

BIRMINGHAM CITY COUNCIL
LICENSING SUB-COMMITTEE A

**Tuesday 9 January 2024 at 0930
hours as an On-Line Meeting,
Microsoft Teams**

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite, please click this link, <https://birmingham.public-i.tv/core/portal/home> and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

Attached

4 RE: LICENSING ACT 2003 – FURTHER REPRESENTATIONS BACK AGAINST INTERIM STEPS IMPOSED - PORTRAIT BAR, THE ARCADIAN, 70 HURST STREET, BIRMINGHAM B5 4TD – AS AMENDED BY THE VIOLENT CRIME REDUCTION ACT 2006 - APPLICATION FOR EXPEDITED REVIEW OF PREMISES LICENCE: CONSIDERATION OF INTERIM STEPS

N.B. Application scheduled to be heard at 0930 hours.

Documents submitted:

- A. Further representations made by the premises licence holder received on Friday 5th January 2024 including proposed conditions
- B. Decision of the meeting held on the 22nd December 2023
- C. Decision of the meeting held on 19th December 2023
- D. Certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003
- E. Application for Review of Licence
- F. Copy of Premises Licence
- G. Location maps

The premises licence holder has made further representations back in respect of the interim steps imposed on the 19th December and subsequently maintained on the 22 December 2023 (See Appendix A), . Copies of the interim steps decisions made by previous Licensing Sub Committees held on on the 19th and 22nd December 2023 following the application from West Midlands Police for an expedited review of the premises licence in respect of **PORTRAIT BAR, THE ARCADIAN, 70 HURST STREET, BIRMINGHAM B5 4TD** are attached at Appendices B and C respectively.

The application was accompanied by a certificate signed by a senior member of the force, stating that in their opinion the licensed premises is associated with serious crime and disorder which was made under Section 53A of the Licensing Act 2003 (as amended). (See Appendices D & E respectively).

In accordance with the regulations, the licensing authority has given the premises licence holder and responsible authorities a copy of the application for review and a copy of the certificate.

This hearing has been arranged in order to consider whether it is necessary to take any interim steps in respect of the licence pending the determination of the review.

The Premises Licence is included at item F.

At the hearing the licensing authority must:

- consider whether the interim steps are appropriate for the promotion of the licensing objectives; and
- determine whether to withdraw or modify the steps taken.

When considering the case the licensing authority must take into account:

- the senior officer's certificate that accompanies the application,
- the chief officer's representations (if any); and
- any representations made by the premises licence holder.

There is no right of appeal to a magistrates court against the licensing authority's decision at this stage.

5 OTHER URGENT BUSINESS

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

From: Carl Moore <carl@cnariskmanagementltd.co.uk>

Sent: 05 January 2024 15:04

To: Bhapinder Nandhra <Bhapinder.Nandhra@birmingham.gov.uk>; Licensing <licensing@birmingham.gov.uk>

Cc: Sarah Clover <sclover@kingschambers.com>; Raj Bahia <raj@rxbgroupp.com>; Jake Brooke <JBrooke@kingschambers.com>

Subject: Re: Licensing Act 2003 - Section 53A Expedited Review RE: Portrait Bar, The Arcadian, 70 Hurst Street, Birmingham, B5 4TD

Dear Bhapinder,

Please take Notice of this formal notification.

I have been instructed by my client DXR Ltd to challenge/appeal the decision made by The Birmingham City Council Licensing Sub Committee B on Tuesday 19th December 2023, to impose Interim steps on the Premises License for PORTRAIT BAR.

I have attached conditions which have been agreed with West Midlands Police as disclosure

I am aware that a Hearing will need to be convened within 48 hrs of lodging the challenge/appeal.

My client will be represented at the hearing by:

Sarah Clover from Kings Chambers. (sclover@kingschambers.com)

Carl Moore, Licensing Consultant from C.N.A Risk Management (carl@cnariskmanagementltd.co.uk)

Mobile No: 07967-132143

Raj Bahia Director of DXR LTD, the Premises License Holder (raj@rxbgroupp.com)mobile No: 07469-469249

Look forward to hearing from you.

Regards

Carl

Carl Moore

Director

C.N.A. Risk Management Ltd

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PROPOSED CONDITIONS

CRIME & DISORDER

DOOR SUPERVISORS

1. The premises will deploy door staff when trading. Door staff will sign on and off duty.
2. The premise shall maintain staff profiles for all door staff working at the premises, and for any door staff that have worked on the premises in the last three months.
3. The door staff profile will consist of identification for the member of staff which shall include the following: a) A copy of his/her SIA Badge. b) Passport or driving licence.
If the proof of identification is anything other than the photo driving licence, then the member of staff will need proof of address, which must be a utility bill and to be dated within the last three months.
4. Door staff will sign on and off duty. The signing in & out sheets and profiles will be kept on the premises for a minimum of 3 months and made immediately available to any of the responsible authorities on request.
5. The numbers of door staff will be risk assessed by the premises. This risk assessment will be made available to any of the responsible authorities immediately on request.
6. Door supervisors stationed outside the frontage of the premises will wear high visibility jackets/coats and will have their SIA badge held in a clear arm sleeve holder. Door supervisors inside the premises will wear hi visibility waist coats, again with the SIA badge positioned in a clear arm sleeve holder in visible view to the public.
7. Door staff will remain on duty until all the customers have dispersed and this will form part of the premises dispersal plan.
8. The following areas will be covered by a Door Supervisor wearing a Body Cam. The search area covering the knife arch and ID scanner. The area inside the premises. If there is an incident in the premises, then management will ensure that one of the door supervisors with a body cam attends the incident.

SEARCH POLICY

9. When a security team is deployed at the premises, they are under the control and supervision of a manager from the premises.
10. The premises will operate a search policy which will be made available to responsible authorities upon request.
11. From 9pm, Friday & Saturday, to also include all bank holidays and the days immediately preceding and any other day when a medium/high event risk assessment is required, the search will be conducted in a sterile area at the front of the premises. Each person entering the premises will be subject to a full body search, metal detection search in the form of a knife arch with metal wand detection as support as required.
12. Any person who has gone outside the premises and then wishes to re-enter, they will be subject to the same search regime as when they initially entered.

DRUGS POLICY

13. The premises has an absolute "zero tolerance" in relation to Misuse of Drugs. This fact will be emphasised by signage at premises and within any promotional literature.
14. The premises will operate a drugs policy which will be made available to any of the responsible authorities on request.

DISPERSAL

15. The premises will operate a dispersal policy which will be made available to any of the responsible authorities on request.

ID SCAN

16. From 9pm, Friday & Saturday and any other day when a medium/high event risk assessment is required, the licence holder shall maintain and operate an ID Scan to all persons entering the premises. This will include all bank holidays and the days immediately preceding.

17. The premises is to adopt and display a clear notice to the effect that there is a strict policy of NO ID, NO ENTRY.

INCIDENT BOOK

18. The premise must operate an incident book and record all incidents that occur inside and immediately outside the premises. Incident book can be inspected at any time upon request. The incident book to be available for inspection by any regulatory body.

EVENTS

19. The premises will take details of persons booking the venue including the name, address telephone number of the person making the booking. Details are to be confirmed by photographic ID or in exceptional circumstances a utility bill no older than 3months old. Booking details are to be kept on the premises for a minimum of 28 days after the event and made available to West Midlands Police on request. A deposit is to be taken for all bookings. Additionally, the persons booking will be informed that it is subject to agreement to the deployment of door staff and the entry/ search policies of the venue.

20. Venue to provide 28 days' notice or less if agreed with WMP, for new events or new promoters to include co-promoters, who wishes to conduct a promotion at the premises. Premises also to provide a full risk assessment with the notification.

21. The condition of notification for events to the Police 28 days from the event is for events deemed to be Medium/High risk.

22. When the premises wish to hold an event as above, all recommendations made by the risk assessment to become conditions of the licence for that event.

23. The premises will supply to West Midlands Police Licensing Unit a standard operating risk assessment for internal events deemed as low risk.

24. The Premises has a last entry time of 01:30hrs.

CCTV

25. CCTV that is approved by West Midlands police and able to capture images particularly outside under conditions of low lighting will be fitted in the premises.
26. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request.
27. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request.
28. The CCTV will be checked each day to ensure that it is working prior to licensable activity taking place. The date, time, identity of the checker and the result of the check will be recorded in the premises incident log.

CHILDREN

29. A challenge 25 policy will be operated at the premises.
30. Notices informing customers of the policy will be displayed within the premises.
31. Staff shall be trained on this policy and will be regularly reminded and trained to enforce the challenge 25 policy.
32. A refusals log will be maintained at the premises. The log will be made immediately available to members of the responsible authorities on request.
33. All staff will receive training regarding the Licencing Act 2003 and the premises operating conditions. Staff will also receive training regarding the premises vulnerability policy. All training will be documented and signed by both the trainer and trainee.
34. No staff will work at the premises until this training has been completed and the required refresher training have been completed. Refresher training should take place as a minimum once a year. Training records to be made available to any of the responsible authorities on request.
35. The premises will operate a vulnerability policy which will be made available to any of the responsible authorities on request. As part of this policy the premises will have a safe space for vulnerable people.

FIRST AID

36. When the premises is trading at least one of the members of staff on duty will be first aid trained and they will take the lead in any medical incidents or where the incident is vulnerability.
37. The licence holder will have available for use a working bleed kit whenever licensable activities are carried on from the premises.

TRAINING

38. All training records for all staff, regarding drunkenness and the protection from harm for children to be maintained, and to be available to any Responsible Authority.
39. All staff will receive initial & refresher training regarding the four Licensing Objectives and the premises operating condition, this is to include Crime Scene Preservation training. All training will be documented and signed by both the trainer and trainee.

Dated: 02.01.2024

Revised: 05.01.2024

SECURITY & OPERATIONAL ACTION PLAN

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SECURITY COMPANY

SECURITY COMPANY PROVIDER	SECURE GUARDA LTD
CONTACT NAME	DEVON DALE PETRIE (Director) [REDACTED] E-mail: [REDACTED]
POSTAL ADDRESS	[REDACTED] 29 LOMINGTON TRINITY STREET, [REDACTED] BIRMINGHAM, WEST MIDLANDS, [REDACTED] B3 7AG
REGISTERED ADDRESS	[REDACTED] 29 LOMINGTON TRINITY STREET, BIRMINGHAM, WEST MIDLANDS, B3 7AG

PREMISES

PREMISES NAME	PORTRAIT BAR
CONTACT NAME	RAJVIR SINGH BAHIA (Director) Mobile: 07409409409 E-mail: raj@rxgroup.com
ADDRESS	UNIT E107,108,109 & 110 LADYWELL WALK ARCADIAN CENTRE 70 HURST STREET BIRMINGHAM B5 4ST
NATURE OF PREMISES	BAR & LOUNGE
OPERATORS OF PREMISES	BAR LTD
DESIGNATED PREMISES SUPERVISOR	DANIEL BENNETT
DATE OF ACTION PLAN	MONDAY 1 ST JANUARY 2023 – LIVE ONGOING OPERATIONAL PLAN

LOCATION, DESCRIPTION & USAGE OF PREMISES

POSITION OF PREMISES	<ul style="list-style-type: none">• THE OPERATIONAL ACTION PLAN APPERTAINS TO THE PREMISES KNOWN AS PORTRAIT BAR WHICH IS LOCATED ON THE GROUND FLOOR OF THE ARCADIAN CENTRE.
DESCRIPTION OF PREMISES AND USAGE	<ul style="list-style-type: none">• THE PREMISES ARE ACCESSED VIA A MAIN ENTRANCE AND LOBBY AREA.• THE PREMISES OPERATE AS MAINLY A LATE NIGHT BAR ON THE GROUND FLOOR.• THE PREMISES HAS BEEN FURBISHED TO A HIGH STANDARD
HOURS OF TRADING for PORTRAIT BAR	<ul style="list-style-type: none">• 10.00am to 04.00am - SUNDAY TO SATURDAY

The owner/operating company always remains responsible for any outcome of this Risk Assessment.

C.N.A. Risk Management Ltd do not accept any legal, financial or other responsibility for any action undertaken by them or their servants in preparation of this Risk Assessment or outcomes resulting from the Risk Assessment

1. CCTV EQUIPMENT

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
CCTV EQUIPMENT	27 CAMERAS SITUATED THROUGHOUT THE PREMISES	<ul style="list-style-type: none"> • A CCTV SYSTEM IS INSTALLED AT THE PREMISES AND IS SUBJECT TO REGULAR MAINTENANCE. • THE CCTV SYSTEM HAS BEEN INSTALLED AT THE PREMISES TO THE SPECIFICATION AGREED WITH THE LICENSING DEPARTMENT AT WEST MIDLANDS POLICE. 	
	ALL CAMERA'S ARE MONITORED/CONTROLLED FROM MONITORS, SITUATED IN THE MANAGEMENT OFFICE.	<ul style="list-style-type: none"> • THE USEAGE OF THE CCTV SYSTEM AND DATA OBTAINED IS IN ACCORDANCE WITH THE DATA PROTECTION ACT 2000 • THE PREMISES LICENSE HOLDER IS REGISTERED WITH THE IOC (Data Protection Office) 	
	CCTV IS IN OPERATION WHILST THE PREMISES ARE OPEN AND RECORDING CONTINUALLY.	<ul style="list-style-type: none"> • CCTV RECORDINGS ARE KEPT FOR A MINIMUM OF 31 DAYS. • CCTV IMAGES WILL BE MADE AVAILABLE TO ANY RESPONSIBLE AUTHORITY IMMEDIATELY ON REQUEST. • CCTV LOCATIONS ARE BEING REVIEWED TO ENSURE THERE ARE NO BLIND AREAS IN/ON THE PREMISES. 	
BODY CAMS	THE PREMISES HAVE ACCESS TO BODY CAMS	<ul style="list-style-type: none"> • A DOOR SUPERVISOR AT THE FRONT OF THE PREMISES OVERSEEING THE SEARCHING AND ID CHECKS WILL WEAR A BODY CAM. • A FURTHER DOOR SUPERVISOR WILL BE WEARING A BODYCAM INSIDE THE MAIN PREMISES. • BODYCAM FOOTAGE WILL BE DOWNLOADED AT THE END OF THE EVENT AND WILL BE KEPT UNDER THE PREMISES CCTV INSTRUCTIONS. (31 days) 	

2. CAPACITY LEVELS

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
CAPACITY LEVELS	MAXIMUM CAPACITY FOR THE PREMISES WILL BE AGREED WITH THE WEST MIDLANDS FIRE SERVICE.	<ul style="list-style-type: none"> • THE CAPACITY LEVELS MAY BE VARIED FROM TIME TO TIME SUBJECT TO AGREEMENT WITH WEST MIDLANDS FIRE SERVICE. • THE CAPACITY FIGURE WILL BE DISPLAYED AT THE FRONT OF THE PREMISES 	REFER TO CURRENT FIRE RISK ASSESSMENT
	CAPACITY MUST BE MANAGED/CONTROLLED AT ALL TIMES	<ul style="list-style-type: none"> • USING THE 'COMFORT FACTOR' FOR THE GROUND FLOOR TO GAUGE THE CAPACITY LEVELS IS TO BE USED AS OPPOSED TO HAVING DOOR SECURITY ON THE ENTRANCE/EXIT WITH CLICKERS WHICH IS NOT ALWAYS MANAGEABLE. • THE 'COMFORT FACTOR' POLICY WILL BE THE ULTIMATE RESPONSIBILITY OF THE DPS OR HIS APPOINTED MANAGER BUT WILL BE MANAGED WITH THE ASSISTANCE OF DOOR SECURITY. • THE DPS OR MANAGER WILL PREVENT ANY FURTHER CUSTOMERS FROM ENTERING THE VENUE FOR ANY OF THE FOLLOWING REASONS: <ol style="list-style-type: none"> 1. TO ENSURE THAT CUSTOMERS DO NOT FEEL HEMMED IN 2. TO ENSURE CUSTOMERS DO NOT HAVE TO QUEUE FOR PROLONGED PERIODS AT THE BAR WHICH MAY CAUSE THEM TO BECOME AGITATED 3. TO ENSURE THE TEMPERATURE DOES NOT RISE TO THE POINT WHERE THE VENUE BECOMES HOT AND CUSTOMERS' AGITATION LEVELS RISE. 4. TO MAKE SURE THAT THE DPS /MANAGER CAN RETAIN CONTROL OF ALL CUSTOMERS AND ALL ASPECTS OF THE GENERAL MANAGEMENT OF THEIR PREMISES 5. TO PREVENT OPPORTUNIST THIEVES TAKING ADVANTAGE OF ANY DENSE CROWDS WHICH MAY MAKE PICK POCKETING EASIER 	

2. CAPACITY LEVELS CONTINUED.....

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
		<p>6. TO ENSURE THAT ALL ROUTES TO THE BAR, EXITS, TOILETS AND OTHER FACILITIES ARE CLEAR ENOUGH TO ALLOW EASY ACCESS BY CUSTOMERS, WHICH MAY PREVENT OUTBREAKS OF DISORDER AS CUSTOMERS BUMP INTO EACH OTHER AS THEY PASS TO GET TO THESE AREAS</p> <ul style="list-style-type: none"> • VENUES USING MECHANICAL CLICKERS OR NUMBERED TICKETS, TILL SALES OR ANYTHING SIMILAR, MAY BE CONSIDERED TO HAVE AN EFFECTIVE METHOD OF CALCULATING THE CAPACITY. 	

3. RISK EVENTS

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
INTERNAL EVENTS	STANDARD EVENTS LOW RISK	<ul style="list-style-type: none"> • THE PREMISES TO PROVIDE A STANDARD OPERATING RISK ASSESSMENT FOR EACH NIGHT OF THE WEEK TO INCLUDE DOOR STAFF TO PROVIDE RISK ASSESSMENT FOR ALL NON-STANDARD EVENTS I.E. STUDENT NIGHTS. NUMBERS AND DEPLOYMENT PLAN. • PREMISES ALSO TO PROVIDE RISK ASSESSMENT FOR ALL NON-STANDARD EVENTS I.E. STUDENT NIGHTS. 	
EXTERNAL EVENTS	NON-STANDARD EVENTS MEDIUM/HIGH	<ul style="list-style-type: none"> • IF THE PREMISES USES ANY NEW PROMOTER FOR ANY EXTERNAL EVENT, THEN FOR THE FIRST EVENT THE DESIGNATED PREMISES SUPERVISOR WILL PROVIDE AN EVENTS RISK ASSESSMENT AND INFORM WEST MIDLANDS POLICE LICENSING DEPARTMENT. • WEST MIDLANDS POLICE LICENSING DEPARTMENT TO BE INFORMED AT LEAST 28 DAYS BEFORE THE FIRST EVENT OR AT A TIME AGREEABLE BETWEEN DPS AND THE POLICE. • RISK ASSESSMENT FOR THE EVENT TO BE WITH WEST MIDLANDS POLICE 28 DAYS BEFORE THE FIRST EVENT OR AT A TIME AGREEABLE BETWEEN DPS AND THE POLICE. • RECOMMENDATIONS MADE BY WEST MIDLANDS POLICE TO THE DESIGNATED PREMISES SUPERVISOR THAT SATISFY THE FOUR LICENSING OBJECTIVES WILL BECOME CONDITIONS FOR THAT EVENT ON THE PREMISES LICENSE 	

3. RISK EVENTS CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
BOOKING FORM	DETAILS TO BE INCLUDED ON THE BOOKING FORM	<ul style="list-style-type: none"> • FULL NAME/ADDRESS/DATE OF BIRTH MOBILE NUMBER AND EMAIL ADDRESS OF PROMOTER OR PERSON MAKING THE BOOKING. • DETAILS ARE TO BE CONFIRMED BY PHOTOGRAPHIC ID. • BOOKING DETAILS ARE TO BE KEPT ON THE PREMISES FOR A MINIMUM OF 28 DAYS AFTER THE EVENT AND MADE AVAILABLE TO WEST MIDLANDS POLICE ON REQUEST. • A DEPOSIT IS TO BE TAKEN FOR ALL BOOKINGS. ADDITIONALLY, THE PERSONS BOOKING WILL BE INFORMED THAT IT IS SUBJECT TO AGREEMENT TO THE DEPLOYMENT OF DOOR STAFF AND THE ENTRY/ SEARCH POLICIES OF THE VENUE. 	REFER TO BOOKING FORM
RISK ASSESSMENTS	RISK ASSESSING A PROPOSED EVENT IS A SUBJECTIVE EXERCISE. DURING THE RISK ASSESSMENT EXERCISE, THE MANAGEMENT WILL CONSIDER	<ul style="list-style-type: none"> • FULL NAME/ADDRESS/DATE OF BIRTH, MOBILE NUMBER AND EMAIL ADDRESS OF PROMOTER • NAME OF PROMOTION COMPANY • FULL NAME/DATE OF BIRTH OF DJ/ARTISTE WITH STAGE NAME • SECURITY DEPLOYMENT • DETAILS OF EVENT (Type of entertainment proposed). • THE NUMBER OF GUESTS THAT ARE ANTICIPATED TO ATTEND. • OUTSIDE MARKETING ON SOCIAL MEDIA BY THE ORGANISER OR THIRD PARTIES • A SCAN OF SOCIAL MEDIA ASSOCIATED WITH THE EVENT ORGANISER AND PAST EVENTS AT OTHER LOCATIONS. 	

4. COMMUNICATION

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
COMMUNICATION	PERSONAL RADIOS ARE PROVIDED BY THE PREMISES MANAGEMENT.	<ul style="list-style-type: none"> • COMMUNICATION VIA PERSONAL RADIOS HELD BY DOOR STAFF, SUPERVISORS AND VENUE MANAGEMENT TO ENSURE THERE IS A RAPID RESPONSE BY POLICE TO INCIDENTS OF DISORDER OR OTHER CRIMINALITY WHICH IS ENDANGERING PATRONS AND STAFF. • MANAGEMENT TO ENSURE THAT DOOR STAFF AND MANAGEMENT ARE ABLE TO COMMUNICATE IN RESPECT OF POTENTIAL PROBLEMS • RADIO CHECKS ARE UNDERTAKEN BEFORE THE COMMENCEMENT OF EACH SHIFT. 	
	LOCAL PUBWATCH PARTICIPATION.	<ul style="list-style-type: none"> • THE PREMISES ARE MEMBERS OF THE LOCAL PUBWATCH AND REGULARLY RECEIVE TEXT MESSAGES. 	

5. SEARCH POLICY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	<p>THE IMPLEMENTING OF A SEARCH POLICY AT THE PREMISES FOR MEDIUM/HIGH RISK EVENTS.</p>	<ul style="list-style-type: none"> • WHEN A SECURITY TEAM IS DEPLOYED AT THE PREMISES, THEY ARE UNDER THE CONTROL AND SUPERVISION OF A MANAGER FROM THE PREMISES. • THE PREMISES WILL OPERATE A SEARCH POLICY WHICH WILL BE MADE AVAILABLE TO RESPONSIBLE AUTHORITIES UPON REQUEST • FROM 9PM, FRIDAY & SATURDAY, TO ALSO INCLUDE ALL BANK HOLIDAYS AND THE DAYS IMMEDIATELY PRECEDING AND ANY OTHER DAY WHEN A MEDIUM/HIGH EVENT RISK ASSESSMENT IS REQUIRED, THE SEARCH WILL BE CONDUCTED IN A STERILE AREA AT THE FRONT OF THE PREMISES. EACH PERSON ENTERING THE PREMISES WILL BE SUBJECT TO A FULL BODY SEARCH, METAL DETECTION SEARCH IN THE FORM OF A KNIFE ARCH WITH METAL WAND DETECTION AS SUPPORT AS REQUIRED. • ANY PERSON WHO HAS GONE OUTSIDE THE PREMISES AND THEN WISHES TO RE-ENTER, THEY WILL BE SUBJECT TO THE SAME SEARCH REGIME AS WHEN THEY INITIALLY ENTERED.THE PREMISES WILL OPERATE A SEARCH POLICY WHICH WILL BE MADE AVAILABLE TO RESPONSIBLE AUTHORITIES UPON REQUEST. 	<p>REFER TO SEARCH POLICY IN LICENSING POLICY MANUAL</p>
	<p>WHEN A SEARCH POLICY IS EMPLOYED AT ANY TIME IT WILL CONSIST OF THE FOLLOWING</p>	<ul style="list-style-type: none"> • THE SIA DOOR STAFF WILL MANAGE ANY QUEUE THAT FORMS AT THE ENTRANCE. • SIA STAFF WILL ENSURE THAT ANY PEOPLE QUEUING ARE MADE AWARE OF THE REQUIRED SEARCH PROCESS AND THE AGE VERIFICATION PROCESS. THIS WILL BE SUPPORTED BY THE RELEVANT SIGNS. • THE AREA WHERE SEARCHES TAKE PLACE WILL BE COVERED BY CCTV • THE MANAGEMENT RESERVES THE RIGHT TO REFUSE ENTRY TO ANY PERSON WHO REFUSES TO BE SEARCHED DURING THE OPERATING TIMES OF A PARTICULAR SEARCH POLICY (I.E SEARCH AS A CONDITION OF ENTRY). • A FULL SEARCH OF ALL CUSTOMERS' OUTER CLOTHING AND BAGS IS CARRIED OUT AS A CONDITION OF ENTRY. SAME SEX SECURITY STAFF IS USED. • A SEARCH OF CUSTOMERS' BAGS IS CARRIED OUT PRIOR TO ENTRY. • ONCE INSIDE A VOLUNTARY SEARCH OF PERSONS BELIEVED TO BE IN POSSESSION OF DRUGS OR STOLEN ITEMS IS IN FORCE. THIS IS SUBJECT OF A PERMANENT COMPANY POLICY. 	

5. SEARCH POLICY CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	HOW TO PERFORM THE SEARCH:	<ul style="list-style-type: none"> • THE SEARCH MUST BE CONDUCTED BY A MEMBER OF STAFF OR DOOR STAFF. FEMALES WILL BE SEARCHED BY FEMALE STAFF, MALES BY MALE STAFF. • YOU MUST REQUEST PERMISSION FROM CUSTOMERS TO CONDUCT A SEARCH. IF THE CUSTOMER REFUSES, THEY SHOULD BE AUTOMATICALLY DENIED ENTRY/EJECTED. • YOU SHOULD NOT OPEN CUSTOMERS' BAGS; THE CUSTOMER MUST OPEN THEIR OWN BAGS, COATS AND EMPTY OUT THEIR OWN POCKETS AT YOUR REQUEST. • ALL SEARCHES SHOULD TAKE PLACE WITH A WITNESS PRESENT PREFERABLY IN AN AREA WITH CCTV COVERAGE 	
	SIA DOOR STAFF SEARCHING	<ul style="list-style-type: none"> • SEARCHES WILL BE CARRIED OUT BY QUALIFIED SIA DOOR STAFF. THERE SHOULD ALWAYS BE 2 STAFF PRESENT TO PROTECT AGAINST ANY POTENTIAL ALLEGATION. • AT LEAST ONE MEMBER OF SIA STAFF WILL WEAR A BODY WORN CAMERA 	
	DAILY SEARCHES OF PREMISES	<ul style="list-style-type: none"> • THE VENUE WILL BE SEARCHED DAILY PRIOR TO THE EVENING OPENING TO ENSURE THAT PEOPLE HAVE NOT SECRETED WEAPONS OR ILLEGAL SUBSTANCES DURING THE DAY PRIOR TO ANY EVENING FUNCTION. 	
	CONDITIONS OF ENTRY	<ul style="list-style-type: none"> • ENTRY INTO THE PREMISES IS CONDITIONAL UPON PROCEEDING THROUGH A KNIFE ARCH PRIOR TO ENTRY. THIS INCLUDES ALL STAFF AND DJ'S/ARTISTES 	

5. SEARCH POLICY CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	SIGNAGE	<ul style="list-style-type: none"> • A SIGN HIGHLIGHTING THE SEARCH POLICY AS A CONDITION OF ENTRY WILL BE CLEARLY DISPLAYED AT THE ENTRANCE TO THE VENUE AND IN THE BAR AREA. • THE SIGN WILL STATE: "TO PROVIDE OUR PATRONS WITH SAFE AND COMFORTABLE SURROUNDINGS, WE WILL REQUEST PERMISSION TO SEARCH PEOPLE ENTERING THESE PREMISES AS A CONDITION OF ENTRY. THANK YOU FOR YOUR COOPERATION". 	
	ITEMS FOUND ON SEARCHES	<ul style="list-style-type: none"> • FURTHER SEARCHES WILL BE CONDUCTED WITH SEARCH WANDS BEFORE CUSTOMERS HAVE PASSED THROUGH THE ID SCANNER. • ANY PERSON FOUND TO BE CARRYING A WEAPON OR SUSPECTED ILLEGAL SUBSTANCES, WILL HAVE THE ITEMS CONFISCATED. DETAILS WILL BE RECORDED IN THE INCIDENT BOOK. • POLICE MAY ALSO BE CALLED IF THE ITEM SEIZED IS A FIREARM OR SUBSTANTIAL AMOUNT OF DRUGS. 	
	<p>IN THE EVENTUALITY OF FINDING AN OFFENSIVE WEAPON WITHIN THE PREMISES, THERE SHOULD BE A SYSTEM IN PLACE SO THAT THE MEMBER OF STAFF FINDING IT, IMMEDIATELY KNOWS WHAT TO DO. ONCE AGAIN, SOME FORM OF COMPANY GUIDELINES OR POLICY WOULD ASSIST.</p>	<ul style="list-style-type: none"> • THE MECHANISMS EMPLOYED IN DISCOVERING AN OFFENSIVE WEAPON WILL BE SIMILAR TO DRUG RECOVERIES. <ol style="list-style-type: none"> 1. A MEMBER OF STAFF WILL RECOVER THE ITEM AND MAKE A RECORD OF THE RECOVERY. 2. THE ITEM WILL BE PLACED INTO A SEALED ENVELOPE WITH THE DESCRIPTION OF THE ITEM AND DETAILS OF THE DATE AND TIME AND PERSON FINDING IT WRITTEN ON THE ENVELOPE OR BAG. 3. THE ABOVE PROCEDURE WILL, PREFERABLY, BE WITNESSED. 4. THE ITEM WILL BE PUT INTO A SAFE PLACE. 5. THE POLICE OR ANY OTHER AGENCY WHO ARE AUTHORISED BY LAW TO COLLECT AND DISPOSE OF WEAPONS, WILL BE CONTACTED AND A RECORD MADE OF THE REMOVAL OF THE ITEM FROM THE PREMISES <p>IF THE WEAPON FOUND IS A FIREARM, IT WILL NOT BE TOUCHED. THE AREA WILL BE SEALED OFF AND THE POLICE CALLED IMMEDIATELY.</p>	

6. SECURITY STAFF DUTIES

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
SECURITY STAFF	EACH INDIVIDUAL ASSIGNED TO CARRYING OUT A SECURITY ACTIVITY MUST BE LICENSED BY THE SECURITY INDUSTRY AGENCY	<ul style="list-style-type: none"> • ALL DOOR STAFF TO BE SIA TRAINED AND REGISTERED. • SECURITY PROVIDER IS AWARE THAT ONLY FULLY TRAINED AND SIA REGISTERED STAFF TO BE USED AT VENUE. • ALL SECURITY STAFF WILL ONLY BE PERMITTED TO PERFORM DUTY AT THE PREMISES WITH THE APPROVAL OF THE MANAGEMENT AT THE PREMISES • THE PREMISES LICENCE HOLDER SHALL ENSURE THEY MAINTAIN DOOR STAFF PROFILES FOR ALL DOOR STAFF WORKING AT THE PREMISES AND ANY DOOR STAFF THAT HAVE WORKED ON THE PREMISES IN THE LAST 3 MONTHS. THE DOOR STAFF PROFILE WILL CONSIST OF IDENTIFICATION FOR THE MEMBER OF STAFF: <ol style="list-style-type: none"> 1) A COPY OF HIS/HER SIA BADGE. 2) PASPPORT OR DRIVING LICENCE. • IF THE PROOF OF IDENTIFICATION IS ANYTHING OTHER THAN THE PHOTO DRIVING LICENCE, THEN THE MEMBER OF STAFF WILL NEED PROOF OF ADDRESS, WHICH MUST BE A COPY OF A UTILITY BILL AND BE DATED WITHIN THE LAST 6 MONTHS. 	IMMEDIATE
	SECURITY STAFF NEED TO BE IDENTIFIABLE TO PATRONS.	<ul style="list-style-type: none"> • DOOR STAFF WILL WEAR THEIR SIA BADGES AND ADVISE THE PREMISES MANAGEMENT OF THEIR SIA REGISTRATION NUMBER IF SO REQUESTED • ANY SECURITY STAFF NOT WEARING THEIR SIA BADGE AND/OR DECLINING TO GIVE REGISTRATION NUMBER WILL NOT BE PERMITTED TO PERFORM DUTY AT THE PREMISES • THE PREMISES WILL SUPPLY APPROPRIATE HIGH VISIBILITY ARM BANDS TO BE WORN BY WHEN AT OR NEAR ENTRANCE TO PREMISES. 	IMMEDIATE

6. SECURITY STAFF DUTIES CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	<p>WHILST NOT DIRECTLY EMPLOYED BY THE PREMISES, DOOR STAFF HAVE PIVOTAL ROLE IN PROMOTING LICENSING OBJECTIVES, FOR WHICH THE PREMISES BEARS THE RESPONSIBILITY</p>	<ul style="list-style-type: none"> • ALL SECURITY STAFF WILL ADHERE TO CONDITIONS ON THE PREMISES LICENCE MANAGEMENT REQUIREMENT IS FOR DOOR STAFF TO WEAR BLACK SHIRTS, JACKETS, TROUSERS AND SHOES. • THEY SHOULD BE SMART AND WELL PRESENTED, THEIR APPEARANCE AND HYGIENE REFLECTING PROPERLY UPON THE PREMISES • DOOR STAFF WILL BE PROPERLY DRESSED AND CLEARLY IDENTIFIABLE BOTH AT DOORS AND WITHIN PREMISES • PREVENT INDIVIDUALS ENTERING PREMISES WHO ARE DRUNK, DISORDERLY OR BOTH, • PATRONS WHO DO NOT MEET THE DRESS CODE CRITERIA • ENSURE INDIVIDUALS OR GROUPS PREVIOUSLY EXCLUDED FROM VENUES ARE NOT PERMITTED TO RE ENTER • DOOR SUPERVISORS WILL BE STATIONED OUTSIDE THE FRONT OF THE PREMISES AND WEAR HI-VISIBILITY JACKETS/COATS AND WILL HAVE THEIR SIA BADGE HELD IN A CLEAR ARM SLEEVE. • DOOR SUPERVISORS INSIDE THE PREMISES WILL WEAR HI-VISIBILITY ARM BANDS AGAIN WITH THEIR SIA BADGES HELD IN A CLEAR ARM SLEEVE • SIA REGISTERED SECURITY STAFF WILL OVERSEE PATRONS ARRIVING OR DEPARTING THE PREMISIES AND NOT ALLOW ANTI-SOCIAL BEHAVIOUR BY INDIVIDUALS/GROUPS. WHEN NECESSARY, ADVICE WILL BE GIVEN TO SUCH PATRONS NOT TO DO ANYTHING WHICH MAY CAUSE ANNOYANCE OR DISTURBANCE TO THE LOCAL COMMUNITY 	<p>IMMEDIATE</p>

6. SECURITY STAFF DUTIES CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	DOOR SECURITY WILL PERFORM A NUMBER OF FUNCTIONS WHILST ON DUTY AT THE PREMISES	<ul style="list-style-type: none"> • HERE IS A LIST OF FUNCTIONS WHICH WILL BE PERFORMED BY DOORSTAFF: <ol style="list-style-type: none"> 1. CHECK AGE OF CUSTOMERS ENTERING THE VENUE 2. CHECK AGE OF CUSTOMERS CONSUMING/BUYING ALCOHOL 3. TOILET CHECKS 4. EJECTING CUSTOMERS 5. DEALING WITH INJURED PERSONS 6. DEALING WITH VULNERABLE CUSTOMERS 7. MONITORING INTOXICATION LEVELS OF CUSTOMERS 8. DEALING WITH LOST AND FOUND PROPERTY 9. RECORDING DETAILS OF INCIDENTS AT THE VENUE 10. CARRYING OUT ANY SEARCH POLICY 11. EMERGENCY EVACUATION PROCEDURES 12. DETAINING PERSONS BELIEVED TO HAVE COMMITTED OFFENCES 	IMMEDIATE
	DRESS CODE	<ul style="list-style-type: none"> • DOOR SUPERVISORS WILL BE STATIONED OUTSIDE THE FRONT OF THE PREMISES AND WEAR HI-VISIBILITY JACKETS/COATS AND WILL HAVE THEIR SIA BADGE HELD IN A CLEAR ARM SLEEVE. • DOOR SUPERVISORS INSIDE THE PREMISES WILL WEAR HI-VISIBILITY ARM BANDS AGAIN WITH THEIR SIA BADGES HELD IN A CLEAR ARM SLEEVE. 	IMMEDIATE
	FIRE RISKS & EVACUATION PROCEDURE OF PREMISES	<ul style="list-style-type: none"> • IT IS IMPERATIVE THAT ALL FIRE EXITS ARE FREE FROM OBSTRUCTION AT ALL TIMES AND WELL LIT. • ALL STAFF MUST BE TRAINED IN FIRE EVACUATION PROCEDURES. • ALL DAILY/WEEKLY FIRE SAFETY CHECKS WILL BE DOCUMENTED AS PROOF THAT THESE HAVE BEEN COMPLETED. 	IMMEDIATE

6. SECURITY STAFF DUTIES CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	EJECTIONS FROM THE PREMISES	<ul style="list-style-type: none"> • ALL EJECTIONS FROM THE PREMISES ARE TO BE DONE VIA THE FRONT ENTRANCE. • IF THE SAFETY OF THE CUSTOMERS ARE A CONCERN AND THE PERSON BEING EJECTED IS BECOMING VIOLENT THEN THE SIDE EXIT CAN BE USED. • ENSURE THAT IF A PERSON IS EJECTED OUT THROUGH THE REAR THAT THIS PERSON IS REMOVED AWAY FROM THE PREMISES. • ENSURE CCTV IS WORKING IN THIS AREA 	IMMEDIATE

7. DRESSCODE FOR CUSTOMERS

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
DRESS CODE	TO MAINTAIN HIGH STANDARDS OPERATORS OF ENTERTAINMENT VENUES, HAVE A DRESS CODE POLICY TO WHICH SECURITY STAFF CAN ENFORCE.	<ul style="list-style-type: none"> • DRESS CODE TO BE ADOPTED WITH THE APPROPRIATE SIGNAGE IN PLACE AT THE FRONT ENTRANCE AND CLEARLY VISIBLE TO ALL PATRONS ENTERING PREMISES. • DRESS CODE CAN ALTER, DEPENDANT ON TYPE OF EVENT AT THE PREMISES. • RISK ASSESSMENT CAN SHOW THIS. 	CONSTANTLY MONITORED BY MANAGEMENT

8. DRUGS POLICY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
DRUGS POLICY	THE PREMISES WILL IMPLEMENT A DRUGS POLICY.	<ul style="list-style-type: none"> • A DRUGS POLICY IS IN PLACE FOR THE PREMISES. • COMPLY WITH WEST MIDLANDS POLICE DRUGS POLICY IN RESPECT OF DRUGS CONFISCATION AT PREMISES • RECOVERED DRUGS ARE TO BE DEALT WITH AS PER WEST MIDLANDS POLICE DRUGS POLICY. IN ABSENCE OF THIS, THERE IS LITTLE PROTECTION TO STAFF/MANAGEMENT/OWNER AS TO THE MANNER IN WHICH THEY DEAL WITH ANY RECOVERED DRUGS. • ANY SEIZED DRUGS TO BE HANDED TO A LOCAL POLICE OFFICER • IF LARGE AMOUNTS OF DRUGS ARE FOUND OR SUSPECTED, POLICE WILL BE IMMEDIATELY ADVISED • 	REFER TO DRUGS POLICY IN LICENSING POLICY MANUAL
	ACTION TO BE TAKEN IN RESPECT OF CUSTOMERS SUSPECTED OF BEING DRUG DEALERS OR DRUG DEALING	<ul style="list-style-type: none"> • PERSONS SUSPECTED OF BEING DRUG DEALERS ARE NOT PERMITTED ACCESS TO THE PREMISES. 	
	ACTION TO BE TAKEN IN RESPECT OF CUSTOMERS SUSPECTED OF BEING DRUG DEALERS OR DRUG DEALING	<ul style="list-style-type: none"> • PERSONS SUSPECTED OF DRUG DEALING UPON THE PREMISES ARE EJECTED AND POLICE INFORMED • THE PREMISES HAVE A ZERO TOLERANCE POLICY REGARDING THE USE OF DRUGS ON PREMISES 	

8. DRUGS POLICY CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	WAYS OF KEEPING THE PREMISES CLEAN OF DRUGS	<p>THIS COULD INCLUDE ANY OF THE FOLLOWING:</p> <ul style="list-style-type: none"> • A NOTICE OUTLINING THE VENUE'S 'ZERO TOLERANCE' POLICY DISPLAYED IN A PROMINENT PLACE. • ADVICE NOTICES EXPLAINING THAT 'CANNABIS IS STILL ILLEGAL'. • FULL SEARCH POLICY FOR DRUGS ON ENTERING THE VENUE. • REGULAR CHECKS OF TOILETS FOR DRUG TAKING OR SUPPLYING. • REMOVAL OF SMOOTH SURFACES WITHIN THE TOILET AREAS TO MAKE TAKING OF CERTAIN DRUGS MORE DIFFICULT. • LUBRICANT, SUCH AS VASELINE, WIPED OVER SMOOTH SURFACES TO MAKE THE TAKING OF CERTAIN DRUGS DIFFICULT. • STAFF TRAINING WITH REGARDS TO DRUGS AWARENESS. • A POLICY EXPLAINING WHAT STAFF SHOULD DO IF THEY FIND ANY DUBIOUS SUBSTANCES, IE, CALL THE POLICE. 	REFER TO DRUGS POLICY IN LICENSING POLICY MANUAL
	WHAT ACTION TO TAKE IN THE EVENT OF DRUGS CONFISCATION.	<ul style="list-style-type: none"> • THIS SHOULD BE IN THE DRUGS POLICY. • ANY PERSON STATING, THEY "FLUSH" OR "BIN" ANY SUCH SUBSTANCES SHOULD BE ADVISED THAT THIS IS NOT THE APPROPRIATE WAY OF DEALING WITH THE ISSUE. DETAILS OF HOW PREMISES MANAGES DRUGS CONFISCATED WILL BE FOUND IN THE DRUGS POLICY. 	

9. INCIDENT HANDLING

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
THE RECORDING OF ANY INCIDENT		<ul style="list-style-type: none"> INCIDENT REGISTER TO BE MAINTAINED 	REFER TO INCIDENT HANDLING POLICY IN LICENSING POLICY MANUAL
	STAFF TO BE TRAINED IN DEALING WITH UNRULY CUSTOMERS.	<ul style="list-style-type: none"> ALL STAFF MUST BE TRAINED WITH REGARD TO DRUNKENNESS. STAFF NEED TO BE AWARE OF THEIR LEGAL OBLIGATIONS, KNOW WHAT THEY SHOULD DO IF SOMEONE APPEARS TO BE DRUNK AND ATTEMPTS TO BE SERVED. WHAT STEPS THEY SHOULD TAKE IF A CUSTOMER IS FOUND TO BE EXCESSIVELY DRUNK WITHIN THEIR VENUE. SOME PERSONS SUFFERING FROM THE EFFECTS OF ALCOHOL CAN CHANGE PERSONALITY. PERSONS WHO WOULD NORMALLY BEHAVE SENSIBLY CAN BECOME LOUD, VIOLENT AND ROWDY. THE VENUE SHOULD RECOGNISE THIS AND PUT A POLICY IN PLACE TO DEAL WITH THIS. THIS CAN BE IN THE WAY OF STAFF TRAINING IN THE AWARENESS OF THE EFFECTS OF ALCOHOL AND CONFLICT MANAGEMENT. ALSO, STAFF TRAINING REGARDING EARLY RECOGNITION OF ANY IMMINENT DISORDER. WHILST A VENUE MAY HAVE POLICIES TO PREVENT ANY DISORDER FROM OCCURRING IN THE FIRST PLACE, DESPITE ALL THEIR EFFORTS AN INCIDENT MAY OCCUR. THERE SHOULD BE A SYSTEM IN PLACE WHERE THE VENUE RECOGNISES THAT VICTIMS OF DISORDER IN THEIR VENUE NEED TO BE CARED FOR. THIS COULD RANGE FROM IMMEDIATE FIRST AID WHERE NECESSARY AND CALLING FOR AN AMBULANCE IF NEEDED. THE VENUE COULD ALSO PROVIDE AN AREA THAT IS SAFE WHERE THEY COULD RECOVER. 	REFER TO INCIDENT HANDLING POLICY IN LICENSING POLICY MANUAL

10. PRESERVATION OF CRIME SCENE

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
CRIME SCENE	WHAT IS A CRIME SCENE AND HOW DO YOU DEAL WITH ONE	<ul style="list-style-type: none"> • A COMMON PROBLEM FOR POLICE CALLED TO INVESTIGATE A FIGHT OR ASSAULT OCCURRING IN LICENSED PREMISES IS THAT ANY EVIDENCE LEFT AT A SCENE HAS BEEN CLEARED UP BY STAFF PRIOR TO POLICE ARRIVAL. • MANAGEMENT MUST EVIDENCE THAT THEY HAVE A POLICY OF MOVING CUSTOMERS AWAY FROM THE SCENE OF AN INCIDENT AND LEAVING EVERYTHING UNTOUCHED UNTIL EXAMINED BY THE POLICE. • ALL STAFF INCLUDING DOOR STAFF WILL RECEIVE TRAINING IN THE PREMISES CRIME SCENE PRESERVATION POLICY. THIS WILL BE RECORDED 	REFER TO CRIME SCENE PRESERVATION POLICY

11. PROPERTY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	LOST PROPERTY	<ul style="list-style-type: none"> • THE PREMISES IS TO HAVE A LOST OR FOUND PROPERTY SYSTEM. • THE PREMISES MUST BE ABLE TO SHOW THAT THERE IS A SYSTEM IN PLACE WHEREBY ANY PROPERTY IS NOT JUST PUT BEHIND THE BAR AND LEFT FOR MONTHS. • ENQUIRIES MADE TO IDENTIFY THE OWNERS OF THE PROPERTY. • REGULAR LIAISON WITH THE POLICE TO CROSS CHECK RECORDS SHOULD BE MAINTAINED 	
	PROPERTY PATROLS	<ul style="list-style-type: none"> • THE USE OF GLASS COLLECTORS HAS SHOWN TO BE BENEFICIAL IN REDUCING THE NUMBER OF THEFTS, PARTICULARLY IN LARGER PREMISES. • WHILST GLASS COLLECTORS GO ABOUT THEIR BUSINESS, THEY BECOME VIGILANT IN LOOKING FOR SUSPICIOUS OR UNATTENDED PROPERTY. • THE GLASS COLLECTORS WILL SEEK TO IDENTIFY ANY PROPERTY WHICH HAS BEEN LEFT UNATTENDED AND TO LOCATE THE OWNER. • ADVICE SHOULD BE GIVEN TO THE OWNER OF ANY IDENTIFIED UNATTENDED PROPERTY OR IF THE OWNER CANNOT BE FOUND, THEN THE ITEM SHOULD BE BOOKED INTO THE FOUND PROPERTY SYSTEM. 	

12. DISPERSAL POLICY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
DISPERSAL POLICY		<ul style="list-style-type: none"> • THE DISPERSAL PROCEDURE IS NOT AN EMERGENCY EVACUATION PROCEDURE. ITS PURPOSE IS TO SET OUT OPERATIONAL STANDARDS TO BE ADOPTED BY THE MANAGEMENT OF THE PREMISES AROUND THE TERMINAL HOUR DEDICATED TO ENSURE ALL PRACTICABLE EFFORTS ARE MADE TO ENSURE THAT THE PREMISES OR ITS PATRONS DO NOT UNDERMINE THE PUBLIC NUISANCE LICENSING OBJECTIVE. • THE POLICY LAYS DOWN GUIDELINES TO THE SENIOR STAFF TO ASSIST PATRONS TO DEPART THE PREMISES AND ITS IMMEDIATE AREA IN SUCH A WAY AS TO CAUSE MINIMUM DISTURBANCE OR NUISANCE TO NEIGHBORS, BOTH RESIDENTIAL AND BUSINESS, AND TO MAKE THE MINIMUM IMPACT UPON THE NEIGHBORHOOD IN RELATION TO POTENTIAL NUISANCE, ANTISOCIAL BEHAVIOR AND CRIME. • IT IS ACKNOWLEDGED BY PORTRAIT BAR THAT THERE ARE OTHER VENUES IN THE IMMEDIATE AREA WITH OPENING TIMES ENDING BOTH EARLIER AND LATER THAN PORTRAIT BAR. THEREFORE, THE STAGGERED DEPARTURE OF PATRONS FROM THE ARCADIAN CENTRE WILL IN ITSELF ASSIST IN DISPERSAL. • THE DISPERSAL PROCEDURE IS SUBJECT TO REVIEW BY THE DESIGNATED PREMISES SUPERVISOR ON A REGULAR BASIS AND WILL ADDRESS PROBLEMS AND CONCERNS AS THEY ARE IDENTIFIED IN ORDER TO ESTABLISH A PERMANENT REDUCTION OR ELIMINATION. CONSULTATION WITH LOCAL AUTHORITIES AND RESIDENTS' GROUPS WILL BE UNDERTAKEN DURING THE REVIEW OF THE POLICY. 	REFER TO DISPERSAL POLICY IN LICENSING POLICY MANUAL
		<ul style="list-style-type: none"> • ACCESS TO THE DISPERSAL POLICY WILL BE GIVEN TO WEST MIDLANDS POLICE OR ANY OTHER RESOPONCIBLE AUTHORITY ON REQUEST. 	REFER TO DISPERSAL POLICY IN LICENSING POLICY MANUAL

13. VULNERABILITY POLICY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
VULNERABILITY POLICY		<ul style="list-style-type: none"> • THERE ARE A NUMBER OF BESPOKE POLICIES THAT ADDRESS VULNERABILITY IN PORTRAIT BAR'S LICENSING POLICY MANUAL. ALL ARE DESIGNED TO ADDRESS THE 4 LICENSING OBJECTIVES OF <ul style="list-style-type: none"> • PREVENTIN OF CRIME AND DISORDER • THE PREVENTION OF PUBLIC NUISANCE • PUBLIC SAFETY • THE PROTECTION OF CHILDREN FROM HARM 	REFER TO VULNERABILITY POLICY IN THE LICENSING POLICY MANUAL
		<ul style="list-style-type: none"> • A COPY OF THE PREMISES' VULNERABILITY POLICY SHALL BE MADE READILY AVAILABLE AT THE PREMISES FOR INSPECTION BY A POLICE OFFICER AND/OR AN AUTHORISED OFFICER OF BIRMINGHAM CITY COUNCIL. 	
	WAVE/ASK ANGELA	<ul style="list-style-type: none"> • PEOPLE WHO FEEL UNSAFE, VULNERABLE, OR THREATENED CAN DISCREETLY SEEK HELP BY APPROACHING VENUE STAFF. • ALL STAFF AT THE VENUE WILL ATTENDED 'WAVE/ASK ANGELA TRAINING' 	

14. SIGNAGE

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	CUSTOMERS TO BE REMINDED AS TO THEIR CONDUCT ON LEAVING PREMISES. I.E. NO NUISANCE TOLERATED	<ul style="list-style-type: none"> SIGNAGE TO BE PLACED AT ENTRANCE TO VENUE 	
	CUSTOMERS TO BE AWARE OF PREMISES DRESS CODE	<ul style="list-style-type: none"> SIGNAGE TO BE PLACED AT ENTRANCE TO VENUE. 	
	SIGNAGE TO BE PLACED AT ENTRANCE AND INSIDE PREMISES.	<ul style="list-style-type: none"> CUSTOMERS TO BE MADE AWARE OF CCTV MONITORING BEING IN SITU 	
	SEARCHING	<ul style="list-style-type: none"> THERE WILL BE NOTICES AT THE ENTRANCE TO THE VENUE INFORMING CUSTOMERS THAT EVERYONE WILL BE SEARCHED BEFORE ENTERING THE PREMISES. THIS WILL BE BY WAY OF THE KNIFE ARCH AND HANDHELD SEARCH WANDS. NO SEARCH NO ENTRY. 	
	ID SCANNER	<ul style="list-style-type: none"> THERE WILL BE SIGNAGE AT THE FRONT ENTRANCE INFORMING CUSTOMERS THAT ENTRY TO THE PREMISES IS BY WAY OF AN ID SCANNER. NO ID NO ENTRY. 	
	SIGNAGE INFORMING CUSTOMERS OF REDUCING NOISE LEVELS ON LEAVING PREMISES.	<ul style="list-style-type: none"> CLEAR LEGIBLE NOTICES SHALL BE DISPLAYED AT ALL EXITS FROM THE PREMISES REQUESTING PATRONS TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND AREA QUIETLY NOTICES SHALL BE DISPLAYED NEAR THE ENTRANCES, EXITS AND REAR SMOKING AREA OF THE PREMISES ADVISING CUSTOMERS WHO WISH TO USE THE OUTSIDE SMOKING FACILITIES THAT THEY SHOULD DO SO WITH RESPECT FOR THE NEARBY RESIDENTS AND KEEP NOISE LEVELS TO A MINIMUM. 	

15. FIRST AID

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	THE PREMISES MUST HAVE FIRST AID FACILITIES.	<ul style="list-style-type: none">• THE PREMISES HAVE FIRST AID FACILITIES, FOR EXAMPLE A FIRST AID BOX.• THE PREMISES ALSO HAVE A BLEED KIT ON THE PREMISES.• THE PREMISES HAVE A MEMBER OF STAFF TRAINED IN BASIC FIRST AID AT ALL TIMES AND CAN ADMINISTER FIRST AID BEFORE THE ARRIVAL OF ANY AMBULANCE.	

16. NOISE ISSUES

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	SMOKING AREA AND CAR PARK	<ul style="list-style-type: none"> • THE DESIGNATED PREMISES SUPERVISOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE SMOKING AREAS DO NOT CREATE A NUISANCE TO NEIGHBOURS AT PREMISES AND IF NECESSARY, RESTRICT THE NUMBER OF PEOPLE UTILISING THE SMOKING AREAS AT ANY ONE TIME 	
	ARRIVING OR DEPARTING TO & FROM PREMISES.	<ul style="list-style-type: none"> • SIA REGISTERED SECURITY STAFF WILL OVERSEE PATRONS ARRIVING OR DEPARTING THE PREMISES AND NOT ALLOW ANTI-SOCIAL BEHAVIOUR BY INDIVIDUALS/GROUPS. • WHEN NECESSARY, ADVICE WILL BE GIVEN TO SUCH PATRONS NOT TO DO ANYTHING WHICH MAY CAUSE ANNOYANCE OR DISTURBANCE TO THE LOCAL COMMUNITY. 	
		<ul style="list-style-type: none"> • THE VENUE WILL HAVE A POLICY TO DEAL WITH NOISE INSIDE THE PREMISES WITH INSTRUCTIONS TO ALL STAFF ABOUT THE WEARING OF EAR PLUGS IF WORKING IN AREAS IDENTIFIED AS RISK AREAS IN RELATION TO LOUD NOISE LEVELS. 	

16. NOISE ISSUES CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	THERE ARE RESIDENTS ABOVE THE PREMISES.	<ul style="list-style-type: none"> THE PREMISES ARE IN AN AREA WITH RESIDENTIAL PREMISES NEARBY. CONSIDERATION MUST BE GIVEN TO CUSTOMERS MAKING NOISE LEAVING THE PREMISES AT CLOSING TIME AND MUSIC EMANATING FROM THE PREMISES THROUGH OPEN DOORS AND WINDOWS DURING OPERATING HOURS. 	
	NOISE FROM CUSTOMERS LEAVING THE PREMISES	<p>THE FOLLOWING ITEMS ARE EXAMPLES OF GOOD PRACTICE:</p> <ul style="list-style-type: none"> USE MUSIC POLICY TO AFFECT MOOD OF CUSTOMERS AT THE END OF THE EVENING, DISPLAYS CLEAR NOTICES AT THE EXIT ADVISING CUSTOMERS TO KEEP THE NOISE DOWN. IF USING A DJ, ANNOUNCEMENTS ARE MADE ASKING CUSTOMERS TO LEAVE QUIETLY. DOOR STAFF WILL DIRECT CUSTOMERS TO THE CARPARK OF THE ARCADIAN OR THE EXITS FROM THE ARCADIAN. 	
	NOISE FROM PEOPLE TALKING AND SHOUTING WHILST OCCUPYING THE EXTERNAL SMOKING AREA, PARTICULARLY IN THE EARLY HOURS OF THE MORNING, IS LIKELY TO CAUSE PUBLIC NUISANCE.	<ul style="list-style-type: none"> THE DESIGNATED PREMISES SUPERVISOR SHALL BE RESPONSIBLE FOR ENSURING THAT PATRONS WISHING TO UTILISE THE SMOKING AREA DO SO QUIETLY AND THAT NOISE FROM PATRONS MOVING TO AND FROM THE SMOKING AREA IS KEPT TO A MINIMUM. THE DESIGNATED PREMISES SUPERVISOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE SMOKING AREAS DO NOT CREATE A NUISANCE TO NEIGHBOURS AT PREMISES AND IF NECESSARY, RESTRICT THE NUMBER OF PEOPLE UTILISING THE SMOKING AREAS AT ANY ONE TIME. 	

17. DRINKING POLICY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	<p>THE PREMISES WILL ADOPT A CHALLENGE 25 POLICY FOR UNDERAGE SALES AND ANYONE APPEARING UNDER THE AGE OF 25 WILL BE ASKED FOR IDENTIFICATION.</p>	<ul style="list-style-type: none"> • ALL STAFF, NOT JUST DOOR STAFF TO BE AWARE OF UNDER- AGE DRINKING LEGISLATION • ALL STAFF TO ENSURE THAT PATRONS WHO APPEAR DRUNK SHOULD NOT BE SERVED • THE PREMISES WILL ADOPT A CHALLENGE 25 POLICY FOR UNDERAGE SALES AND ANYONE APPEARING UNDER THE AGE OF 25 WILL BE ASKED FOR IDENTIFICATION. • THE PREMISES LICENCE HOLDER OR CLUB PREMISES CERTIFICATE HOLDER SHALL ENSURE THAT AN AGE VERIFICATION POLICY APPLIES TO THE PREMISES IN RELATION TO THE SALE OR SUPPLY OF ALCOHOL • THE POLICY MUST REQUIRE INDIVIDUALS WHO APPEAR TO THE RESPONSIBLE PERSON TO BE UNDER 25 YEARS OF AGE TO PRODUCE ON REQUEST, BEFORE BEING SERVED ALCOHOL, IDENTIFICATION BEARING THEIR PHOTOGRAPH, DATE OF BIRTH AND A HOLOGRAPHIC MARK. • A RIGOROUS POLICY OF CHECKING SOME ACCEPTED FORM OF ID FOR THOSE WHO APPEAR TO BE UNDER 25 (DRIVING LICENSEE, PASSPORT OR ACCREDITED PASS CARD). • NOTICES TO CUSTOMERS SITUATED BEHIND THE BAR OR AT THE ENTRANCE TO THE VENUE ADVISING CUSTOMERS OF THE STRICT DRINKING POLICY. • STAFF TRAINING WITH REGARD TO UNDERAGE DRINKING • ALL STAFF MUST BE TRAINED WITH REGARD TO DRUNKENNESS. STAFF NEED TO BE AWARE OF THEIR LEGAL OBLIGATIONS, KNOW WHAT THEY SHOULD DO IF SOMEONE APPEARS TO BE DRUNK AND ATTEMPTS TO BE SERVED. ALSO, WHAT STEPS THEY SHOULD TAKE IF A CUSTOMER IS FOUND TO BE EXCESSIVELY DRUNK WITHIN THEIR VENUE 	

17. DRINKING POLICY CONTINUED

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	PROTECTION OF CHILDREN FROM HARM	<ul style="list-style-type: none"> • EACH PREMISE MUST HAVE A STRICT POLICY IN FORCE AT ALL TIMES WITH REGARD TO CUSTOMERS UNDER THE LEGAL AGE WHO MAY ENTER THE PREMISES AND EITHER TRY TO BUY OR CONSUME ALCOHOL. 	
	<p>IN ADDITION TO THE LEGAL REQUIREMENTS, A PERSON WHO IS UNDER 18 YEARS AND WHO IS DRUNK OR WHO HAS CONSUMED INTOXICANTS MAY BECOME VERY VULNERABLE AND IS MORE LIKELY TO BECOME A VICTIM OF CRIME THAN SOMEONE OLDER OR MORE SOBER.</p>	<ul style="list-style-type: none"> • FOR THIS REASON, CHILDREN UNDER THE AGE OF 18 ATTENDING THE PREMISES MUST BE ACCOMPANIED BY AN ADULT AND VACATE THE PREMISES BY 10PM. • UNLESS THEY ARE ATTENDING A PRE-BOOKED EVENT/PRIVATE FUNCTION WHERE THE APPROPRIATE NOTICE HAS BEEN GIVEN TO THE RELEVANT AUTHORITIES. • AUTHORISATION HAS BEEN RECEIVED IN WRITING FROM WARWICKSHIRE POLICE. 	
	DRUNKEN BEHAVIOUR	<ul style="list-style-type: none"> • THERE WILL BE A ZERO TOLERANCE POLICY TOWARDS DRUNKEN OR ANTI-SOCIAL BEHAVIOUR TO BE IN OPERATION AT ALL TIMES. 	
	DRINKING GLASSES	<ul style="list-style-type: none"> • VENUE HAS AN EFFECTIVE GLASS COLLECTION POLICY. THE IMPORTANCE OF THIS CANNOT BE OVEREMPHASISED. EFFECTIVE GLASS COLLECTION SHOULD BE OF PARAMOUNT IMPORTANCE TO ANY VENUE THAT CONSIDERS ITSELF TO BE A GOOD OPERATOR 	

18. HEALTH & SAFETY

SUBJECT	DESCRIPTION	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
	SLIPS TRIPS & HAZARD POLICY	<ul style="list-style-type: none"> • EACH VENUE MUST HAVE A POLICY IN RELATION TO SPILLAGES. • GLASS COLLECTORS TO RECEIVE TRAINING IN CLEARING SPILLAGE. • WHOEVER IS NOMINATED TO CLEAR SPILLAGE TO WEAR APPROPRIATE IDENTIFIABLE CLOTHING. • THE CORRECT CLEANING UTENCILS AND CLEANING AGENT TO BE USED. • PREMISES TO CONDUCT REGULAR INSPECTIONS OF FLOORING, STAIRCASES AND DAMAGED FURNITURE TO ENSURE THESE ITEMS CANNOT BE A POSSIBLE RISK TO CUSTOMERS OR STAFF. 	REFER TO THE HEALTH & SAFETY POLICY MANUAL
	NOISE ISSUES WITHIN PREMISES EMPLOYERS ARE LEGALLY OBLIGED TO PREVENT DAMAGE TO THE HEARING OF EMPLOYEES CAUSED	<ul style="list-style-type: none"> • REGULAR EXPOSURE TO HIGH LEVELS OF NOISE CAN CAUSE PERMANENT HEARING DAMAGE • STAFF WHO ARE SUBJECT TO CONTINUAL HIGH NOISE LEVELS ARE TO BE PROVIDED WITH EAR DEFENDERS. 	

19. TRAINING ISSUES

SUBJECT	SPECIFIC RISK HAZARD & NECESSARY ACTION	ACTION DATE
<p>THE FOUR LICENSING OBJECTIVES</p> <ul style="list-style-type: none"> • PREVENTION OF CRIME & DISORDER • PUBLIC SAFETY • PREVENTION OF PUBLIC NUISANCE • PROTECTION OF CHILDREN FROM HARM 	<ul style="list-style-type: none"> • PREMISES IS TO TRAIN ALL STAFF PRIOR TO COMMENCING EMPLOYMENT THE FOUR LICENSING OBJECTIVES. • REGULAR TRAINING TO BE GIVEN ON A THREE-MONTHLY BASIS. • RECORDS TO BE KEPT OF ALL STAFF TRAINING. • ENSURE ALL STAFF SIGN TO SAY THEY HAVE RECEIVED TRAINING 	
<p>FIRE EVACUATION PROCEDURES</p>	<ul style="list-style-type: none"> • ALL STAFF INCLUDING DOOR SUPERVISORS ARE TO RECEIVE REGULAR TRAINING IN FIRE EVACUATION PROCEDURES • ALL STAFF TRAINING IS TO BE RECORDED 	
<p>FIRST AID</p>	<ul style="list-style-type: none"> • NOMINATED STAFF TO BE TRAINED IN BASIC FIRST AID. • ALL STAFF TRAINING IS TO BE RECORDED 	

The owner/operating company always remains responsible for any outcome of Risk Assessment.

C.N.A. RISK MANAGEMENT LTD DO NOT ACCEPT ANY LEGAL, FINANCIAL OR OTHER RESPONSIBILITY FOR ANY ACTION UNDERTAKEN BY THEM OR THEIR SERVANTS IN PREPARATION OF THIS RISK ASSESSMENT OR OUTCOMES RESULTING FROM THE RISK ASSESSMENT.

**BIRMINGHAM CITY COUNCIL****LICENSING SUB COMMITTEE - C****22 DECEMBER 2023****PORTRAIT BAR, THE ARCADIAN, 70 HURST STREET, BIRMINGHAM B5 4TD**

That, having considered the representations made under section 53B of the Licensing Act 2003 on behalf of DXR Limited, the premises licence holder of Portrait Bar, The Arcadian, 70 Hurst Street, Birmingham B5 4TD, in respect of the interim steps imposed on the 19 December 2023, this Sub-Committee hereby determines that, in order to address the risk of further serious crime:

- the licence will remain suspended, and
- the decision to remove Mr Bahia as designated premises supervisor will be maintained

pending the review of the licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application.

The Sub-Committee's reasons for maintaining the two interim steps, which were originally imposed at the meeting of 19th December 2023, are due to the concerns which were expressed by West Midlands Police during the meeting.

The licence holder company was represented by counsel at the meeting. Mr Bahia (director of the company) also attended the meeting, together with the company's licensing consultant. West Midlands Police also attended. Five minutes before the start of the meeting, those representing the premises submitted proposed conditions. The Sub-Committee considered these carefully.

Counsel addressed the Sub-Committee to explain that the premises was dealing with an isolated incident in unique circumstances. The premises was not able to simply await the full Review hearing in 28 days' time, as this would mean losing the festive period trade, which was vital to the business, to its owners, and to its employees. Counsel reminded the Sub-Committee that the purpose of the imposition of interim steps was to deal with serious crime, and not to punish a licence holder or business. The action taken "should be remedial, not punitive". The Sub-Committee accepted this.

Counsel asked the Sub-Committee to note that in the case of the Portrait Bar, the Police were not seeking permanent revocation of the licence, and remarked that this implied that the premises would reopen at some point. It had become apparent to the licence holder during discussions with Police that the Police wished to tighten protocols and address the lack of conditions on the licence, which was one of the old-style converted Justices' Licences.

The licence holder believed that suitable protections and procedures were capable of being implemented with immediate effect – as per the document submitted by

the licence holder shortly before the meeting began. Counsel observed that there was therefore no justification for keeping the premises closed to protect the public. There was no history or pattern of unsatisfactory operation at the premises.

On the night in question, the premises had known in advance what event they were going to put on – an afterparty for an event which had begun at separate premises in Digbeth. The Portrait Bar had made preparations, and had deployed staff and security accordingly. However, during the event at the other premises, there had been an incident/incidents, and the Police had attended at that other premises.

Thereafter, the Police had gone to The Arcadian, but this was not communicated to those at the Portrait Bar. Counsel observed that this was regrettable, because if there had been partnership working with the Police, the Portrait Bar would have been able to act differently. Regarding the firearm, the premises suspected that there had been a direct breach of the search protocol, by a member of staff who had perhaps gone rogue.

The Police had previously approached the Portrait Bar management to ask if they premises would voluntarily agree to adopting a set of modern conditions onto the licence. Portrait Bar had agreed to do this. Counsel remarked that the Portrait Bar had in fact begun to adopt the proposed conditions (in the document submitted shortly before the meeting began); they were the conditions which had been agreed with the Police.

The only matters that had not already been implemented were those that had technical impediments - such as the ID scanner, which required the installation of fibre broadband first; that had not yet been completed. It was a work in progress, and not a resistance by the premises, said counsel. The Decision Notice of 19th December had stated that the Sub-Committee hoped that the premises would work with the police; counsel assured the Sub-Committee that that had been ongoing this week.

In addition to the suite of conditions proposed by the premises, a suitable and experienced person had been identified to take over the role of designated premises supervisor from Mr Bahia.

All in all, the premises was confident that it could resume trading without any risk of further serious crime. Counsel asked the Sub-Committee to note that it was very important to the business to have the ability to trade as usual across the Christmas and New Year period, for economic reasons. The Sub-Committee noted this.

The Sub-Committee then heard from West Midlands Police, who reminded the Sub-Committee that the incident had been a very serious matter in which two persons had been injured after a firearm was discharged inside the Portrait Bar.

At the previous meeting, on 19th December, the premises had stated that its three-point search regime was very robust, and the Police had disputed this during the meeting. Furthermore, in the instant meeting, the Police were unamused to hear that, after watching the CCTV in relation to the incident, the premises now considered that a member of staff had perhaps gone rogue in admitting persons who should not have been allowed to enter. The Police observed that this was a change of position by the premises regarding what had happened. The Sub-Committee noted this.

Three comments were made in relation to the search regime by the Police. The first was that the search regime was being overruled, via what appeared to be either a VIP list or a procedure in which people were being allowed in without being searched at all. Secondly, female attendees at the premises on that day were not being personally searched - only their bags were being searched.

Thirdly, the door was not a “sterile site”, in that there were people being searched who could then approach the barrier, which was a 3 foot high barrier, and lean over it and engage with people outside, including having physical contact. The Police were concerned that certain things could be passed from outside to inside the premises, and vice versa, across the barrier.

Therefore, no matter how robust the search regime might have been, it did not matter, in the eyes of the Police. The door to the premises was not a “sterile site”, as items could get in and out easily across the barrier. The Police reminded the Sub-Committee that on the night in question a firearm had found its way into the premises. The Sub-Committee noted that there was something of a question mark over the efficacy of the search procedure.

The Police explained that the issue was that, at present, the Police were not altogether sure what the problem at the Portrait Bar was, in order to be able to remedy it. Counsel had remarked that those at the premises were not sure at this stage what exactly had happened; the Police shared this view. The proposed conditions had not been seen by the Police as they were submitted very close to the start of the meeting.

The Chair of the Sub-Committee asked whether some additional time to consider the conditions would assist the Police. However, the Police declined this offer, as they considered that there was not adequate time to properly consider the conditions, as the problem with the premises had not yet been identified.

The Police advised that the overriding principle was to ensure public safety – accordingly, without knowing what had happened during the incident, the Police were unable to approve the proposed conditions. The Police were also not aware of the person who the premises had proposed should take on the designated premises supervisor role.

The Police advised that the correct course was for the premises and the Police to hold a meeting, analyse what had happened, and then devise a remedy. This was what the Police had meant when they said at the previous meeting on the 19th December that they would be “working with” those from the Portrait Bar. The Sub-Committee noted this.

The Police considered that the correct way forward was to maintain both of the interim steps pending the full Review hearing.

In summing up, counsel stated that it was not correct that the problem was not known; all persons at the premises were aware that a firearm had entered, and the purpose of making representations was to show that this could be fixed via conditions. Many of the conditions were those which had been suggested by the Police. A period of a month would identify nothing further beyond what was already

known. The proposed new designated premises supervisor was experienced and performing the role elsewhere.

All in all, the premises was confident that it could trade without risk of further serious crime, and asked that the Sub-Committee adopt the conditions in order that the premises could reopen.

Having heard all of the evidence, the Members were mindful that the Police had found the proposal entirely unsatisfactory and had explicitly said that they did not approve the draft conditions. The comment from the Police about how the correct course was to “hold a meeting, analyse what had happened, and then devise a remedy” was persuasive.

The incident had been a very serious crime in which a weapon had been fired, injuring persons inside the premises. Whilst the Members had a great deal of sympathy with the premises’ desire to trade for the festive period, and found this view to be quite understandable, public safety was the first priority. The decision to suspend the licence on the 19th December had not been taken lightly, but had been wholly necessary, to prevent risk of further serious crime.

The Sub-Committee agreed with the Police that at this stage it was not possible to adopt the proposed conditions so that trade could resume. The Members felt that they were not prepared to take any risks regarding the potential for further serious crime, pending the full Review hearing. The Members noted in particular that the Police had expressed doubts and concerns over the workings of the door policy/searching. The Sub-Committee accepted the Police’s advice that the search procedure was not adequate or acceptable.

The Members agreed with the Police that “working with” the premises would require discussions, and thereafter decisions, on the suitable course of action; instead, the premises had unilaterally proposed its own conditions. This did not inspire confidence. Counsel had assured the Sub-Committee that many of the proposed conditions had been suggested by the Police in the past; regardless of this, the correct course was for the premises to cooperate with the Police, and to take the course guided by the Police. The Sub-Committee was mindful that the Police had not approved the proposed conditions.

The Sub-Committee was therefore not satisfied that the interim steps could be lifted, as it was not accepted that the licence holder company could operate in a manner capable of preventing further serious crime. The Police were the experts in crime and disorder, and the Sub-Committee accepted the Police’s advice.

The correct way forward was therefore to maintain both of the interim steps pending the full Review hearing, as recommended by the Police. The Sub-Committee found the Police recommendation to be entirely the proper course. Trading in the extremely busy festive period could of course bring additional pressures which could affect safe operation, and the Sub-Committee was not prepared to risk any further serious crime incident. Public safety was, as always, of paramount importance.

In reaching this decision, the Sub-Committee has given due consideration to the application made under s53B by the licence holder, the certificate issued earlier 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 counsel and the licensing consultant for the licence holder company, and by West Midlands Police.

All parties are advised that the premises licence holder may make further 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 excluding non-working days.

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



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

TUESDAY 19 DECEMBER 2023

PORTRAIT BAR, THE ARCADIAN, 70 HURST STREET, BIRMINGHAM B5 4TD

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 DXR Limited in respect of Portrait Bar, The Arcadian, 70 Hurst Street, Birmingham B5 4TD, this Sub-Committee hereby determines:

- that the licence be suspended, and
- that Mr Rajvir Singh Bahia be removed as the designated premises supervisor pending a review of the licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application.

The Sub-Committee's reasons for imposing the two interim steps are due to the concerns which were expressed by West Midlands Police in relation to matters pertaining to serious crime, which had come to light as outlined in the Superintendent's certificate and application. Those documents were in the Committee Report.

The Sub-Committee determined that the cause of the serious crime originated from a style of management which had been incapable of upholding the licensing objectives. The style of management was the responsibility of DXR Ltd, as premises licence holder for the premises. One of the company directors of DXR Ltd was Mr Rajvir Singh Bahia. Mr Bahia was also the person named on the licence as the designated premises supervisor.

Mr Bahia attended the meeting, together with Mr Lal, a shareholder of the company. West Midlands Police also attended.

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 the matter was a live police enquiry regarding a serious crime incident, namely the discharge of a firearm inside licensed premises. Two persons had been injured as a result. A Police investigation was ongoing to try to trace those involved in the incident.

The Police asked for the proceedings to be conducted in private, in the interests of fairness and so that all could speak freely in relation to the incident. Mr Bahia did not object to this course, and so the Sub-Committee conducted the meeting in private session.

Members heard the submissions of West Midlands Police, namely that the certificate, which had been issued by a Superintendent under s53A of the Act, related to an allegation of serious crime which had originated at the premises. The details were as per the documents in the Committee Report.

The Police summarised the investigation thus far. A person had brought a firearm into the Portrait Bar premises whilst it was open and conducting licensable activities. The firearm was then discharged inside the premises in the very early hours of Monday 18th December 2023, causing injury to two persons.

Two offences of wounding with intent to cause grievous bodily harm under s18 of the Offences Against the Person Act 1861 had been reported. This offence was classed as a serious crime under s81 of the Regulation of Investigatory Powers Act 2000, as the potential maximum sentence on conviction was life imprisonment. The incident therefore warranted the use of the s53A power, and the matter had been brought before the Sub-Committee for an Expedited Review hearing.

The Police view was that interim steps were required in order to deal with the causes of the serious crime whilst the criminal investigation was under way. It was the advice of the Police that a lack of management control had led to the incident. Overall, the Police had no confidence in the premises' ability to prevent further serious crime. It was therefore the Police's recommendation that the incident had been so serious, and the risk to the upholding of the crime prevention objective so grave, that specific interim steps were required.

The Police recommended that the correct course was to suspend the licence, for the reasons given in the Superintendent's certificate and application, and also to remove the designated premises supervisor. This was in the interests of guarding against the risks of further serious crime pending the full Summary Review hearing in 28 days' time.

The Sub-Committee then heard from the two persons representing the premises. They said that the event, which had begun on the Sunday night of 17th December and had continued into the Monday morning of 18th December, had been booked on the 15th December, and that they considered that they had ensured ample time to make proper arrangements for a "successful and safe gathering".

On the night/early hours in question, the premises had had twenty members of staff on duty; of these, eight were security guards and five were bar staff. There had been 200 patrons attending for the event.

The security measures had comprised three separate "pat and wand" searches for each patron before being admitted to the premises. The door team had included very experienced security staff, and the team had been given instructions to check all patrons, as safety was of the utmost importance to the venue. However, the Members observed that despite this procedure, a firearm had found its way into the premises.

Portrait Bar had been operating for three to four years, they said, without incident. It had held "over 70 separate events over the year with no issues", and considered itself a "safe and enjoyable environment". Some £20,000 had been invested in recent months in the interests of improving safety at the venue. The additional steps included the introduction of more security protocols and training. Some of the new measures recommended by Police had been done, and others were still being implemented.

The company had been the licence holder since June 2023; Mr Bahia had been involved in the premises for three years, in an administrative role, and had been appointed as the Designated Premises Supervisor in September 2023. The venue itself had been operated as a bar premises for over 20 years. Those at the premises were actively engaging with the Police. They also assured the Sub-Committee that they were “committed to continuous improvement”, and would learn from the incident.

However, the Police observed that as the event had been booked on 15th December, this would have given sufficient time to conduct a risk assessment to guard against the risks of crime and disorder – but it appeared to the Police that either no risk assessment had been done, or one was done but not followed. The Sub-Committee noted this.

The Police advised the Sub-Committee that searching at the door was critical to preventing weapons from entering premises; however, despite the assurances given by those from the premises (namely that three searches were conducted of each patron), the Police informed the Sub-Committee that they had not been satisfied with what they had seen on CCTV recordings of the searches at the door of the Portrait Bar. It was the advice of the Police that the search regime was not as robust as had been suggested by those representing the premises. The Sub-Committee noted this.

The Police added that at the end of November 2023 they had held a meeting with Mr Bahia in which an action plan had been suggested by the Police, relating to various security measures. However, the measures had not been fully implemented, and as a result, in the early hours of 18th December a firearm had been brought into the premises and had been fired, injuring two persons.

The Police reiterated that for these reasons, the correct course was for the Sub-Committee to suspend the licence and remove the designated premises supervisor pending the full Review hearing. The Police assured the Sub-Committee that they would work with the premises in the intervening period.

Having heard all of the evidence, the Members were mindful of the Guidance issued by the Secretary of State under s182 of the Act, which advised them to only impose those steps which were necessary to guard against the risks of further serious crime. However, the starting point was that the Members were not confident that the company understood its responsibilities as licence holder, and moreover were not satisfied that there was proper management control of the premises.

The Police had observed that the offence had been committed in the presence of staff at the premises. The Police had advised in the application that the staff “were in a position of trust in the premises, with a duty to promote the safety of the public and to prevent crime and disorder, which they have failed to do”.

This was unacceptable and the Members were surprised that those from the premises had said that the security team included very experienced staff. The Sub-Committee considered that the inadequate security procedure was a significant risk to the upholding of the crime prevention objective.

The Sub-Committee agreed with the Police that at this stage it was not possible to have any trust in the management of the operation. The Members felt that they

were not prepared to take any risks regarding the potential for further serious crime, pending the full Review hearing.

In deliberating, the Sub-Committee determined that there had been an allegation of serious crime, which was being investigated by Police. It was abundantly clear that the operation was not being run in accordance with the licensing objectives. Any instance of a weapon finding its way into licensed premises was extremely serious; moreover, on this occasion, a firearm had in fact been fired whilst the premises was open to the public and conducting licensable activities, and consequently two persons inside the premises had been injured.

Two offences under s18 had been reported. This was a clear risk to the prevention of crime and disorder objective. All in all, the management style seen at the premises was not at all the standard expected of premises licence holders in Birmingham.

The Sub-Committee was not satisfied that the licence holder company could be trusted to operate in a manner capable of preventing further serious crime. The Members noted in particular the Police comments regarding the unsatisfactory security checks and/or procedures which the Police had observed on the CCTV recordings. There was something of a contrast between the Police comments and the premises' own account of the security checks, but as the Police were the experts in crime and disorder, the Sub-Committee accepted the Police's advice.

The Sub-Committee considered the options of modification of the conditions of the licence, and exclusion of the sale of alcohol by retail from the scope of the licence, but did not consider that these would adequately cover the risks, given the seriousness of what had been described in the Superintendent's certificate and application. Moreover, the Police had not recommended either of these as a satisfactory course for the Sub-Committee to take.

The correct way forward was therefore to suspend the licence pending the full Review hearing, as recommended by the Police. The Sub-Committee found the Police recommendation to be entirely the proper course given what had been described in the documents and in the meeting, and determined that it was both necessary and reasonable to impose the interim step of suspension of the licence to address the immediate problems with the premises, namely the potential for further serious crime.

The Sub-Committee further noted that it was the responsibility of the designated premises supervisor to ensure that alcohol sales were conducted in accordance with the licence. The Sub-Committee therefore determined that the removal of the designated premises supervisor was a very important safety feature, given that he had only recently been appointed as the individual responsible for the day to day running of the premises (in September 2023). Moreover, it was not clear to Members what previous experience he had in running a late night entertainment venue of this nature, as his previous role in the operation was in an administrative capacity.

The Members considered that Mr Bahia had fallen short of the standards expected of him - as both a director of the licence holder company, and as the designated premises supervisor, and that the style of operation described in the Superintendent's certificate and application was a significant risk to the upholding of the licensing objectives in Birmingham.

Under the current style of operation, a weapon had been fired inside the Portrait Bar, injuring two persons. Public safety was of paramount importance, and the Members considered that it was a danger to the public for the premises to continue to operate in the manner seen on the night in question. The Police had assured the Sub-Committee that they would work with the premises; the Members hoped that those at the premises would follow the advice they were given, ready for the full Summary Review hearing.

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 those from the Portrait Bar.

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 excluding non-working days.

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

West Midlands Police

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

I hereby certify that in my opinion the premises described below are associated with serious crime and disorder

Premises: Portrait Bar,

Premise Licence Number: 222.

Premise Licence Holder: DXR Ltd.

Designated Premise Supervisor: Mr Rajvir Singh Bahia..

I am a Superintendent in West Midlands Police.

I am giving this certificate because I am in the opinion that the procedures under the Licensing Act are inappropriate in this case because the standard review procedures are thought to be inappropriate due to the seriousness of the crime, and the serious management failings of the premises concerned.

The actions of the management and staff involved in the premises where this incident has occurred casts serious doubt on their abilities to promote the licensing objectives.

In this incident a person has entered the premises which were open and conducting licensable activity in possession of a firearm. The person has then produced the firearm and it has been discharged within the premises causing injury to other persons.

Wounding with intent to cause grievous bodily harm is a serious crime by virtue of the maximum sentence being up to life imprisonment if a person is found guilty of this offence and warrants the use of this power. The offence has been committed in the presence of staff at the premises who are in a position of trust in the premises with a duty to promote the safety of the public and to prevent crime and disorder which they have failed to do.

I have considered the use of the normal review procedure but I do not feel this would be appropriate in these circumstances due to the above reasons, and the fact that to maintain the licensing objective of preventing crime and disorder the normal review procedure would not be sufficient.

The severity of the incident is a matter that needs to be brought to the attention of the Licensing Committee immediately.

I am conscious of the guidance on the use of "Expedited Reviews" and given the emphasis that is given to use of this power to tackle serious crime and disorder, my feelings that this process is deemed appropriate are further enforced.

Signed: Supt 9700 D.Twyford 18/12/23



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 David Twyford

(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: Portrait Bar.

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

The Arcadian.

70, Hurst Street.

Post Town: **Birmingham**

Post Code (if known): **B5 4TD.**

2. Premises Licence details:

Name of premise licence holder (if known):

DXR Ltd..

Number of premise licence (if known):

222.

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)

x

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

Portrait is a licensed premises situated at The Arcadian, 70, Hurst St. Birmingham. B5 4TD. The premises license holder is DXR Ltd and designated premises supervisor is Mr Rajvir Singh Bahia.

The premises is licensed to sell alcohol for consumption on the premises between the hours of 1000 and 0400 hours on each day of the week.

At approximately 0035 hours Monday 18th December 2023 the premises were open and conducting licensable activity.

At this time an incident occurred whereby a firearm was produced and has been discharged within the premises causing injury to other persons.

This matter is two counts of wounding with intent to cause grievous bodily harm contrary to section 18 Offences Against The Persons Act 1861 which is a serious crime by virtue of the maximum sentence on conviction being life imprisonment.

West Midlands Police have serious concerns for the promotion of the licensing objectives at this premises.

A firearm has been in the premises and discharged showing current control measures at the premises to be inadequate and ineffective.

West Midlands Police have grave concerns over the operation of the premises which we want to bring to the committee's attention immediately.

This is such a serious incident and breach of the licensing objectives that West Midlands Police would request that the premises license is suspended and the Designated Premises Supervisor is removed.

Signature of applicant:

Date: 18.12.23.

Rank/Capacity: Superintendent

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.

Licensing Act 2003
Premises Licence

Premises Licence Number	222
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description Portrait Bar, Units E107, 108, 109 &110, Ladywell Walk, The Arcadian, 70, Hurst Street, B5 4TD
Telephone Number N/A

Where the licence is time limited the dates N/A

Licensable activities authorised by the licence Sale of Alcohol by Retail Provision of Late Night Refreshment Exhibition of a Film Indoor Sporting Events Performance of Live Music Playing of Recorded Music Performance of Dance Anything of a similar description to that falling within Live Music, Recorded Music and Dance

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol by retail:		
Day	Start Time	End Time
Monday	10:00	04:00
Tuesday	10:00	04:00
Wednesday	10:00	04:00
Thursday	10:00	04:00
Friday	10:00	04:00
Saturday	10:00	04:00
Sunday	12:00	04:00
Place:		
Seasonal Variations: 12:00 - 02:30 Sundays preceding Bank Holiday (excl Easter Sunday) 12:00 - 15:00 Christmas Day 19:00 - 00:30 Christmas Day		
Non-Standard Times:		

Provision of Late Night Refreshment:		
Day	Start Time	End Time
Monday	23:00	04:00
Tuesday	23:00	04:00
Wednesday	23:00	04:00

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Thursday	23:00	04:00
Friday	23:00	04:00
Saturday	23:00	04:00
Sunday	23:00	04:00

Further Details:

Place:

Seasonal Variations: 12:00 - 02:30 Sundays preceding Bank Holiday (excl Easter Sunday) 12:00 - 15:00 Christmas Day 19:00 - 00:30 Christmas Day

Non-Standard Times:

Exhibition of a Film:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	09:00	04:00
Tuesday	09:00	04:00
Wednesday	09:00	04:00
Thursday	09:00	04:00
Friday	09:00	04:00
Saturday	09:00	04:00
Sunday	09:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

Indoor Sporting Event:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	09:00	04:00
Tuesday	09:00	04:00
Wednesday	09:00	04:00
Thursday	09:00	04:00
Friday	09:00	04:00
Saturday	09:00	04:00
Sunday	09:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

Performance of Live Music:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	04:00
Tuesday	11:00	04:00
Wednesday	11:00	04:00
Thursday	11:00	04:00
Friday	11:00	04:00
Saturday	11:00	04:00
Sunday	12:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

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Playing of Recorded Music:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	04:00
Tuesday	11:00	04:00
Wednesday	11:00	04:00
Thursday	11:00	04:00
Friday	11:00	04:00
Saturday	11:00	04:00
Sunday	12:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

Performance of Dance:

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	04:00
Tuesday	11:00	04:00
Wednesday	11:00	04:00
Thursday	11:00	04:00
Friday	11:00	04:00
Saturday	11:00	04:00
Sunday	12:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

Anything of a similar description to that falling within Live Music, Recorded Music or Dance

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	04:00
Tuesday	11:00	04:00
Wednesday	11:00	04:00
Thursday	11:00	04:00
Friday	11:00	04:00
Saturday	11:00	04:00
Sunday	12:00	04:00

Further Details:

Place:

Seasonal Variations:

Non-Standard Times:

The opening hours of the premises

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	04:00
Tuesday	10:00	04:00
Wednesday	10:00	04:00
Thursday	10:00	04:00
Friday	10:00	04:00
Saturday	10:00	04:00
Sunday	10:00	04:00

Seasonal Variations:

Non-Standard Times:

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

For consumption on and off the premises

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

DXR LTD
64 Great Hampton Street, Hockley , Birmingham , B18 6EL

Registered number of holder, for example company number, charity number (where applicable)

Company Number:14906644

Name and address of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Rajvir Singh Bahia

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: CCD/PLH/23/1477
Issuing Authority: Cannock District Council

Dated 30-09-2023

Shaid Yasser
Senior Licensing Officer
For Director of Regulation & 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: 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 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

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take place before the expiry of the period of 14 days beginning on the second day.

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

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.

Annex 2 – Conditions consistent with the Operating Schedule

The outside seating area will have a barrier and this area will be supervised by door staff when in use.

The capacity for those using the outside seating will be monitored by door staff, to ensure that the area always remains within a safe limit.

Maximum number of persons shall be limited to 270 or such numbers as may be agreed from time to time with local authority surveyor.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

N/A

Annex 4 – Plans

The Plan of the premises with reference number 170654 which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.



