meeting therefore went into private session and Members heard the submissions of West Midlands Police, namely that the certificate, which had been issued by a Superintendent under s53A(1)(b) of the Act, related to an allegation of serious crime and/or serious disorder which had happened at the premises in the early hours of Monday 5th June 2023.

The Police summarised the investigation thus far – exactly as detailed in the Report. The Velvet Music Rooms premises was located in the main nightlife district of the city. The incident had been the subject of a crime report for wounding, per

s18 of the Offences Against the Person Act 1861. A criminal investigation was under way. CCTV from inside the premises was played to the Sub-Committee.

The Police felt that there had been what they described as “a catastrophic breakdown of the security arrangements at the premises”. The risk assessments for operation had either not been followed, or had been inadequate; a weapon of some kind had found its way into the premises and was then used to commit a wounding. The person responsible had then left the premises; enquiries were ongoing.

The Police felt that the only suitable remedy was the adoption of suitable conditions; these had been submitted in advance of the meeting. The Police remarked that these would prevent human error and protect public safety.

The Police had noted that the licence holder company had not agreed the proposed conditions, and had instead submitted its own suggested conditions. The Police view of these was that they were “unworkable and not fit for purpose”. It was therefore the Police’s recommendation that only the Police’s proposed conditions were suitable, as they were “the minimum [*which would be*] acceptable”. The Police also remarked that a number of other licensed premises in and around Broad Street had voluntarily taken on such conditions, and were operating well as a result.

The Sub-Committee then heard from the licence holder company, via its solicitor. The Velvet Music Rooms was a long-established venue which had been trading since 2005, without incident. It had an impeccable record and was an exemplary operator, said the solicitor. It was known as a safe place which attracted minority groups, such as the LGBT community, and also an older style of clientele who attended for entertainment aimed at their age group (such as jazz evenings). It also hosted a variety of classes such as salsa lessons and cocktail-making classes, and was also used for art events such as those held by the Birmingham Art Zone.

The solicitor drew a distinction between the premises’ normal trade, as opposed to externally-promoted events. A normal week’s trade would be for the more mature customer. However, on the night in question, the premises was hosting an afterparty-style event which followed a separate event which had been held at an unconnected premises in Digbeth. The DJs and entourages, and fans, then came to the Velvet Music Rooms. The Velvet Music Rooms premises had previously hosted two afterparties without incident.

Seven security guards were on duty, which was more than a normal night. Searches were conducted at the door and a “spotter” was on the lookout for known troublemakers; had the premises known that the event was going to be high-risk, it would not have hosted it, said the solicitor. The clientele for the afterparty was a different demographic from the premises’ usual clientele. The solicitor then went on to explain what had happened during the incident in question.

Regarding the modification of conditions, the solicitor urged the Sub-Committee to distinguish and discuss the root cause – namely an externally-promoted event which was quite unlike the premises’ normal style of trading. The solicitor therefore submitted alternative conditions requiring 28 days’ notice of events, and giving the Police 7 days to respond (and also a power of veto). The premises also did not see the need for the ID scanner proposed by the Police.

The Police however found the premises’ suggested conditions to be completely unsatisfactory, reiterating that the risk assessment and search regime had been proven to be completely inadequate. The Police also considered the staffing to be

inadequate in terms of preventing persons from entering and in managing the scene. The ID scanner was a very important feature of safe operation – both as a deterrent, and to ensure that appropriate action could be taken. These requirements were the only way to guard against the risk of further serious crime and/or serious disorder, and to ensure public safety; they had been seen to do so at other venues elsewhere in Birmingham.

The Police further remarked that it was up to the premises to run its events safely, and that no venue could rely on the Police to make decisions for it regarding operating style and the upholding of the licensing objectives. The Police therefore urged the Sub-Committee to use only the conditions proposed by the Police as a proportionate and reasonable measure to ensure safe trading.

Having heard all of the evidence, the Members were confident that only the course proposed by the Police was satisfactory, and accepted that only the Police's course would be sufficient to ensure that the risk of any further serious crime and/or serious disorder was removed. Whilst deliberating, the Sub-Committee agreed with the Police that the suggestion made by the licence holder company did not adequately cover the risks. Any incident where a weapon(s) had found its way into licensed premises was very serious, and the correct course was that which had been recommended by the Police. This was particularly important given that minority groups were a regular part of the clientele.

The Sub-Committee therefore resolved to modify the conditions in the terms proposed by the Police. This was both necessary and reasonable to address the immediate problems with the premises, namely the potential for further serious crime and/or serious disorder. It was not necessary to consider other steps such as the removal of the designated premises supervisor, as this had not been recommended by the Police.

In reaching this decision, the Sub-Committee has given due consideration to the application made and certificate issued by a Superintendent of West Midlands Police, the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under s182 of the Act, the written submissions made, and the submissions made at the hearing by West Midlands Police, and by the licence holder company via its solicitor.

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours.

All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

From:

Sent: 20 June 2023 13:31

To: Licensing

Subject: Velvet Music Rooms Public House Broad Street

To Whom it May concern

I am a regular customer at The venue Velvet Music Rooms on Broad Street Birmingham. I visit this venue several times a week during the week and at weekends. During the twelve years I have been visiting the venue I have never had concerns with regards to crime, disorder or my personal safety. The regulars who use the venue vary in age range from early twenties to pension age and the atmosphere suits all age ranges. Recently when visiting the venue I have been asked to provide identification which I did not have as I am a woman of 54 years old and do not carry ID as a rule, I am aware that other customers some older than myself have also experienced the same and feel this is extremely disproportionate resulting in the cancellation of our evening

The staff and customers at Velvet Music Rooms create a friendly atmosphere and I will continue to use this venue as my regular as will others within our social circle

Regards

Registered Care manager

From:

Sent: 20 June 2023 16:13

To: Licensing

Subject: Velvet Music Rooms

Dear Sirs,

I have spent a lifetime organising events in licensed premises – please see attached – and I can say with confidence that Velvet Music Rooms is managed as responsibly as can be imagined.

I organise live music at that venue three times every week throughout the year and attend at other times for various reasons, and I can assure you that I have never witnessed even the slightest sign of any untoward behaviour by management or staff members.

On the contrary, I have several times witnessed how they handle difficult customers, which they do calmly, firmly, and discreetly.

However, I must stress that the venue does not generally attract trouble-makers, as a noticeable proportion of regular customers are middle-aged and older.

The clientele that attend this venue for live music events create a somewhat special, good-natural atmosphere which people prone to violence find inappropriate.

I believe that unique atmosphere created by the management of Velvet Music Rooms is enhanced by their enthusiasm to support art and culture. A society of local painters have a permanent exhibition in the premises and I have held talks and discussions there regularly as well as free music instrument workshops. Meetings of The New Street Authors, a collective of independently published writers, take place at Velvet and charity fund-raising events include an Evening for Ukraine where £3850 was raised for the relief fund. The Lord Mayor has attended and spoken at events in that venue and I believe all the above clearly indicate that The Velvet Music Rooms is not a venue that attracts or tolerates violence of any sort.

Yours Sincerely,

Birmingham Jazz & Blues Festival / Big Bear Music



Big Bear Music

the venues put something in. From late November onwards, the festival takes over. It's very labour-intensive. It means working 60 to 70 hours every week to keep the thing going. I've not had a holiday for something like 10 years. I hate the paperwork and the business side of it but I love putting things together. I don't want to retire, I just know what I would do. I just feel compelled to spread the word."

In an era of budgetary cuts and increasing pressures on local authority finances, Simpson and the festival board (which includes the likes of well-known Birmingham business names such as Sir John Hemming, former BT PR executive Derek Inman and national broadcaster Gary Newbon) realise that a new approach to keeping the festival's wheels turning may be needed in highly austere economic times.

"We are finding other ways of making money. This year we are approaching businesses to become friends of the festival. We ask for £1,000 from 20 of them. They get accorded all sorts of privileges, not financial ones but they get our logo everywhere. We print 40,000 festival programmes."

"Our festival hotel is Hampton by Hilton. You check in there during the festival and get a discount. You have got an average of 20 shows a day, free, many of them are on Broad Street. It's like going to New Orleans."

But whilst the Jazz & Blues Festival and its extraordinary longevity over nearly four decades is undoubtedly one of the proudest artistic and cultural achievements for this most genial of entrepreneurs, it's not the only string to Simpson's multi-faceted musical bow.



American Blues Legends '79 in Chicago, taking a break from recording at Chess Recording Studios – from left are Billy The Kid Emerson, Jimmy Fastfingers Dawkins, Jim Simpson, Lester Mad Dog Davenport, Little Smokey Smothers, Eddie C. Campbell, Good Rockin' Charles and Chico Chism

He will always be remembered as the man who propelled Black Sabbath to worldwide fame. But the Brummie band were not Simpson's only musical proteges and enthusiasts.

"I opened this blues club called Henry's Blueshouse at the Crown in the city centre. We had Ten Years After, Status Quo, Barclay James Harvest, Chicken Shack, Arthur Crudup (the man who wrote Elvis Presley's first hit, That's All Right Mama). We had Arthur in an upstairs room in Birmingham."

"Within a few weeks a band called Earth approached us and asked if I could get them a gig. I gave them an opening gig and they opened for Ten Years After. They were good so I repeat booked them. After a while they asked if I would manage them. Their name was changed to Black Sabbath."

"Without me, there wouldn't have been a Black Sabbath – it was a real backbreaker of a job to get them a record deal. I got them gigs. We did TV in France and Germany before we got the record deal. I got 14 straight rejections. I knew the band were hot, people liked them, audiences came out for them."

"But London in those days was like a fortress, the music business even more so. Unless it was fashionable and in, they wouldn't show any interest. It's not that different now."

Eventually, Simpson used his contacts in the music industry – he had already won major record deals for previous bands Locomotive, Tea and Symphony and Bakerloo – and was able to persuade a music publisher to put the money up to help fund Black Sabbath's first album, cut in just one day. The band, which helped invent heavy metal, were on their way to global stardom, principally due to the

initial efforts of Simpson.

The Black Sabbath story and many more tales of Brummie music legends through the decades are told in Simpson's highly readable memoir *Don't Worry 'bout The Bear*.

In the foreword, another Brummie legend, comedian Jasper Carrott, writes: "Jim Simpson is not a name that is too familiar outside Birmingham, but his influence is quite remarkable. Jim has been around the music scene in Birmingham for over 60 years. He has carved himself a place in the hearts and minds of the citizens of the city who know him as the indefatigable dynamo who is responsible for the history of many of its renowned musical legends, places of entertainment and of course, the world-famous Birmingham Jazz Festival."

Jasper is surely spot on. Jim Simpson's influence on the music business in Birmingham across six decades cannot be questioned, as many performers and jazz and blues lovers would surely agree. This is after all, the jazz fan who tried to save Ronnie Scott's in Broad Street out of his own pocket more than 20 years ago by re-mortgaging his house. "It went down owing me nearly £50,000. It was so sad."

Ronnie Scott's may have gone, but the music will always live on for Simpson, the man who turned his passion into a career – and is still rocking at the age of 85.

Or as he puts it: "There is nothing wrong with music, it keeps inspiring me. There is something primal about the rhythms of jazz and blues which appeal to the human spirit." Quite.

■ The Birmingham Jazz & Blues Festival is taking place July 14-23. Visit birminghamjazzfestival.com for more information.

He's the brains behind an annual jazz and blues festival which has pumped millions of pounds into the West Midlands economy over nearly 40 years.

He is also the man who launched Black Sabbath, who photographed the likes of Mick Jagger, Little Richard and Jerry Lee Lewis, and re-mortgaged his house to try to keep Ronnie Scott's afloat in Broad Street.

This is Jim Simpson – friend of the stars, record producer, irrepressible lover of jazz and blues, who for artistic reasons once turned down the Birdie Song, that slice of 1981 kitsch nonsense which became a money-spinning chart hit. He is as integral a part of Birmingham's cultural fabric as any figure of the last six decades.

Without Simpson, there would have been no Birmingham Jazz & Blues Festival – now in its 39th year – an annual summer music extravaganza which has become the longest-running event of its kind in England and Wales.

There would also have been no Black Sabbath, the Birmingham band fronted by Ozzy Osbourne, which started off in the former Crown pub opposite the city's crown court, and became one of the world's most successful heavy metal bands.

Without Simpson, countless blues bands would never have been able to get their feet on the musical ladder, thanks to the Henry's Blueshouse evenings he continues to help run at the Velvet Rooms in Broad Street – a lasting Brummie legacy to the raw, primal musical format which originated in the deep south of America and would inspire the likes of Little Richard, Jerry Lee Lewis, Chuck Berry and later the Rolling Stones.

And without him, there would have been no Big Bear Records, the UK's longest-running independent record label he continues to manage to this day from offices in Broad Street, an enduring testament to his love of jazz, blues and rock which first inspired the launch of the business back in 1968.

Simpson was born in London to a schoolteacher mother and jazz-loving father who served in the Royal Tank Regiment in the Western Desert during the Second World War. The family were evacuated, eventually ending up in Bromsgrove. A lover of jazz and the blues from an early age, he formed a jazz club at school. Called up for RAF duty, he found himself posted to Gibraltar during the Suez crisis and indulged his love of jazz by having his own music show on Radio Gibraltar, which also broadcast to Spain.

Returning to England in 1961 he landed his first 'proper job', as he puts it, as a beach photographer in the less exotic climes of Skegness before being appointed photographer at Birmingham's college of technology, which later

"Within a few weeks a band called Earth approached us and asked if I could get them a gig. I gave them an opening gig and they opened for Ten Years After. They were good so I repeat booked them. After a while they asked if I would manage them. Their name was changed to Black Sabbath."

became part of Aston University. He was subsequently offered work as a freelance photographer with music weekly Melody Maker and found himself rubbing shoulders with – and photographing – the likes of the Rolling Stones, Chuck Berry, Jerry Lee Lewis and Little Richard. Gradually, music would become both his passion and his vocation.

Jim Simpson is now 85 years old. But you suspect that his love of the music that ultimately changed the world back in the 50s and 60s – turning grey post-war monochrome into glorious technicolour courtesy of a few pioneering artists – keeps him young. It also keeps him flying the flag for the local rocking talent of Brum and elsewhere in the West Midlands.

As we meet in the offices of Big Bear Records at the bottom end of Broad Street, Simpson is already relishing the thought of this summer's festival, a cultural feast which in pre-Covid times made more than £5 million in one year alone for the city's economy, pulling in tens of thousands of visitors from across the UK and overseas.

"We launched in 1985, this is our 39th year, we are the longest-lasting jazz

festival in England and Wales," he says. "Last year we approached pre-Covid levels, we had 194 performances in 10 days, 188 of those were free admission at a total of 91 venues. We had 79,000 people through. We go out to ordinary folk, we do not play just to seriously committed music fans."


"We go to parks, bars, restaurants, museums, art galleries, shopping centres and shops. There is live music on the Metro between Birmingham and Wolverhampton and we put music on steam trains to Stratford. We have free ukulele classes, mostly for kids. We teach them in one and a quarter hours to play one song and sing one song, which they don't do terribly well, but it doesn't matter."

But whilst nearly four decades of largely free musical entertainment has generated millions of pounds for the region, there is also a constant battle to keep the show on the road.

"We generated £5.3 million in one year, but our core funding (from Birmingham City Council, Sandwell Council, Westside B and the Musicians Union) is £31,900 this year. Put that against wages, forget rent, and it ends up being a real co-operation



Jim Simpson with Muddy Waters and, right, Cousin Joe

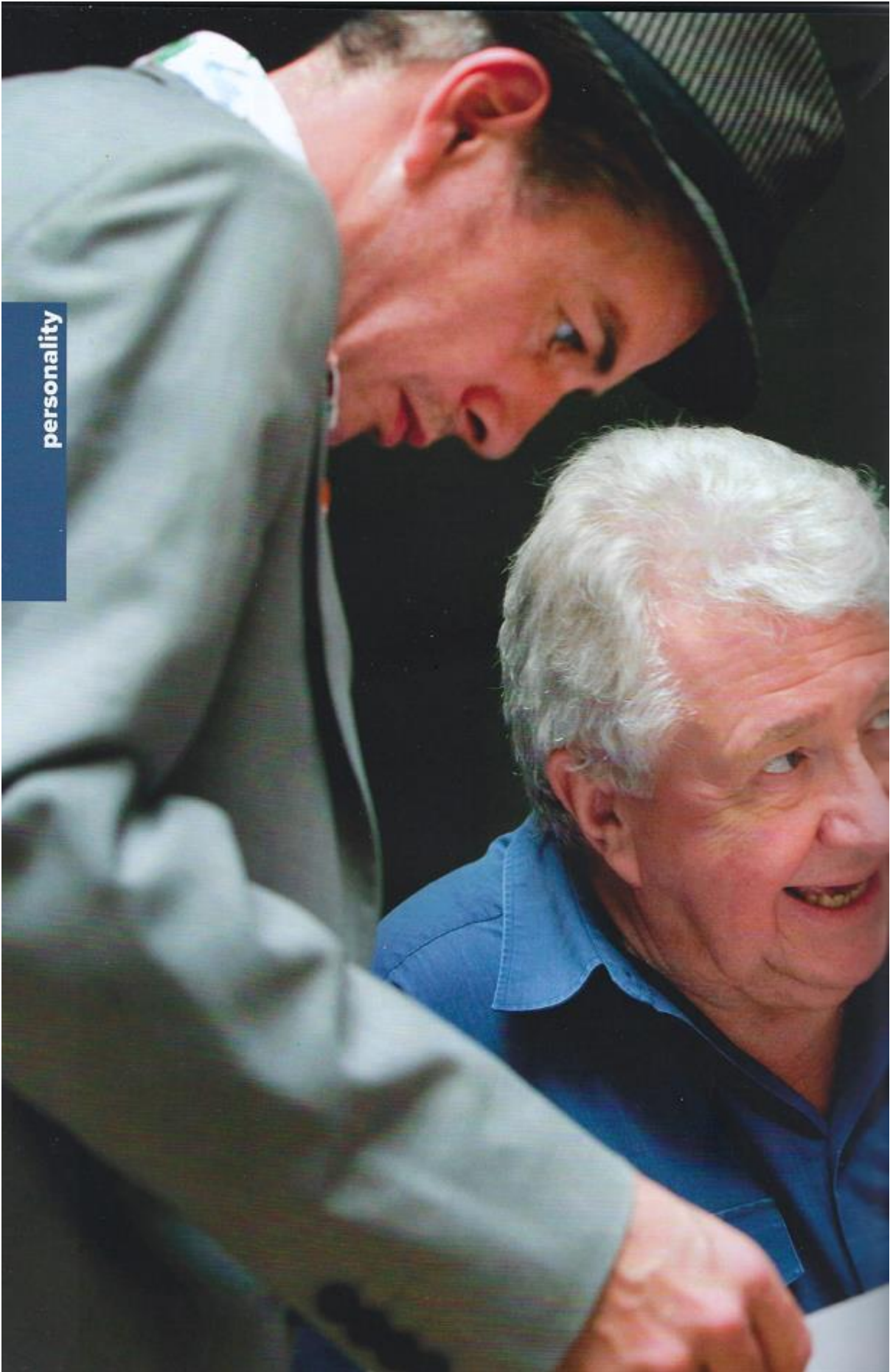
A woman with blonde hair and a red headband is looking down. A man's hand is visible in the foreground, pointing upwards. The background is dark.

During a 10-day period in July, scores of bars, pubs and public areas across the city will be full of the sound of live music. The Birmingham Jazz & Blues Festival, now in its 39th year, has brought millions of pounds to the region's economy, not to mention given enormous pleasure to music lovers across the generations. The festival is down to the vision and drive of one man – Jim Simpson – still as passionate as ever at the age of 85.

JON GRIFFIN meets...

personality

Birmingham's *Mr Music*



From:
Sent: 20 June 2023 16:51
To: Licensing
Subject: Velvet Music Rooms

TO WHOM IT MAY CONCERN

I am a regular customer of Velvet Music Rooms and have been for many years. I, with my family and friends, attend on Sundays, frequenting the live music events.

This is the only venue that has an innovative and creative programme of artists catering for my age group (over 60s) with bands, solo artists and music from our era. The overwhelming majority of the clientèle is of a similar age to myself and as a safe and welcoming venue it is now established as a vital part of our cultural activities.

In the many years that I have been a customer, neither I nor anyone I know, has witnessed any behaviour, activity or incident of a criminal, threatening or intimidating nature that has led us to be concerned for our safety. On the contrary, Velvet Music Rooms' staff and management make it their business to make the environment accessible, secure and welcoming. In this current environment, this is a rarity for people within our age group and we value Velvet Music Rooms and all they do to NOT make us feel vulnerable or at risk. However, the excessive and immoderate regulations that have been imposed since 8th June 2023 have the opposite affect. Compulsory scanning and identity checks are, in my informed opinion, extreme and disproportional to the risk posed from and to my fellow customers at the live music events on Sundays. The new regulations require searches, identity scanning etc. and is intrusive, time consuming, unreasonable and unnecessary. It raises the ante by increasing the perception of risk or possible harm, when there no evidence for this. This impacts negatively on numbers and affects what used to be a pleasant, easy going, relaxed and casual event. This treatment of a group of older people enjoying music is unfair and errs on the side of ageism. It does nothing to protect us any more than the previous stringent security arrangements, managed and monitored professionally and robustly by Velvet Music Rooms, for which we are grateful. These have been proportionate, appropriate and effective, borne out and evidenced by the exemplary track record of Velvet MusicRooms. For these reasons, I feel best placed to request that the new, imposed regulations are withdrawn with immediate effect. I am willing and happy to provide any assistance or additional information to ensure this happens as these events essential for our mental health and wellbeing.

Kindest regards,

LICENSING ACT 2003**PREMISES LICENCE****Premises Licence Number:****3282 / 2****Part 1 - Premises details:**

Postal address of premises, or if none, ordnance survey map reference or description	
Velvet Music Rooms Ground Floor Cumberland House 200 Broad Street	
Post town:	Post Code:
Birmingham	B15 1SU
Telephone Number:	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Monday-Sunday	10:00 - 06:00	B ,E ,F ,G ,H ,M3
	23:00 - 05:00	L
23:00hrs on New Year's Eve to 05:00hrs on New Year's Day.	-	
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		B ,E ,F ,G ,H ,M3

The opening hours of the premises

Monday-Sunday	10:00 - 06:30
From the start of permitted hours on New Year's Eve to 06:30 on 2nd January.	00:00 - 00:00

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

On and Off Supplies

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Sugar Leisure Limited Velvet Music Rooms 200 Broad Street	
Post town: Birmingham	Post Code: B15 1SU
Telephone Number:	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 06860362
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Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Steven Emmison	
Post town:	Post Code:
Telephone Number:	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 19/000001/LAPER	Issuing Authority SANDWELL METROPOLITAN BOROUGH COUNCIL

Dated 19/04/2022

Bhapinder Nandhra
Senior Licensing Officer
For Director of Regulation and Enforcement

Annex 1 – Mandatory Conditions

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

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

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

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

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

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

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

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

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

Regulated entertainment and late night refreshment to take place indoors only.

No adult entertainment services or activities permitted on the premises at any time.

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

Use of the premises between 0400 and 0600 on 28 days notice to the police licensing officer at Steelhouse Lane Police Station or any other officer or police station as may be advised to the designated premises supervisor in writing and with the police having the right of veto any such occasion within 3 days of notification, such veto not to be exercised unreasonably.

CCTV to be installed and maintained to the satisfaction of West Midlands Police.

The CCTV system to be in full working order, including all the cameras at all times when the premises are open for any licensable activity.

The CCTV system must record and store images, for a minimum of 30 days. These images must be available, with immediate access, to the Police and local authorities. The CCTV must be installed in a secure location.

If the premises use external door supervisors, those door supervisors must sign on and off duty every time they work. The signing sheet to include badge numbers and the sheet to remain on the premises for a minimum of 30 days.

If an external door company is used the venue must keep on the premises doorstaff profiles, to include photo ID, (other than their SIA badge), and a utility bill which must not be dated later than 6 months previous. Such profiles to be available for inspection by the Police or local authority at any time and kept in a secure location. If any door supervisors leave the premises, the profile to be retained on the premises for at least three months, following their departure.

The premises to implement a Challenge 25 proof of age scheme.

When door supervisors are used at the venue, they must wear Hi-Vis clothing as follows:-

- a) Hi-Vis jackets outside the premises save for British Summer Time when Hi-Vis tabards may be worn; and
- b) Hi-Vis tabards inside the premises at all times.

The premises will implement and put in to practice a drugs policy for the venue as approved by West Midlands Police.

If the venue wishes to hold an under 18 event, the venue must provide Steelhouse Lane Licensing Department with 28 days notice, together with a Risk Assessment. West Midlands Police to have a power of veto over any under 18 event.

All sales of alcohol for consumption off the premises are to be in sealed containers.

The premises will risk assess its standard operating procedure. The Risk Assessment will be kept at the premises and made available upon request to responsible authorities

Where a third party promoter is used for any new late night event at the premises, there will be a Risk Assessment completed and sent to Birmingham Central Licensing Team at least 7 days (or such shorter notice as may be agreed in writing with West Midlands Police Birmingham Central Licensing Team) before the event.

If the venue wishes to hold an under 18 event, the venue must inform Birmingham Central Licensing Team with at least 28 days notice, together with a risk assessment. West Midlands Police to have a power of veto over any under 18 event.

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

A fire safety assessment will be conducted and implemented in the premises.

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

No enforceable conditions identified from operating schedule.

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

Children will be permitted on the premises in accordance with the provisions of the Licensing Act 2003.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

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

N/A

3c) Committee conditions to promote public safety

N/A

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

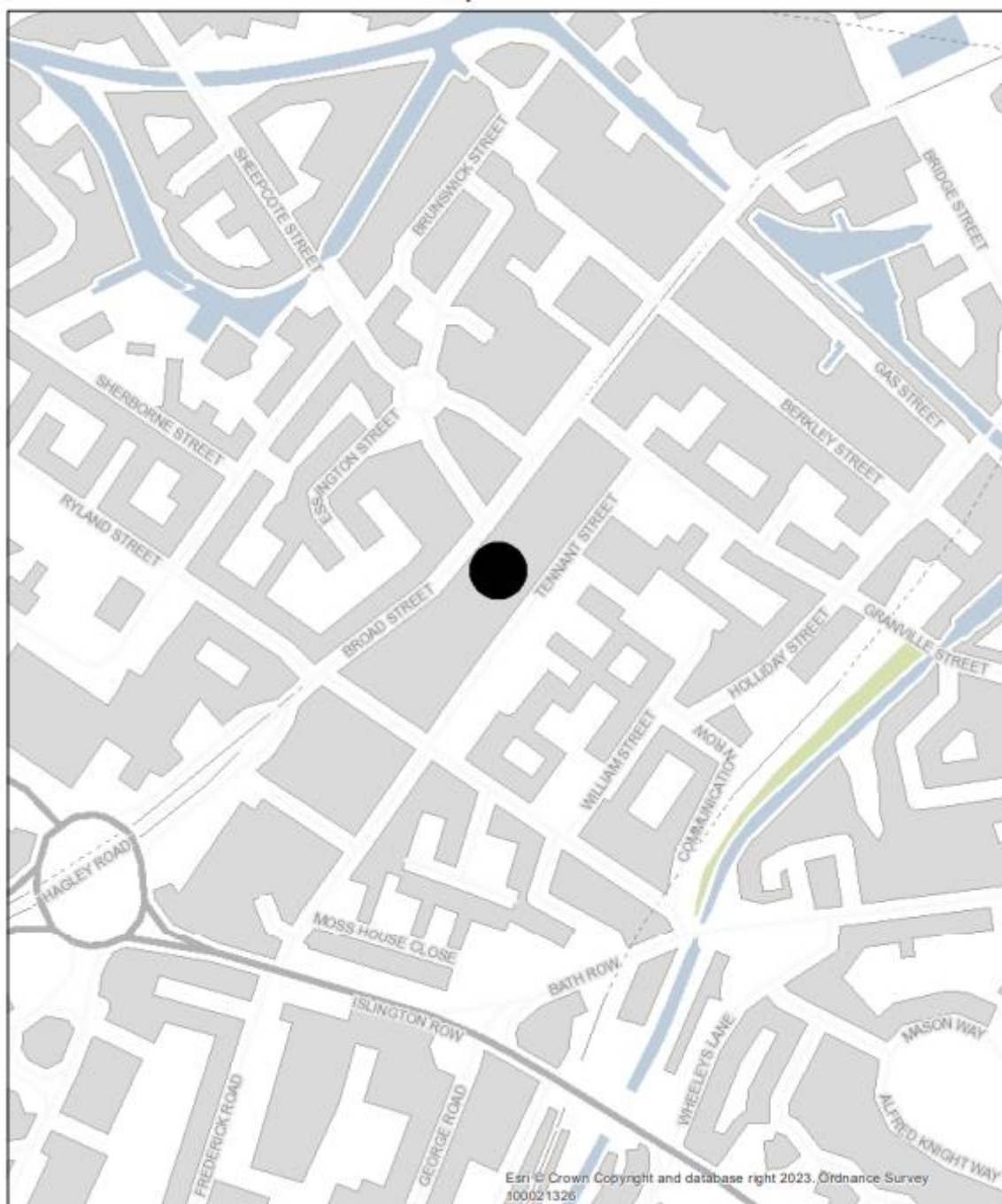
N/A

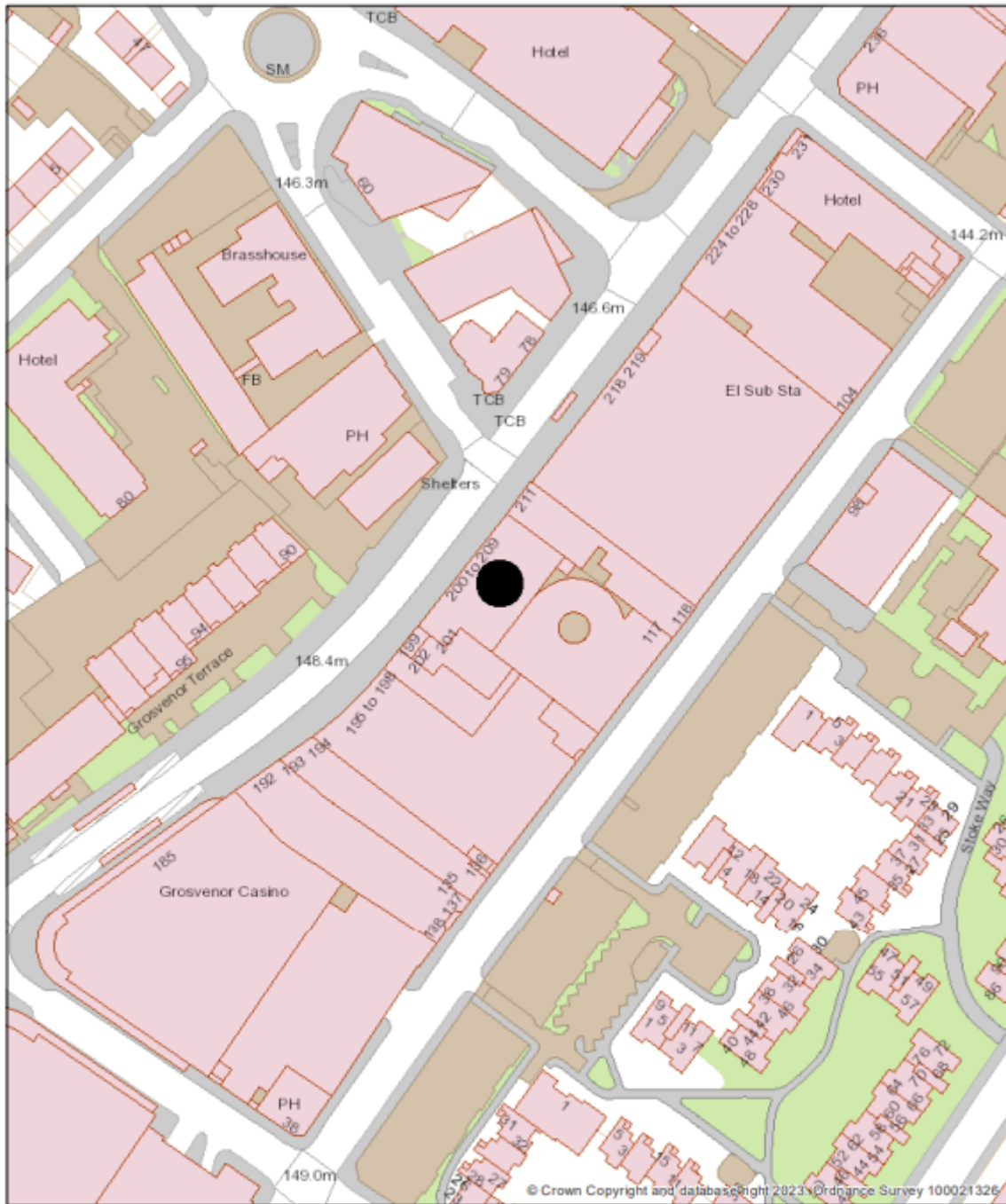
3e) Committee conditions to promote the protection of children from harm

N/A

Annex 4 – Plans

The plan of the premises with reference number **124346-3282/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.





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