

## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB-COMMITTEE C**

**THURSDAY, 30 MAY 2019 AT 09:30 HOURS**  
**IN COMMITTEE ROOM 6, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

*Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.*

## **A G E N D A**

### **1 NOTICE OF RECORDING**

Chairman to advise meeting to note 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 that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

### **3 APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

**3 - 22**

### **4 LICENSING ACT 2003 PREMISES LICENCE – SUMMARY REVIEW STORIES, 30 LADYWELL WALK, BIRMINGHAM, B5 4ST**

Report of the Assistant Director of Regulation and Enforcement.  
N.B. Application scheduled to be heard at 09:30am.

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### **4a SUPPORTING DOCUMENTS - STOREIS NIGHTCLUB**

Item Description

### **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.



# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Assistant Director of Regulation and Enforcement</b>
<b>Date of Meeting:</b>	<b>Thursday 30<sup>th</sup> May 2019</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Summary Review</b>
<b>Premises:</b>	<b>Stories, 30 Ladywell Walk, Birmingham, B5 4ST</b>
<b>Ward affected:</b>	<b>Bordesley &amp; Highgate</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, 0121 303 9896 <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **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 2<sup>nd</sup> May 2019 in respect of Stories, 30 Ladywell Walk, Birmingham, B5 4ST.

### **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 2<sup>nd</sup> May 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 New Era Birmingham Ltd in respect of Stories, 30 Ladywell Walk, Birmingham, B5 4ST.

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 C met on 3<sup>rd</sup> May 2019 to consider whether to take any interim steps and resolved that the following conditions are imposed on the premises licence as an interim step:

- The premises are allowed to trade for the next 7 scheduled events.
- The licensable activity regarding the sale of alcohol shall cease at 02:30am for each scheduled event, and that the premises shall close at 03:00am.

A copy of the decision is attached at Appendix 2.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other persons ended on the 20<sup>th</sup> May 2019.

No additional representations have been received from representatives of other responsible authorities or other persons.

A copy of the current Premises Licence is attached at Appendix 3.

Site location plans at Appendix 4.

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 3<sup>rd</sup> May 2019 , Appendix 2  
Current Premises Licence, Appendix 3  
Site location plans, Appendix 4

**7. Options available:**

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

In addition the Sub Committee will need to decide what action, if any, should be taken regarding the interim steps imposed on the 3<sup>rd</sup> May 2019.



# 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 - Supt Ian 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:  
**Stories**  
**30 Ladywell Walk**  
**Birmingham**  
**B5 4ST**

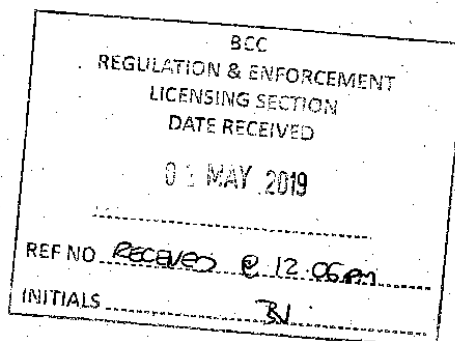
2. Premises Licence details:

Name of premise licence holder (if known): **New Era Birmingham LTD**  
 Number of premise licence (if known): **3897**

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:

Stories is a night club in the Southside area in the city centre. It sits within the Southside NTE zone.

Stories has recently come to the attention of the licensing committee when they were found to be selling nitrous oxide in the premises. As a result of this application for a review, the premises put in a minor variation on the 8<sup>th</sup> April 2019, with the licence being approved on the 1<sup>st</sup> May.

That variation sought to put numerous conditions onto the premise licence, including risk assessments for new events and standard assessments for other events.

The venue is licensed for multiple activities, including the sale of alcohol twenty four hours a day, seven days a week.

At approximately 02.45 am on 29<sup>th</sup> April 2019, officers were on patrol and noticed a couple of males shoving and pushing each other outside Stories nightclub.

They went over to sort situation with the parties dispersing. Staff from the premises then approached the officers stating that there had been a large scale disorder inside the premises, where everyone was fighting and requested assistance.

As the officers were low in number the Police Sergeant informed the staff that they would have to utilise their door staff, at this point a male is carried out of the premises, by a number of other males, and is covered in blood.

It transpires that he has a slash wound to his head. As officers have tried to administer first aid they are thwarted by the persons who had carried him out, as they were hostile to the officers.

Officers reported more disorders taking place, and requested more officers and the assistance of the Police dog units, other persons were being brought out of the premises covered in blood, with officers reporting that they believed one to be unconscious.

Officers were faced with dealing with a very hostile crowd, and trying to administer first aid to the injured parties that were coming out of the premises.

Officers were requesting assistance, with 3 dog units deployed and officers having to deploy their "Parva" to protect themselves.

The sergeant on duty has described the event as one of the worse disorders he has ever witnessed, having been in the city centre for 14 months and not been met with such carnage.

The disorder continued for some time with an officer also being assaulted during the disorder.

There is significant CCTV that will be reviewed, from Police officers, to the premises and other cameras.

Camera that have been viewed from the locality shows pockets of disorder and the officer being assaulted.

West Midlands Police have spoken to the premise licence holders agent and asked why the risk assessment was not sent to us. He stated that they didn't have to as the 21 day period for appeal was not up, following the first review.

Considering the conditions were already on the licence through the minor variation they applied for West Midlands Police dispute this. However whichever the case may be what it shows is the lack of co-operation by the premises with WMP, they knew they had an event coming up and chose not to share it with WMP

This matter has been crimed as a violent disorder (section 2 public order act 1986) which is a serious crime as defined in Section 81 of the regulation of Investigatory Powers Act 2000

West Midlands Police have serious concerns over how the event was managed at these premises.  
In light of the seriousness of the crime committed and the lack of control of customers, West Midlands Police are requesting the immediate suspension of the premises licence pending a full review hearing.

**Signature of applicant:**

**Date:** 2/5/2019

**Rank/Capacity:** Supt BW NPU.

**Contact details for matters concerning this application:** PC 2413 Ben Reader

**Address:** Licensing Dept c/o Lloyd House Police HQ

**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 crime and disorder

**Premises: Stories, 30 Ladywell Walk, Birmingham B5 4ST**

**Premise Licence Number: 3897**

**Premise Licence Holder: New Era Birmingham LTD**

**Designated Premise Supervisor: Mr Ryan Gough**

**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. The standard review procedures are thought to be inappropriate due to the seriousness of the disorder at the premises. I have carefully considered the use of the normal review procedure but I do not feel this would be appropriate in these circumstances. I am aware of the fact the premises has recently been reviewed and that they applied to have conditions imposed on the licence, but chose not to share the risk assessment with the Police for this event.

Due to the above reasons and to maintain the licensing objective of preventing crime and disorder, the normal review procedure would not be sufficient.

The concern of West Midlands Police is that if steps are not taken to consider the running of these premises they will continue to operate in the manner in which lead top the incident in the early hours of 29<sup>th</sup> April. I am conscious of Home office guidance contained within the Sec 182 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

Duly authorised on behalf of the Chief Constable of West Midlands Police



**BIRMINGHAM CITY COUNCIL**

**LICENSING SUB COMMITTEE C**

**FRIDAY 3 MAY 2019**

**Stories, 30 Ladywell Walk, Birmingham B5 4ST**

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 New Era Birmingham LTD in respect of Stories, 30 Ladywell Walk, Birmingham B5 4ST this Sub-Committee determines:

*The following conditions are imposed on the premise licence as an interim step, 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 premises are allowed to trade for the next 7 scheduled events.*

*The licensable activity regarding the sale of alcohol shall cease at 2:30 am for each scheduled event, and that the premises shall close at 3am.*

The Sub-Committee's reasons for imposing these interim steps are in response to the representations submitted by the Barrister acting for the premises licence holders.

The Members heard that the premises had been operating since August 2018 without incident and that the matters which came to light at the premises on 28 April 2019 as outlined in the Chief Officer of Police's certificate and application were not as a result of the failure of management to notify the police, or for non-compliance of the conditions of their licence, or lack of security measures at the venue.

The Sub Committee were informed that the premises were hosting an external birthday event which had been risked assessed at a medium risk level that required deployment of additional door staff. However, despite the deployment of door staff on the night of the event, the DPS requested assistance from the Police Officers who were in situ of the premises due to heightened tensions occurring within the venue.

Having heard the Barrister's submissions, members were satisfied that the Designated Premises Supervisor (DPS) had taken appropriate action to deal with an unfolding situation within the premises, and felt confident that going forward, the DPS could be trusted to continue trading the scheduled in-house events as alluded to by their Barrister, particularly as extra security measures had been adopted since the night of incident to supplement the existing conditions to promote the prevention of crime and disorder, and public safety.

The Sub Committee determined that the cause of the serious disorder appeared to originate from the patrons of the private external birthday event and not from the

non-compliance of the risk assessment condition as inferred from the West Midlands Police's (WMP) application and certificate.

Members were concerned to note there appeared to be insufficient evidence to support the West Midlands Police application and certificate concerning the large scale disorder, given the time elapsed since the night of incident. The Sub Committee could not explore or examine some of the evidential material that was being relied upon by the West Midlands Police during the hearing, as it had not been submitted in advance to the Members and the Premise Licence Holders.

The Sub- committee therefore considered as a holding position between now and the full review it would necessary and reasonable to impose the interim steps volunteered by the premises licence holder rather than a suspension given the responsibility demonstrated by the venue's management to limit the operation of the premises over the forthcoming weeks with their own additional security measures in place.

The Sub-Committee considered whether it could impose other interim steps including exclusion of the sale of alcohol or other licensable activities, or removal of the Designated Premises Supervisor, however did not believe however that any of these would address the totality of issues albeit limited in detail brought to their attention by the Police.

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 barrister representing the premises licence holders 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.

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LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

3897 / 4

**Part 1 - Premises details:**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Stories 30 Ladywell Walk	
<b>Post town:</b>	<b>Post Code:</b>
Birmingham	B5 4ST
<b>Telephone Number:</b>	

<b>Where the licence is time limited the dates</b>
N/A

<b>Licensable activities authorised by the licence</b>	
B	Films
F	Recorded music
G	Performances of dance
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

<b>The times the licence authorises the carrying out of licensable activities</b>			
Monday - Sunday	00:00	-	00:00 B , F , G , H , M3
	23:00	-	05:00 L

<b>The opening hours of the premises</b>	
Monday - Sunday	00:00 - 00:00

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

**BIRMINGHAM CITY COUNCIL**

**Part 2**

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b> New Era Birmingham Ltd 20 - 22 Wenlock Road	
<b>Post town:</b> London	<b>Post Code:</b> N1 7GU
<b>Telephone Number:</b> Not Specified	
<b>Email</b>	

<b>Registered number of holder for example company number or charity number (where applicable)</b> 11213450
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<b>Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b> Mr Ryan Gough	
<b>Post town:</b>	<b>Post Code:</b>
<b>Telephone Number:</b>	

<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Licence Number</b> 10971	<b>Issuing Authority</b> BIRMINGHAM CITY COUNCIL

Dated 01/05/2019

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 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

## **BIRMINGHAM CITY COUNCIL**

the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

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

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### **Annex 2 – Conditions consistent with operating schedule**

#### **2a) General conditions consistent with the operating schedule**

All members of staff will receive training regarding the four licensing objectives contained in the Licensing Act 2003;

Responsible retailing of alcohol, and law regarding sales of alcohol.

Protection of children from harm and this must include how to competently check customers' identification where necessary.

Permitted hours during which licensable activities can take place and the conditions attached to the premises licence.

The training provided to staff will be recorded and each member of staff will sign and date the training records to confirm they have received and understood the training provided.  
The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

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

The premise is to maintain door 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.

The premise is to maintain door 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.

The door staff profile will consist of identification for the member of staff; A copy of his/her SIA badge 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 copy of a utility bill dated within the last six months.

Door supervisors stationed outside the front of the premises will 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 badge held in a clear arm sleeve.

A CCTV system is to be installed at the premises to the specification agreed with the Licensing Department at West Midlands Police.

CCTV is to be operational whilst the premises are open and be recording continually. If a hard drive system is used the recordings are to be kept for a minimum of 31 days. CCTV images to be made available to any responsible authority on request.

If the premises uses any new promoter for any external event then for the first event the Designated Premises Supervisor will inform West Midlands Police Licensing Department at least 28 Days before the first event with a risk assessment for the event. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises license.

The Premises to provide a standard operating risk assessment for each night of the week to include door staff numbers and deployment plan. Premises also to provide risk assessment for all non-standard events i.e. student nights.

There shall be a zero tolerance policy in relation to drugs at the premises.

The Premises to implement a drugs policy to be made available for inspection by West Midlands Police.

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Birmingham City Council, Licensing Section, P.O. Box 17013, Birmingham, B6 9ES



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An incident book shall be kept at the premises and maintained on site at all times. It shall be made available on request to an authorised officer of the local authority or a member of police staff, which will record the following, all crimes reported to the venue, all ejection of patrons, any complaints received (of a criminal or Licensing nature), any incidents of disorder, seizure of drugs or offensive weapons, any faults in the CCTV system and any visit by a relevant authority or emergency service.

The Premises shall actively participate in the local Pub watch.

Staff and Management shall receive refresher training in relation to the licensing legislation, underage sales and drug policies and shall be fully conversant with the conditions contained in the Premises Licence.

The training records for staff to be stored and produced to a responsible authority on request.

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

The maximum occupancy level is to be agreed with West Midlands Fire Service, this figure may be varied from time to time subject to agreement with West Midlands Fire Service.

The Premises Licence Holder shall ensure a member of staff will be trained in first aid.

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

Regulated entertainment shall take place indoors only.

A zero tolerance policy towards drunken or anti-social behaviour is to be in operation on the premises at all times.

The Licence Holder is to provide responsible management at all times.

SIA registered security staff will oversee patrons arriving or departing the premises and not allow anti-social behaviour by individuals or groups. When necessary advice will be given to such patrons not to do anything which may cause annoyance or disturbance to the local community.

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

The premises will operate in accordance with all relevant legislation which promotes the protection of children from harm objectives.

The premises will adopt Challenge 25 policy for anyone appearing under 25 years of age. Only 3 recognised forms of will be accepted. Photo card driving licence Passport Pass card for over 18's

No person under 18 years will be allowed into the venue unless for a separate 'under 18' event with approval of West Midlands Police.

All events for persons under the age of 18 are classed as high risk for purposes of notification. West Midlands police to have a veto over any such event (under 18 years).

A proof of age scheme will be used at the venue and a refusal register will be in place.

**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**

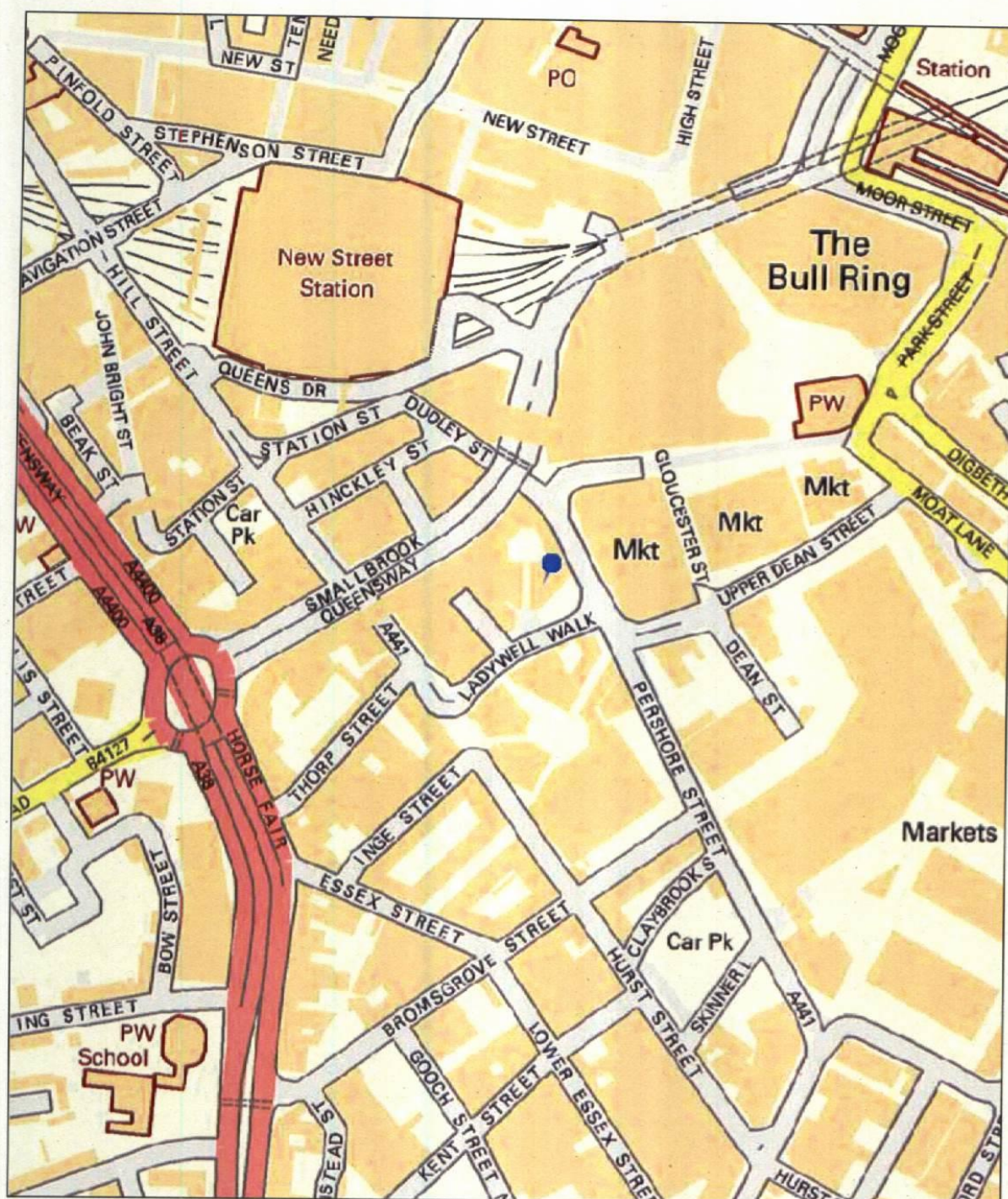
N/A

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

N/A







**Birmingham City Council**

Map Created By:

Notes

Date of Map Creation: 01/04/2019



Scale:  
1:4,000

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## Notes

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# **West Midlands Police**

## **Evidence Bundle**

### **Review of Stories Nightclub**

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**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. URN 

Statement of Ben Reader

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Officer

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: (witness)

Date 24<sup>th</sup> May 2019Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am PC 2413 Reader, a specialist licensing officer based at Police HQ. Lloyd House.

This statement is in relation to my dealings with Stories nightclub during the review process.

Firstly I will comment on the event notification issue.

Stories was subject to a review after there was an incident at the venue on 26th December 2018, where the venue had allowed nitrous oxide balloons to be sold inside the premises.

This matter was dealt with by Licensing sub-committee A on Monday 15th April where an informal warning was given. Part of the decision notice read 'The licence holder is advised that the licensing authority would expect to see continued improvements in the way the premises are managed and run, and were pleased to note that the attached revised conditions attached to the premises licence, by way of a minor variation application in the week prior to today's meeting, would go some way to addressing its concerns'

The representation start date for this variation was 5th April 2019, with a representation end date of 19th April 2019.

This matter was discussed in detail at the summary review hearing on Friday 3rd May. BCC licensing officer stated that due to the minor variation being submitted on 5th April, tacit consent meant that this would take effect from 20th April. This meant that the new conditions would have been enforceable at the time of the incident on the early hours of 29th April 2019.

Those new conditions included the two following –

- 1) If the premises uses any new promoter for any external event then for the first event the Designated Premises Supervisor will inform West Midlands Police Licensing Department at least 28 Days before the first event with a risk assessment for the event. Recommendations made to the Designated Premises Supervisor that satisfy the four licensing objectives will become conditions for that event on the premises

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

Crime No.   2URN  

Statement of Ben Reader

license

2) The Premises to provide a standard operating risk assessment for each night of the week to include door staff numbers and deployment plan. Premises also to provide risk assessment for all non-standard events i.e. student nights.

The event on the evening of Sunday 28th April was an externally promoted birthday party. It was a non-standard event for the premises and therefore notification and risk assessments should have been provided in advance.

During the hearing on Friday 3rd May, it was said by the licence holders counsel that on two previous occasions, WMP licensing have 'politely declined to intervene' when the venue sought advice from them (in relation to So Solid Crew and Skengo). They put the decision back to the licence holder as to whether to proceed or not with events. This will be the case if we are not in a position to provide specific information or intelligence to a venue. This information or intelligence may come from previous history of the artist, the following of the artist, or when on tour, receiving reports from other police services whom have had the artist perform on their police area. Having the notification allows WMP to complete those checks both internally and with external forces.

Counsel for Stories said that this led them to risk assess the event themselves, as the event would have gone ahead even if police would have seen the risk assessment.

This event was wholly different. This was a private party with a guest list. If this guest list was shared with WMP, it would have given WMP an informed position as to what the event would be and who would be likely to attend. This would enable the city centre command team to speak with specialist departments within WMP to give their opinion on current tensions and threat and risk associated with people on the guest list. This is covered by the correspondence from Sgt Roobottom. In his opinion, he would have advised the command team to provide additional policing resources to provide a visible presence at this event. That policing operation, combined with requesting the venue to increase their security footprint may have prevented what happened.

This is further covered by the correspondence from Supt Green, who categorically states that he would have made additional resources available if he had prior knowledge that this event was taking place.

Next, I will comment on what was said at the hearing.

It was argued by counsel for Stories that WMP had provided 'sub optimal evidence' at the hearing and had not disclosed statements in advance and therefore weight should not be placed on the evidence in the statements.

Signature Signature witnessed by 

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Crime No. URN 

Statement of Ben Reader

The licence holders and in particular, the DPS Ryan Gough, did provide evidence which was taken at face value by the committee as WMP were not in a position to challenge what was being said.

Ryan Gough denied saying that there was a disorder inside the premises. He stated that there were 'pockets of tension' they 'were not comfortable inside' and invited officers inside to show a visible presence by a walk through to calm matters. He stated that the incident escalated after Sgt Parsons declined to walk through.

The evidence of police officers at the location disputes this version of events.

I have viewed the bodycam footage of PC Vaughan, who was one of the initial attending officers with Sgt Parsons. This bodycam footage has audio.

The clip shows the officers approaching the front of the venue, the time stamp on the footage is shown as 01:56, however, this is actually 02:56.

33 seconds into the clip a male in a white shirt approaches officers, this male is the DPS Ryan Gough.

He says "Can we have some help inside please? There's a fight kicked off upstairs, we had one guy downstairs who we just threw out now"

Sgt Parsons then clarifies if there is a fight inside and Ryan replies "yes, there is now"

Sgt Parsons explains that he won't go inside until further officers arrive.

1 minute and 18 seconds in to the clip, Sgt Parsons notices a male leaving with a glass bottle and walks over to him and takes the bottle from him. As this is happening, the male who has been stabbed(Injured Party 1, or IP 1 for short throughout this statement) is helped out of the venue by a friend. This happens within 30 seconds of the officers finishing their conversation with Ryan Gough. This is completely different to the evidence Ryan Gough presented to the committee stating that a walkthrough of the premises may have calmed the incident.

The subcommittee refer to Ryan Gough's actions in the decision notice 'the DPS requested assistance from the police officers who were in situ of the premises due to heightened tensions occurring within the venue'. 'Members were satisfied that the DPS had taken appropriate action to deal with an unfolding situation within the premises'

CCTV from over the road from Stories begins at 02:55. It is recording before Ryan Gough approaches the officers at 02:56. It shows lots of activity at the front door and door staff ejecting someone before going back into the venue. Ryan Gough then exits to approach officers.

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Crime No.  4URN 

Statement of Ben Reader

This, combined with the comments made by Ryan Gough to officers, shows that the incident was beyond tension and that a fight had already taken place.

This is further evidence by the timeline, IP/1 is seen leaving the venue at 02:57:20. As previously stated, this was some 30 seconds of Sgt Parsons finishing his conversation with Ryan Gough.

Internal cameras behind the bar (clip 11), show the lights are on and a large disorder is taking place at 02:53:45, this includes IP/1 who is involved in the disorder. Even if there is a discrepancy in the timings, the disorder has clearly started before Ryan Gough approaches officers.

An investigation is taking place into the violent disorder that has taken place.

DC Bloxham has spent numerous hours going through CCTV of the incident and has produced a number of short clips based on what has taken place inside. These clips will show the committee the extent of the disorder that has taken place inside. This is in addition to the hours of bodycam footage that has been reviewed and the external CCTV from the Arcadian centre.

Clip 19-2 shows a male purposefully going to collect a bottle which he holds by the neck, as if to be using it as a weapon.

Clip 19-3 shows another bottle being picked up and held by the neck

Clip 19-4 shows security staff moving across the room

Clip 19-5 shows multiple males holding large bottles, wine or champagne style.

Clip 19-6 shows disorder with a male using a bottle as a weapon

Clip 19-8 shows disorder inside the premises

Clip 19- 9 shows disorder and a male on the floor

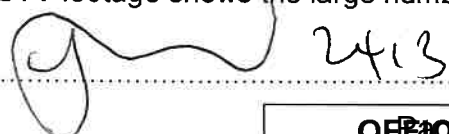
Clip 19-11 shows disorder with bottles being used as weapons

Clip 19 -12 shows males with bottles of spirits during the disorder.

In summary, this CCTV clearly shows a large disorder with males using weapons. This results in serious injuries to males and a chaotic scene outside of the premises which is covered in detail by the multiple officers who have provided statements as well as the police bodycam footage.

It's not until 21 minutes 40 seconds into the bodycam footage of Sgt Parsons that the officers at the scene have gained enough control to begin to put scene tape up to preserve the crime scene following the disorder. The CCTV footage shows the large number of officers required to create that sterile zone outside

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03/2016

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MG11

Crime No.

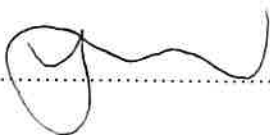
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URN

Statement of Ben Reader

of the venue to enable the scene to be established.

Signature



2413

Signature witnessed by

03/2016

OFFICIAL – (when complete)

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. BW/101633H/19

URN BW/

Statement of Steven John ROWLEY

Age if under 18 O18 (if over 18 insert "over 18")

Occupation Police Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: S J Rowley (witness)

Date 30/04/2019

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am PC 7104 Steven ROWLEY of West Midlands Police currently stationed at DIGBETH Police Station.

On Monday 29<sup>th</sup> April 2019 I was on uniformed mobile patrol in company with PC 22170 PENWRIGHT when at approximately 02:55 hours and in response to a radio request for more officers I attended LADYWELL WALK, CITY CENTRE, specifically STORIES NIGHT CLUB.

On arrival I can only was greeted by what I can only describe as a scene utter pandemonium. The car park of the location was full at least 200 persons both male and female. On exiting the vehicle which I parked opposite I could see there were several pockets of disorder between various groups of people and at least 3 or 4 police officers trying to break them up. There was a lot of screaming and shouting and it took me at least 30 seconds to begin to assess what was happening. I eventually noticed a male who appeared to have an injury to the head. he was surrounded by at least 6 other person and a police officer who appeared to be struggling to keep control of the injured male as several of the other persons present appeared to be attempting to break him away from the police officer. I immediately moved towards them and began to move them away from the officer using loud verbal commands and attempting to put myself between them and the injured male and other officer. I was aware at this time that there intensity of the situation was growing and more and more people appeared to be coming out of the exit of STORIES. The officers attempting to control the Disorders were heavily outnumbered at this time and a request was made for more to attend the location.

I then became aware of a male infront of me who was shouting at me and attemmpting to get towards the injured male. Believing that he wanted to attack the male I again shouted at him to get back. He moved directly towards me and I had to palm him away. This made him even more aggiated and he again came towards me with his hands raised. I drew my Parva spray and directed a short spray directly into his face.

Signature



Signature witnessed by

03/2016

OFFICIAL – (when complete)

Crime No. BW/101633H/19

URN BW/

Statement of Steven John ROWLEY

This had an immediate effect and he moved away from me rubbing his eyes. Unfortunately a small amount of the spray rebounded off his head and landed in my left eye causing immediate pain. I could not see out of this eye and felt very uncomfortable in the situation. I then became aware about 10 metres in front of me another injured male who was being dragged across the car park from the door to the nightclub. This male appeared to be in a serious condition and was covered in blood. I could still see several disorders ongoing around me but as there didn't appear to be any officers near him I decided to move towards him to see what had happened to him. As I moved towards him more and more people were swarming around him, shouting screaming and several of the males were beginning to take their shirts off.

I had to physically move several of these male out of the way before I could get to the male who was by now lying on the floor seemingly unconscious. There were still several persons around him but they appeared to be helping him and rather than stop this I and another officer attempted to keep the area around him as sterile as possible. This was proving difficult to do as several person kept trying to get to him. I again used loud verbal commands to move them away but had push at least 2 or 3 of the more persistent away. I then became of a male behind me who was very agitated. He had a mobile phone to his ear and was shouting into. He completely refused to listen to my directions to move from the casualty and I physically stood in front of him and moved him back with a palm heel push. This moved him back but he immediately came towards me again. I still had my Parva in my hand and believing this to be an attack on myself I again used the spray directly into his face. This again had an immediate effect and the male moved away. as he moved I could see that several more officers were beginning to arrive, amongst them also some police dogs.

I remained with male for at least 20 minutes, constantly have to move people away, constantly being shouted at. During this time a paramedic crew arrived and tried to treat the male. I again had to move people out the way to facilitate this. The noise around me was immense and again I could see small pockets of disorder taking place around the car park, some between groups of males and females and other with officers being involved.

Eventually a police cordon appeared to be put in place and utilising the police dogs a small sterile area was established around the male on the floor. He was eventually placed on a stretcher and moved to an ambulance. This proved problematic with people still coming over to him and impeding the stretchers progress. On arrival at the ambulance I had to remove 2 males who got onto it without permission. I then remained on the ambulance for several minutes whilst the male was being treated. On exiting the vehicle I could see the situation had calmed somewhat and people appeared to be moving away from the area though I would still describe it volatile with some groups still being abusive and obstructive towards

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Signature witnessed by .....

03/2016

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OFFICIAL – (when complete)

OFFICIAL – (when complete)

MG11

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URN BW/

Statement of Steven John ROWLEY

officers.

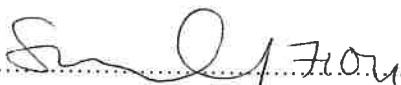
The disorder I believe lasted in excess of 40 minutes and at no point during this did I see anyone who I could identify as belonging to the club's security staff.

On a whole I would describe the scene as chaotic at the least with too many people flooding out of the club at the same time and joining straight into the melee.

I had no further dealings.

 Rowley

Signature



Signature witnessed by

03/2016

OFFICIAL – (when complete)



## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. 20BW/101633H/19

URN

Statement of R. Penwright

Age if under 18 O 18 (if over 18 insert "over 18")

Occupation Police Constable

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: R. Penwright (witness)

Date 30/04/19

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am PC 22170 PENWRIGHT of WEST MIDLANDS POLICE currently based at DIGBETH POLICE STATION attached to the City Centre Neighbourhood Team - Team 2.

At approximately 02.55 hours on MONDAY 29TH APRIL 2019, I was on full uniformed duty in company with PC 7104 ROWLEY when we made our way to LADYWELL WALK, BIRMINGHAM CITY CENTRE after PS 21760 PARSONS requested more officers make the location as there was a large scale disorder taking at the location and officers had located a male who had slash wounds to his head.

We arrived at the location approximately 1-2 minutes after PS PARSONS requested more officers. Upon arrival I could see a large group of both males and females within the car park directly outside STORIES Night Club. This car park is roughly the size of a 5-a-side football pitch and was fully occupied with vehicles at the time of my arrival. I would estimate that there were more than 100 persons within this car park meaning there was minimal space to manoeuvre. Also present in the car park were other officers who were attempted to provide first aid to the male who had suffered the slash wounds.

As soon as I exited our marked vehicle I could hear loud, aggressive shouting coming from the car park as well as seeing numerous pockets of disorder starting to break out, and persons attempting to obstruct officers who were attempting to administer first aid.

I made my way over towards the crowd in an attempt to separate the groups whilst also preventing any officers from being harmed. I started using verbal commands in an attempt to disperse the crowd who had surrounded officers before having to palm people away.

Upon doing this, one bald headed IC3 male who was approximately 6'2-6'4, large build, full beard and wearing a white shirt, started shouting "DON'T TOUCH ME" towards officers. This male had already attempted to push past officers before becoming aggressive towards myself. I was no more than an arm's length away from this male when I felt him take a hold the lower part of the left hand side of my fleece and

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03/2016

OFFICIAL – (when complete)

Crime No. 20BW/101633H/19 10

URN

Statement of R. Penwright

start pulling me towards him. Due to the male's demeanour and having now taken a hold of me, I genuinely feared imminent danger of being assaulted. This increased when the male continued to keep a hold of me after I repeatedly told him to let go. To prevent the male from assaulting me, I drew my PAVA with my right hand and sprayed the male directly in the face which caused him to release his grip of me and move away from the area.

As the atmosphere at the location continued to increase in hostility, I kept my PAVA in my right hand when I noticed a group of males carrying another male out from STORIES Night Club towards a BLUE BMW. I made my way over to the group when I heard people shouting "HE'S BEEN STABBED!" Upon reaching the group, my colleagues and I were immediately surrounded by a number of people who again ignored our commands to move away. These persons were very hostile towards officers and had to be pushed away as they attempted to prevent officers from assisting the injured party who had now been placed on the floor.

At this point the crowd, primarily the males, had become anti police and were continuing to be aggressive towards officers and refusing to leave the location resulting in a number of officers deploying their PAVA spray.

After a brief period of time more officers, including a dog unit, arrived at the location to assist officers. This allowed officers to work with the injured male on the floor before the ambulance arrived. Once the ambulance arrived, the crowd had to be informed to clear a path as they were preventing the paramedic from reaching the injured person.

It was also during this time that I heard a large commotion coming from near the railings. As I made my way over to the location I could see that an IC3 male had been detained by officers after he had punched once officer in the face.

As we remained at the location, more and more persons were leaving STORIES Night Club. This meant there were approximately 200 persons now in the location causing further pockets of disorder to break out. In total 49 officers made the location including three dog units. The level of aggression had reached the point where officers had drawn their batons and PAVA before deploying public order tactics and creating lines to start to clear the area.

The crowd remained extremely aggressive and took approximately 35 minutes to leave the location. Once the crowd started to die down, a number of persons approached officers saying that they won't be returning to BIRMINGHAM as they were upset by what had happened.

At no point during this incident did I see any security member from STORIES Night Club assist officers or attempt to move people away from the location. It reached the point that I couldn't even identify a member

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Signature witnessed by

03/2016

Crime No. 20BW/101633H/19

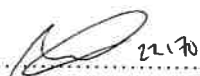
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Statement of R. Penwright  
of staff.

Having worked in the City Centre for just under two years I have had to deal with a number of disorders taking place involving drunk people leaving nightclubs. I believe this is the worst incident I have had to deal with and it reached the point where officers from neighbouring NPU's had to make the location. Throughout the incident I genuinely believed that had more officers not made the location, the crowd would have attempted to cause serious harm to those present.



Signature



Signature witnessed by

03/2016

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. 20BW/101633H/19

URN

Statement of D. VAUGHAN

Age if under 18 over 18 (if over 18 insert "over 18")

Occupation Police Constable 21996

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

(witness)



Date 30.4.19

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

This statement is in relation to an incident involving a violent disorder which occurred at STORIES NIGHTCLUB, LADYWELL WALK, BIRMINGHAM at approximately 0250 hours on MONDAY 29<sup>th</sup> APRIL 2019.

I was first in attendance at the location in company with PS 21760 PARSONS and PC 22002 PERKS, at the time of my attendance I was in full high visibility street uniform.

At approximately 0250 hours I was conducting routine patrols in the SOUTHSIDE / ARCADIAN CENTRE area of BIRMINGHAM. I drove on to LADYWELL WALK heading towards PERSHORE STREET with STORIES NIGHTCLUB on my left hand side.

As I looked towards STORIES I could see that there were approximately 10 - 15 males outside the venue, there seemed to be some disorder near to the front entrance of the premises near to the barriers, males within the group were pushing and shoving near to the door and on the car park.

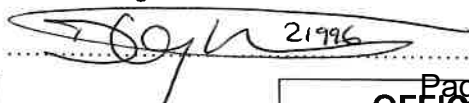
I got out of the Police Vehicle and made my way on to the car park in front of STORIES. When I got to the door the disorder seemed to have calmed down and was no longer physical. I could see that tensions were high and males within the group seemed very aggressive, they were having to be held back from the front entrance of STORIES by others in the group. I attempted to speak to one or two males in the group in order to establish what had taken place but the group were typically unco-operative and unwilling to divulge what had happened. The males were intoxicated, aggressive and agitated.

I noticed that there were still patrons from STORIES making their way out of the club.

Another group of around 10 - 15 males and females came out of the club in the space of a few seconds, I was stood near to the front entrance of the club around 5m from security, there were 3 security guards immediately outside the entrance doors and 1 or 2 security guards stood in the foyer area.

As the group were coming out one or two males had to be forcibly ejected by security and were pushed out

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Signature witnessed by

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03/2016

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URN

Statement of D. VAUGHAN

of the door and onto the street. The mood of the group coming out was still highly aggitated and aggressive. A male who I believe to be the manager came out of the venue and approached PC PARSON whilst we were stood outside and said something similar to :-

'THERE'S A FIGHT KICKED OFF UPSTAIRS.'

Other officers had been requested to make our location in order for us to effectively deal with the situation.

The manager returned into the venue.

Again a steady flow of people came from the venue.

A security guard then gestured to get my attention pointing at a male who had passed me, the security guard said 'BOTTLE, BOTTLE.' He was around 10m from the door having just left the venue with a large glass bottle in his rear trouser pocket. I took it from him and gave it to the security.

I turned and noticed PC PERKS and PS PARSONS were around 15m from me and were in the middle of a group who were pushing and shoving each other on the car park. I ran over and pulled a few males away from the group, PC PERKS said something like 'HE'S BEEN STABBED.' and pointed to a male in the middle of the group. There were around 6 - 10 males in the group, one I noticed to be covered in blood from his neck down. I pushed passed the over males and pulled them away in order to get to this male. I saw that he had a 1" - 2" laceration to the left hand side of his head slightly behind his left ear which was bleeding heavily.

I attempted to pull him away from the group in order to administer first aid but those in the group pushed me away saying 'HE'S FINE, HE'S FINE.' I had to use force to physically get to the injured male and push the others back. Those within the group were obstructive, they were all intoxicated and all seemed to be aggitated and aggressive, they were preventing me from administering first aid and treating the injured party.

PC PERKS and I managed to move the group back and secured the injured party.

I completed first aid and took the male to the Police Vehicle in order to get him away from the crowd. As I was waiting by the Police Vehicle I could see the front of the premises, I saw security having to forcibly remove several males. Most of those coming out of the club seemed extremely aggitated and aggressive.

I then noticed that there were other officers arriving at the location and that another male had been injured and was unconcious on the car park floor outside the venue. I did not see if this male had been injured inside the venue or on the car park itself.

More Police Officers arrived and I could see sporadic physical disorders breaking out within the groups

Signature

Signature witnessed by

03/2016

Crime No. 20BW 10163341/19 14

URN 

Statement of D. VAUGHAN

gathered outside the venue. I could see that there were still a number of patrons spilling out from the club.

There were a number of officers with the unconscious male and a large group of males and females gathering around. The males and females were attempting to get towards the injured party on the floor and were refusing to listen to officers when told to move back.

I left the first injured party with PC PERKS to wait for the ambulance.

As I got back on to the car park there was in excess of 100 people outside of the venue on the small car park area, males and females. The car park area is fenced off and only has two points of exit at either end. There were still a number of people filtering out of the venue on to the car park.

Whilst I was on the car park there were still a number of groups involved in disorder, pushing and shoving and showing aggression towards officers.

I then assisted in attempted to prevent the groups interfering with officers giving first aid to the male unconscious on the floor, a number of males and females were intent on circumventing officers in order to get to the unconscious male.

The Paramedic arrived on the scene and provided first aid. The group was still showing aggression and turning aggressive towards officers. A female lunged towards an Officer who deployed PARVA incapacitant spray, I also felt the effects and had to be led away to wash the incapacitant out of my eyes. When I returned a few minutes later the situation was no better, there were still a number of males acting aggressively, I noticed that a male had been restrained and handcuffed on the floor on LADYWELL WALK.

I assisted in securing him in the Police Vehicle.

I then returned to the Car Park where Officers formed lines and moved the crowd back out of the car park and then out on to LADYWELL WALK.

The crowd remained agitated and aggressive, it took around 20 - 25 minutes to fully disperse the crowd. In total the entire incident lasted around 40 minutes from arrival to the crowds dispersal.

Signature



Signature witnessed by



03/2016

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. 20BW 101633H/19

URN

Statement of TOM ATKINS

Age if under 18 O/18 (if over 18 insert "over 18")

Occupation POLICE CONSTABLE 21997

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

(witness)



Date 30/04/2019

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Constable 21997 ATKINS of WEST MIDLANDS POLICE. I am currently stationed at DIGBETH POLICE STATION, BIRMINGHAM, where I am attached to the CITY CENTRE NEIGHBOURHOOD TEAM.

On MONDAY 30<sup>TH</sup> APRIL 2019, I was on duty, in full Police uniform in the company of other uniformed Police officers, when at approximately 03:00 hours we attended LADYWELL WALK, CITY CENTRE, BIRMINGHAM in response to a call for assistance from PS 21760 PARSONS.

I heard PS PARSONS say over the radio, that there was a large group of persons in the carpark of STORIES NIGHTCLUB and there was some pushing and shoving taking place requiring additional officers.

I arrived on LADYWELL WALK, between around 1 to 2 minutes later, and upon arrival I saw a large group of persons, both male and female stood in the carpark area which isn't very big, perhaps about half the size of a football pitch. It was full with vehicles occupying each space and some were even double parked. I estimate that there was probably around 70 to 80 people in the car park at the point.

As I got out of the police vehicle, I heard loud almost frantic shouting coming from those within the carpark area. I made my way over and saw that PS PARSONS and other officers were stood near to the side of a BMW vehicle, roughly half way inside the car park, tending to a male who had blood covering his face. I now know that he had been the victim of a glassing inside STORIES.

After a couple of minutes a steady flow of people left STORIES via the main doors and spilled out into the carpark, making the number of people present there, closer to 200. People were constantly shouting and I felt that there was a lot of anger being directed towards the officers who were present. Because of this I took out my PAVA spray. I genuinely felt that tensions were rising to a point where those present, particularly the males involved were likely to use violence against the Police. I was caused to push several people away, who were constantly trying to push past officers and interfere with those providing first aid. Very few people, if any at all were listening to instructions given by officers and most responded by

Signature



Signature witnessed by

03/2016

Crime No. 20BW/101633H/19

URN

Statement of TOM ATKINS

swearing at and then pushing officers, prompting pockets of disorder to erupt several times.

After I had been at the location for about 5 minutes, I observed a Black male, who was about 6 feet 2 inches tall and of medium build. He was wearing a white t-shirt. He was stood in the middle of the carpark and was waving his arms around extremely aggressively and was shouting loudly. I saw this man pick up a traffic cone from the floor and hold it up above his head moving towards the back of officers who were crouched down providing first aid to someone. I instantly thought that he was going to either throw it at them or use it as a weapon to strike them with, so I ran towards him and sprayed him directly in the face from what can't have been more than 3 feet away. He dropped the cone straight away and then ran off, suffering the effects of the PAVA. During the initial 5 to 10 or so minutes at the scene I felt that the Police officers were taking the brunt of the abuse and aggression from the STORIES customers and that the situation was escalating quickly to one that was dangerous for the officers present. There were not enough of us to safely manage to the large number of people there, as well as maintaining our own safety. There were moments where we were surrounded by people, the vast majority of who were extremely drunk and aggressive, even violent.

A number of other officers then started to arrive and assist in the removal of customers from the car park. Again officers instructions were ignored and violence seemed to erupt each and every time an officer would attempt to move people away. So much so that the only way that we could re-gain control was to use public order tactics and run lines in order to move people back and prevent them from returning. I saw numerous officers with cans of pava in their hands, as well as officers holding their batons.

In total disorder took place for about 40 minutes. Several People were sprayed with PAVA and it took approximately 50 officers with the assistance of 3 Police dogs to bring the incident to a conclusion. I have worked in BIRMINGHAM CITY CENTRE, for 4 years now, Policing the night time economy operation at the city's entertainment areas on an almost weekly basis. This means I routinely come in to contact with drunk, violent people, however this disorder at STORIES is by far the largest disorder I have ever seen taking place. The attitude from the majority of those involved was anti-police, aggressive and obstructive, with several threatening violence against officers. *Tom Atkins*

Signature *Tom Atkins*

Signature witnessed by .....

03/2016

Page 40 of 62  
OFFICIAL – (when complete)



17

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. **20BW/101633H/19**URN 

Statement of Andrew Bentley

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Constable

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  (witness)

Date 30/04/19

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Constable 0409 BENTLEY, of the West Midlands Police and I am currently based at Digbeth Police Station.

On Monday 29th April 2019, at approximately 02:55 hours, I was on full uniformed mobile patrol, in company with PC 21019 JONES, covering the area of City Centre, Birmingham. At this time, I heard over my airwave radio that officers were in attendance at Stories Nightclub, Ladywell Walk and that they were asking for further officers to attend, as there was a large scale disorder taking place at the location and a male had been slashed.

On arrival I could see that there were a large amount of males and females outside of Stories Nightclub, in the car park. There must have been in excess of 100 people at the location. I could see that the other officers already in attendance were trying to administer first aid to an injured party who was on the floor but they were getting surrounded by numerous people trying to get to the injured party.

Myself and PC 21019 JONES made our way into the crowd to try and assist the other officers and make the area more safe for them to treat the injured party. There were small pockets of disorder, involving groups of males all over the car park. Due to the high level of aggression displayed by the group and fearing that I was in imminent danger of being assaulted by anyone of the males, I have drawn my PARVA spray and have kept it in my hand.

We have tried to move numerous males away from the officers who were tending to the injured party but the

Signature .....

Signature witnessed by .....

03/2016

Crime No. 20BW/101633H/19

URN

Statement of Andrew Bentley

males were refusing to move and trying to push forward to get to the male on the floor.

The group were very aggressive towards officers and were actively resisting officers attempts to move them away. PARVA spray was deployed by numerous officers towards males who were trying to fight with officers.

A few minutes later, I heard a sound of like someone being punched and then officers ran after a male and detained him by the railings. I caught a quick glimpse of this male. He was an IC3 male and he was wearing a distinctive black and white jumper. I later found out that this male had punched an officer and had been arrested.

After about five minutes, more officers arrived at the scene and lines were formed across the car park to move the crowd away from the location and out onto Ladywell walk. The crowd remained very aggressive towards officers and it took about 20 minutes to move the crowd out of the car park.

Once the crowd was moved out onto Ladywell Walk, they gradually dispersed and order was restored.

The incident lasted for about 40 minutes from our first arrival to the crowd being fully dispersed.

On Tuesday 30<sup>th</sup> April 2019, at approximately 23:00 hours, myself and PC 21019 JONES, have attended Stories Nightclub, in order to seize the CCTV footage of the incident. On arrival, the manager, Ryan GOUGH, has handed a lock knife to PC 21019 JONES, which had been dropped on the dance floor. He then showed us CCTV footage of the dance floor, which showed an IC 3 male on the dance floor, being aggressive towards other males. I immediately recognised this male as being the same one who had been arrested for assaulting the officer the night before. I recognised him, as he was wearing the same distinctive jumper in the footage. The footage appeared to show the male with what looks like a knife in his right hand.

The manager then showed us camera footage of outside the main front doors, which showed this same male, appear to drop something and then try to get back inside the club. The door staff refused him entry

Signature .....

Signature witnessed by .....

03/2016

Crime No. 20BW/101633H/19

URN

Statement of Andrew Bentley

and then he walks off into the car park. The manager stated that the security staff had seen this male in possession of the knife.

The CCTV was seized by PC 21019 JONES and later handed to PS 21760 PARSONS. The knife was also seized by PC 21019 JONES and later booked into the Detained Property at Perry Barr Custody Station.

I had no further dealings with this incident.

This statement is my original notes of the incident.

Signature

Signature witnessed by

03/2016

## WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. 20BW/101633H/19

URN

Statement of Gregory JONES

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Constable

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:

(witness)

Date 30<sup>th</sup> April 2019Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Constable 21019 JONES, of the West Midlands Police, currently based at Digbeth Police Station. On Monday 29th April 2019, I was on full uniformed patrol in company with PC 0409 BENTLEY in Birmingham City Centre.

At approximately 02:55 hours, officers were made aware via colleagues of a large disorder taking place outside STORIES nightclub, Ladywell Walk, Birmingham. Myself and PC BENTLEY have made our way to the location and on arrival could see a large group of males and females gathering outside, with pockets of disorder taking place all around the location. I would say there was in excess of 100 people at the location.

We have immediately made our way to the car park outside the front of STORIES where the large crowd was gathering. I have been made aware that a male had been assaulted at the location and due to this officers were tending to the males injuries. I could see that several of the males and females that had come out of STORIES were showing signs of aggression and agitation towards officers. Due to this PARVA spray was deployed by an officer. I have drawn my PARVA due to the level of disorder that was happening and I feared that I was in immediate and imminent danger of being assaulted by any number of the males or females present. Several other officers have also drawn their PARVA and batons.

At this time there were still a number of patrons leaving STORIES, a number of which were clearly agitated and aggressive. I have then noticed that another male had been injured and was lay unconscious on the floor of the car park. Whilst officers were tending to this male I could see a large crowd gathering around the officers attempting to get towards the injured male. The crowd were refusing to listen to officer requests to get back and the level of aggression intensified. I could see a number of groups involved in pushing and

Signature

Signature witnessed by

03/2016

Crime No. 20BW/101633H/19

URN

Statement of Gregory JONES

shoving and showing high levels of aggression towards officers. Another officer has deployed PARVA spray in order to try and disperse the crowds gathering.

During this time I could see a male being restrained by officers by the railing of the car park. I have made my way over in order to help detain the male. I would describe the male being restrained as IC3, medium build wearing a black and white jumper. I was later informed this male had assaulted an officer and was arrested.

Due to the level of disorder and potential violence INSP SWALLOW has requested for officers to form a line and escort the crowd away from the car park due to the potential of harm being caused to others and disorder still occurring at the location. It has taken approximately 30 minutes for the crowds to fully disperse from the area. During this time there were several incidents occurring on the outskirts of the centre, none of which I have been involved but were clearly a continuation of events that had occurred previously at STORIES bar. Officers have remained at the car park until crowds have dispersed from the area.

On Tuesday 30<sup>th</sup> April 2019 at approximately 23:00 hours myself and PC 0409 BENTLEY have attended STORIES nightclub in order to seize the CCTV of the disorder that had occurred in the club prior to Police arrival outside. On arrival at the location the manager, Ryan GOUGH, has handed me a lockknife which had been dropped on the dance floor within STORIES nightclub. GOUGH has then showed us the CCTV footage of the dance floor which has showed an IC3 male being aggressive towards several other males. The footage also clearly shows this male to be carrying what is believed to be a knife in his right hand. I have recognised the male in the footage to be the same male that had been arrested the previous night for assaulting an officer. I recognised the male due to his distinctive black and white jumper.

GOUGH has then shown camera footage of the reception area just as you walk into the venue. This shows the same male appear to drop an item on the floor, but it is unknown at this time what that item was. The male has then picked up the item and attempted to re enter the club. The male has been refused entry by security and can be seen to become very agitated and aggressive. The male is then seen to walk out of the venue on to the car park outside STORIES.

Signature



Signature witnessed by

03/2016

Crime No. 20BW/101633H/19

URN

Statement of Gregory JONES

At approximately 23:15 hours Ryan GOUGH handed to me a hard drive containing CCTV of the incident (log 233 of 29/04/19). I can refer to this as, (Ref RG/01) (Exh no ). GOUGH also handed to me a lock knife which was found on the dance floor. I can refer to this as (Ref RG/02) (Exh no ).

I later placed the knife in to the detained property store at Perry Barr, property number 2310507/C refers.

The CCTV was later handed to PS 21760 PARSONS.

I had no further dealings.

Signature



Signature witnessed by

03/2016

23

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No. 20BW/101633H/19

URN

Statement of J.PERKS

Age if under 18 OVER 18 (if over 18 insert "over 18")

Occupation Police Constable (Collar No: 22002)

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: J.PERKS (witness)

Date 30/04/19

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named Officer; currently employed by the WEST MIDLANDS POLICE, and working on the 'City Centre Neighbourhood Team' at DIGBETH POLICE STATION.

I am making this statement in relation to a violent disorder that erupted outside of 'STORIES' nightclub which is located on LADYWELL WALK in BIRMINGHAM CITY CENTRE.

At approximately 02:45hrs on the morning of MONDAY 29TH APRIL 2019, I was on full uniformed duties in company with my two colleagues; PS 21760 PARSONS and PC 21996 VAUGHAN.

As we drove onto LADYWELL WALK in our marked Police vehicle, I immediately observed three IC3 males who were engaged in physical confrontation and I could see that they were pushing and shoving one another quite violently.

Upon observing the males for the first time, I could see that they were all congregating next to the main entrance of 'STORIES' and were gathered around the metal crowd control barriers.

At this point, I was no more than 20 meters away from 'STORIES' from where our vehicle was positioned on the road (with the IBIS Hotel situated to our immediate offside). It was relatively dark outside due to the time of the morning, and there were several parked cars directly outside of the premises which somewhat hindered my view.

That being said, I could see well enough to know that there was some form of disorder taking place.

I immediately exited the Police vehicle and made towards the three males in company with PS PARSONS and PC VAUGHAN.

As I arrived at the main entrance of 'STORIES' the males had stopped pushing one another and I could see them walking away from the premises towards the general direction DUDLEY STREET.

I immediately approached the door staff who were manning the entrance point to 'STORIES' to establish if

Signature

Signature witnessed by N/A

03/2016

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OFFICIAL – (when complete)

Crime No. 208W/101633H/19

URN 24

Statement of J.PERKS

they knew what had happened or if there were any issues we needed to know about.

I could see that there were three members door staff standing outside of the premises (within the smoking area and next to the crowd control barriers) along with two more standing inside the entrance porch where customers pay to enter the premises.

The door staff didn't seem overly concerned with the three males I had seen pushing and shoving once another and when asked how many people were left inside the premises, they could not provide me with an answer.

An IC1 male of slim build wearing a white dress shirt and an ear piece came out of the club a few moments later, and informed us that there was "A MASSIVE FIGHT KICKING OFF UPSTAIRS". I assumed this person to be the manager of 'STORIES'. PS PARSONS explained that as there were only three of us present, we would not be going in to the club at this point in the interest of personal safety. PS PARSONS advised the IC1 male that more Officers were on their way.

No more than 1 minute later, large groups of individuals began exiting the club in an uncontrolled and chaotic manner. I watched as PC VAUGHAN removed a 1 litre bottle of vodka from the rear trouser pocket of an IC3 male. This indicated to me that door staff were not searching people thoroughly upon exit.

The general atmosphere felt extremely tense and people were screaming and fighting one another. As there were only three of us there at this point, I felt extremely vulnerable and outnumbered. As I attempted to split up one fight, I heard several people shout "FUCK THE POLICE" which suggested that the majority of the crowd were not on our side.

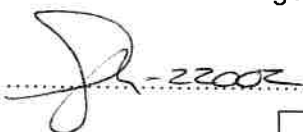
As more and more people spilled onto the car park, the situation quickly escalated into a full blown violent disorder with between 200-250 people spilling out onto the street. I spotted an IC3 male wearing a black t-shirt with a pink and purple motif who appeared to have been stabbed to head. I could see that he had a deep laceration to the back of his head (on the left hand side) and was bleeding heavily.

Pockets of disorder continued to erupt with a second IC3 male being glassed over the head and losing consciousness. As a result of this, two ambulances had to attend the scene.

The disorder lasted approximately 45 minutes in total. During which, over 45 Police Officers attended (one of whom was violently assaulted and punched to the face)

Three Police dogs and two Police inspectors also attended the scene and at several points during the disorder; Officers were forming 'running lines' (which is a public order tactic often implemented at large scale football matches and other large scale disorder)

Signature



Signature witnessed by N/A

03/2016

OFFICIAL – (when complete)



Crime No. 20BW101633H/19

URN

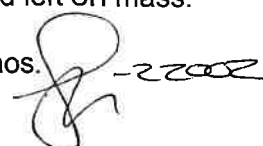
Statement of J.PERKS

In my view, the closure of the club was poorly managed and the door staff did not seem to be switched on with regards to what was going on both inside the club, and when customers were leaving.

There was no consensus as to how many people were left inside the club and the crowd were allowed to leave on mass leaving Officers vulnerable and outnumbered.

Staffs were aware that there was a fight taking place inside the premises but at no point were any ring leaders pointed out to Officers, nor were they prematurely ejected before the rest of crowd left on mass.

The only way to describe the events of that morning is that it was complete and utter chaos.



Signature



Signature witnessed by

N/A

03/2016

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OFFICIAL – (when complete)

## Ben Reader

---

**From:** Alexander Roobottom  
**Sent:** 24 May 2019 15:13  
**To:** bw licensing  
**Subject:** Stories- Assessment

26

**Importance:** High

Police Licensing,

I have been asked to provide my assessment regarding an incident which took place at the STORIES venue, City Centre, Birmingham on 29/04/2019. More specifically, my assessment will address how I feel that the incident could have been prevented had I been sighted on the guest-list, which I am now aware was available prior to the event taking place.

I am Police Sergeant 20932 Alex Roobottom. I am a Sergeant on the Birmingham Organised Crime Team. The Birmingham Organised Crime Team's role is to disrupt and suppress the activities of Organised Crime Groups and Urban Street Gangs. One role within the Team is the provision of specialist insight of OCG's and USG's (and the nominal within those OCG's and USG's) to other departments within WMP in order to support their policing role or investigation.

Had I had prior access to the guest list, I would have held strong concerns that this was being considered a 'medium' risk event. This is because there are a considerable number of persons on the guest list whom are considered Urban Street Gang nominal by the Birmingham Organised Crime Team. In my experience as a police officer (both having worked the Night Time Economy in Birmingham City Centre for nearly 8 years and more recently within the Organised Crime Team), where there are NTE events at which USG nominal are present, there are also often found to be instances of violence. There are a number of reasons for a likelihood of violence, however, an inference that is commonly drawn is that USG nominal from rival groups are present. Therefore, with prior access to that guest-list, I would have assessed that this was a 'high' risk event.

Furthermore, had I had prior knowledge of the USG nominal attending the event via the guest-list, I would have requested that there was an enhanced policing response in place at the venue. This plan would have included an uplift in uniformed officers at the location with a contingency plan that would include dog and armed assets. There would also be an action for STORIES management to review their own security provision, which may include an uplift in security staff and review around search policy and glass bottle policy.

In conclusion, had I been sighted on the guest-list, which I now know was in existence prior to the event taking place, I would have been in a position to offer specialist insight on the nominal present. Because of that insight, I believe that the event would have been assessed as being 'high' risk, and this would have been reflected with a policing plan that saw an uplift in policing assets dedicated to the event. I believe that this policing plan would have prevented the serious disorder and violence from taking place.

**Alex Roobottom** | Police Sergeant 20932 | Birmingham Organised Crime Team  
West Midlands Police | Handsworth Police Station  
| 📞 **Mobile (Work)** 07391 733933  
✉ [a.roobottom@west-midlands.pnn.police.uk](mailto:a.roobottom@west-midlands.pnn.police.uk)

## Ben Reader

---

**From:** Ian Green  
**Sent:** 24 May 2019 14:30  
**To:** bw licensing  
**Subject:** Stories Disorder - Incident Log 233 29th April 2019

27

I am the Police Superintendent in charge of the geographical areas of Birmingham West and Central. Part of this geography takes in the main city centre of Birmingham which includes both the day and night time economy with regard to policing.

In relation to the Night Time Economy (NTE) my role is to work with strategic partners across pub watch, Business Improvement Districts, Statutory partners and the Local Authority to provide a safe and enjoyable area for the public and residents. A key part is the policing response and the weekends are risk assessed based on the number of significant events taking place that may be likely to attract potential criminal or gang affiliated individuals to them as these are key flash points that we try to avoid, give the thousands of customers that attend Birmingham every weekend. My team and I have been managing this effectively for a number of years and I am confident in our approach to policing this area of my business.

I have read the decision notice with particular interest in relation to Stories and I stand by the application I made that was signed post the incident taking place.

I note that some assertions are being made to the police so I wanted to clarify our approach. Our Licensing team work closely with venues and BID's to ensure any events are risk assessed based on artists playing, guests attending or the likely attraction of rival groups and these are given a rating. These rating will then alter the policing response and in the main cause me to increase the footprint and specialism of the officers deployed dependent on the event. This is a tried and tested approach.

On this occasion I would have referred the event to my Gangs and Intelligence teams for their tactical advice and given the response (that I have read from Sgt Roobottom) I would have increased the resourcing in both and uniform and plain clothes elements to allow me to safely manage the wider policing of the night time economy and surrounding areas to disrupt any potential disorder(s). I can categorically state I would have made more resources available on this occasion as I have done in the past when a risk event is brought to my attention.

I have viewed the disorder and follow up investigation and can state as a senior officer how impactive this has been on WMP and partners on both the evening and subsequently. The large numbers of officers deployed meant resources being pulled from the rest of the City Centre and include response and Operations officers all of whom were carrying out other vital duties (such as responding to 999 calls or managing prisoners).

During the disorder one officer was assaulted thankfully not seriously but this is due to the sheer numbers we deployed and the presence of police dogs etc. to disperse the crowds not due to them calming down. My fear that without this the situation could have got far more serious and grave injuries may have been caused to innocent people.

The officers statements at the time describe the chaotic nature which I am sure is backed up by the Body Worn Video camera footage. There is then the ongoing cost of investigation teams who are now pouring through CCTV and taking numerous statements to bring the offenders to justice which had this not happened could have meant them concentrating on other serious investigations.

Sadly all of this could have been avoided through prior notice in my view, as we would have altered our poling response and worked with the venue to ensure the right security response was in place to deter this level of violence from taking place.

I am more than happy to attend a subsequent hearing to explain this in person and answer any questions.

Submitted for information

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Many thanks

Ian

**Ian Green**

Superintendent | Birmingham West Neighbourhood Policing Unit | West Midlands Police | Tel: 101 ex 801 1640 | Mob: 07879 487 264

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If you are the first person  
of a major incident,  
**METHANE** mnemonic

Major Incident de  
Exact Location  
Type of Incident  
Hazards present  
Access routes  
Number, type,  
Emergency se  
those required





Simplifying Life Solutions

314 Ladypool Rd, Birmingham B12 8JY

Tel: 0844 209 2936

Emergency: 0800 999 9994

e-mail: timesheets@rg8group.com

www.rg8group.com

20BW/101634/19

# INCIDENT REPORT

30

Venue Stories Nightclub

Date 28/04/19 Time 02.45

Name Nimue Ray Badge No. 6149

Incident Location Dance floor Downstairs  
(bar/lounge/doorways/etc)

No. ....

## TYPE OF INCIDENT

Violent Behaviour <input checked="" type="checkbox"/>	Injury To Customer <input checked="" type="checkbox"/>	Racial Incident <input type="checkbox"/>
Assault* <input checked="" type="checkbox"/>	Injury To Door Staff* <input type="checkbox"/>	Homophobic <input type="checkbox"/>
Drugs Related <input type="checkbox"/>	Injury To Bar Staff* <input type="checkbox"/>	Drug Dealing <input type="checkbox"/>
Weapons Used <input type="checkbox"/>	Criminal Damage <input type="checkbox"/>	Drug Abuse <input type="checkbox"/>
Sexual Assault <input type="checkbox"/>	Accident Damage <input type="checkbox"/>	Fire/alarm <input type="checkbox"/>
Threats <input type="checkbox"/>	Burglar Alarm <input type="checkbox"/>	Seizure Of Item <input type="checkbox"/>
Group Involvement <input checked="" type="checkbox"/>	Panic Alarm <input type="checkbox"/>	Bomb Alert <input type="checkbox"/>
Drinks Related <input checked="" type="checkbox"/>	Barred Person <input type="checkbox"/>	Lighting Failure <input type="checkbox"/>
Underage <input type="checkbox"/>	Complaint - Doorstaff <input type="checkbox"/>	Other (specify) <input type="checkbox"/>

## USE OF FORCE

Verbal <input type="checkbox"/>
Restraint <input checked="" type="checkbox"/>
Arrested <input type="checkbox"/>
Ejected <input checked="" type="checkbox"/>

### IMPORTANT

IF THE NAME OF PERSON INVOLVED IS NOT KNOWN AND CANNOT BE ASCERTAINED - INCLUDE A DESCRIPTION IN 'DETAILS OF INCIDENT' BELOW

INJURY will be record in Premises Accident Book Acc Book ref No. ....

## EMERGENCY SERVICES

Service Called	Time Called	Time Attended	Number of Officers	Time Left	Officers Name and Number
POLICE		02.55			
FIRE					
AMBULANCE					

### Brief details of Incident (include names and address)

2x males on main dance floor, pushing and Shoving each other. Escalated to Top of the Stairs where Security intervened. Escorted out side exit, and front entrance. to where police were outside waiting. With that Security were then deployed back inside to continue with further incidents. Bottles were took off as many customers as possible to reduce further incidents.

Black male multi-coloured top tried to re-enter venue but Security blocked him in the reception. Pulled and object/instrument out on the Security. We then continued to

(continue on separate sheet if necessary)

Signature of Door Supervisor.....

2013W 11016334 119

## INCIDENT REPORT

31



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Venue \_\_\_\_\_

Date ~~11/11/13~~ \_\_\_\_\_ Time \_\_\_\_\_Name ~~Michael Duggan~~ \_\_\_\_\_ Badge No. 6149Incident Location \_\_\_\_\_  
(bar/lounge/doorways/etc)

No. ....

## TYPE OF INCIDENT

Violent Behaviour <input type="checkbox"/>	Injury To Customer <input type="checkbox"/>	Racial Incident <input type="checkbox"/>
Assault* <input type="checkbox"/>	Injury To Door Staff* <input type="checkbox"/>	Homophobic <input type="checkbox"/>
Drugs Related <input type="checkbox"/>	Injury To Bar Staff* <input type="checkbox"/>	Drug Dealing <input type="checkbox"/>
Weapons Used <input type="checkbox"/>	Criminal Damage <input type="checkbox"/>	Drug Abuse <input type="checkbox"/>
Sexual Assault <input type="checkbox"/>	Accident Damage <input type="checkbox"/>	Fire/Alarm <input type="checkbox"/>
Threats <input type="checkbox"/>	Burglar Alarm <input type="checkbox"/>	Seizure Of Item <input type="checkbox"/>
Group Involvement <input type="checkbox"/>	Panic Alarm <input type="checkbox"/>	Bomb Alert <input type="checkbox"/>
Links Related <input type="checkbox"/>	Barred Person <input type="checkbox"/>	Lighting Failure <input type="checkbox"/>
Underage <input type="checkbox"/>	Complaint - Doorstaff <input type="checkbox"/>	Other (specify) <input type="checkbox"/>

## USE OF FORCE

Verbal <input type="checkbox"/>
Restraint <input type="checkbox"/>
Arrested <input type="checkbox"/>
Ejected <input type="checkbox"/>

**IMPORTANT**

IF THE NAME OF PERSON INVOLVED IS NOT KNOWN AND CANNOT BE ASCERTAINED - INCLUDE A DESCRIPTION IN 'DETAILS OF INCIDENT' BELOW

\* Any INJURY will be record in Premises Accident Book Acc Book ref No. ....

## EMERGENCY SERVICES

Service Called	Time Called	Time Attended	Number of Officers	Time Left	Officers Name and Number
POLICE					
FIRE					
AMBULANCE					

## Brief details of Incident (include names and address)

to block the entrance area. He then failed to get entrance, so he walked out of the Venue holding the object in his hand. Security then continued to get anyone else showing aggression out of the Venue, to contain the safety of the ~~rest~~ other customers.

3x males left the venue with head injuries on their own accord to seek medical attention.

Ryan Gough  
R. Gough

(continue on separate sheet if necessary)

Signature of Door Supervisor.....





Simplifying Life Solutions

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Emergency: 0800 999 9994

e-mail: timesheets@rg8group.com

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# INCIDENT REPORT

Venue Stories Nightclub  
Date 29/04/19 Time 07:00  
Name Ryan Gough Badge No. DPS  
Incident Location mezzanine level  
(bar/lounge/doorways/etc)

No.....

## TYPE OF INCIDENT

Violent Behaviour <input type="checkbox"/>	Injury To Customer <input type="checkbox"/>	Racial Incident <input type="checkbox"/>
Assault* <input type="checkbox"/>	Injury To Door Staff* <input type="checkbox"/>	Homophobic <input type="checkbox"/>
Drugs Related <input type="checkbox"/>	Injury To Bar Staff* <input type="checkbox"/>	Drug Dealing <input type="checkbox"/>
Weapons Used <input type="checkbox"/>	Criminal Damage <input type="checkbox"/>	Drug Abuse <input type="checkbox"/>
Sexual Assault <input type="checkbox"/>	Accident Damage <input type="checkbox"/>	Fire/alarm <input type="checkbox"/>
Threats <input type="checkbox"/>	Burglar Alarm <input type="checkbox"/>	Seizure Of Item <input checked="" type="checkbox"/>
Group Involvement <input type="checkbox"/>	Panic Alarm <input type="checkbox"/>	Bomb Alert <input type="checkbox"/>
Drinks Related <input type="checkbox"/>	Barred Person <input type="checkbox"/>	Lighting Failure <input type="checkbox"/>
Underage <input type="checkbox"/>	Complaint - Doorstaff <input type="checkbox"/>	Other (specify) <input type="checkbox"/>

## USE OF FORCE

Verbal ☐  
Restraint ☐  
Arrested ☐  
Ejected ☐

### IMPORTANT

IF THE NAME OF PERSON INVOLVED IS NOT KNOWN AND CANNOT BE ASCERTAINED - INCLUDE A DESCRIPTION IN 'DETAILS OF INCIDENT' BELOW

\* Any INJURY will be record in Premises Accident Book Acc Book ref No.....

## EMERGENCY SERVICES

Service Called	Time Called	Time Attended	Number of Officers	Time Left	Officers Name and Number
POLICE					
FIRE					
AMBULANCE					

Brief details of Incident (include names and address) following the events of the evening. During a Debrief it has been brought to my attention that an item was found by one of the door Supervisors and handed to a member of the management who stored it in a safe location.

The item will be handed/offerred to members of WMP upon their arrival for the retrieval of CCTV at approx 11pm on the 29/04/19.

Ryan Gough  
R. Gough

(continue on separate sheet if necessary)

Signature of Door Supervisor.....



203W1101633H119



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## INCIDENT REPORT

33

Venue Stories nightclubDate 29/04/19 Time 07:30Name Ryan Gough Badge No. DPSIncident Location Mezzanine & Reception Area  
(bar/lounge/doorways/etc)

No. ....

## TYPE OF INCIDENT

Violent Behaviour <input type="checkbox"/>	Injury To Customer <input type="checkbox"/>	Racial Incident <input type="checkbox"/>
Assault* <input type="checkbox"/>	Injury To Door Staff* <input type="checkbox"/>	Homophobic <input type="checkbox"/>
Drugs Related <input type="checkbox"/>	Injury To Bar Staff* <input type="checkbox"/>	Drug Dealing <input type="checkbox"/>
Weapons Used <input type="checkbox"/>	Criminal Damage <input type="checkbox"/>	Drug Abuse <input type="checkbox"/>
Sexual Assault <input type="checkbox"/>	Accident Damage <input type="checkbox"/>	Fire/Alarm <input type="checkbox"/>
Threats <input checked="" type="checkbox"/>	Burglar Alarm <input type="checkbox"/>	Seizure Of Item <input type="checkbox"/>
Group Involvement <input type="checkbox"/>	Panic Alarm <input type="checkbox"/>	Bomb Alert <input type="checkbox"/>
Drinks Related <input type="checkbox"/>	Barred Person <input type="checkbox"/>	Lighting Failure <input type="checkbox"/>
Underage <input type="checkbox"/>	Complaint - Doorstaff <input type="checkbox"/>	Other (specify) <input type="checkbox"/>

## USE OF FORCE

Verbal <input type="checkbox"/>
Restraint <input type="checkbox"/>
Arrested <input type="checkbox"/>
Ejected <input type="checkbox"/>

## IMPORTANT

IF THE NAME OF PERSON INVOLVED IS NOT KNOWN AND CANNOT BE ASCERTAINED - INCLUDE A DESCRIPTION IN 'DETAILS OF INCIDENT' BELOW

\* Any INJURY will be record in Premises Accident Book Acc Book ref No. ....

## EMERGENCY SERVICES

Service Called	Time Called	Time Attended	Number of Officers	Time Left	Officers Name and Number
POLICE					
FIRE					
AMBULANCE					

**Brief details of Incident (include names and address)** During Review of CCTV, 1x male is seen to have an item in his hand at 02:56:40. The male is seen to leave the venue and then is seen to return unchallenged due to the dealing with connection before being stopped by door staff within the reception area at approximately 03:03 before he then reveals an item which the door staff immediately react clearing the area and stopping the male who then exits the venue again.

Ryan Gough

~~Letter~~

(continue on separate sheet if necessary)

Signature of Door Supervisor.....



# **BIRMINGHAM CITY COUNCIL**

## **LICENSING SUB-COMMITTEE - A**

**MONDAY 15 APRIL 2019**

### **STORIES, 30 LADYWELL WALK, BIRMINGHAM, B5 4ST**

That, having reviewed the premises licence held under the Licensing Act 2003 by New Era Birmingham LTD in respect of **Stories, 30 Ladywell Walk, Birmingham, B5 4ST** upon the application of the Chief Constable of West Midlands Police, this Sub-Committee hereby determines that the premises licence holder be issued with an informal warning with regard to the conduct and operation of the premises licence.

The licence holder is advised that the licensing authority would expect to see continued improvements in the way the premises are managed and run, and were pleased to note that the revised Conditions attached to the Premises Licence, by way of a minor variation application in the week prior to today's meeting, would go some way to addressing its concerns.

The Sub-Committee gave consideration as to whether it could modify the conditions of the licence, remove the Designated Premises Supervisor, suspend the licence for a specified period of not more than 3 months, or revoke the premises licence but was not satisfied given the evidence submitted and the representations made by both West Midlands Police and Public Health Birmingham that it would be appropriate to do so at this time.

Members of the Sub Committee wished to emphasize to the Premises Licence Holder and indeed the current designated premises supervisor, that ignorance was no defence in law in allowing the sale of nitrous oxide balloons at the premises and that as a responsible premises licence holder, there was a responsibility to ensure that the licensing objectives were properly promoted particularly the prevention of crime and disorder and promotion of public safety.

Although it was the designated premises licence holder who had condoned or permitted the sale of these now unlawful substances at the time, the ultimate responsibility for promoting the licensing objectives of course rests with the holder of the licence. The Sub Committee felt compelled to criticise the holder of the licence in not undertaking a review of the premises licence and the conditions set out in the operating schedule prior to the Review application being submitted by the Police given that the premises had been trading since August 2018.

For these reasons the Sub Committee were very close to removing the designated premises supervisor and suspending the premises licence. However, when considering the history of the premises and the representations made on behalf of the holder of licence, and in particular that neither responsible authority had made

any representations on the options available to the Committee at the meeting, the Sub Committee concluded that it was appropriate to issue this warning instead.

The Sub Committee also requested that a copy of this Decision Notice should be passed to officers in the Council's Licensing Enforcement section given the Police's concerns about the sale of unlawful substances and compliance with the conditions of the premises licence at the time.

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

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the appeal is disposed of.



**BIRMINGHAM CITY COUNCIL**

**LICENSING SUB COMMITTEE C**

**FRIDAY 3 MAY 2019**

**Stories, 30 Ladywell Walk, Birmingham B5 4ST**

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 New Era Birmingham LTD in respect of Stories, 30 Ladywell Walk, Birmingham B5 4ST this Sub-Committee determines:

*The following conditions are imposed on the premise licence as an interim step, 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 premises are allowed to trade for the next 7 scheduled events.*

*The licensable activity regarding the sale of alcohol shall cease at 2:30 am for each scheduled event, and that the premises shall close at 3am.*

The Sub-Committee's reasons for imposing these interim steps are in response to the representations submitted by the Barrister acting for the premises licence holders.

The Members heard that the premises had been operating since August 2018 without incident and that the matters which came to light at the premises on 28 April 2019 as outlined in the Chief Officer of Police's certificate and application were not as a result of the failure of management to notify the police, or for non-compliance of the conditions of their licence, or lack of security measures at the venue.

The Sub Committee were informed that the premises were hosting an external birthday event which had been risked assessed at a medium risk level that required deployment of additional door staff. However, despite the deployment of door staff on the night of the event, the DPS requested assistance from the Police Officers who were in situ of the premises due to heightened tensions occurring within the venue.

Having heard the Barrister's submissions, members were satisfied that the Designated Premises Supervisor (DPS) had taken appropriate action to deal with an unfolding situation within the premises, and felt confident that going forward, the DPS could be trusted to continue trading the scheduled in-house events as alluded to by their Barrister, particularly as extra security measures had been adopted since the night of incident to supplement the existing conditions to promote the prevention of crime and disorder, and public safety.

The Sub Committee determined that the cause of the serious disorder appeared to originate from the patrons of the private external birthday event and not from the

non-compliance of the risk assessment condition as inferred from the West Midlands Police's (WMP) application and certificate.

Members were concerned to note there appeared to be insufficient evidence to support the West Midlands Police application and certificate concerning the large scale disorder, given the time elapsed since the night of incident. The Sub Committee could not explore or examine some of the evidential material that was being relied upon by the West Midlands Police during the hearing, as it had not been submitted in advance to the Members and the Premise Licence Holders.

The Sub- committee therefore considered as a holding position between now and the full review it would necessary and reasonable to impose the interim steps volunteered by the premises licence holder rather than a suspension given the responsibility demonstrated by the venue's management to limit the operation of the premises over the forthcoming weeks with their own additional security measures in place.

The Sub-Committee considered whether it could impose other interim steps including exclusion of the sale of alcohol or other licensable activities, or removal of the Designated Premises Supervisor, however did not believe however that any of these would address the totality of issues albeit limited in detail brought to their attention by the Police.

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 barrister representing the premises licence holders 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.

