

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Assistant Director of Regulation and Enforcement
Date of Meeting:	Wednesday 17th April 2019
Subject:	Licensing Act 2003 Premises Licence – Summary Review
Premises:	The Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU
Ward affected:	Sutton Trinity
Contact Officer:	Bhapinder Nandhra, Senior Licensing Officer, 0121 303 9896 licensing@birmingham.gov.uk

1. Purpose of report:

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

2. Recommendation:

To consider the review and to determine this matter.

3. Brief Summary of Report:

An application under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) was received on 21st March 2019 in respect of The Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU.

4. Compliance Issues:

4.1 Consistency with relevant Council Policies, Plans or Strategies:

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

On 21st March 2019 Superintendent Green, on behalf of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to DG Entertainment Ltd in respect of The Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU.

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

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

Licensing Sub-Committee A met on 22nd March 2019 to consider whether to take any interim steps and resolved that the Premises Licence be suspended pending a review of the Licence. A copy of the decision is attached at Appendix 2.

On 3rd April 2019, an application was submitted to the Licensing Section to transfer the premises licence, from DG Entertainment Limited to TH Nightlife Ltd, which sought to take immediate effect.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other persons ended on the 5th April 2019.

A representation was received from other persons. See Appendix 3.

A copy of the current Premises Licence is attached at Appendix 4.

Site location plans at Appendix 5.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority's functions under the Licensing Act 2003 are to promote the licensing objectives: -

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Review Application and Certificate from West Midlands Police, Appendix 1
Sub-Committee Interim Steps Meeting decision of 22nd March 2019 , Appendix 2
Copy of the representation from other persons, Appendix 3
Current Premises Licence, Appendix 4
Site location plans, Appendix 5

7. Options available:

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

In addition the Sub Committee will need to decide what action, if any, should be taken regarding the interim step of suspension imposed on the 22nd March 2019.

BCC	
REGULATION & ENFORCEMENT	
LICENSING SECTION	
DATE RECEIVED	
21 MAR 2019	
REF NO	Received 9:06am
INITIALS	BN



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

1 - Superintendent Green

(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: **The Sutton Tap**
Postal address of premise: **67 South Parade**
Post Town: **Sutton Coldfield**
Post Code (if known): **B72 1QU**
2. Premises Licence details :
Name of premise licence holder (if known): **DG Entertainments LTD**
Number of premise licence (if known): **2061**
3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

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

(Please tick the box to confirm)



4. Details of association of the above premises with serious crime, serious disorder or both:
(Please read guidance note 2)
 - At approximately 0326hrs Police were called to the Sutton Tap (believed by the DPS David Galil) stating there was a disorder involving 15 males.
 - In the body of the Police incident log the caller has said "You need to get here it's pretty bad"
 - On Police arrival they found the street full of customers from the Sutton Tap but not disorder.
 - Police initial investigation at the scene revealed no complaints from the Sutton Tap or customers.

- Police licensing have investigated the incident with the assistance from the local Police Team. They have attempted to contact Mr Gall at the Sutton Tap for CCTV footage however he has not returned calls or emails from the Police.
- Police have subsequently obtained and viewed the CCTV footage that covers South Parade and the front of the Sutton Tap and witnessed a large scale disorder involving customers from the Sutton Tap.
- It shows a disturbance begin at 0318hrs when customers are seen leaving the Sutton Tap fighting. Customers are seen to attack each other, throwing punches; male and female customers are seen fighting, kicking each other in the head having after being thrown to the floor. Security barriers are seen to be thrown across the road into the crowds, at the pub entrance and also thrown at a car parked outside the main door of the Sutton Tap. This car then is seen to speed off along South Parade very closely mowing people down.
- It is only at 0326hrs that call is received by the police by the DPS.
- CCTV footage will be shown at any subsequent hearing.
- The premise has recently been subject to review proceedings instigated by West Midlands Police, at the subsequent licensing hearing the licensing committee revoked the premises. The reasons for doing so was for the promotion of crime and disorder and public safety objectives, following evidence both from West Midlands Police and the licensing authority. It was noted " there was a plethora of evidence from West Midlands Police and supporting information from the licensing authority of very limited engagement from the premise licence holder to rectify and improve the areas of concern highlighted to him and members of his staff over a period of time, and to so-operate in a satisfactory manner with the responsible authorities"
- Although the premises continues to trade under appeal, it is clear that the premises continues to cause significant concern for the promotion of crime and disorder and public safety, and indeed the level of violence has even increased.
- The premise licence holder has also failed to engage with the responsible authorities in ascertaining exactly what happened.

Signature of applicant:

Date: **21st March 2019**

Rank/Capacity: **Superintendent for Local Policing, Birmingham West NPU**

Contact details for matters concerning this application: **PC 1978 Walker**
Address: **Birmingham Police Central Licensing**

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

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

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

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

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



West Midlands Police

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

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

Premises: **The Sutton Tap**

Premise Licence Number: **2061**

Premise Licence Holder: **DG Entertainment Ltd**

Designated Premise Supervisor: **Mr David Galil**

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 disorder, and the serious management failings of the premises concerned.

The level and seriousness of the incident in terms of the serious disorder warrant the use of this power. I have to also factor in that the premise has recently been reviewed by West Midlands Police due to other incidents, for which the licensing authority revoked the premise licence. I am aware that it is still trading as it has appealed the decision but it is clear that the premise continues to cause significant concerns and indeed the level of violence has increased and the co-operation from the premise licence holder remains minimal.

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.

It is quite evident from the CCTV footage available that the licensing objectives have been and will continue to be seriously undermined due to the serious disorder that has clearly taken place.

The Police also have concerns how the venue is being managed as the current licence in place has been revoked but is pending a court appeal. West Midlands Police are concerned that if immediate steps are not taken to suspend the licence then we believe that there will be further incidents at this venue.

I am conscious of the guidance under the 2003 licensing act 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.

Signature of applicant:

Date: **21st March 2019**

Rank/Capacity: **Superintendent for Local Policing, Birmingham West NPU**



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A

FRIDAY 22 MARCH 2019

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

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by DG ENTERTAINMENT LTD in respect of The Sutton Tap, 67 South Parade, Sutton Coldfield, B72 1QU this Sub-Committee determines:

- That the licence be suspended 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 these interim step is due to concerns by West Midlands Police in relation to matters which came to light at the premises on 16 March 2019 as clarified by PC Walker following the Chief Officer of Police's certificate and application.

The Sub Committee determined having watched the Gracechurch Shopping Centre CCTV in private, the causes of the serious disorder appeared to originate from within premises which spread to the street immediately outside the entrance of the premises including the barricaded smoking area.

It was noted by members, that the disorder which involved a large group of people had been ongoing for 8 minutes before a call was made to West Midlands Police by the premises licence holder. The Sub Committee noted that the disorder was violent in nature with objects being thrown and barriers defining the parameters of the smoking area being torn down and thrown at a vehicle.

Members considered the length of time it took to make the 999 call was far too slow and could have been made earlier by one of the door staff seen on the CCTV footage outside the premises whilst the incident was taking place.

The Sub Committee gave regard to the offer of reduced licensable hours by the Solicitor representing the premises licence holder as an alternative to suspension, to promote the licensing objectives. However they were of the view that this would not have a meaningful impact on the style of management or patrons visiting the premises as indicated by PC Walker from his experience of the premises.

The underlying cause for the disorder is the poor management control of the premises as emphasised in the WMP certificate which members were concerned about and felt that the appropriate measure was the suspension of the licence.

The Sub Committee therefore consider it necessary and reasonable to impose this step to address the immediate problems identified with the premises, in particular the likelihood of serious crime and or serious disorder occurring again at the premises , and to promote the prevention of crime and disorder objective in the Act.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, and the submissions made by the police and the Solicitor acting on behalf of the premises licence holder at the hearing.

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

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

BIRMINGHAM CITY COUNCIL

LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

2061 / 9

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
The Sutton Tap 67 South Parade Sutton Coldfield	
Post town:	Post Code:
Birmingham	B72 1QU
Telephone Number:	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence	
E	Live music
F	Recorded music
G	Performances of dance
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

The times the licence authorises the carrying out of licensable activities			
Monday - Sunday	10:00	-	03:00 M3
	10:00	-	03:30 E ,F ,G ,
	23:00	-	03:00 L
New Year's Eve – from the end of permitted hours to commencement of permitted hours on New Year's Day.			All

The opening hours of the premises	
Monday - Sunday	10:00 - 03:30
New Year's Eve – from the end of permitted hours to commencement of permitted hours on New Year's Day.	

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

BIRMINGHAM CITY COUNCIL

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence DGENTERTAINMENT LTD 5 Bowlas Avenue	
Post town: Sutton Coldfield	Post Code: B74 2TT
Telephone Number: Not Specified	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 10977648
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol David Galil	
Post town:	Post Code:
Telephone Number:	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number 10883/1	Issuing Authority BIRMINGHAM CITY COUNCIL

Dated 08/12/2017

SHAID YASSER
Senior Licensing Officer
For Director of Regulation and Enforcement

BIRMINGHAM CITY COUNCIL

Annex 1 – Mandatory Conditions

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

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

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

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

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

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

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:— (a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to

BIRMINGHAM CITY COUNCIL

prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means: a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day, which would be 11.00 a.m. if New Year's Day falls on a weekday or 12 noon if a Sunday. The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; (b) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises; (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (d) the sale of alcohol to a trader or club for the purposes of the trade or club; (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; (f) the taking of alcohol from the premises by a person residing there; or (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Where the number of children attending the entertainment exceeds 100 the licensee shall ensure the provisions of Section 12 of The Children and Young Persons Act 1933 are complied with.

There was no application to remove any of the embedded restrictions applicable to this licence under the old licensing regime. Those embedded restrictions are detailed below. Licensable activities may continue beyond the times specified in the embedded restrictions up to the times the premises licence authorises the carrying out of licensable activities.

This licence is granted subject to compliance with the conditions attached to the Public Entertainment Licence, previously issued in respect of these premises, as detailed in document reference number: PEL4.8 (copies of which are available upon request from the Licensing Section)

(1) Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock in the morning following [three o'clock in the metropolis] [or, if an earlier hour is specified in the special hours certificate, that hour] except that – (a) the permitted hours shall end at midnight on any day on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; and (b) on any day that music and dancing end (or, in the case of casino premises, gaming ends) between midnight and two o'clock in the morning [three o'clock in the metropolis], the permitted hours shall end when the music and dancing end or, as the case may be, when the gaming ends. (2) In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect – (a) with the substitution of references to three o'clock in the morning [four o'clock in the metropolis] [or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1a.m. and 2a.m.]

BIRMINGHAM CITY COUNCIL

(3) Except on Sundays immediately before Bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that – a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. (4) On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following [3 a.m. in the metropolis], except that – (a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and 2 a.m. [3 a.m. in the metropolis], the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. For casino premises (5) The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment. For other premises (6) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

BIRMINGHAM CITY COUNCIL

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

The provision of regulated entertainment and late night refreshment to take place indoors only.

No adult entertainment or services permitted on the premises.

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

The sale of alcohol shall cease thirty minutes prior to the closure of the premises.

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

No enforceable conditions identified from operating schedule.

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

No enforceable conditions identified from operating schedule.

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

Persons under the age of 18 years will not be permitted to remain on the premises after 22:00 hours.

BIRMINGHAM CITY COUNCIL

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

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

N/A

3c) Committee conditions to promote public safety

N/A

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

N/A

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

N/A

BIRMINGHAM CITY COUNCIL

Annex 4 – Plans

The plan of the premises with reference number **103320-2061/9** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.

From:
Sent: 03 April 2019 17:18
To: Licensing
Cc:
Subject: The Sutton Tap, 67 South Parade, Sutton Coldfield - License Number 2061

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

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

Santander also have possession of the upper floors of the property which extend over the premises currently occupied by the Sutton Tap. We are currently reviewing the potential use of these areas for residential purposes and the poor record of The Sutton Tap, as well as what we understand to be a proposal for extended late opening hours, would conflict with the quiet enjoyment which any residents, or indeed commercial occupiers should the accommodation remain as offices, expect.

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

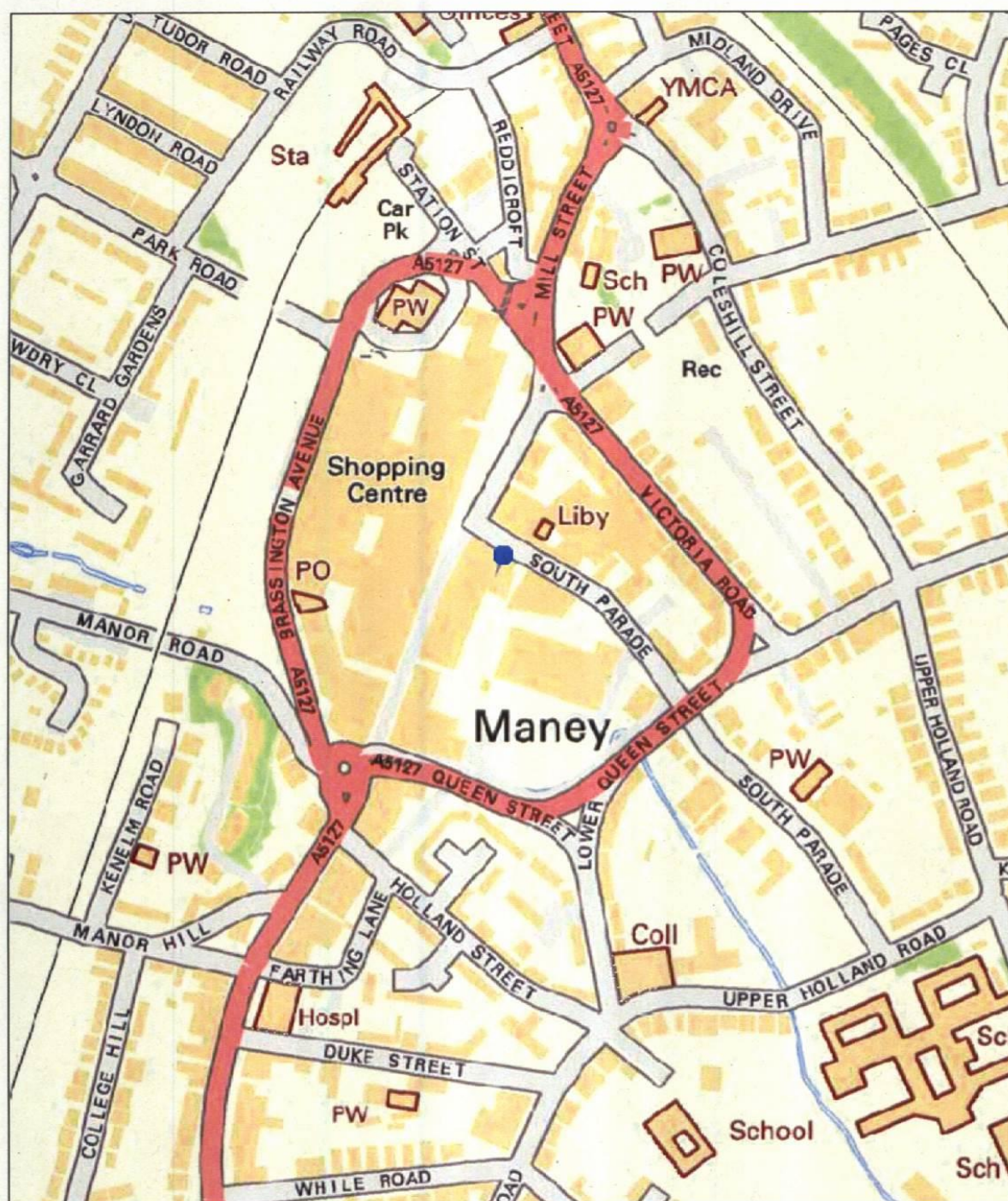
Should you require any further information please feel free to contact me, but in the meantime, I would reaffirm my clients support of the Police actions.

Regards

Real Estate & Infrastructure
Capita Gresham Street London EC2V
 capitaproperty.co.uk



Unless specifically stated otherwise, the content of this email does not constitute advice. GL Hearn gives no representation or warranty (express or implied) as to the completeness, accuracy or reliability of the information or assumptions contained herein. GL Hearn assumes no responsibility or liability for any use or misuse by the recipient or any third party of the information or assumptions contained within this email (unless such liability cannot be excluded by law). Any party seeking to rely on the information or assumptions contained herein prior to the express agreement of terms and conditions does so at their own risk and without GL Hearn's consent (express or implied). This e-mail and any files transmitted with it, are confidential and intended solely for the use of the recipient(s) to whom it is addressed. It may be subject to legal or other professional privilege. If you are not the intended recipient, printing, storage, disclosure, copying or any other action taken in respect of this e-mail is strictly prohibited and may be unlawful. If you have received this e-mail in error please notify the sender immediately by e-mail or telephone and



Birmingham City Council Map Created By:

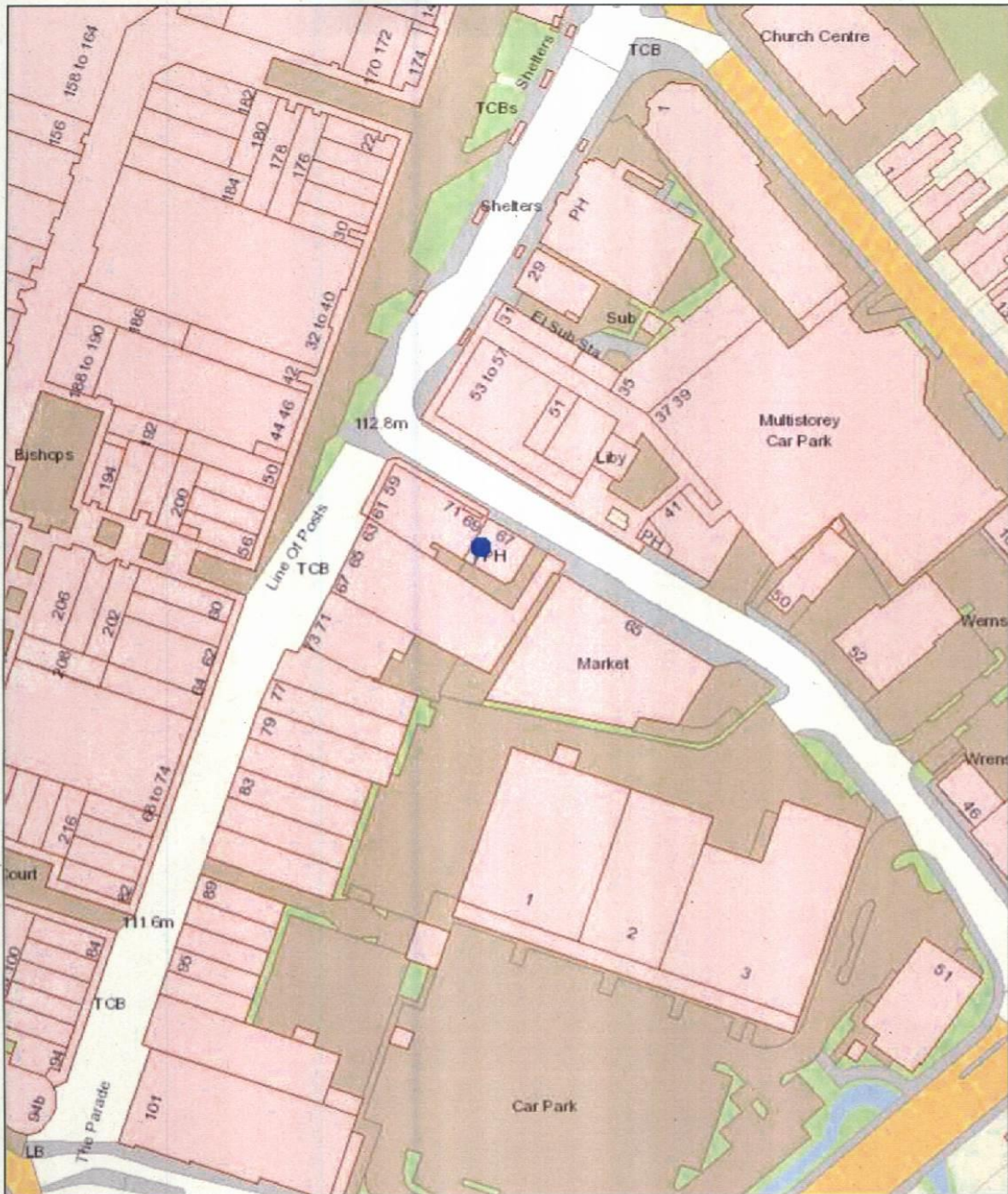
Date of Map Creation: 21/03/2019

Notes



Scale:
1:4,000

(c) Crown copyright. All rights reserved. Birmingham City Council 100021326 (2016).
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.
(c) GeoPerspectives, supplied by Bluesky International Ltd
Cities Revealed® copyright by The GeoInformation® Group, 2014 and Crown Copyright © All right reserved



Birmingham City Council Map Created By:

Notes

Date of Map Creation: 21/03/2019



Scale:
1:1,250

(c) Crown copyright. All rights reserved. Birmingham City Council 100021326 (2016).
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

(c) GeoPerspectives, supplied by Bluesky International Ltd

Cities Revealed® copyright by The GeoInformation® Group, 2014 and Crown Copyright © All right reserved