

From: Duncan Craig

Sent: Wednesday, February 7, 2024 5:59 AM

To: Licensing

Cc: bw_licensing; Ben Reader

Subject: RE: Licensing Act 2003 - Section 53A Expedited Review RE: Holloway Club (Lic No 5426), 89 Holloway Head, Birmingham, B1 1QP

Dear Licensing

Please find attached supporting documents on behalf of the licence holder for this morning's hearing. They comprise:

1. Proposed Conditions
2. Personal Licence for proposed new DPS (Removed prior to publication due to personal / sensitive data)
3. Vulnerability Policy
4. Drugs Policy

Please could these be distributed in advance of the hearing. I am sorry for their service at this time, however I was only in a position to fully take instructions on WMP's position in relation to this review yesterday afternoon.

I have copied WMP into this email.

Many thanks.

Kind regards,

Duncan Craig

CONDITIONS

RISK ASSESSMENT

The premises will supply to West Midlands Police (Licensing Dept at Birmingham Central Police Station) the risk assessment for standard nights at the premises. For any non-standard night, the DPS will provide risk assessment of the night/event to West Midlands Police (Licensing Department at Birmingham Central Police Station) at least 28 days before the event, or at a time agreeable between DPS and the police. All security measures (if needed) detailed in the risk assessment will have to be agreed with West Midlands Police (Licensing Department at Birmingham Central Police Station). Agreement will be provided in writing to the DPS.

PROMOTERS

Where an event takes place using any of the licensable activities with an external promoter then the DPS must give notification to (Licensing Dept at Birmingham Central Police Station), at least 28 days before the event on the first occasion, and any other occasion where the same promoter is used for a different event. Recommendations will be provided in writing and will become conditions for use at that event. These recommendations must be retained by the premises for inspection.

BOOKINGS

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 3 months 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.

SIA DOORSTAFF

The number of SIA licensed door staff on duty shall be subject to a risk assessment, which shall be documented and made available to the responsible authorities upon request. This condition applies both to normal days as well as to event days.

Where there is a requirement for SIA licensed door supervisors, the licensee shall ensure that

- a) they are on duty at the entrance of the premises at all times whilst it is open for business and remain on duty past the closing time of the premises for a period until all patrons have dispersed from the locality.
- b) at least one licensed SIA door staff on duty at the premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the West Midlands Police. That person shall be required to attend all incidents that require intervention.

- c) all BWV recordings shall be stored for a minimum period of 31 days with date and time stamping, and
- d) viewing of recordings shall be made available immediately upon the request of Police or Birmingham City Council

All door supervisors working at the premises are to sign on duty when they start work and off duty when they finish. All door supervisors must wear their SIA badge in a clear sleeve arm holder. Door supervisors working outside the premises will wear hi-visibility coats. Where door supervisors are used the premises will retain a profile of all door supervisors that have worked at the premises in the last 3 months. A profile will consist of proof of ID (copy passport, photo driving license, SIA badge) and proof of address dated within the last 6 months (copy bank statement, utility bill etc). No proof of address needed if proof of ID is photo driving license. Door supervisor profiles must be retained at the premises and be made available for inspection immediately on request of any of the responsible authorities. Door supervisors will work past the closing time of the premises for a period until all patrons have dispersed from the locality. Door supervisors will patrol areas around collection points for taxis by the premises to prevent disorder. The premises will have an incident book and record all incidents that occur inside or immediately outside the premises, irrelevant if any of the emergency services have been called. This incident book can be inspected at any time by any regulatory body.

ID SCANNER

On Fridays and Saturdays from 21:00 until close and during any event when identified as necessary in furtherance of the risk assessment, all customers entering the premises shall have their ID scanned on entry. The details recorded by the ID scanner system shall be made available to the Police and the local authority upon request.

SEARCHING OF CUSTOMERS

On Friday and Saturdays after 21:00 until close and during any event when identified as necessary in furtherance of the risk assessment, no customers shall be admitted or re-admitted to the premises unless they have been subject to a metal detection search and, if the search metal detector is activated, or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search. Searches shall be monitored by the premises CCTV system.

SUSPICION OF DRUG DEALING

In the event of suspicion of drug dealing taking place on the premises the management will immediately ensure that:

- (1) The police are called without delay;
- (2) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (3) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

VULNERABILITY POLICY

A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Birmingham City Council.

DRUGS POLICY

A copy of the premises' drugs policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Birmingham City Council.

ADULT ENTERTAINMENT

No adult entertainment, services or activities permitted on the premises.

Drugs Policy

Introduction

King VN acknowledges that due to the nature of its business, there is the possibility of the introduction of controlled drugs ("illegal substances") onto the premises by staff or customers. This policy therefore sets out our approach to illegal substances at our venue.

This policy has been designed with Licensing Objectives of the prevention of crime and disorder, and public safety in mind.

The Premises Licence does not contain a specific condition in relation to illegal substances in the venue. This **does not** mean that the sale or consumption of illegal substances at the Premises is something that staff should not be alive to.

All staff are required to read and familiarise themselves with this policy as a condition of their employment. All staff will be required to sign to confirm that they have read and understood this policy document.

Drugs

| Controlled drug and slang names | Form | How taken | Signs to look out for |
|--|--|-----------|---|
| Ecstasy:- also known as XTC, superman, Rolexes, Pink superman, Pills, Mitsubishi's, MDMA, Mandy, E, Dolphins, Crystal, Cowies, Brownies. | White or brown tablets, pink, yellow or clear capsules or powder | Swallowed | Excessive energy, dancing, euphoria, dehydration, increased demand for non-alcoholic drinks |
| Amphetamines:- also known as Whizz, Sulph, Paste, Billy, Base, Amphetamine Sulphate, Amphetamine. | Tablets, capsules or white, yellow, pink or brown paper | Swallowed | Rapid speed, confusion, enlarged pupils. Effects may be increased by the consumption of alcohol |

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|---|--|--|--|
| <p>LSD:- also known as Window, Trips, Tripper, Tab, Stars, Smilies, Rainbows, Paper Mushrooms, Micro Dot, Lucy, Liquid Acid, Lightning Flash, L, Hawk, Flash, Drop, Dots, Cheer, Blotter, Acid.</p> | <p>Paper squares printed with various designs, gelatine microdots, less commonly tablets</p> | <p>Swallowed</p> | <p>Hallucinations, erratic and unpredictable behaviour</p> |
| <p>Cocaine:- also known as White, Wash, Toot, Stones, Snow, Rocks, Percy, Pebbles, Freebase, Crack, Coke, Ching, Charlie, Chang, C.</p> | <p>White powder</p> | <p>Sniffed/snorted, more rarely injected</p> | <p>Euphoria, but sometimes causes anxiety, runny nose, sniffing, traces of powder around nostrils and on banknotes. Banknotes rolled into tubes when making payment</p> |
| <p>Crack:- also known as White, Wash, Toot, Stones, Snow, Rocks, Percy, Pebbles, Freebase, Crack, Coke, Ching, Charlie, Chang, C.</p> | <p>Yellowish rocky lumps</p> | <p>Smoked in a pipe or heated on foil and inhaled</p> | <p>Instant elation – wears off quickly. Violent behaviour. Empty wrappers and scorched foil</p> |
| <p>Cannabis:- also known as weed, skunk, sinsemilla, sensi, resin, Puff, Pot, Marijuana, herb, hashish, hash, grass, ganja, draw, Dope, Bud, bhang.</p> | <p>Resin (brownish lumps) or herbal</p> | <p>Smoked in hand rolled cigarettes known as joints, reefers, doobies and spliffs. Resin can also be eaten</p> | <p>Talkativeness, euphoria, lack of coordination, relaxed inhibitions, dilated pupils, bloodshot eyes, a strong smell of burnt leaves, torn beer mats or foam upholstery to make filters</p> |

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|---|------------------------------|--|---|
| Heroin:- also known as Smack, Skag, Horse, H, Gear, Brown. | Off-white or brownish powder | Injected. Can also be heated on foil and inhaled through a straw – known as chasing the dragon | Sleepy euphoria, slow breathing, runny nose and eyes, needle marks on body, syringes, needles, blood stained cotton wool, scorched tin foil or spoons |
| Rohypnol:- also known as Vallies, Rugby balls, Roofies, Rohypnol, Norries, Moggies, Mazzies, Jellies, Eggs, Downers, Blues, Benzos. | Tablets | Swallowed – colourless and odourless when dropped into drinks, dissolving rapidly (tasteless) | Muscle relaxation, slow responsiveness and lower inhibitions, victim feels disorientated |

For a full list of drugs, slang terms and their various effects, XXXX staff are encouraged to visit the FRANK website at: <http://www.talktofrank.com/drugs-a-z>

Right of Entry

The Designated Premises Supervisor, SIA registered door supervisor (when engaged) or staff member acting on behalf of King VN reserve the right to decide who will and who will not be allowed onto the Premises. Persons suspected of being under the influence of illegal drugs or substances will not be allowed to enter the premises.

The Designated Premises Supervisor, SIA registered door supervisor (when engaged) or staff member acting on behalf of King VN reserve the right to ask a customer to leave the premises. Persons suspected of being under the influence of illegal drugs or substances will be asked to leave the premises.

Zero tolerance policy in relation to illegal substances

King VN operates a zero-tolerance policy in relation to illegal substances.

Any person or persons found to be under the influence of illegal drugs or substances classified under the Misuse of Drugs Act 1971 will be asked to leave the Premises and will be reported to the Police. Any evidence of or suspicion of drug use at King VN may also be reported to the Police.

Any CCTV footage of suspected dealing will be retained for any potential police investigation.

Staff training in relation to illegal substances

King VN treats the training of its staff in relation to this policy as a high priority. All staff are required to read and familiarise themselves with this policy as a condition of their employment. All staff will be required to sign to confirm that they have read and understood this policy document.

Warning signs and vigilance

King VN staff should be vigilant at all times and should be on the lookout for:

- Torn-up coasters/cigarette packets/bits of cardboard left on tables or in ashtrays outside.
- Foam stuffing removed from seating and/or bits of foam left around
- Roaches (homemade filter tips from cannabis cigarettes)
- Small packets made of folded paper (particularly lottery tickets), card or foil
- Empty sweet wrappers left in toilets
- Payments made with any tightly rolled banknotes, or notes that have been tightly rolled and unrolled before payment is made
- Traces of blood or powder on banknotes handed to staff
- Drinking straws left in toilets

Staff should be vigilant at all times and should watch customers for:

- Very dilated pupils
- Excessive sniffing, dripping nose, watering or reddening of the eyes.
- Sudden severe cold symptoms following a trip to the toilet or outside.
- White marks or traces of powder around the nostrils.
- Excessive giggling, laughing at nothing and/or non-stop talking.
- Vacant staring, a customer being unnaturally dopey or exhibiting signs of sleepy euphoria.
- Non-stop, fidgety movement, jigging about or dancing.
- Gagging or retching actions.
- Excessive consumption of soft drinks.
- Sudden, inexplicable tearfulness or fright.
- Any marked alteration in behaviour following from a trip to the toilet or external to XXX.
- Any person holding court, with a succession of visitors who do not stay.
- A person making frequent trips to the toilets or outside the venue, followed by different people each time.
- Visits to the toilets by groups or couples.

- People exchanging small packages or cash, often this can be done secretly, but can be quite open to avoid suspicion.
- Furtive or conspiratorial behaviour
- Conversation which includes reference to drugs or slang terms for drugs.

Any signs or suspicions of illegal substances must be reported to the Designated Premises Supervisor and/or Duty Manager as soon as possible. The Designate Premises Supervisor or Duty Manager will determine what action to be taken. Such actions may include:

- Requesting that the customer turn out his or her pockets
- Surveillance of customers going into the toilets to check for behaviours noted above
- The ejection of any customer refusing to cooperate or exhibiting signs of drugs
- Calling the Police

Confiscation of illegal substances

Any illegal substances or suspected illegal substances found or confiscated will be taken immediately to the Designated Premises Supervisor and/or the Duty Manager who will arrange for secure storage of the illegal substance/suspected illegal substance until such time as it can be handed over to the police. The Designated Premises Supervisor or the Duty Manager shall inform the Police within 24 hours of any illegal substances or suspected illegal substances being confiscated and will deal with the illegal substances/suspected illegal substances in accordance with the recommendation of the Police. A note of the officer spoken to and what action is to be taken should be noted on the illegal substance record form.

Detaining persons in relation to illegal substances

If an illegal substance or suspected illegal substance is found in the possession of a customer, the customer should be informed that it is desirable that they remain until the Designated Premises Supervisor/Duty Manager and the Police can attend.

If the customer refuses or asks if they can leave then they should be politely told that it is desirable that they remain until the Designated Premises Supervisor/Duty Manager and the Police can attend.

If the customer insists on leaving then they should be allowed to do so, but a detailed description of the individual should be prepared and noted down on the incident report form. CCTV footage of the customer should be sought and burnt to disk and/or USB as soon as possible.

King VN

Vulnerability Policy

There are a number of bespoke policies that address vulnerability in King VN's operating schedule. All are designed to address the 4 licensing objectives of

- Prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

The consumption of alcohol raises the risk level attached to each of the objectives and the following policies, to be read as part of the vulnerability policy, are designed to address the vulnerabilities of both customers and staff.

These policies are.

- Risk Assessments
- Drugs policy.
- Drink spiking.
- Search policy.
- Ask Angela/Wave training.
- The use of an ID scanner.
- The employment of SIA security staff.
- Age verification.
- Comprehensive use of CCTV.

Risk assessments are required for events. These assessments will identify events that have the potential to cause problems. The venue will refuse to agree to an event if problems are identified during the process. The venue operators will also listen to police advice on any particular event and act upon the advice. All individuals that apply to hold an event will have to provide suitable ID and there will be a social media review on all available material.

Drug policy provides information for staff working at the venue and the measures to be adopted to prevent the use of illegal substances in the venue. The policy also highlights the right to refuse entry if an individual is suspected to be under the influence of a controlled substance.

Drink spiking is a clear vulnerability for customers in any venue. Drink testing kits are readily available at the bar for any customer to test the content of the glass. Notices throughout the venue highlight the issue and the availability of testing kits.

The search policy protects both staff and customers. Customers are searched during the hours that have been identified to reduce the potential for illegal substances and weapons being taken into the venue. This policy will be carried out by authorised SIA staff employed by the venue.

There is an age verification policy that is supported by the use of an ID scanner. After 21.00 all customers will have to present suitable ID to be scanned and checked by SIA staff.

The venue is comprehensively covered by CCTV and the system has been signed off by Birmingham Cities licensing departments. Notices informing customers that the venue is covered by CCTV will be displayed at the entrance to the venue and at other key locations.

ASK ANGELA/WAVE TRAINING

Welfare And Vulnerability Engagement (WAVE) training aims to create awareness of vulnerability, their responsibilities it and how to deal with it.

This training will be part of King VN's staff training to increase the skills, knowledge, and confidence to identify vulnerability at the venue and making appropriate interventions.

The WAVE training is based upon 5 key principles.

- Preventing and reducing violent crime linked to the licensed economy.
- Preventing and reducing sexual offences
- Reducing preventable injury linked to alcohol and drug use in the licensed economy.
- Reducing opportunities for criminal activity and anti-social behaviour in licensed premises
- Promoting partnerships and engagement with communities and key stakeholders in the licensed economy.

ASK ANGELA

Staff training will include the use of the code phrase 'Ask Angela'. Staff will be trained to support people who feel unsafe, vulnerable, or threatened. The use of the phrase will prompt members of staff to support and assist any customer seeking help.

Signage highlighting the scheme will be prominently displayed throughout the venue.