

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY, 15 JULY 2019 AT 09:30 HOURS
IN ELLEN PINSENT ROOM, 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 - 206 4 **LICENSING ACT 2003 PREMISES LICENCE – REVIEW HORSESHOE,**
1214 STRATFORD ROAD, HALL GREEN, BIRMINGHAM, B28 9BH

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

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.

207 - 214 (A) **MINUTES**

To note the public part of the Minutes of the meeting held on 10 June 2019.

6 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

P R I V A T E A G E N D A

1 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

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.

(A) **MINUTES**

To note the private part of the Minutes of the meeting held on 10 June 2019 and to confirm and sign the Minutes as a whole.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	Licensing Sub Committee A
Report of:	Assistant Director of Regulation & Enforcement
Date of Meeting:	Monday 15th July 2019
Subject:	Licensing Act 2003 Premises Licence – Review
Premises:	Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH
Ward affected:	Hall Green North
Contact Officer:	Shaid Yasser, Senior Licensing Officer, 0121 303 9896, licensing@birmingham.gov.uk

1. Purpose of report:

To consider an application to review a Premises Licence.

2. Recommendation:

To consider and determine the review application.

3. Brief Summary of Report:

Review application received on 20th May 2019 from West Midlands Police in respect of Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH.

Representations have been received from West Midlands Police, Environmental Health, and Birmingham City Council Licensing Enforcement, as responsible authorities.

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:

The Chief Constable of West Midlands Police applied on 20th May 2019 for a review of the Premises Licence under Section 51 of the Licensing Act 2003 for the Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH.

Representations have been received from West Midlands Police, Environmental Health, and Birmingham City Council Licensing Enforcement, as responsible authorities. See Appendices 1 – 3.

Review application is attached. See Appendix 4.

The Premises Licence is attached at Appendix 5.

Site location plans are attached at Appendix 6.

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 is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are: -

- 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:

Copy of the representations as detailed in Appendices 1 – 3

Review Application Form, Appendix 4

Copy of Premises Licence, Appendix 5

Site location plans, Appendix 6

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

No Action

Where the authority takes a step to modify conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

From: Abdool Rohomon
Sent: 10 June 2019 12:10
To: Licensing
Cc: 'Matthew Phipps'
Subject: Horseshoe - additional reps

Dear Licensing,

Following the review application submitted by West Midlands Police for the above premises, West Midlands Police seek to add the additional representation.

On the 18th May 2019, an incident took place inside the premises. West Midlands Police were called twice by people passing by indicating that there was a large fight on the car park for the premises. When officers arrived all parties had left officers informed by staff that two people were having a fisty cuff but had left. Lots of people were watching. No call was received from the premises.

On viewing the CCTV and also the door staff and incident report officers saw, the disorder starts inside the premises. There appear to be two door staff on, however only one is wearing a badge. They eject the parties and another person who is seen attacking and kicking one of the aggressors. From the CCTV you then see numerous people leave the premises and the door staff. CCTV does not cover the car park but people are constantly in and out with drinks, you can see some hostility in a far off shot but it is unclear what is happening.

It is clear that there is some disorder going on for sometime

A person is seen leaving who are extremely drunk and are walking sideways.

The incident reports indicated it was happening for 15 minutes

The incident report is of a low standard

The door staff signing in sheet indicates 4 entries. Two are for the same person all for the 17th May 2019

One of the door supervisors is not showing on the SIA website as having a valid badge.

The ejection clearly led to the continuance of the disorder outside the premises, when parties could have easily been separated inside the premises. There is no call to the Police when clearly things have escalated outside in the car park, only one of the door staff is identifiable and the door staff signing in sheet is inaccurate.

Supporting evidence will be provided for the full review hearing

The premise licence holder is aware and there representative Cc'd in this email

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

From: Martin Key
Sent: 18 June 2019 15:07
To: Bhapinder Nandhra
Cc: 'bw licensing'; PlanningandRegenerationEnquiries; Licensing; 'home office'; Safeguarding Children & Licensing; Birmingham Public Health; 'Fire authority'; Pollution Team; TradingStandards; 'Matthew Phipps'
Subject: RE: Licence Review application - Horseshoe 1214 Stratford Road, Birmingham
Importance: High

Hi Bhapinder

Further to our earlier conversation I confirm that you have asked that our submission in respect of the licence review for The Horseshoe, 1214 Stratford Road which was sent yesterday should be in the form of a text document and not on the review form. I have copied the information from the form and this is produced below and I confirm that the information is exactly as the submission yesterday:-

I Martin Key, Environmental Protection Officer on behalf of Environmental Health as a responsible authority, Birmingham City Council submit the following representation relating to the prevention of public nuisance licensing objective in support of a request from West Midlands Police of 20 May 2019 for the review of the premises licence for the Horseshoe, 1214 Stratford Road.

Environmental Health has received 15 complaints (including from elected representatives on behalf of local residents) regarding noise nuisance from the above premises connected with events being held at the Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH between July 2018 and April 2019 and there has been a significant impact on local residents.

In all cases the complaints referred to noise from loud music, reported nuisance caused by a DJ on a microphone and some also referred to noise and anti-social behaviour from patrons as they left events held within the banqueting hall causing disturbance (shouting, singing, the banging of car doors, car horns and the revving of car engines). The complaints related to noise between 22.00 and 07.00.

The Environmental Health section sent 5 warning letters to the Horseshoe, 1214 Stratford Road regarding the complaints alleging noise nuisance over the period July 2018 to December 2018.

A number of TENS have been served in relation to the premises. A late TEN dated 17 January 2019 was served for an event in the banqueting hall on the 26/27 January 2019 between 22:00 - 06:00hrs described as a birthday party for family and friends. This late TEN was not objected to by Environmental Health as this was an opportunity for the applicant to demonstrate that they could proceed with an event without causing nuisance.

Prior to the event a letter was sent to the DPS and the premises licence holder advising that no nuisance should be caused at any time and that Environmental Health would investigate any further complaints alleging nuisance (referring to 9 previous complaints) and possible steps to take to prevent nuisance arising were also included in the letters.

On Sunday 27 January 2019 officers on the out of hours nuisance witnessing service were called by a resident and witnessed noise nuisance emanating from the Horseshoe between 02.36 and 02.56 due to loud music being played in the banqueting hall at the Horseshoe. Further complaints were later received regarding this event alleging that the noise continued until 06.15. As a result environmental health objected to a further late TEN for a birthday party on the 2nd to 3rd February 2019 between 22:00 – 05:00hrs and a counter-notice was issued.

A further objection was made by environmental health to a late TEN regarding a birthday party on the 16th to 17th February 2019, from 22:00 – 05:00hrs and a counter notice was again issued.

A meeting was held on 19 February 2019 between environmental health and the DPS at the Horseshoe to advise that officers had witnessed noise nuisance on the 27 January 2019. Residents were reporting that they could not sleep due to the noise from the events, the loud music, the bass and noise from people as they left the premises. It was also highlighted that the close proximity of residential properties meant that there was a significant likelihood of noise nuisance arising without adequate controls. The DPS advised that measures would be implemented to prevent nuisance arising.

The DPS was advised that if further noise nuisance was witnessed, subsequent TENs would be objected to by Environmental Health and an abatement notice would be served prohibiting any further noise nuisance arising.

A late TEN for an event on the 2nd to 3rd March 2019 from 22:00 – 05:00hrs was served on 22 February 2019 and an accompanying email also stated the steps that would be taken to ensure that there were no further noise complaints. On this basis Environmental Health did not object to this event but letters were again sent to the DPS and the premises licence holder detailing that noise nuisance that had been witnessed, the measures proposed by the DPS to prevent noise nuisance and repeated information on steps that could be taken to prevent noise nuisance.

A further late TEN was served on 1 March 2019 regarding a birthday party on the 9th to 10th March 2019 from 22:00 – 05:00hrs which based on the previous agreement was not subject to an objection by environmental health.

Following the event on 2/3 March 2019 further complaints regarding noise were received from local residents alleging that they were losing sleep every time an event was held at the Horseshoe, endless thumping noise was occurring until 06.00 and noise disturbance not just from the venue but from patrons leaving.

On the 10 March 2019, officers on the out of hours nuisance witnessing service attended the property of one of the complainants at 02:30 hrs and left at 03:00hrs and witnessed a noise nuisance from drum and bass style music at the Horseshoe. Further complaints were received after the event.

On the 3 April 2019 abatement notices under the provisions of section 80 of the Environmental Protection Act 1990 were served on the DPS and the premises licence holder requiring that no further noise nuisance should be caused by the playing of amplified music or the use of a microphone.

A late TEN dated was served on 10 April 2019 for a birthday party in the banqueting hall for family and friends on the 21st to 22nd April 2019 (Easter) from 00:30 – 05:00hrs and environmental health objected to this and a counter notice was issued.

A further 4 complaints were received from local residents regarding events on 20 – 22 April 2019 stating that music went on until the early hours which could be heard until 07.00.

One complainant sent a video recording taken at 06.12 on 21 April 2019 showing a large crowd outside the Horseshoe which can be heard talking and shouting with vehicle horns frequently sounding as it appears that the event had finished and people were leaving the premises. The case officer was of the opinion that the noise was a nuisance and would interfere with the ability of residents in the vicinity to sleep.

Despite Environmental Health objecting to an event at the banqueting suite over the 21st - 22nd April 2019 the fact that 4 complaints reporting noise nuisance had been received indicated that the event may have proceeded without a formal TEN.

On 24 April 2019 a further abatement notice was served on a named individual (Tanveer Handa) as an individual acting for the DPS under the provisions of section 80 of the Environmental Protection Act 1990.

At a meeting on 7 May 2019 representatives of Greene King advised that the tenant had been written to but the company could not immediately comply with the notice as it would take around 6 months to evict the tenant and it would therefore be more expedient for Environmental Health to take action against the tenant.

In summary environmental health are not confident that the DPS and the premises licence holder are carrying on the licensed activity in accordance with the licensing objectives particularly prevention of public nuisance.

Documentation will be provided including officers' statements, residents impact statements, copies of the relevant letters, notices and correspondence referenced in this application and also a copy of the video clip made by a resident on Sunday 21/04/19 at 06.12.

Best Regards

Martin Key
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division



✉: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE

(Office Site: Environmental Protection, 1st Floor, 40 Moat Lane, Birmingham, B5 5BD)

🌐: www.birmingham.gov.uk/eh | Facebook: ehbbham | Twitter: @ehbbham

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♻️ Please consider the environment before printing this email

From: Martin Key

Sent: Monday, June 17, 2019 4:47 PM

To: bw licensing; Licensing; PlanningandRegenerationEnquiries; home office; Birmingham Public Health; Safeguarding Children & Licensing; Fire authority; Pollution Team; TradingStandards; 'Matthew Phipps'

Subject: RE: Licence Review application - Horseshoe 1214 Stratford Road, Birmingham

Importance: High

Hi

As a representative of the responsible authority for environmental health I submit the attached document to join the licence review requested by West Midlands Police for the Horseshoe, 1214 Stratford Road, Birmingham. I confirm I have also sent a copy by post to Greene King Brewing and Retailing Limited, Westgate Brewery, Bury St Edmunds, IP33 1QT.

Best Regards

Martin Key on behalf of Pollution Team
Environmental Protection Officer

**Birmingham City Council
Licensing Service**

Representation as a responsible authority in respect of the premises licence number 1991 granted under the Licensing Act 2003 in respect of premises known as:

- Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH

Introduction

The current premises licence holder - Greene King Brewing and Retailing Limited, Westgate Brewery, Bury St Edmunds, Suffolk, United Kingdom, IP33 1QT

Nominated Designated Premises Supervisor - Mr Tanveer Handa, :

The premises licence currently authorises the following licensable activities:-

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

The times the premises licence authorises the carrying out of licensable activities

Sunday - Wednesday	10:00 - 00:00	E ,F ,H ,M3
	23:00 - 01:00	L
Thursday - Saturday	10:00 - 01:00	E ,F ,H ,M3
	23:00 - 02:00	L

A further additional hour into the morning every Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday.

All

A further additional hour into the morning every St David's Day, St Patrick's Day, St George's Day and St Andrew's Day subject to 7 days notice to, and agreement with, the Police.

All

Background Information

Greene King Brewing and Retailing Limited is the holder of the premises licence granted in respect of the Horseshoe and the premises is leased out to the current tenant operating the premises Restaurant (Midlands) Ltd (Registration number 10779202).

On 10th April 2019 the Licensing Section received an electronic application for a Temporary Event Notice. The applicant Tanveer Handa submitted the application on behalf of Restaurant (Midlands) Ltd (registration number 10779202) and proposed to carry out a temporary activity at the Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH to start on 21st April 2019 and end on 22nd April 2019 and during 00:30 – 05:00 hours. The proposed licensable activities being:-

- The sale by retail of alcohol;
- The provision of regulated entertainment;
- The provision of late night refreshment.

The applicant stated the Temporary Event Notice application was in respect of the Banqueting Hall only and was to be used for a 37th birthday party for family and friends.

On 11th April 2019 the Licensing Section received an objection under Section 104(2) of the Licensing Act 2003 from an Officer exercising Environmental Health functions on behalf of the Local Authority.

On the 11th April 2019 a Counter Notice signed and dated by the Principal Licensing Officer was served on the applicant Tanveer Handa (copy attached). This notice confirmed there was no provision to appeal the Counter Notice and further stated:-

'Under Section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.'

On 23rd April 2019 the Licensing Enforcement Team received information that on 21st & 22nd April 2019 residents living in the vicinity of the Horseshoe had experienced significant disturbance from loud music, people shouting and reported that licensable activity was carried on at the premises beyond permitted hours. Some of these complaints were received from residents directly and others forwarded via their Councillor.

The information received from a resident indicated that the morning after an event on 20th / 21st April 2019 there was litter strewn around the area and wrist bands were identified stating GYAL BAWL OUT. Information was subsequently identified on the internet advertising 'GYAL BAWL OUT' at a 'secret luxury venue' (copy attached).

Following the receipt of these reports a Licensing Enforcement Officer made a requests to Tanveer Handa (DPS) for the disclose of CCTV in order to establish if unauthorised licensable activity had taken place. West Midlands Police also made further requests to Tanveer Handa for disclosure of CCTV images.

As Tanveer Handa was unable to access or downloaded requested images West Midlands Police seized the hard drive for further inspection. The CCTV hard drive is currently awaiting police examination and the matter is still subject to investigation.

If it is established that licensable activities have taken place other than in accordance with a relevant permission this would constitute an offence under Section 136 of the Licensing Act 2003.

On the 30th April 2019 a resident provided the Licensing Enforcement Team with a video recording evidencing the noise nuisance they experienced on the morning of Sunday 21st April 2019. The footage was shared with the Environmental Health Team.

Guidance issued under Section 182 of the Licensing Act 2003 states at para:-

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Recommendations to the Licensing Sub Committee

Tanveer Handa as the Designated Premises Supervisor is in a position of responsibility regarding the day to day operation of the premises and licensable activities conducted at the premises.

In February 2019 Environmental Health Officers met with Tanveer Handa to discuss complaints relating to noise and explained the potential consequences for those responsible if the problems continue - in terms of statutory nuisance and licensing.

On 11th April 2019 Tanveer Handa was served with a Counter Notice in response to his application for a Temporary Event Notice (TEN) for the proposed event at the Horseshoe on the 21st & 22nd April 2019. The Counter Notice clearly advised there was no provision to appeal the Counter Notice and further advised:-

'Under Section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.'

Tanveer Handa evidently chose to disregard the Counter Notice and knowingly permitted licensable activity to be carried on at the premises other than in accordance with a relevant authorisation.

The Licensing Enforcement Team would recommend the Licensing Sub Committee consider the removal of Tanveer Handa as the Designated Premises Supervisor. The problems highlighted by the Responsible Authorities, noise nuisance, breaches of licence conditions and knowingly carrying on and allowing unauthorised licensable activities at the premises are a direct result of his poor management.

In February 2019 the Sprit Pub Company (Leased) Limited which is part of the Greene King Group was made aware of noise issues associated with the Horseshoe. At the beginning of April 2019 the Spirit Pub Company (Leased) Limited being the premises licence holder at that time was issued with an Abatement Notice under Section 80 of the Environmental Protection Act 1990. It is unknown what if any action was taken by the Premises Licence Holder following this stepped approach to address identified issues.

Borough of Poole v Hall & Woodhouse - On 3rd April 2009, the Divisional Court ruled that a pub-owning brewery that had decided to hold premises licences in its own name, rather than have them held by its tenants, was not criminally liable for breaches of licensing conditions committed by its tenant, simply by virtue of the fact that it (the Brewery) held the licence.

The Licensing Enforcement Team would recommend the Licensing Committee consider attaching the attached suggested conditions to the premises licence requiring the Premises Licence Holder and/or tenant(s) operating the premises to both evidence and take responsibility for providing relevant training in order to support and promote the licensing objectives.

The Licensing Enforcement Team would further recommend the Licensing Sub Committee consider making a statement that the exemption given to the premises following de-regulations to regulated entertainment no longer applies to the premises. The exemption which currently applies means a licence is not required for performance of live music or playing of recorded music between 08:00hrs and 23:00hrs at a premises that is licensed to sell alcohol on the premises before an audience of no more than 500 people. As a result any conditions attached to the licence relating to the provision of live music and/or recorded music are currently suspended during these hours.

By making the statement that the exemption no longer applied this would result in all conditions attached to the premises licence and aimed at preventing noise nuisance being enforceable at all times when live or recorded music is being provided at the premises.

The Licensing Enforcement Team has not made any suggestions regarding additional conditions in relation to Crime & Disorder or Public Nuisance as the Responsible Authorities that take lead in these matters will make their own informed recommendations to the Licensing Sub Committee.

Suggested Conditions

General

The Licensing Sub-Committee hereby make the statement that the live and recorded music exemption given to the premises under Section 177A (2) of the Licensing Act 2003, pursuant to Sections 177A (3) and 177A (4) of the said Act does not apply and as such all conditions relating to the playing of live and recorded music to apply.

The Premises Licence Holder will provide initial induction training for all nominated Designated Premises Supervisors in respect of the licence and to be completed within 30 days of any new appointments taking effect. The training should include but this is not an exhaustive list:-

- Their role and responsibilities regarding the day to day operation of the premises;
- The terms of the premises licence;
 - Permitted trading hours for licensable activities;
 - Conditions attached to the premises licence and how to evidence compliance with conditions where required (e.g.)
 - Staff training – content and recording of training;
 - CCTV provisions – operation of the system;
 - SIA and Police requirements when door supervisors deployed at the premises;
 - Risks and control measures to prevent noise breakout from the premise;
- Where the premises is operated by a tenant;
 - An awareness of liability in respect of offences identified in the Licensing Act 2003 and potential penalties;

The induction training provided by the Premises Licence Holder must be recorded and signed by both trainer and trainee. The training records to be retained by the Premises Licence Holder and made available for inspection by any Responsible Authority on request.

The Premises Licence Holder and/or nominated Designated Premises Supervisor will ensure all members of staff employed at the premises and involved in the sales of alcohol 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 proxy sales and how to competently check customers' identification where necessary; and
- permitted hours during which licensable activities can take place, and the conditions attached to the premises licence.

Staff training records detailing the training provided must be maintained for each member of staff and the training records must be sign and date by the member of staff to acknowledge they received and understood the content of the training provided.

The staff training records must be maintained at the premises and made available for inspection by any Responsible Authority on request.

The Designated Premises Supervisor will maintain a list of all members of staff authorised to make sales of alcohol and will make this list available for inspection by any Responsible Authority on request.

Protection of Children

The premises licence holder will implement and operate a Challenge 25 age verification policy to prevent the sale or supply of alcohol to persons under 18 years of age.

Posters or notices will be displayed at the premises and clearly visible to customers informing them that a Challenge 25 age verification policy is in operation at the premises.

Only recognised forms of photographic ID to be accepted as proof of a customer's age:-

- photographic driving licence;
- valid passport;
- military identification;
- other recognised forms of photographic identification incorporating the PASS logo; or
- any other form of identification approved by the Secretary of State

The premises licence holder will maintain a refusals register (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.

The refusal register or record of till recorded refusals must be maintained at the premises and made available for inspection to any Responsible Authority on request.

Birmingham City Council, PO Box 17013, Birmingham, B6 9ES

PRESCRIBED FORM OF COUNTER NOTICE (LATE TEMPORARY EVENT NOTICE)

The prescribed form for a counter notice (late temporary event notice) is as follows:

Counter Notice (Late Temporary Event Notice) – Permitted Temporary Activities

On 10th April 2019 the licensing authority received from you Tanveer Handa a late temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on 21st – 22nd April 2019 at The Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH.

The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 ("the Act").

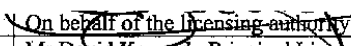
The objection which applies is indicated by an "X" in the following table.

Objection	Insert "X" as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X


A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the late temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.

SIGNATURE		DATE	11.04.2019
Name of Officer signing	Mr David Kennedy Principal Licensing Officer		



 Queen Ladi Gangsta
 @queenladi_gangsta

@queenladi_gangsta 🐼 Father Sturridge
 presents Gyal Bawl Out 🐼 Dovey Magnum
 and Kiprich live in Birmingham April 20th
 THE CROWN REALLY MAKE MI BAWL OUT,
 THE WAY IT DROP IN A MI BACK 🐼 JMGB
 #migludugod #crazzyyy #nevalazy
 #queenwave #jamaica #sayyesyoubless
 #uplikeheaven #girlpowereveryhour
 @pouchy4417 Yes cuzzo guh shell England
 💖 kippo
 💖 82 likes ▶ 2551 views

Tuesday, 16 April 2019, 19:14:34 +0100



Birmingham City Council, PO Box 17013, Birmingham, B6 9ES

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

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 this 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.
You may wish to keep a copy of the completed form for your records.

BCC
REGULATION & ENFORCEMENT
LICENSING SECTION
DATE RECEIVED

20 MAY 2019

REF NO

INITIALS

I Chief Constable of West Midlands Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Horseshoe 1214 Stratford Road	
Post town Birmingham	Post code (if known) B28 9BH
Name of premises licence holder or club holding club premises certificate (if known) Greene King Brewing and Retailing Limited	
Number of premises licence or club premises certificate (if known) 1991	

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

Please provide as much information as possible to support the application (please read guidance note 3)

Police statements will follow from –

Local Police teams
Licensing Officer – Chris Jones
Pc Rohomon – Licensing Police Officer
Control logs
CCTV evidence (if back from analysis)
Plans for premises
Flyers for events

authorised)

As a result of the incidents Licensing Officer Chris Jones contacted the premises and requested copies of the incident reports for the weekend as well as the CCTV.

The DPS contacted Chris Jones advising that he would get the information and the CCTV which he could see live on his phone.

Licensing officers attended the premise, and spoke to the DPS.

Through the discussion at the premises it was discovered

- The area used for the events did not appear on the plans, and so was suspected to be unlicensed
- It was set up as a bar, with the DPS stating that was the responsibility of the premise licence holder
- CCTV was not working (has been seized for analysis)
- Booking procedures for events was poor
- Security issues
- People booking room, being allowed to sell own alcohol
- People involved in disorder just being ejected so fight could continue outside
- Incident book recording poor
- No risk assessments for TEN's when requested
- The person who had called the Police for the disorder on the 20th April was not on the list of employees working that night, and so the premises had not called the Police.

Discussions then took place with the premise licence holders and their solicitors; however agreement could not be reached on conditions to remedy the above issue.

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Constable West Midlands Police C/o Birmingham Licensing department Lloyd House Birmingham
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

The premises are what are known commonly as a local pub, it has been set up to allow a good percentage of food sales and also vertical drinking.

At the rear of the premises is a converted unit that used to house a "Whacky Warehouse" – children's soft play area but this has been converted into a suite, set up with a bar, dance floor and seating.

The premise is a tenanted premises, although Greene King remain the licence holders, with the tenant Tanveer Handa being the DPS.

On the 15th January 2019 – officers from the local Police team contacted the Police licensing team, as they had been contacted by local residents and councillor indicating that the premises were operating until 0700 hours and that it was causing significant noise issues.

On the 26th January 2019 – the DPS had applied for a Late Ten notice, indicating that it was for a birthday party. It transpired that the actual event was for a member of an Organised Crime Group who had been killed. Flyers advertising the event and that they had flown artists in from the USA to perform.

Following this West Midlands Police began to have concerns that the premise was being used by members of organised crime groups. The licensing officer Chris Jones who dealt with the premises spoke to the DPS and told him that in future, any applications for a TEN would need to have a risk assessment as well, so that we could now assess the risk.

On the 28th January 2019 – the DPS applied for a further Late ten for a party on the 2nd Feb 2019, this time indicating it was for family and friends. This was going from 2200 until 0500 hours.

On the 8th February 2019 – the DPS applied for a further Late ten for a party on the 16th Feb 2019 again for a birthday party. This application was objected to by Environmental Health and so the TEN was counter noticed. There was no risk assessment with the application but as it had been counter noticed West Midlands Police did not chase this up with the DPS.

On the 10th April 2019 – the DPS applied for a Late Ten notice for the same party that had been arranged for the 8th February 2019. This event would be taking place over the Easter weekend from Sunday 21st April into Monday 22nd April 2019. This was again objected to by Environmental Health as they had served a noise abatement notice against the premise and a counter notice issued.

Over the Easter weekend several incidents happened at the premises that caused concern to West Midlands Police on how the premise was being operated.

On the 20th April at 00:31 hours a call was made from a member of public indicating that there was a large fight and potential stabbing at the premises. Officers attending identified injured persons (who would not engage with the Police) and also signs within the premises of a disorder taking place. A person was named on the Police log as the caller. It was ascertained that no stabbing had happened but officers noted that there were signs of disorder from the main section of the premises and not the area referred to as the "whacky Warehouse".

On the 21st April – WMP were aware of an event at the premises (for which a Ten had been applied but the application had been objected to and so a counter notice issued). This event from Police intelligence had been organised by known members of an organised crime group. The DPS was spoken to on the night by the duty Sgt, who confirmed the event was happening, until 0200 am, with half the security being provided by someone from the organisers.

Complaints were shared with West Midlands Police to indicate that the event that had started on the 21st had gone past the 02.00 hours as officers were told and had finished at the times that had been applied for through the Temporary Event notice (which had been counter noticed and so not

Have you made an application for review relating to the premises before

Please tick ✓ yes

☐

If yes please state the date of that application

Day Month Year

1	1	1	1	1	1	1	1	1	1
---	---	---	---	---	---	---	---	---	---

If you have made representations before relating to the premises please state what they were and when you made them

A minor variation was submitted on behalf of the premise licence holder on the 14th May 2019 to amend operating conditions.

West Midlands Police objected to this application on the 14th May 2019

Please tick ☒ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

A/SUPT 4595 TAMBLING

Date

Monday 20th May 2019

Capacity

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

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)
Birmingham Central Police Licensing Team
c/o Lloyd House Police Station
Snow Hill Queensway

Post town

Birmingham

Post Code

B4 6NQ

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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LICENSING ACT 2003PREMISES LICENCE

Premises Licence Number:

1991 / 6

Part 1 - Premises details:

Postal address of premises, or if none, ordnance survey map reference or description	
Horseshoe 1214 Stratford Road Hall Green	
Post town:	Post Code:
Birmingham	B28 9BH
Telephone Number:	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Sunday - Wednesday	10:00 - 00:00	E ,F ,H ,M3
	23:00 - 01:00	L
Thursday - Saturday	10:00 - 01:00	E ,F ,H ,M3
	23:00 - 02:00	L
A further additional hour into the morning every Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday.		All
A further additional hour into the morning every St David's Day, St Patrick's Day, St George's Day and St Andrew's Day subject to 7 days notice to, and agreement with, the Police.		All

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On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to 21 days notice to and agreement with the police.	All
The Police retain the right of absolute veto over any such extension.	All

The opening hours of the premises

Sunday - Wednesday	09:00	-	01:00
Thursday - Saturday	09:00	-	02:00

A further additional hour into the morning every Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday.

A further additional hour into the morning every St David's Day, St Patrick's Day, St George's Day and St Andrew's Day subject to seven days notice to, and agreement with, the Police.

On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to 21 days notice to and agreement with the police.

The Police retain the right of absolute veto over any such extension.

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

On and Off Supplies

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Greene King Brewing and Retailing Limited Westgate Brewery Bury Street Edmunds	
Post town: Suffolk	Post Code: IP33 1QT
Telephone Number: Not Specified	
Email Not Specified	

Registered number of holder for example company number or charity number (where applicable) 03298903
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Tanveer Singh Handa	
Post town:	Post Code:
Telephone Number: Not Specified	

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Licence Number SOL/PE/1106/2009	Issuing Authority SOLIHULL METROPOLITAN BOROUGH COUNCIL

Dated 29/04/2019

Bhapinder Nandhra
Senior Licensing Officer
For Director of Regulation and Enforcement

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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

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

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

Embedded Restrictions

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

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

(1) Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock in the morning following [three o'clock in the metropolis] [or, if an earlier hour is specified in the special hours certificate, that hour] except that – (a) the permitted hours shall end at midnight on any day on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; and (b) on any day that music and dancing end (or, in the case of casino premises, gaming ends) between midnight and two o'clock in the morning [three o'clock in the metropolis], the permitted hours shall end when the music and dancing end or, as the case may be, when the gaming ends. (2) In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect – (a) with the substitution of references to three o'clock in the morning [four o'clock in the metropolis] [or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 a.m. and 2 a.m.] (3) Except on Sundays immediately before Bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that – a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. (4) On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following [3 a.m. in the metropolis], except that – (a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and 2 a.m. [3 a.m. in the metropolis], the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. For casino premises (5) The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment. For other premises (6) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

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This licence is granted subject to compliance with the conditions attached to the Public Entertainment Licence, previously issued in respect of these premises, as detailed in document reference number: PEL4.7 (copies of which are available upon request from the Licensing Section)

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

Licensable activities may continue beyond the times specified in the embedded restrictions up to the times the premises licence authorises the carrying out of licensable activities.

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Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

No adult entertainment or services are permitted on the premises, with the exception of AWP machines.

Regulated entertainment is permitted to take place inside the premises only.

The licence holder will ensure the premises respect Spirit Group's Approach to Responsible Drinking.

On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to twenty-one days notice to, and agreement with, the Police. The Police retain the right of absolute veto over any such extension.

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

The Licence Holder will ensure CCTV system is in place that captures sufficiently clear, usable images.

Door staff will continue to be employed at the premises on Friday and Saturday evenings.

When door staff are used on the premises they will be Security Industry Authority (SIA) approved and operate in accordance with the Security Industry guidelines.

The licence holder shall ensure a zero tolerance towards illegal drugs will be enforced at all times on the premises.

If a disk jockey is used on any night at the premises, then he/she will ask patrons to leave the premises quietly.

The licence holder shall ensure that all instances of crime and disorder are reported to the police and an incident log book will be kept and maintained on the premises.

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

Maximum occupancy level:

- limited to 200 persons (lounge)
- limited to 100 persons (bar)

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

The licence holder shall ensure additional patrols are carried out by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.

Notices will be displayed on the premises, asking customers to respect local residents when leaving the premises.

The Licence Holder will ensure that text and/or radio pagers, where already used will continue to be used on the premises during the hours of operation.

Soft drinks and non-alcoholic refreshment will be available during any extended period between the cessation of the supply of alcohol and the closure of the premises.

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

Whenever children are permitted on the premises, any entertainment offered within the premises will be suitable for persons of that age.

Persons under the age of 16 must be supervised by an accompanying adult at all times.

Soft drinks and non-alcoholic drinks will be available.

Persons under the age of 18 are not permitted to play on Section 34 permitted AWP machines.

Persons under the age of 16 are not permitted in the area immediately adjacent to the bar servery.

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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

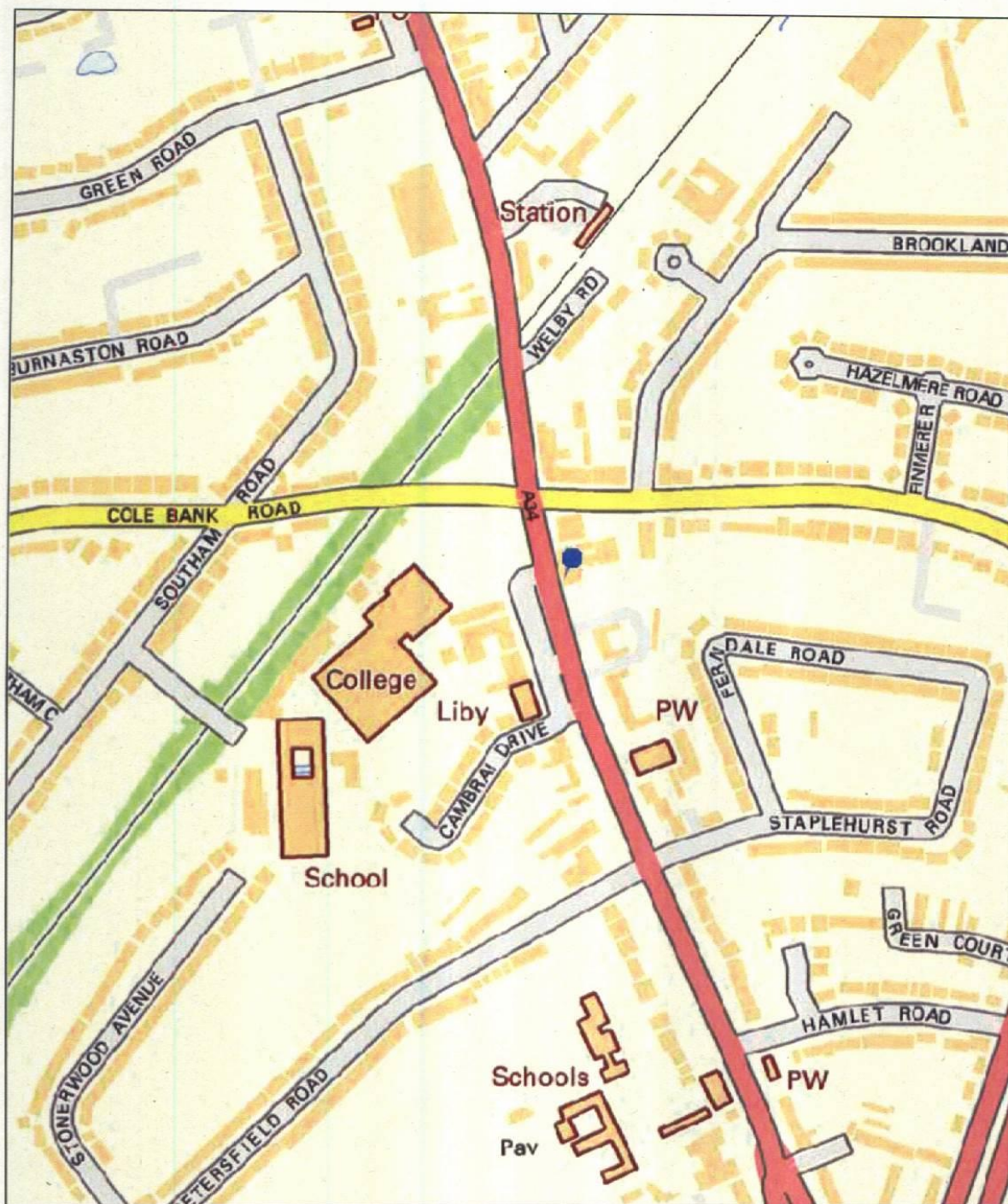
3e) Committee conditions to promote the protection of children from harm

N/A

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Annex 4 – Plans

The plan of the premises with reference number **110588-1991/6** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.



Birmingham City Council Map Created By:

Date of Map Creation: 17/05/2019

Notes

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Scale:
 1:4,000



Birmingham City Council

Map Created By:

Notes

Date of Map Creation: 17/05/2019



Scale:
1:1,250

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Our reference WK/009211811

24th January 2019

Spirit Pub Company (Leased) Limited
Westgate Brewery
Bury St Edmunds
SUFFOLK
IP33 1QT

Dear Sir/Madam,

Environmental Protection Act 1990
Licensing Act 2003

RE: Alleged noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH

I have very recently been passed a case regarding the above premises. I understand that the Spirit Pub Company (Leased) Limited are the current premises licence of the Horseshoe, 1214 Stratford Road, Birmingham. At this stage I do not know what the arrangements are between your company and the current occupiers regarding the operation of the business at the above premises; however I feel it is important to advise you of the current situation, in order that you can take any appropriate measures.

I have written separately regarding this matter to the Designated Premises Supervisor at the above premises and to Restaurant (Midlands) Limited (applicant business, in relation to Temporary Events Notice that has been served).

Over recent months Environmental Health have received 9 complaints alleging loud music from the above premises is causing a noise nuisance and preventing residents from sleeping. My colleagues have written to the business at 1214 Stratford Road regarding these complaints.

I have become aware over the past few days that a Temporary Events Notice (TEN) has been served by Tanveer Handa (applicant) on the 17/01/19 on behalf of Restaurant (Midlands) Limited (applicant business) for an event to be held at the Horseshoe, 1214 Stratford Road during the 26/01/19 – 27/01/19 from 22:00 – 06:00hrs. I note that regulated entertainment will be provided.

I have written to the Designated Premises Supervisor at the above premises and to Restaurant (Midlands) Limited and explained as I have stated below:

"Please note the following:

1. A statutory or public nuisance can be caused at **ANY TIME OF THE DAY, including within the hours that the business is licensed to play music**
2. A statutory or public nuisance can be caused regardless of whether or not you have a licence permitting the provision of regulated entertainment

Karen Boyal
Environmental Health
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
The Place Directorate

3. Having a late TEN or licence of any type **does not** mean that you can cause a noise nuisance
4. One of the licensing objectives is to **PREVENT** public nuisance"

Due to the number of complaints alleging noise nuisance from the above premises I write to advise you that an investigation will now be carried out to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

As I have stated, at this stage I do not know what the arrangements are between your company and the current occupants, regarding the operation of the business at this premises but please be advised:

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

I must also warn that action may be taken to seize any equipment associated with any noise nuisance.

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

When holding any event where music is played you should take all reasonable measures to prevent a noise nuisance arising. Below are some examples of steps that can be taken to prevent causing a noise nuisance to your neighbours and preventing them from sleeping:

1. Keep the doors and windows closed at all times and to supervise this throughout the evening/ early hours
2. Ensure the music is played at a suitable level to prevent nuisance arising and check this at **regular intervals throughout the evening/early hours**, by standing outside the nearest residential properties.

If music can be heard when standing outside the nearest residential properties then there is the likelihood that a noise nuisance could arise and the music level should be reduced inside the premises, until it cannot be heard.

3. Consider reducing the number of speakers and/ or changing their positions and settings to try and prevent any further noise nuisance.
4. The bass is reported to be particularly problematic to residents, so consider reducing the number of any bass bins and reducing the bass overall.
5. Inform the DJ that the business is under investigation with respect to alleged noise nuisance and that they must adhere to any noise levels set by the management.
6. Seal any gaps around any doors/ windows that sound could escape through
7. Place clear signs on doors telling patrons to keep them closed
8. Consider seeking the advice of an acoustics consultant

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

I would request your co-operation in ensuring that no noise nuisance is caused and would encourage you to discuss the matter with the current occupants of the Horseshoe, 1214 Stratford Road, Birmingham. If you wish to discuss this matter, please contact me on the telephone number below.

Yours faithfully,



K. Boyal
Environmental Health Officer

Our reference WK/009211811

24th January 2019

Restaurant (Midlands) Limited
2 WHEELAYS ROAD
BIRMINGHAM
B15 2LD

Dear Sir/Madam,

Environmental Protection Act 1990
Licensing Act 2003

RE: Alleged noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH

I refer to letters sent to the Horseshoe, 1214 Stratford Road by the Environmental Health Section over recent months concerning the above matter. Environmental Health have received 9 complaints over recent months alleging loud music from the above premises is causing a noise nuisance and preventing residents from sleeping.

I have become aware over the past few days that a Temporary Events Notice (TEN) has been served by Tanveer Handa on the 17/01/19 on behalf of Restaurant (Midlands) Limited for an event to be held at the Horseshoe, 1214 Stratford Road during the 26/01/19 – 27/01/19 from 22:00 – 06:00hrs. I note that regulated entertainment will be provided.

Please note the following:

1. A statutory or public nuisance can be caused at **ANY TIME OF THE DAY, including within the hours that the business is licensed to play music**
2. A statutory or public nuisance can be caused regardless of whether or not you have a licence permitting the provision of regulated entertainment
3. Having a late TEN or licence of any type **does not** mean that you can cause a noise nuisance
4. One of the licensing objectives is to **PREVENT** public nuisance

Due to the number of complaints alleging noise nuisance from the above premises I write to advise you that an investigation will now be carried out to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

I must also warn you that action may be taken to seize any equipment associated with any noise nuisance.

Karen Boyle
Environmental Health
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
The Place Directorate

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

When holding any event where music is played you should take all reasonable measures to prevent a noise nuisance arising. Below are some examples of steps that can be taken to prevent causing a noise nuisance to your neighbours and preventing them from sleeping:

1. Keep the doors and windows closed at all times and to supervise this throughout the evening/ early hours
2. Ensure the music is played at a suitable level to prevent nuisance arising and check this at regular intervals throughout the evening/early hours, by standing outside the nearest residential properties.

If music can be heard when standing outside the nearest residential properties then there is the likelihood that a noise nuisance could arise and the music level should be reduced inside the premises, until it cannot be heard.

3. Consider reducing the number of speakers and/ or changing their positions and settings to try and prevent any further noise nuisance.
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6. Seal any gaps around any doors/ windows that sound could escape through
7. Place clear signs on doors telling patrons to keep them closed
8. Consider seeking the advice of an acoustics consultant

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

I would request your co-operation in ensuring that no noise nuisance is caused. If you wish to discuss this matter, please contact me on the telephone number below.

Yours faithfully,



K. Boyal
Environmental Health Officer

Our reference WK/009211811

24th January 2019

The Designated Premises Supervisor
The Horseshoe
1214 Stratford Road
Hall Green
Birmingham
B28 9BH

Dear Sir/Madam,

Environmental Protection Act 1990
Licensing Act 2003

RE: Alleged noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH

I refer to letters sent to the Horseshoe, 1214 Stratford Road by the Environmental Health Section over recent months concerning the above matter. Environmental Health have received 9 complaints over recent months alleging loud music from the above premises is causing a noise nuisance and preventing residents from sleeping.

I have become aware over the past few days that a Temporary Events Notice (TEN) has been served by Tanveer Handa on the 17/01/19 on behalf of Restaurant (Midlands) Limited for an event to be held at the Horseshoe, 1214 Stratford Road during the 26/01/19 – 27/01/19 from 22:00 – 06:00hrs. I note that regulated entertainment will be provided.

Please note the following:

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2. A statutory or public nuisance can be caused regardless of whether or not you have a licence permitting the provision of regulated entertainment
3. Having a late TEN or licence of any type **does not** mean that you can cause a noise nuisance
4. One of the licensing objectives is to **PREVENT** public nuisance

Due to the number of complaints alleging noise nuisance from the above premises I write to advise you that an investigation will now be carried out to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

Karen Boyal
Environmental Health
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The Place Directorate

I must also warn you that action may be taken to seize any equipment associated with any noise nuisance.

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

When holding any event where music is played you should take all reasonable measures to prevent a noise nuisance arising. Below are some examples of steps that can be taken to prevent causing a noise nuisance to your neighbours and preventing them from sleeping:

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6. Seal any gaps around any doors/ windows that sound could escape through
7. Place clear signs on doors telling patrons to keep them closed
8. Consider seeking the advice of an acoustics consultant

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

I would request your co-operation in ensuring that no noise nuisance is caused. If you wish to discuss this matter, please contact me on the telephone number below.

Yours faithfully,



K. Boyal
Environmental Health Officer

Our reference WK/009211811
27th February 2019

Spirit Pub Company (Leased) Limited
Westgate Brewery
Bury St Edmunds
SUFFOLK
IP33 1QT

Dear Sir/Madam,

Environmental Protection Act 1990
Licensing Act 2003

RE: Noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH
-TEN at banqueting suite 2/03/19 to 3/03/19

I write further to my letter dated 24/01/19. As stated in that letter, I understand that the Spirit Pub Company (Leased) Limited are the current premises licence of the Horseshoe, 1214 Stratford Road, Birmingham. At this stage I do not know what the arrangements are between your company and the current occupiers regarding the operation of the business at the above premises; however I feel it is important to advise you of the current situation, in order that you can take any appropriate measures.

I have written separately regarding this matter to the Designated Premises Supervisor at the above premises and to Restaurant (Midlands) Limited (applicant business, in relation to Temporary Events Notice that has been served).

On the 26/01/19 to the 27/01/19 a late TEN had been served in relation to an event which was being held at the banqueting suite at the above address.

At 02:36 – 02:56hrs on the 27/01/19 officers from Environmental Health witnessed a noise nuisance emanating from the banqueting suite at the above address after being contacted by a resident reporting noise nuisance. Officers confirmed that the source of the loud music was the banqueting suite where the wooden panels on the outside of the building were vibrating.

Following the event at the banqueting suite on the 26-27/01/19, Environmental Health received an additional 2 complaints from residents reporting noise nuisance from the above premises; this takes the total number of complaints regarding noise nuisance from the above premises to 11.

Karen Boyle
Environmental Health
PO Box 16977
Birmingham
B2 2AE

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Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
www.birmingham.gov.uk/eh
Neighbourhoods Directorate

On the 19/02/19, I met with Tanveer Handa, DPS of the above premises and discussed the above matters.

Tanveer Handa informed me that the objections made by Environmental Health to subsequent late TENs that had been served by Restaurant (Midlands) Limited had hit his revenue quite badly and asked for a further opportunity to demonstrate that events held in the early hours of the morning in the banqueting suite can be operated without any noise nuisance arising.

I once again provided advice during our discussion, as I did in the letter dated 24/01/19 on measures that could be taken to try and prevent further nuisance arising from events held at the banqueting suite. Please see overleaf, for ease of reference the measures that could be implemented:

When holding any event where music is played you should take all reasonable measures to prevent a noise nuisance arising. Below are some examples of steps that can be taken to prevent causing a noise nuisance to your neighbours and preventing them from sleeping:

1. Keep the doors and windows closed at all times and to supervise this throughout the evening/ early hours
2. Ensure the music is played at a suitable level to prevent nuisance arising and check this at **regular intervals throughout the evening/early hours**, by standing outside the nearest residential properties.

If music can be heard when standing outside the nearest residential properties then there is the likelihood that a noise nuisance could arise and the music level should be reduced inside the premises, until it cannot be heard.

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4. The bass is reported to be particularly problematic to residents, so consider reducing the number of any bass bins and reducing the bass overall.
5. Inform the DJ that the business is under investigation with respect to alleged noise nuisance and that they must adhere to any noise levels set by the management.
6. Seal any gaps around any doors/ windows that sound could escape through
7. Place clear signs on doors telling patrons to keep them closed
8. Consider seeking the advice of an acoustics consultant

I would also reiterate, as I did in my letter dated 24/01/19:

1. A statutory or public nuisance can be caused at **ANY TIME OF THE DAY, including within the hours that the business is licensed to play music**
2. A statutory or public nuisance can be caused regardless of whether or not you have a licence permitting the provision of regulated entertainment
3. Having a late TEN or licence of any type **does not** mean that you can cause a noise nuisance
4. One of the licensing objectives is to **PREVENT** public nuisance

Tanveer Handa emailed me on the 22/01/19 informing me that a TEN had been served for an event at the banqueting suite on the 2-3/03/19 and stated the following:

"In regards to your request the other day, I will state below the measures that have been put in place to ensure that no further noise complaints shall occur.

- a) the sound system that the guests are permitted to bring has been halved in size, ensuring that the noise levels are lowered.
- b) every 30mins a member of the security will patrol the premises, to ensure no sound is coming outside of the building.
- c) the fire exit will be manned with a static member of the security to ensure that this is not opened at any time, except in a situation of emergency.
- d) further sound proofing steps are being taken to insulate the doors and single pain windows
- e) people will be asked to leave quietly to make sure our neighbours are not disturbed.
- f) we will make sure that the music is inaudible to the human ear at all times. we appreciate that at that time in the early hours of the morning, the roads are quieter. We will take this into consideration and have the dj's adjust their volume accordingly.
- g) If the dj's don't listen and adhere to our requirements, we will terminate the event instantly."

Environmental Health has not objected to the event at the banqueting suite on the 2-3/03/19. As I explained to Tanveer Handa during my visit, although we have not objected on this occasion, Environmental Health are still investigating any complaints reporting noise nuisance emanating from this premises to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

I must also warn you that action may be taken to seize any equipment associated with any noise nuisance.

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

If evidence of a further noise nuisance is obtained during this or any other event held at this premises, then Environmental Health will be serving an abatement notice under the provisions of Section 80 of the Environmental Protection Act 1990.

I would request your co-operation in ensuring that no noise nuisance is caused.

Yours faithfully,



K. Boyal
Environmental Health Officer

Our reference WK/009211811
27th February 2019

Tanveer Handa
The Designated Premises Supervisor
The Horseshoe
1214 Stratford Road
Hall Green
Birmingham
B28 9BH

Dear Mr Handa,

Environmental Protection Act 1990
Licensing Act 2003

RE: Noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH
-TEN at banqueting suite 2/03/19 to 3/03/19

I write further to my letter dated 24/01/19. On the 26/01/19 to the 27/01/19 a late TEN had been served in relation to an event which was being held at the banqueting suite at the above address.

At 02:36 – 02:56hrs on the 27/01/19 officers from Environmental Health witnessed a noise nuisance emanating from the banqueting suite at the above address after being contacted by a resident reporting noise nuisance. Officers confirmed that the source of the loud music was the banqueting suite where the wooden panels on the outside of the building were vibrating.

Following the event at the banqueting suite on the 26-27/01/19, Environmental Health received an additional 2 complaints from residents reporting noise nuisance from the above premises; this takes the total number of complaints regarding noise nuisance from the above premises to 11.

On the 19/02/19, I met with you, DPS of the above premises and discussed the above matters.

You informed me that the objections made by Environmental Health to subsequent late TENs that had been served by Restaurant (Midlands) Limited had hit his revenue quite badly and asked for a further opportunity to demonstrate that events held in the early hours of the morning in the banqueting suite can be operated without any noise nuisance arising.

I once again provided advice during our discussion, as I did in the letter dated 24/01/19 on measures that could be taken to try and prevent further nuisance arising from events held at the banqueting suite. Please see overleaf, for ease of reference the measures that could be implemented:

Karen Boyle
Environmental Health
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
www.birmingham.gov.uk/eh

When holding any event where music is played you should take all reasonable measures to prevent a noise nuisance arising. Below are some examples of steps that can be taken to prevent causing a noise nuisance to your neighbours and preventing them from sleeping:

1. Keep the doors and windows closed at all times and to supervise this throughout the evening/early hours
2. Ensure the music is played at a suitable level to prevent nuisance arising and check this at **regular intervals throughout the evening/early hours**, by standing outside the nearest residential properties.

If music can be heard when standing outside the nearest residential properties then there is the likelihood that a noise nuisance could arise and the music level should be reduced inside the premises, until it cannot be heard.
3. Consider reducing the number of speakers and/ or changing their positions and settings to try and prevent any further noise nuisance.
4. The bass is reported to be particularly problematic to residents, so consider reducing the number of any bass bins and reducing the bass overall.
5. Inform the DJ that the business is under investigation with respect to alleged noise nuisance and that they must adhere to any noise levels set by the management.
6. Seal any gaps around any doors/ windows that sound could escape through
7. Place clear signs on doors telling patrons to keep them closed
8. Consider seeking the advice of an acoustics consultant

I would also reiterate, as I did in my letter dated 24/01/19:

1. A statutory or public nuisance can be caused at **ANY TIME OF THE DAY, including within the hours that the business is licensed to play music**
2. A statutory or public nuisance can be caused regardless of whether or not you have a licence permitting the provision of regulated entertainment
3. Having a late TEN or licence of any type **does not** mean that you can cause a noise nuisance
4. One of the licensing objectives is to **PREVENT** public nuisance

You emailed me on the 22/01/19 informing me that a TEN had been served for an event at the banqueting suite on the 2-3/03/19 and stated the following:

"In regards to your request the other day, I will state below the measures that have been put in place to ensure that no further noise complaints shall occur.

- a) the sound system that the guests are permitted to bring has been halved in size, ensuring that the noise levels are lowered.
- b) every 30mins a member of the security will patrol the premises, to ensure no sound is coming outside of the building.
- c) the fire exit will be manned with a static member of the security to ensure that this is not opened at any time, except in a situation of emergency.
- d) further sound proofing steps are being taken to insulate the doors and single pane windows
- e) people will be asked to leave quietly to make sure our neighbours are not disturbed.
- f) we will make sure that the music is inaudible to the human ear at all times. we appreciate that at that time in the early hours of the morning, the roads are quieter. We will take this into consideration and have the dj's adjust their volume accordingly.

g) If the dj's don't listen and adhere to our requirements, we will terminate the event instantly."

Environmental Health has not objected to the event at the banqueting suite on the 2-3/03/19. As I explained to you during my visit, although we have not objected on this occasion, Environmental Health are **still** investigating any complaints reporting noise nuisance emanating from this premises to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

I must also warn you that action may be taken to seize any equipment associated with any noise nuisance.

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

If evidence of a further noise nuisance is obtained during this or any other event held at this premises, then Environmental Health will be serving an abatement notice under the provisions of Section 80 of the Environmental Protection Act 1990.

I would request your co-operation in ensuring that no noise nuisance is caused.

Yours sincerely,



Karen Boyal
Environmental Health Officer

Our reference WK/009211811
27th February 2019

Restaurant (Midlands) Limited
2 Wheelays Road
BIRMINGHAM
B15 2LD

Dear Sir/Madam,

Environmental Protection Act 1990
Licensing Act 2003

RE: Noise nuisance due to the playing of loud music – The Horseshoe, 1214 Stratford Road, Birmingham, B28 9BH
-TEN at banqueting suite 2/03/19 to 3/03/19

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At 02:36 – 02:56hrs on the 27/01/19 officers from Environmental Health witnessed a noise nuisance emanating from the banqueting suite at the above address after being contacted by a resident reporting noise nuisance. Officers confirmed that the source of the loud music was the banqueting suite where the wooden panels on the outside of the building were vibrating.

Following the event at the banqueting suite on the 26-27/01/19, Environmental Health received an additional 2 complaints from residents reporting noise nuisance from the above premises; this takes the total number of complaints regarding noise nuisance from the above premises to 11.

On the 19/02/19, I met with Tanveer Handa, DPS of the above premises and discussed the above matters.

Tanveer Handa informed me that the objections made by Environmental Health to subsequent late TENS that had been served by Restaurant (Midlands) Limited had hit his revenue quite badly and asked for a further opportunity to demonstrate that events held in the early hours of the morning in the banqueting suite can be operated without any noise nuisance arising.

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Neighbourhoods Directorate

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4. One of the licensing objectives is to **PREVENT** public nuisance

Tanveer Handa emailed me on the 22/01/19 informing me that a TEN had been served for an event at the banqueting suite on the 2-3/03/19 and stated the following:

"In regards to your request the other day, I will state below the measures that have been put in place to ensure that no further noise complaints shall occur.

- a) the sound system that the guests are permitted to bring has been halved in size, ensuring that the noise levels are lowered.
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g)If the dj's don't listen and adhere to our requirements, we will terminate the event instantly."

Environmental Health has not objected to the event at the banqueting suite on the 2-3/03/19. As I explained to Tanveer Handa during my visit, although we have not objected on this occasion, Environmental Health are still investigating any complaints reporting noise nuisance emanating from this premises to establish whether the business is causing a statutory/ public nuisance. **This may involve the City Council installing noise monitoring equipment at the complainant's properties or officers personally witnessing any nuisance.**

If necessary, action may be taken under Section 80 of the Environmental Protection Act 1990 which could lead to a fine on summary conviction if court action is found necessary.

I must also warn you that action may be taken to seize any equipment associated with any noise nuisance.

If evidence of a statutory/ public noise nuisance is obtained, then as well as Environmental Health potentially taking enforcement action under the provisions of the Environmental Protection Act 1990, there may be implications for the premises licence, the personal licence holder and any future TEN's may be objected to by Environmental Health.

It is imperative that the event this weekend and any future events do not cause a statutory or public nuisance, to avoid enforcement action.

If evidence of a further noise nuisance is obtained during this or any other event held at this premises, then Environmental Health will be serving an abatement notice under the provisions of Section 80 of the Environmental Protection Act 1990.

I would request your co-operation in ensuring that no noise nuisance is caused.

Yours faithfully,



K. Boyal
Environmental Health Officer

3rd April 2019

Spirit Pub Company (Leased) Limited
Westgate Brewery
Bury St Edmunds
Suffolk
IP33 1QT

Dear Sir/Madam,

Environmental Protection Act 1990, Section 80 - Abatement Notice

RE: The Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH- noise nuisance

I refer to my letter dated 27/02/19 concerning the above matter. I have investigated the complaints that have been received and I have established that a Statutory Nuisance is being caused due to the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road. The enclosed Abatement Notice places a legal requirement on you to prevent a noise nuisance from happening again in the future.

I must advise you that should the complaints of noise nuisance continue the City Council may install noise monitoring equipment at the complainant's properties or officers may attempt to personally witness any nuisance.

If I establish that the Company has breached this Notice I must warn you that action will be taken to seize sound equipment, associated with the noise nuisance. If this action is taken you may apply for the return of your equipment after 28 days. A charge of £100 will be made for the return of the equipment together with any other charges associated with gaining access to your property.

The Company may also be prosecuted under Section 80 of the Environmental Protection Act 1990 which could lead to a fine should you be convicted in the Magistrates Court.

Guidance notes on the reverse of the notice provide information of what you should do if you wish to appeal against the notice.

If you do not understand the requirements of the notice or wish to discuss this matter please contact me on the telephone number below. Alternatively, you may wish to seek the advice of a solicitor or your own legal advisor.

Karen Boyal
Environmental Health
Manor House
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
www.birmingham.gov.uk/eh
The Place Directorate
Page 57 of 214

Yours faithfully,

A handwritten signature in black ink, appearing to be 'KB' with a stylized flourish.

Karen Boyal
Environmental Health Officer

REFERENCE: KAB/ 9325842
(please quote in all correspondence
relating to this notice)

BIRMINGHAM CITY COUNCIL
ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 80
ABATEMENT NOTICE

TO: Spirit Pub Company (Leased) Limited
Westgate Brewery
Bury St Edmunds
Suffolk
IP33 1QT

TAKE NOTICE that BIRMINGHAM CITY COUNCIL (The Council) being satisfied that a statutory nuisance by virtue of Section 79 (1) (g) noise

has occurred and is likely to recur at a premises on School Road, Birmingham, B28

arising from the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH

so as to be a noise nuisance

THE said council being satisfied that such nuisance is likely to recur HEREBY PROHIBIT its recurrence immediately from the service of this notice

Your attention is drawn to the notes accompanying this notice

If you fail to comply with any of the requirements of this notice you may be prosecuted by the said Council within a Magistrates' Court for an offence under Section 80 of the Environmental Protection Act 1990.

You have the right of appeal against this notice to the Birmingham Magistrates Court as appropriate within a period of twenty-one days beginning with the date of service of the notice.

In the event of an appeal this notice will be suspended.

SIGNED



DATED: 3/04/19

K. Boyle
Duly Authorised Officer
Environmental Health, Regulation and Enforcement, Manor House, PO BOX 16977, Birmingham, B2 2AE

All communications to be addressed to the officer above.

Tel: 0121 303 5543.
Email: karen.boyle@birmingham.gov.uk

ENVIRONMENTAL PROTECTION ACT 1990
NOISE AND STATUTORY NUISANCE ACT 1993
THE STATUTORY NUISANCE (APPEALS) REGULATIONS 1995

(1) Where a Local Authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the Authority, the Local Authority shall serve a notice ("an abatement notice") imposing all or any of the following requirements:-

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence;
- (b) requiring the execution of such works, and the taking of such other steps, as may be necessary for any of these purposes and the notice shall specify the time or times within which the requirements of the notice are to be complied with.

(2) The abatement notice shall be served:-

- (a) Except in a case falling within paragraph (b) or (c) below, on the person responsible for the nuisance;
- (b) Where the nuisance arises from any defect of a structural character, on the owner of the premises;
- (c) Where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, on the owner or occupier of the premises.
- (d) Where the person responsible for the vehicle, machinery or equipment can be found, on that person
- (e) Where the person cannot be found or where the Local Authority determines, by fixing the Notice to the vehicle, machinery or equipment.
- (f) Where an Abatement Notice is served on (b) above, and the person responsible for the vehicle, machinery or equipment can be found and served with a copy of the Notice within 1 hour of the Notice being fixed to the vehicle, machinery or equipment, a copy of the Notice shall be served on that person accordingly.
- (g) Where an Abatement Notice is served in accordance with (b) above, by virtue of a determination of a Local Authority, the Notice shall state that, if a copy of the Notice is subsequently served under (c) above, the time specified in the Notice as the time within which its requirements are to be complied with is extended by such further period as is specified in the Notice.

(3) A person served with the notice may appeal against the notice to a Magistrates' Court within the period of twenty-one days beginning with the date on which he was served with the notice.

(4) If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with the requirement or prohibition imposed by the notice, he shall be guilty of an offence. A person who commits such an offence shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after the conviction, except in the case where a person who commits such an offence does so on industrial, trade or business premises then he shall be liable on summary conviction to a fine not exceeding £20,000.

(5) Where an abatement notice has not been complied with the Local Authority may, whether or not they take proceedings for an offence for non-compliance, abate the nuisance and do whatever may be necessary in execution of the notice. Any expenses reasonably incurred by a Local Authority in abating, or preventing the recurrence of, a statutory nuisance may be recovered by them from the person or persons by whose act or default the nuisance was caused.

(6) Where an appeal is brought against an Abatement Notice the notice will be suspended pending the outcome of the appeal, except where the nuisance to which the notice relates

- (i) is injurious to health, or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (iii) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

In such circumstances the notice will not be suspended pending the outcome of the appeal

3rd April 2019

Restaurant (Midlands) Limited
2 Wheeleys Road
BIRMINGHAM
B15 2LD

Dear Sir/Madam,

Environmental Protection Act 1990, Section 80 - Abatement Notice

RE: The Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH- noise nuisance

I refer to my letter dated 27/02/19 concerning the above matter. I have investigated the complaints that have been received and I have established that a Statutory Nuisance is being caused due to the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road. The enclosed Abatement Notice places a legal requirement on you to prevent a noise nuisance from happening again in the future.

I must advise you that should the complaints of noise nuisance continue the City Council may install noise monitoring equipment at the complainant's properties or officers may attempt to personally witness any nuisance.

If I establish that the Company has breached this Notice I must warn you that action will be taken to seize sound equipment, associated with the noise nuisance. If this action is taken you may apply for the return of your equipment after 28 days. A charge of £100 will be made for the return of the equipment together with any other charges associated with gaining access to your property.

The Company may also be prosecuted under Section 80 of the Environmental Protection Act 1990 which could lead to a fine should you be convicted in the Magistrates Court.

Guidance notes on the reverse of the notice provide information of what you should do if you wish to appeal against the notice.

If you do not understand the requirements of the notice or wish to discuss this matter please contact me on the telephone number below. Alternatively, you may wish to seek the advice of a solicitor or your own legal advisor.

Karen Boyle
Environmental Health
Manor House
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
www.birmingham.gov.uk/eh
The Place Directorate
Page 61 of 214

Yours faithfully,

A handwritten signature in black ink, appearing to be the initials 'KB' with a stylized flourish.

Karen Boyal
Environmental Health Officer

REFERENCE: KAB/9325810
(please quote in all correspondence
relating to this notice)

BIRMINGHAM CITY COUNCIL
ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 80
ABATEMENT NOTICE

TO: Restaurant (Midlands) Limited
2 Wheeleys Road
BIRMINGHAM
B15 2LD

TAKE NOTICE that BIRMINGHAM CITY COUNCIL (The Council) being satisfied that a statutory nuisance by virtue of Section 79 (1) (g) noise

has occurred and is likely to recur at a premises on School Road, Birmingham, B28

arising from the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH

so as to be a noise nuisance

THE said council being satisfied that such nuisance is likely to recur HEREBY PROHIBIT its recurrence immediately from the service of this notice

Your attention is drawn to the notes accompanying this notice

If you fail to comply with any of the requirements of this notice you may be prosecuted by the said Council within a Magistrates' Court for an offence under Section 80 of the Environmental Protection Act 1990.

You have the right of appeal against this notice to the Birmingham Magistrates Court as appropriate within a period of twenty-one days beginning with the date of service of the notice.

In the event of an appeal this notice will be suspended.

SIGNED



DATED: 3/04/19

K. Boyle
Duly Authorised Officer
Environmental Health, Regulation and Enforcement, Manor House, PO BOX 16977, Birmingham, B2 2AE

All communications to be addressed to the officer above.

Tel: 0121 303 5543.
Email: karen.boyle@birmingham.gov.uk

ENVIRONMENTAL PROTECTION ACT 1990
NOISE AND STATUTORY NUISANCE ACT 1993
THE STATUTORY NUISANCE (APPEALS) REGULATIONS 1995

(1) Where a Local Authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the Authority, the Local Authority shall serve a notice ("an abatement notice") imposing all or any of the following requirements:-

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence;
- (b) requiring the execution of such works, and the taking of such other steps, as may be necessary for any of these purposes and the notice shall specify the time or times within which the requirements of the notice are to be complied with.

(2) The abatement notice shall be served:-

- (a) Except in a case falling within paragraph (b) or (c) below, on the person responsible for the nuisance;
- (b) Where the nuisance arises from any defect of a structural character, on the owner of the premises;
- (c) Where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, on the owner or occupier of the premises.
- (d) Where the person responsible for the vehicle, machinery or equipment can be found, on that person
- (e) Where the person cannot be found or where the Local Authority determines, by fixing the Notice to the vehicle, machinery or equipment.
- (f) Where an Abatement Notice is served on (b) above, and the person responsible for the vehicle, machinery or equipment can be found and served with a copy of the Notice within 1 hour of the Notice being fixed to the vehicle, machinery or equipment, a copy of the Notice shall be served on that person accordingly.
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(3) A person served with the notice may appeal against the notice to a Magistrates' Court within the period of twenty-one days beginning with the date on which he was served with the notice.

(4) If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with the requirement or prohibition imposed by the notice, he shall be guilty of an offence. A person who commits such an offence shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after the conviction, except in the case where a person who commits such an offence does so on industrial, trade or business premises then he shall be liable on summary conviction to a fine not exceeding £20,000.

(5) Where an abatement notice has not been complied with the Local Authority may, whether or not they take proceedings for an offence for non-compliance, abate the nuisance and do whatever may be necessary in execution of the notice. Any expenses reasonably incurred by a Local Authority in abating, or preventing the recurrence of, a statutory nuisance may be recovered by them from the person or persons by whose act or default the nuisance was caused.

(6) Where an appeal is brought against an Abatement Notice the notice will be suspended pending the outcome of the appeal, except where the nuisance to which the notice relates

- (i) is injurious to health, or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (iii) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

In such circumstances the notice will not be suspended pending the outcome of the appeal

Our reference KAB/ 9350932
24th April 2019

TANVEER HANDA
3 Abberton Grove
Shelly Crescent
Monkspath
Solihull
B90 4YQ

Dear Mr Handa,

Environmental Protection Act 1990, Section 80 - Abatement Notice

RE: The Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH – noise nuisance

I refer to my letter dated 27/02/19 concerning the above matter. I have investigated the complaints that have been received and I have established that you are causing a Statutory Nuisance from the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road. The enclosed Abatement Notice places a legal requirement on you to prevent it from happening again in the future.

I must advise you that should the complaints of noise nuisance continue the City Council may install noise monitoring equipment at the complainant's property or officers may attempt to personally witness any nuisance.


If I establish that you have breached this Notice I must warn you that action may be taken to seize sound equipment, associated with the noise nuisance. If this action is taken you may apply for the return of your equipment after 28 days. A charge of £100 will be made for the return of the equipment together with any other charges associated with gaining access to your property

You may also be prosecuted under Section 80 of the Environmental Protection Act 1990 which could lead to a fine should you be convicted in the Magistrates Court.

Guidance notes on the reverse of the notice provide information of what you should do if you wish to appeal against the notice.

If you do not understand the requirements of the notice or wish to discuss this matter please contact me on the telephone number below. Alternatively, you may wish to seek the advice of a solicitor or your own legal advisor.

Yours sincerely,


K. Boyle
Environmental Health Officer

Karen Boyle
Environmental Health
Manor House
PO Box 16977
Birmingham
B2 2AE

Telephone: 0121 303 5543
Fax: 0121 303 9962
E mail: karen.boyle@birmingham.gov.uk
www.birmingham.gov.uk/eh
The Place Directorate
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REFERENCE: KAB/ 9350932
(please quote in all correspondence
relating to this notice)

BIRMINGHAM CITY COUNCIL
ENVIRONMENTAL PROTECTION ACT 1990 - SECTION 80
ABATEMENT NOTICE

TO: TANVEER HANDA
3 Abberton Grove
Shelly Crescent
Monkspath
Solihull
B90 4YQ

TAKE NOTICE that BIRMINGHAM CITY COUNCIL (The Council) being satisfied that a statutory nuisance by virtue of Section 79 (1) (g) noise

has occurred and is likely to recur at a premises on School Road, Birmingham, B28

arising from the playing of amplified music and the use of a microphone at the Horseshoe Banqueting Suite, 1214 Stratford Road, Birmingham, B28 9BH

so as to be a noise nuisance

THE said council being satisfied that such nuisance is likely to recur HEREBY PROHIBIT its recurrence immediately

Your attention is drawn to the notes accompanying this notice

If you fail to comply with any of the requirements of this notice you may be prosecuted by the said Council within a Magistrates' Court for an offence under Section 80 of the Environmental Protection Act 1990.

You have the right of appeal against this notice to the Birmingham Magistrates Court as appropriate within a period of twenty-one days beginning with the date of service of the notice.

In the event of an appeal this notice will be suspended.

SIGNED



DATED: 24/04/19

K. Boyle
Duly Authorised Officer
Environmental Health, Regulation and Enforcement, Manor House, PO Box 16977, Birmingham, B2 2AE

All communications to be addressed to the officer above.

Tel: 0121 303 5543
Email: karen.boyle@birmingham.gov.uk

ENVIRONMENTAL PROTECTION ACT 1990
NOISE AND STATUTORY NUISANCE ACT 1993
THE STATUTORY NUISANCE (APPEALS) REGULATIONS 1995

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- (c) Where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, on the owner or occupier of the premises.
- (d) Where the person responsible for the vehicle, machinery or equipment can be found, on that person
- (e) Where the person cannot be found or where the Local Authority determines, by fixing the Notice to the vehicle, machinery or equipment.
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- (i) is injurious to health, or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (iii) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

In such circumstances the notice will not be suspended pending the outcome of the appeal

**Birmingham City Council
Environmental Services Department
STATEMENT OF WITNESS**

(Criminal Procedure Rules, r. 27.2; Criminal Justice Act 1967, s.9;
Magistrates Court Act 1980, s5B)

Name Russell Davey

Age OVER 21 (yrs) Date of Birth _____

Occupation Environmental Health 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.

Dated the 1 of July 2019

Signed 

My name is Russell Davey, I am employed by Birmingham City Council as an Environmental Health Officer and am authorised to enforce the provisions of the Environmental Protection Act 1990, in particular those which deal with noise and statutory nuisance.

On the 10th March 2019 I was working with my colleague, Russell Dodd, Enforcement Officer on the Department's out of hours noise service. At approximately 1.37 am I received a message from ~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~, Hall Green, Birmingham, ~~XXXXXX~~ who had called to advise that she was experiencing problems with loud music from The Horse Shoes, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH. I arrived at ~~XXXXXXXXXX~~ property with Russell Dodd at 2.30am. I would describe the property as a ~~XXXXXX~~ house situated close to a busy main road junction. The house overlooked was situated on the far side of ~~XXXXXXXXXX~~ but faced towards The Horseshoes Public House.

On arrival at the property I was showing into a first floor front bedroom which looked towards the public house. I was advised by ~~XXXXXXXXXX~~ that her property had been fitted with triple glazed windows. Listening in this bedroom with the windows closed I could hear the bass element of what I believe to be

Signed 

Delete as applicable

**Birmingham City Council
Environmental Services Department
STATEMENT OF WITNESS**

(C.J Act 1967, s.9; M.C. Act 1980, ss.5A(3)(A) and 5B, M.C. Rules 1981, r.70)

Continuation Sheet No: 1

Statement of: Russell Davey

Drum and Bass music being played and could also hear a DJ using a PA system. The music was at such a level that I could feel a slight vibration in the room caused by the bass. The bass sound could clearly be heard over the traffic. I was advised that the premises used to be a Wacky Warehouse restaurant but had now changed hands. The building which used to be a children's play area was now being used as a banqueting venue. ~~XXXXXX~~ advised that she was disturbed by the noise most weekends which usually went on until around 5am. ~~XXXXXX~~ advised that the level of music I was hearing was lower than it has been on some occasions. At approximately 2.50am the music increased slightly in volume and I could continue to feel the vibration through the property. The music had a very heavy bass element and the DJ could be heard almost constantly talking over the music. At approximately 2.54am the volume of the music and DJ appeared louder. In my opinion the level of noise coming from the premises would affect my ability to sleep and would constitute a statutory nuisance. At 3am we left the premises and walked around to the front of the public house. The front of the public House appeared empty. All of the music and DJ appeared to be coming from the former Wacky Warehouse play area at the rear. Whilst we were walking past the front of the public house I witnessed a number of people arriving and head down to the building at the rear. A gazebo had been set up on the car park of the public house and was being used to cook and serve food. All of the parking bays in the layby opposite the public house were occupied and as a result patrons had taken to parking on the pavement in front of the public blocking pedestrian flow.

Whilst I was on this call I also received a message from a resident living in ~~XXXXXX~~, Birmingham, B28~~XXXX~~ in a property situated at the rear of the public house. I attended the property at 3am and whilst I did not enter the


Signed  Signature Witnessed by

**Birmingham City Council
Environmental Services Department
STATEMENT OF WITNESS**

(C.J Act 1967, s.9; M.C. Act 1980, ss.5A(3)(A) and 5B, M.C. Rules 1981, r.70)

Continuation Sheet No: 2

Statement of: Russell Davey

property I could hear the music and DJ from the Horseshoes Public House in
the street outside. 

Signed  Signature Witnessed by

**Birmingham City Council
REGULATORY SERVICES
STATEMENT OF WITNESS**

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, S. 9,
Magistrates' Courts Act 1980 s 5 (B))

Name Pardip Mohan

Age OVER 18

Occupation Environmental Health 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.

Dated the 26th day of June 2019

Signed 

I, Pardip Mohan, have been qualified as an Environmental Health Officer since May 2005 and have been investigating issues of noise nuisance since December 2004. I am employed by Birmingham City Council as an Environmental Health Officer and I am authorised to enforce the Environmental Protection Act 1990. Part three of that Act deals with statutory nuisance. On the early hours of Sunday 27th January 2019 I was on call for Birmingham City Council's out of hour's noise nuisance witnessing service. At approximately 02:00 ~~XXXXXX~~ of ~~XXXXXX~~, Hall Green, Birmingham, B28 ~~XXXXXX~~ contacted the messenger service requesting an officer to witness noise from The Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH. At approximately 02:36 as my colleague Lisa Morrow and I walked towards ~~XXXXXX~~ house on ~~XXXXXX~~ I could hear music emanating from a building located by the hall green branch of Kwik fit. We arrived at ~~XXXXXX~~ at approximately the same time of 02:36 and we were taken to the first floor large bedroom facing ~~XXXXXX~~

Signed 

**Birmingham City Council
REGULATORY SERVICES
STATEMENT OF WITNESS**

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, S. 9,
Magistrates' Courts Act 1980 s 5 (B))

Throughout this bedroom I heard bass beats and music emanating from the same building as I witnessed when I was outside. It was a cold night and the windows to the bedroom were shut. However the music and bass beats were still very audible with the windows shut. I could also hear male vocals, repetitive drum beats and the music style appeared to be of African origin. At approximately 02:44 the volume of the bass beats was turned down a little but it was still audible, even in one of the bedrooms facing the rear of the house away from [REDACTED]. At 02:44 the music track changed to one with a different melody and different rhythm to the beats. I could hear a keyboard, bass beats and male vocals again. At approximately 02:51 the track changed again but with the same level of bass beats. At approximately 02:56 my colleague and I departed, the music was still being played as we departed. In my opinion the noise I witnessed did amount to a statutory nuisance. For approximately 20 minutes during our visit to the complainant's property the level of noise was high enough inside the complainant's bedroom for me to recognise a track changes, instruments and whether the vocals belonged to a male or female. In addition to the high level of sound, the music bass beats were almost continuous and played during unsociable hours. The noise would therefore in my opinion interfere with the use and enjoyment of the complainant's property for a substantial period. The level of noise would interfere with the use of the bedroom; the music is likely to disturb sleep. After departing, my colleague and I walked around the premises from where the music was emanating from. I confirmed

Signed

**Birmingham City Council
REGULATORY SERVICES
STATEMENT OF WITNESS**

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, S. 9,
Magistrates' Courts Act 1980 s 5 (B))

that the music I heard in the bedroom was the same as the music emanating from wooden panels of a building I understood to be known as the horseshoe conference and banqueting suite. I saw and heard the wooden panels to this building vibrating. The music was significantly louder when the doors to the building were opened.

Signed
.....

Dec 11/19

11/1/19

Noise Impact Statement

Complainant details

WK/009211811 (Tony Di Duca)

Birmingham;

Subject details

The Horseshoe The Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH

1. Please provide a description of the noise that affects you from the premises, including terraces, customer car park, beer garden (i.e. loud music, car doors, shouting, etc):

Loud music and DJ shouting. Thumping noises, vibrations from the music. Can be heard in the bedrooms facing the pub.

2. Please provide a description of the noise associated with the premises that arises from outside the premises e.g. people arriving/leaving, public footpath, highway (i.e. loud music, car doors, shouting, etc):

Only inside

3. What are the typical days and times at which the disturbances in 1 and 2 above occur?

11:30pm to 5:30 AM on 23/12/18
24/12/18
26/12/18
01/01/19

4. Have you approached any staff member and, if so, who was this and what was their response?

Yes - Mr Tanu. He said they have a license to play music until 11pm and said they would lower the music if we came whilst it was playing.

5. In what way does the noise affect you or your family (please continue on a separate sheet if necessary)?

Sleep disturbance. Waking up late for work, unable to study at night. 14 year old son unable to sleep at night.

6. Any further information:

We appreciate that they have a business but it is the timing that is more of an issue and that they expect us to leave the house in the early hours to request for the volume to be lowered when it should not be so loud we can hear it through our triple glazing.

Signed: _____

Date: 6-1-19

Karen Boyle

From: [REDACTED]
Sent: 04 March 2019 15:26
To: Karen Boyle
Subject: Re: WK/009250298 The Horseshoe, 1214 Stratford Road

Dear Ms Boyle

As per our telephone conversation today, here is a summary of the event at the Horseshoe pub on 3.3.19.

- We were aware of the event at the Horseshoe at about 2.00 am
- I rang to ask what time their licence was til, I was informed 5.00 am. I said they were being very inconsiderate, they replied "Do you want us to turn it down?". I replied yes but expected they would be turned back up again as usual. I was told "we don't turn it up the DJ does."
- The noise from the event did drop but not significantly and did go back up.
- At 5.10 am I rang again because the function was still ongoing. The phone was put down on me.
- I tried ringing back, no one would answer.

These events keep myself and my family awake all night and into the morning. Anything we may have planned later in the day is scrapped or disrupted due to lack of sleep. I find it incredible that they can get licences until 6.00am in a residential area. I would really like to know how that works.

I would also like to mention that the Banqueting Suite at the Horseshoe used to be a Wacky Warehouse and is really a glorified shed and therefore I suspect, lacking in sound proofing.

Another problem is the noise from the patrons leaving the event. Sometimes it's as late as 7.00am before all the shouting, screaming, singing, door slamming and engine revving stops.

Regards

[REDACTED]
[REDACTED]

Sent from Mail for Windows 10

Noise Impact Statement

Complainant details	Subject details
[REDACTED] Hall Green, Birmingham, [REDACTED]	The Horseshoe The Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH.

✓

1. Please provide a description of the noise that affects you from the premises, including terraces, customer car park, beer garden (i.e. loud music, car doors, shouting, etc): Loud music with very heavy bass, Laughing, shouting, fighting. Patrons arriving & leaving. Patrons visiting their vehicles in the car park and listening to their own music very loudly. Patrons gathering in the car park. Basically all the noise associated with a night club.

2. Please provide a description of the noise associated with the premises that arises from outside the premises e.g. people arriving/leaving, public footpath, highway (i.e. loud music, car doors, shouting, etc):

People arriving. On leaving patrons rev their engines and often tear off down Stratford Road. Hoofing. Patrons parked across the road gather at their vehicles and shout, talk, laugh, fight. Cars parked on the Stratford Rd for a considerable distance. Broken bottles & glasses have also been thrown over the boundary wall onto the drive of our block of flats.

3. What are the typical days and times at which the disturbances in 1 and 2 above occur?

Saturdays from approximately midnight to 6 am on Sunday.

Sunday evenings and Friday evenings.

I have seen patrons leaving at 8 am on Sunday morning, having been kept awake throughout the night by the noise.

4. Have you approached any staff member and, if so, who was this and what was their response?

No.

5. In what way does the noise affect you or your family (please continue on a separate sheet if necessary)?

My children and I are unable to fall asleep, particularly my son who is autistic. Loud voices or fights wake my children who become anxious and angry.

My daughter is revising for GCSEs and the noise and subsequent poor sleep routine over the ~~week~~ weekend is impacting her studies/revision schedule.

6. Any further information:

I am certain that many patrons leaving the pub in their vehicles, after revving their engines and screeching out the car park are heavily intoxicated and are therefore a danger to pedestrians & other motorists. I also believe that a fight resulting in serious harm to some one, is only waiting to happen.

Signed:

[REDACTED]

Date: 10/03/2019

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Complainant details

WK/009181072 (Deanna Rowley)

Hall Green, Birmingham

Noise Impact Statement

Subject details

The Horseshoe The Horseshoe, 1214 Stratford Road, Hall Green, Birmingham, B28 9BH

1. Please provide a description of the noise that affects you from the premises, including terraces, customer car park, beer garden (i.e. loud music, car doors, shouting, etc):

Loud Music, People shouting, car music while
 fights, arguments while leaving

2. Please provide a description of the noise associated with the premises that arises from outside the premises e.g. people arriving/leaving, public footpath, highway (i.e. loud music, car doors, shouting, etc):

as above

3. What are the typical days and times at which the disturbances in 1 and 2 above occur?

Friday + sat nights some Sundays
 8.00am - 7.00am

4. Have you approached any staff member and, if so, who was this and what was their response?

yes - not helpful

5. In what way does the noise affect you or your family (please continue on a separate sheet if necessary)?

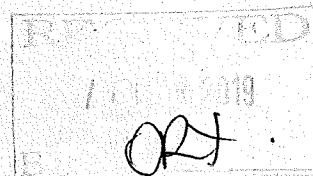
Sleep disruption

6. Any further information:

complaint previously about the noise + speakers
 outside - noise is still continued worse than before.

Signed: 

Date: 10/03/19



Karen Boyle

From: Deanna Rowley
Sent: 11 March 2019 13:06
To: Karen Boyle
Subject: FW: Horseshoe Bar, Stratford Road Hall Green

From: [REDACTED]
Sent: Monday, March 11, 2019 12:57 PM
To: Deanna Rowley
Subject: Horseshoe Bar, Stratford Road Hall Green

Hello Deanna

A neighbour has given me your email as they are in contact with you about the disturbance from The Horseshoe Bar Stratford Road Hall Green B28 9BH.

We live at Springfield Court but on the side furthest away from the adjacent pub.

On three occasions this year we have been woken between 5.45am and 6.45am on a Sunday.

27.1.19, 6.50am

3.3.19, 6.45am

10.3.19, 5.45am

There is the usual noise you would expect from a crowd leaving a pub: shouting, loud singing, car doors banging, car horns, bassy music booming, cars revving etc.

There are cars parked on pavements both sides of the Stratford Road: outside the pub, Springfield Court and beyond, by the bus stop etc. The service road from the library to South and City Community College is full on both sides. On 10.3.19 cars parked on the grass between the service road and the Stratford Road. These cars are not there in the evening or before 11.30pm.

On the first occasion 27.1.19, I went into the pub about midday to ask to speak to the manager. I was given his mobile and I rang to say how surprised I was to be woken at 6.50am, to see so many cars and hear so many people leaving the venue at that time on a Sunday morning. He said it was a private function that had finished at 6am, apologised and the staff should have made sure that the people leaving did not disturb the residents.

On the 10.3.19 the noise at 5.45am was much louder, there was a lot of shouting, it looked like there was a gazebo in the car park and there was a smell of food/cooking, music was in the background and glasses smashing. Walking past in the morning the car park was strewn with discarded food packaging and plastic glasses.

I have not contacted the manager again as I do not want another apology, and I do not think he is realistic about the staff being able to keep down the noise of a large crowd leaving the pub and the associated traffic they generate.

We are really surprised that the Horseshoe Bar has a licence for private functions until 6am on a Sunday morning. Please can you confirm that this is the case.

We are very concerned about the noise disturbance, particularly for residents closer to the pub.

We are very concerned about the excessive number of cars parked on pavements and grass around the pub, and the noise that they make in the early hours. (This also happens at other times when there is a large function) Surely there should be a limit on the numbers attending a function if the car park is not big enough and the venue is on a red route by a large traffic junction?

We expect some noise from the pub, and on occasions like New Year expect this to be later than usual, however around 6 am on a Sunday this is not acceptable, particularly as the car wash on the same site starts up shortly afterwards. We are not anti-business but we believe a reasonable compromise should be possible.

Please can you let us know what can be done about this disturbance in a residential area?

Thank you [REDACTED]

Karen Boyle

From: [REDACTED]
Sent: 21 April 2019 06:52
To: Karen Boyle
Subject: Re: WK/009297129. Noise Nuisance- The Horseshoe

Dear Ms Boyal,

Thank you for your e-mail and letter of 3.4.19 re the noise disturbance from the Horseshoe Pub.

We welcome the measures you have put in place to enforce the noise reduction.

However last night (20th April) as we went to bed the music from the pub was very loud (more than a usual function noise.) This morning 21st April, Easter Sunday, we have been woken at 6 am with loud shouting, very loud conversation, loud bass music, cars tooting repeatedly, revving of vehicles, tyres screeching, increased traffic, vehicle reversing beeps, and all the noise associated with a large group of people leaving a venue. The noise lasts for well over half an hour.

Fortunately as we are on the far side of the flats we do not hear the music and noise from the venue during the night. However this also means that we are unable to take advantage of the out of hours witnessing service as the noise disturbance we have is around 6am, which is out of the timings of the service.

It seems to us that if the Temporary Events Licences are not being granted for the Horseshoe Banqueting Suite at the moment the venue is running these events without a licence.

We are writing to let you know that the noise disturbance is continuing.

Hopefully some of our neighbours have taken advantage of the out of hours witnessing service and there will be some evidence for further action.

We would like to see the Horseshoe thrive as a business but not to create such a noise nuisance at regular intervals at such times.

We will be informing the local councillor and the police of the noise disturbance and the parking of vehicles on the pavements.

Thank you for your involvement.

[REDACTED]

On 03 April 2019 at 19:36 Karen Boyle <Karen.Boyle@birmingham.gov.uk> wrote:

Our Reference WK/009297129

3rd April 2019

[REDACTED]

[REDACTED]

Karen Boyle

From: [REDACTED]
Sent: 21 April 2019 20:06
To: Karen Boyle
Subject: WK/009181072
Attachments: Voice 053_sd.m4a

Hi Karen,

Thank you very much we received your letter.

We had a disturbance of loud music and people shouting from about 3.30 am till about 7.00am early hours of the 21st April, which woke up my 3 year old son.

I didn't call the nuisance witnessing service as that is only until 3.00am.

I did try and record some of the noise, I have attached it but I do apologise as it isn't very clear.

Kind regards

[REDACTED]

Sent from my Samsung Galaxy smartphone.

Karen Boyle

From: [REDACTED]
Sent: 21 April 2019 06:45
To: Karen Boyle
Subject: WK/009289562

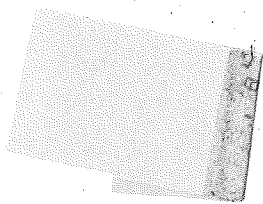
Dear Karen

I did not call the nuisance witnessing service as the incident occurred out of service hours.

I have taken a video for your reference. I am unable to send the file via email as it exceeds 25MG but will happily send you the video by some other means. The time was 06:12 on Sunday, 21st April 2019. Bare in mind, the weather is very warm this weekend and our windows were open as they generally will be during warm weather.

Please provide me with another means of sending the video file to you.

Kind regards
[REDACTED]



Karen Boyle

From: Councillor Lou Robson
Sent: 22 April 2019 10:01
To: BCCCouncilorsEnquiry
Cc: Karen Boyle
Subject: FW: The Horseshoe, 1214 Stratford Road Hall Green B28 9BH

Please could you forward this complaint to Licensing and Environmental Health and ask them to let me know what action is being taken.

I understand the licensing conditions are for operating hours are 09:00-01:00 Sunday-Wednesday and 09:00-02:00 Thursday-Saturday. Overnight/early morning events are completely inappropriate in a residential area. Please could you let me know whether any licences have been granted to this pub for out of hours event.

Many thanks for your attention to this

Clr Lou Robson
Birmingham, Hall Green North Ward

Birmingham City Council, Council House
Victoria Square, Birmingham B1 1BB
Tel: 0121 303 2039

Facebook: <https://www.facebook.com/HGNLabour/>

Residents: please include your full name, address and phone number so I can follow up inquiries

From: [REDACTED]
Sent: 21 April 2019 10:10
To: Councillor Lou Robson <Lou.Robson@birmingham.gov.uk>
Subject: The Horseshoe, 1214 Stratford Road Hall Green B28 9BH

Hello Lou,

We wonder if you can look into the problem we are having with the Horseshoe please. We are sending the information now while it is fresh in our mind, but do not expect you to be acting on it over the holiday period.

We are sending the same information to the local police too.

Hope you are able to have a break over Easter

Thanks
[REDACTED]

Regarding The Horseshoe, 1214 Stratford Road Hall Green B28 9BH

We live at [REDACTED] but on the side furthest away from the adjacent pub, above.

On four occasions this year we have been woken between 5.45 and 6.45am on a Sunday.

27.1.19, 6.30am

3.3.19, 6.45am

10.3.19, 5.45am

20.4.19, 6am

There is the usual noise you would expect from a large crowd leaving an event at a pub: shouting, loud singing, very loud conversations car doors banging, car horns, bassy music booming, cars revving, tyres screeching etc.

There are cars parked on pavements both sides of the Stratford Road: outside the pub, Springfield Court and beyond, by the bus stop etc. The service road from the library to South and City Community College is full on both sides. On 10.3.19 cars parked on the grass between the service road and the Stratford Road. One had registration number X8 MMF. These cars are not there in the evening or before 11.30pm.

On the first occasion 27.1.19, I went into the pub about midday to ask to speak to the manager. I was given his mobile and I rang to say how surprised I was to see so many cars and hear so many people leaving the venue at 6.50am on a Sunday. He apologised and said it was a private function that had finished at 6am and the staff should have made sure that the people leaving did not disturb the residents.

On the 10.3.19 the noise was much louder, there was a lot of shouting, it looked like there was a gazebo in the car park and there was a smell of food/cooking, music was in the background and glasses smashing. Walking past in the morning the car park was strewn with discarded food packaging and plastic glasses.

We put in an impact statement to Environmental Health and the case worker Karen Boyal has served enforcement notices on the operators and owners of the premises on 3.4.19. Also she said that if the Horseshoe does serve any Temporary Events Notices for events Environmental Health will be objecting to them. As a precaution she has given us access to the out of hours nuisance witnessing service. However as we are not disturbed until after 5.45am this is out of the hours of the service remit. We are hoping that some of the neighbours that are closer to the pub have taken advantage of this.

Since then however another event happened on 20/21st April. We were woken at 6am, Easter Sunday, the noise went on for considerably more than half an hour. There were cars parked on the pavements, two visible plates are GJ60 XOO, LS58 OVK (I have photos of these plates and the one on 10.3.19).

There was litter on the pavements in the morning, disposable plastic cups, polystyrene food trays and flyers for other events. There was also a wrist band – GYAL BAWL OUT. Having looked on the internet this was a Live performance at a secret luxury venue. Pic below

I have not contacted the manager again as I do not want another apology, and I do not think he is realistic about the staff being able to keep down the noise of a large crowd leaving the pub, the associated traffic and litter they generate.

We are really surprised that the Horseshoe Bar has a licence for private functions until 6am on a Sunday morning. Please can you confirm that this is the case.

We are very concerned about the noise disturbance, particularly for residents closer to the pub.

From: Matthew Phipps <
Sent: 12 July 2019 09:53
To: Licensing
Subject: Horseshoe

Dear Sirs

We act on behalf of Greene King Retailing the owners of the Horseshoe Public House, the subject of the licensing review.

We have been provided with a copy of the documents and evidence by West Midlands Police, further to receipt of the representations and believe that the following may be of assistance in determining the review on Monday.

We have recieved 67pages of material from the EHO, yesterday afternoon, but have not had chance to read, circulate nor discuss that yet.

Greene King Retailing (Greene King)

Greene King operate many hundreds of licensed premises throughout England, Wales and Scotland. The premises extend into most, if not all, of the licensing authority districts within the UK. The business is split into 2 forms of operation namely a managed business and a tenanted and leased business.

In a managed business all of the individuals working within the licensed premises are employed by Greene King with the profits and/or losses of the business being accounted for centrally.

In the leased and tenanted business the premises is let out to an operator who is themselves responsible for the employment of the individuals on site and, after the payment of rent and/or the purchase of other products, such as beer/wines and spirits the profits and/or losses are accounted for by them. Greene King has approximately 1,200 premises within the leased and tenanted business.

Operations Team

In support of Greene King's lessees there is a field based Operations Team of business development managers and operations directors (to whom the business development managers' report).

Mark Horton is the Business Development Manager who currently has responsibility for these premises with his line manager, the Operations Director, being Michael O'Connor. They are additionally supported by a licensing team at Head Office and in the context of this premises that support has been provided by Cassandra Beauchamp.

Through the course of the issues that are set out in the review Mark Horton has proactively engaged with the premises and with the lessee, Tanvia Handa. Those include:-

- 12 March - meeting with PC Chris Jones and PC Deano Walker.

- 3 April – Mark Horton meeting with Lessee

- 11 April – visit addressing noise concerns.

24 April – Mark Horton Telephone call with Lessee re EHO Complaint

21 May – Mark Horton Email and Telephone contact regarding Weekend Incident

24 May – attendance and licence condition assessment and review undertaken by Cassandra Beauchamp.

28 June – visit by Mark Horton also attended by Cassandra Beauchamp.

4 July – visit by Cassandra Beauchamp

Tanvia Handa

Tanvia Handa and his family have been occupants of these premises for many years, taking the original lease from Punch Taverns (the previous owners) in and/or around 2006/2007. Mr Handa has been the designated premises supervisor since 2009.

As both Officer Jones and Rohomon make plain the Horseshoe has not historically been a problematic premises (I have known the Horseshoe for approximately the last 5 years and until recently had no concerns with how the premises was being run or managed by the designated premises supervisor, Tanvia Handa).

That observation is also a fair reflection of the Greene King experience. Whilst, clearly, matters have not been attended to as well as they might have been more recently, it is not our view that the issues and concerns currently being worked upon are so serious as to merit forfeiture of the existing agreement (the ultimate sanction from Greene King's perspective).

It is fair to say that Greene King have been extremely concerned by the points made by the various officers and this has been forcefully articulated to Mr Handa, but the business does take the view that it is appropriate to work with him (and their tenants more generally) so as to improve matters to every ones satisfaction. rather than to simply remove him from the business, as perhaps the application from the Police requests.

Licensed demise

There is clearly a confusion about the remit of the licensed demise. It has become apparent through the course of this process that part of the premises, the function suite to the rear, may not, in fact, be licensed.

An application has now been submitted for a variation application so as to embrace the building at the rear of the premises within the licensed demise. On the historic licensed drawings it is clear, from the site plan, that the line extends around the unit and car park space, as a whole. However the internal configuration plan that sets out the detail and substance of the licensed premises does not appear to contain that part.

It appears, as the Police statements indicate, to have been fitted out as though it were a licensed part of the premises, before Greene King's acquisition. Clearly this is embarrassing and unfortunate but it does seem fair to suggest that this was a common misapprehension. As Officer Jones is generous enough to indicate in his statement he was "also aware of a rear room which the venue hired out for corporate events and family parties".

It may very well be said that such use could and should only have taken place under a temporary event notice, but to be clear, once it became apparent that the area was unlikely to be legitimately occupied, for licensable activities, such occupation ceased.

CCTV

We note that Officer Rohomon's evidence bundle contains a CCTV timeline that appears to invite the conclusion that some form of illegal drug consumption is being witnessed. At the time of drafting this note we have not yet had the opportunity to view the CCTV so further comment on that will follow. But we read the timeline as suggesting such conduct is, at best, difficult to spot. This does not seem to us to fairly allow for the conclusion that the condition about zero tolerance has been breached.

Incidents

20 April – It is clear that the concerns articulated about incidents on the 20 April were made at 12.30am and as we understand it made by someone who was driving passed the premises. It wouldn't appear to be disclosed within the Police evidence that there was trade outside of the permitted hours.

21 April - In so far as the 21 April is concerned, whilst there was apparent intelligence suggesting that attendance by undesirables was a point of concern, the material does not appear to disclose additional problems or concerns with the event itself. Nor the attendance of these individuals.

17 May – The Police material appears to disclose “no further Police action required as at 23:55” albeit there seems to be a further recall reporting concerns at 23:58. By 1.03am officers appear to have spoken to staff and customers and whilst “there were 2 people having fisty cuffs and a large group watching all parties concerned have now left and the log can be closed pending any injured parties coming forward”. As before, this appears to be (all but) when the premises was permitted to be open and/or trading.

Door Staff

In so far as the door staff concerns about the engagement of the unlicensed person are concerned, this has been taken extremely seriously by Greene King. Indeed if it was the company's conclusion that an unlicensed doorman had been engaged and employed by the lessee then that may well have altered Greene King's view of the long terms proposition and/or long term relationship with Mr Handa.

We have been engaged in a dialogue with him and with his security company to better understand the position. We do not come to the same conclusion as officer Rohomon. We do not believe that there is a purposeful employment of someone absent an SIA registration. It is clear that the completion of the door registration forms has been poor, but we are in receipt of correspondence between Mr Handa and TLG Management (the door company), that indicates that whilst the position is administratively far from satisfactory it is not as malign as is suggested.

Statement A. Rohomon

Officer Rohomon makes the point that he had informed the area manager from Greene King “that we would be attending the premises for a meeting inviting them along, however the area manager was unable to attend or find someone who could attend in his place”. That is correct, the Operations Team had a “must attend” event concerning a company restructure hence Mr Horton and/or colleagues were unable to attend. Mr Horton did speak to Mr Handa and recommended he had his own representation as matters were clearly becoming more serious. We understand that Patrick Burke, Mr Handa's licensing consultant, attended in support.

Summary Review

The statement goes on to suggest that the officer “indicated the people I have spoken to at West Midlands Police, concerns around the operation of the premises, and that there was every chance we would be seeking an expedited review of the premises as we believed it was associated with serious disorder. After some consideration I took the decision that West Midlands Police would not seek to review the premises if they agreed to have draft conditions imposed on the licence in the process of a minor variation”.

That was not the indication given orally to Matthew Phipps of TLT Solicitors. Mr Rohomon indicated that if he discovered, having seized the CCTV system, that it had in anyway been tampered with, then he would be seeking an expedited review, but absent that critical and additional level of concern, a summary review did not appear likely.

That the officer now suggests that the April concerns could fairly give rise to a summary review is informative.

Minor Variation

The minor variation that we submitted on 14 May was, we believe, relevant and proportionate to deal with the issue at the premises. Whilst the Police do not share that view, it is worthy of observation that the Police, almost by return, objected to the minor variation application.

A minor variation application should not (we summarise) be granted if it may likely adversely impact the licensing objectives. We respectfully submit that the addition of conditions, albeit conditions that may not go quite as far as the Police would first have requested, could not fairly be said on any circumstance undermine the licensing objectives. The Police objection, we submit, was neither valid nor appropriate and discloses an unfortunate approach.

The suggestion that the West Midlands Police had no option but to object to the minor variation is, we submit, incorrect and as per the commentary about summary review, informative.

EHO Objection

In due course the Environmental Health Office objected to the minor variation making the point, perfectly reasonably, that the conditions proposed sought to effectively legitimise the use and occupation of the function suite, that now appears not to benefit from an existing permission. Whilst that objection may be perfectly proper, it perhaps illustrates the misapprehension that not just the premises licence holder but the West Midlands Police had been operating under, before then.

Greene King's business, in so far as this premises is concerned, attends to a leased and tenanted business model where the designated premises supervisor and lessee are responsible for the day to day operation of the premises. Our view was that, at the time of the request for the minor variation, the conditions that were proposed to attach, fairly and proportionately addressed themselves to the concerns being articulated.

It may be thought, now, with additional concerns about the subsequent May event and/or now that we are in receipt of the comprehensive commentary from the Police (and EHO), that the imposition of direct management responsibility for the operation by the licence holder is necessary.

There is perhaps in the paperwork a suggestion that there is something inappropriate or wrong with a tenanted pub business holding the licence. That is not a view we share. Our view is that it is perfectly responsible, indeed the appropriate manner in which to go forward, for the premises licence holder to "put their head above the parapet" and identify that the premises licence is held in their name.

It obliges them to be involved in licensing compliance and enforcement, it does not abdicate responsibility, a theme suggested throughout the Police evidence, quite the reverse. Whilst some other tenanted pub companies choose to allow their tenants to have sole responsibility for the premises licence our client's believe it is incumbent upon us to work with, support, and from time to time enforce and oblige, their lessees to ensure good, successful and compliant business practice.

It was felt at the time that the obligations being proposed by the officer were not fair, proportionate or balanced.

Statement of Christopher Jones

Incident reporting – whilst criticism of the incident reporting may suggest it to have been modest, at best, and perhaps even poor, what appears to be clear is that the collection of the CCTV discloses a comprehensive system that also doesn't appear to suggest, as of the 18 May incident, any late hour trading.

It may fairly be said that it is a point of particular concern that there are incidents at the premises and/or that the SIA registered doorman was not (perhaps) wearing suitable identification (arm badge) but the implication from the paperwork that conditions, were being breached (licence holder shall ensure zero tolerance towards illegal drugs will be enforced at all times at the premises); doesn't appear to us to be a fair conclusion.

It is also worth observing, as Christopher Jones statement identifies, that Mr Handa had, earlier in the year, cancelled an event following an articulation of concern by the various officers. Modest as the administration may be he is not absent cooperation.

Recent Operation

However and to be clear, Greene King are extremely disappointed by the approach to the operation that seems to have been adopted in recent months. While Mr Handa, and his family, have been lessees of this premises for more than a decade, there is a clear requirement to improve both the paperwork and administration of the operation, also the control and supervision of the customers. However, we believe that Mr Handa is well placed to deliver that.

Our client's conversations with him both face to face on the telephone and on email indicate a willingness to address the issues.

Mr Handa advises Greene King that he is extremely loath to lose the operation and Greene King have in turn explained that absent a significant improvement, completed adherence to all conditions (including those that the licensing committee may see fit to attach to the licence following the review) and a change in approach to event booking, his time at this premises is limited.

It is not our client's view that that time has yet arrived. We believe Mr Handa could and should fairly be given an opportunity to demonstrate improvement and to return the premises to the upstanding and compliant business that all had witnessed in the years preceding 2019.

Yours sincerely

Matthew Phipps
Partner
Head of Licensing England and Wales
for TLT LLP

Recognised in The Times Best Law Firms 2019.

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TLT will not send you information about changes to bank account details by email.

If you receive an email purporting to be from someone at TLT advising you of a change to bank account details it is not genuine. Do not reply to the email or act on any information it may contain. Instead please contact the person dealing with your matter immediately.

TLT accepts no responsibility if you transfer money to a bank account which is not ours.

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The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments, TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland)

Vulnerability Training

Staff Name	Date	Signature
[REDACTED]	30/06/19	[Signature]
[REDACTED]	20/06/19	[Signature]
[REDACTED]	02/07/19	[Signature]
[REDACTED]	02/07/19	[Signature]
[REDACTED]	02/07/19	[Signature]

VULNERABLE

DUTY OF CARE

- **A duty of care is an obligation for all individuals and organisations to ensure they do not, either by their actions or through inactions, cause injury to another person.**

IF ANY ELEMENT OF CONCERN EXISTS

- ☐ **APPROACH**
- ☐ **TAKE ACTION**
- ☐ **NOTIFY**

**“Whenever there is any doubt, there is no
doubt.” - Ronin (1988)**

SEXUAL PREDATORS

Anyone could be a sexual predator. They come from a wide variety of backgrounds and are not isolated to any one nationality, profession, level of intelligence, or even age.

They select targets based on many criteria such as age, vulnerability, availability, gender, location, time/place, race.

SEXUAL PREDATORS

What kind of behaviour could alert you to an individual who may be a sexual predator?

Examples

- ❑ Lone male in bar/club who appears to be just watching, approaching or pestering people
- ❑ A search upon entry results in tablets being found on them. Do you just put them in the drugs safe?
- ❑ A person reports to you that they are being followed
- ❑ Male following a female as she exits the premise or is assisting her to stand up/walk as she exits. Are they actually a couple?
- ❑ Regular lone attendee who leaves with different females
- ❑ Regular vehicle driving by

FORCE AIM & AMBITION

- Consistently deliver safer communities through high quality policing services
- Putting victims first by reducing crime, anti social behaviour and catching criminals
- Be passionate about protecting, serving and making a difference for our communities
- Make sure that people are at the heart of what we do
- High standards & professional judgement
- Deal with the present, confidently manage risk and actively shape the future

RISK ASSESSMENT DOCUMENT

Name of event..... Date of event.....

Question	Response	Assessed risk banding –score 1 (low), 2 (medium) or 3 (High)
1 Type of event: private party/ corporate booking/ promoted event/ other & date of event		
2 Who is booking/ organising: individual/ company/ events organiser/ third party/ club night promoter/ other		
3 Nature of event/ will the premises be exclusively hired		
4 Have you or will you meet the organiser in person? Yes or No		
5 Have you previously worked with the organiser previously? Yes or No		
6 If the organiser is a promoter, has he done similar nights at other venues? Yes or No		
7 If the organiser is a promoter, have you checked social media/ others venues to ensure the night is appropriate for the		
8 Have you been provided with estimated numbers attending/ a guest list? If so, what are the likely numbers?		
Low risk	Under 10	Please tick as appropriate
Medium risk	11- 16	
High risk	16- 20	
Unacceptable risk	20 plus	

9 Justify the risk level given	
10 Will the event be reviewed afterward with the organiser (if it is likely to be repeated)	
Person undertaking risk assessment	
Date of completion of form	
MINIMUM NUMBER OF DOORSTAFF REQUIRED BASED ON MARTIX	

PLEASE SEE MATRIX OVERLEAF FOR NUMBERS OF DOORSTAFF TO BE EMPLOYED AND OTHER MEASURES TO BE EMPLOYED

Risk assessment matrix for minimum door staff numbers and times where events held at..... at same time, the higher of the two risk level is to be taken

Number of customers	Risk level of event	Number of door staff required
1-200	Low	0
201-300	Low	2 from start of event
301-500	Low	3 at a ratio of 1:100 to be on duty for expected arrival times
500 - capacity	Low	4 at a ratio of 1:100 until total doorstaff reached
1-100	Medium	0
101-200	Medium	2 from start of event
201-300	Medium	3 at a ratio of 1:100 to be on duty for expected arrival times
301-500	Medium	4 at a ratio of 1:100 until total doorstaff reached
501 to capacity	Medium	5 at a ratio of 1:100 until total doorstaff reached
1-100	High risk	2 from start of event
101-200	High risk	3 from start of event
201-300	High risk	5: 2 from start PLUS a ratio of 1:100 until total doorstaff reached
301-400	High risk	6: 2 from start PLUS a ratio of 1:100 until total doorstaff reached
401-500	High risk	7: 3 from start PLUS a ratio of 1:100 until total doorstaff reached
501 to capacity	High risk	8: 3 from start PLUS a ratio of 1:100 until total doorstaff reached

Please see over page for further factors to be taken into account

Other factors:

Low risk events: No ID scanner necessary: Search policy for random searches to be in place from 9pm when door staff present

Medium risk events: Scanner and search policy to be in place from 9pm with random searches and ID scans for potential underage.

High risk events: Scanner and search policy to be in place from start of event. Random searches and scanner use before 9pm and full searches/ ID scan from 10pm

To be confirmed by manager:

Do guest list & Birthday list restrictions apply? Y / N - yes only pre-sales allowed entry.

Is the event Pre- Sale ticket entry only? Y / N - yes means no tickets to be sold on door

Does an age restriction need to be applied? Y / N - If so: Under 21 / Under 25?

Is a dress code restriction to apply Y ? N – If yes = baseball caps / tracksuits / other (please specify

Weekly CCTV Checklist
 1st July 2019 to 7th July 2019

Day	Date	Morning	Evening	Checked by
Monday	1/7	✓	✓	H/A
Tuesday	2/7	✓	✓	W. Palmer
Wednesday	3/7	✓	✓	W. Palmer
Thursday	4/7	✓		
Friday				
Saturday				
Sunday				

Designated Premises Supervisor:.....



THE HORSESHOE
 601-5000

CCTV TRAINING

Staff Name	Date	Signature
M. Rahman	01/07/19	M. Rahman
V. Kamal	01/07/19	V. Kamal

Weekly CCTV Checklist

27/5 - 2/6/2019

Day	Date	Morning	Evening	Checked by
Monday	27/5	✓	✓	<i>[Signature]</i>
Tuesday	28/5	✓	✓	<i>[Signature]</i>
Wednesday	29/5	✓	✓	<i>[Signature]</i>
Thursday	30/5	✓	✓	<i>[Signature]</i>
Friday	31/5	✓	✓	<i>[Signature]</i>
Saturday	1/6	✓	✓	<i>[Signature]</i>
Sunday	2/6	✓	✓	<i>[Signature]</i>

Designated Premises Supervisor: *[Signature]*



THE HORSEMANSHIP
CENTRE

Weekly CCTV Checklist

3rd of June - 9th of June 19'

Day	Date	Morning	Evening	Checked by
Monday	3/6	✓	✓	[Signature]
Tuesday	4/6	✓	✓	[Signature]
Wednesday	5/6	✓	✓	[Signature]
Thursday	6/6	✓	✓	[Signature]
Friday	7/6	✓	✓	[Signature]
Saturday	8/6	✓	✓	[Signature]
Sunday	9/6	✓	✓	[Signature]

Designated Premises Supervisor: [Signature]



THE HORSESHOE
ALCOHOL

Weekly CCTV Checklist

10th of June 2019

Day	Date	Morning	Evening	Checked by
Monday	10/6	✓	✓	Baugh
Tuesday	11/6	✓	✓	Baugh
Wednesday	12/6	✓	✓	Baugh
Thursday	13/6	✓	✓	Baugh
Friday	14/6	✓	✓	Baugh
Saturday	15/6	✓	✓	Baugh
Sunday	16/6	✓	✓	Baugh

Designated Premises Supervisor:.....



THE HORSESHOE
CARE & FEED

Weekly CCTV Checklist

17th - 23rd of June

Day	Date	Morning	Evening	Checked by
Monday	17/6	✓	✓	Burke
Tuesday	18/6	✓	✓	Burke
Wednesday	19/6	✓	✓	Burke
Thursday	20/6	✓	✓	Burke
Friday	21/6	✓	✓	Burke
Saturday	22/6	✓	✓	Burke
Sunday	23/6	✓	✓	Burke

Designated Premises Supervisor:.....



THE HORSESHOE
BAR & GRILL

Weekly CCTV Checklist

24th - 30th of June '19

Day	Date	Morning	Evening	Checked by
Monday	24/6	✓	✓	<i>[Signature]</i>
Tuesday	25/6	✓	✓	<i>[Signature]</i>
Wednesday	26/6	✓	✓	<i>[Signature]</i>
Thursday	27/6	✓	✓	<i>[Signature]</i>
Friday	28/6	✓		
Saturday	29/6			
Sunday	30/6			

Designated Premises Supervisor:.....

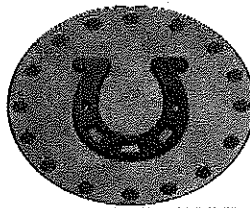


THE HORSESHOE
RACE CLUB



Incident Report Form

Date of Incident	
Approximate Time of Incident	
General Description of Incident	
Emergency Services Attended	<input type="checkbox"/> Police <input type="checkbox"/> Fire <input type="checkbox"/> Ambulance <input type="checkbox"/> N/A
Emergency services called by:	
Form Completed by: <small>Print name, sign and date</small>	
Form Reviewed by: <small>Print name, sign and date</small>	
Brief Summary of Subsequent Action:	



THE HORSESHOE

BOOKING CONFIRMATION

Booking Name:.....

Date Booking Made:.....

Registered Address:.....

Contact Telephone Number:.....

Contact Email Address:.....

Photographic ID details (to be attached as a separate file):

Thank you for choosing The Horseshoe, your booking details are as follows:

Date of Event:.....

Start Time of Event:.....

Finishing Time of Event (please note the venue must be cleared by 00:00)

Type of Event:.....

Package Details	
Number of guests:	
Cost per head:	
Catering:	
Bar (sale of alcohol):	
Number of bar staff required:	
Number of door staff required:	
Number of additional staff required:	
TOTAL:	

Your deposit of £..... paid by..... has been received with thanks,
please note this deposit is non-refundable but transferable.

THE REMAINDER OF YOUR BALANCE IS PAYABLE '2 WEEKS' PRIOR TO THE EVENT

ALL BAR BILLS ARE TO BE PAID '2-3 DAYS' PRIOR TO THE EVENT – if a paybar

We will be contacting you 4 weeks prior to your event to discuss your function arrangements.

Kindest regards,

Tan Handa

Signature

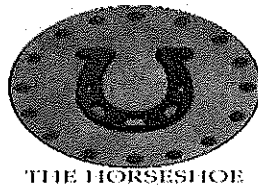
--

Designated Premises Supervisor

1214 Stratford Road Birmingham
B28 9BH 0121 777 2340

www.thehorseshoebar.co.uk

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Terms and Conditions

- 1) *The Horseshoe requires a £500.00 deposit to be paid to confirm any bookings.*
- 2) *The final balance is payable 10 days prior to your event, once your event manager has completed your function sheet to your specification..*
- 3) *Any changes to guests attending have to be made 7 days in advance, thereafter any alterations are difficult for us to accommodate.*
- 4) *Additional guests on the night are subject to a charge of £25.00 per head, which will be payable on the night at the time of request.*
- 5) *All external Suppliers are only allowed into the venue once they have been approved by the Horseshoe*
- 6) *All rubbish by external suppliers are to be removed by the Supplier.*
- 7) *Access for any set up will be 2-4 hours prior to your event and the approval by the Horseshoe*
- 8) *All breakdown by suppliers will be done within 1-2 hours after the event has finished.*

From: Matthew Phipps
Sent: 11 July 2019 15:15
To: Licensing
Subject: Updated Horseshoe Chronology [TLT-TLT.FID5957632]

Dear Sirs

Please find chronology document, provided by Cassandra Beauchamp from Greene King providing detail of her direct discussions with the lessee Tanvier Handa re compliance with proposed conditions.

Matthew Phipps

- **There will be no licensable activity within the function /conference room after 23.30hrs**

28th June: Mark confirmed and Tan acknowledged that until further notice there will be **NO** licensable activity held in the function room.

4th July: No functions have taken place since meeting on the 28th June

- **The volume of any regulated entertainment will be reduced at 23.00hrs to 'back-ground' music level.**

28th June: Tan acknowledged that this and verbalised this by him stating that this would mean that the DJ would need to end at 23:30

4th July: Tan confirmed that this had been done

- **The function room will be clear of all customers no later than 00.00hrs**

24th May: Updated booking form was created and included to include "(please note the venue must be cleared by 00:00)" – Document attached named 24th May Updated Booking Form.

28th June: Tan confirmed that this will be adhered with

4th July: No functions have taken place since last meeting but Tan agreed that this would be adhered with

- **When the function room has been hired out / booked the DPS will take the booking using the Premises Licence Holder approved booking form. The booking will include photographic ID. If photographic ID is not available then a copy of a utility bill no less than 3 months old will be acceptable.**

24th May: New Booking form created this now includes the provision of ID to be collected it was agreed that with immediate effect that a copy of valid ID will be taken and held on file for all future bookings - Document attached named 24th May Updated Booking Form.

28th June: Booking form from the 24th May meeting was being used however ID was not available however the booking hadn't been confirmed. A new booking form was produced with a signature box for the DPS to confirm that the booking complied with the agreed standards was also added.

4th July: No new bookings had been taken therefore unable to check that the new form and processes were being used, however the amended forms had been printed off and were available for use.

- **All bookings in the function/conference room (known as the old Whacky Warehouse) to be signed off by the DPS.**

24th May: New Booking form created and it was agreed that this would be used moving forward and it was agreed that Tan the DPS will sign off and Approve all bookings - Document attached named 24th May Updated Booking Form.

28th June: New booking form with DPS signature box added issued to site

4th July: No new bookings had been taken therefore unable to check that the new form and processes were being used, however the amended forms had been printed off and were available for use.

- **Last entry to the main premises on Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday last entry to the premises will be 23.30hrs**

28th June: Tan wanted to know if this was negotiable as he felt this could have an impact on trade. He was advised this is **NOT** negotiable and must be adhered to. It was also confirmed that the only people allowed entry into the site after 23:30 would be those they had left the building to smoke.

4th July: Tan confirmed that this had been adhered with and that the door staff on duty over the last weekend had been updated

- **Regulated entertainment in the main premises to terminate at 23.30 hours. Retail sale of alcohol to remain as current licence.**

28th June: Tan acknowledged this

4th July: Tan confirmed that this was adhered with over the weekend

- **The premises will install / update a CCTV system to the specifications and recommendations of West Midlands Police. CCTV will record for a minimum of 28 days, display the correct time and date stamp and be downloadable.**

24th May: I viewed the CCTV, whilst I wasn't able to download whilst onsite I was able to view all cameras which were named and had the correct date and time stamps on them. I was able to view the incident from the 17th May and I was able to record them on a GK device. I was advised that Tan was able to download the information and had already done so for the Police.

28th June: CCTV keeps recordings for exactly 28 days and shows correct date and times

4th July: Tan confirmed there have been no changes made to the CCTV system

- **CCTV will be made immediately available to any of the responsible authorities on request. There will be a member of staff on duty who can operate the CCTV system.**

24th May: Current manager Vi showed me the CCTV system which is in a locked office. Vi was able to demonstrate that she could work the system and was able to show me the incident that occurred on the 17th May

28th June: Tan confirmed that all management staff will be trained on how to use the CCTV system which will include being able to download details immediately when requested by a responsible authorities representative

4th July: In addition to Tan both managers at the site have been trained on the CCTV system and there is a record of training has been signed and is available

- **The CCTV to be checked to ensure it is recording daily and documented in management book. The DPS to sign this off and check every week.**

24th May: Now have a checklist on will be used with immediate effect

28th June: This is now in place – checklist available onsite – Updated document attached with Checks from week commencing 27th May

4th July: Check made that this process is in place and being completed which it is.

- **Where door staff are used then they must be supplied by an SIA (Approved contractor scheme ACS) supplier.**

28th June: Tan advised that he uses a company called TLG Management and they confirmed that there door staff supplied are by an SIA (Approved contractor scheme ACS) supplier

4th July: This point was reiterated to Tan and that he should request confirmation from the company that this actually the case. In addition to this all door staff are to provide their SIA badge for every shift which will be copied and held on file at the site

- **The premises will employ a minimum of 2 doors staff on Friday, Saturday, every Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday. From 20.00hrs until all customers have dispersed from the premises.**

28th June: Tan advised that the company used will only supply a minimum of two door staff for their own security so this is already being adhered with.

4th July: Signing in sheet checked for two members of Doors staff. Two door staff signed in for Friday 28th & Saturday 29th June.

- **The DPS/premises will risk assess the need for extra door staff and different start times depending on any event being held at the premises or function room. These risk assessments will be made immediately available to any of the responsible authorities on request.**

28th June: Tan confirmed that he will complete a risk assessment for ALL bookings and will keep a record with the booking form. It was agreed that Tan use the template used for a TEN in Feb.

4th July: No new booking made so unable to check that this is in place however was assured that it would be

- **All door staff will sign on and off duty. The premises will keep a profile for each of the door staff deployed at the premises. This profile will include a copy of their SIA badge and photographic ID. If photographic ID is not available then a copy of a utility bill no less than 3 months old will be acceptable. The profiles and signing on & off sheet will be made immediately available to any of the responsible authorities on request. They will be kept on the premises for a minimum of 3 months**

28th June: TLG Management folder updated – Tan confirmed that he had SIA badge details but no ID, Tan confirmed that moving forward this would be complied with. All details would be held in the onsite safe however himself and Vi (current manager) will have access at all times.

4th July: Door staff have used the same sheet for both Friday 28th June and Saturday 29th June, Tan advised that this needs to be monitored. Door Staff are to use a single sheet for each day to ensure that is no

confusion. SIA Badges available but ID was missing for 1 door staff from Friday and 1 from Saturday, Tan explained that they did come with a letter however he told them that it had to be a bill dated within the last 3 months or photo ID. Whilst I was onsite this information was provided by TLG Management

- **The premises to have a carbonated and numbered incident book, to record all incidents irrelevant if any of the emergency services are called**

24th May: The current Incident book and recording keeping was poor therefore an updated Incident Log was created and issued to site and was to be used with immediate effect – Document attached “Incident Log”

28th June: Not currently onsite however was ordered during the meeting

4th July: Still not onsite however was advised that it would be onsite for 18:00 that day.

- **Incident book to be made available immediately on request, to any responsible authority**

24th May: It was agreed that the updated Incident Log Form will be printed off and kept in the site folder

28th June: Currently using updated version of the incident forms which are held in folder and are ready to be used

4th July: New incident forms available however no logged incidents noted since 17th May therefore unable to check if forms are being used correctly

- **Premises to have a documented vulnerability policy, to which all staff are trained (documented) and refreshed every 6 months. This policy as a minimum should look at the methods needed to protect people who become vulnerable through being at the premises.**

24th May: We didn't speak specifically about vulnerability training however we discuss training in general and it was agreed that Vi will ensure that all staff are fully up to date with training

28th June: Tan agreed that this would be put into place

4th July: Policy in place and rollout of training has commenced, training sign off sheet available. Tan advised that most of his staff are part-time and haven't yet been onsite since the training has been implemented however this will be fully actioned imminently

Recognised in The Times Best Law Firms 2019.

Please be aware of the increase in cybercrime and fraud.

TLT will not send you information about changes to bank account details by email.

If you receive an email purporting to be from someone at TLT advising you of a change to bank account details it is not genuine. Do not reply to the email or act on any information it may contain. Instead please contact the person dealing with your matter immediately.

TLT accepts no responsibility if you transfer money to a bank account which is not ours.

Please note we do not accept service by email.

The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments. TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland) operate under the TLT brand and are together known as 'TLT'. Any reference in this communication or its attachments to 'TLT' is to be construed as a reference to the TLT entity based in the jurisdiction where the advice is being given. TLT LLP is a limited liability partnership registered in England & Wales number OC308658 whose



Evidence for the
Licensing Review of

Horseshoe

1214 Stratford Rd

Birmingham

B28 9BH

RESTRICTED DOCUMENT



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• Statement Licensing officer Jones	Pg 33 – 36
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LOGGED.

Birmingham City Council, Licensing Section, Crystal Court, Aston Cross Business Village,
50 Rocky Lane, Aston, Birmingham, B6 5RQ

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

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 this 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.
You may wish to keep a copy of the completed form for your records.

I Chief Constable of West Midlands Police

(Insert name of applicant)

**apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Horseshoe 1214 Stratford Road	
Post town Birmingham	Post code (if known) B28 9BH

Name of premises licence holder or club holding club premises certificate (if known) Greene King Brewing and Retailing Limited
--

Number of premises licence or club premises certificate (if known) 1991

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates

☐

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Constable West Midlands Police C/o Birmingham Licensing department Lloyd House Birmingham
Telephone number (if any) 0121 626 6099
E-mail address (optional) Bw_licensing@west-midlands.pnn.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

x	<input checked="" type="checkbox"/>
x	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

The premises are what are known commonly as a local pub, it has been set up to allow a good percentage of food sales and also vertical drinking.

At the rear of the premises is a converted unit that used to house a "Whacky Warehouse" – children's soft play area but this has been converted into a suite, set up with a bar, dance floor and seating.

The premise is a tenanted premises, although Greene King remain the licence holders, with the tenant Tanveer Handa being the DPS.

On the 15th January 2019 – officers from the local Police team contacted the Police licensing team, as they had been contacted by local residents and councillor indicating that the premises were operating until 0700 hours and that it was causing significant noise issues.

On the 26th January 2019 – the DPS had applied for a Late Ten notice, indicating that it was for a birthday party. It transpired that the actual event was for a member of an Organised Crime Group who had been killed. Flyers advertising the event and that they had flown artists in from the USA to perform.

Following this West Midlands Police began to have concerns that the premise was being used by members of organised crime groups. The licensing officer Chris Jones who dealt with the premises spoke to the DPS and told him that in future, any applications for a TEN would need to have a risk assessment as well, so that we could now assess the risk.

On the 28th January 2019 – the DPS applied for a further Late ten for a party on the 2nd Feb 2019, this time indicating it was for family and friends. This was going from 2200 until 0500 hours.

On the 8th February 2019 – the DPS applied for a further Late ten for a party on the 16th Feb 2019 again for a birthday party. This application was objected to by Environmental Health and so the TEN was counter noticed. There was no risk assessment with the application but as it had been counter noticed West Midlands Police did not chase this up with the DPS.

On the 10th April 2019 – the DPS applied for a Late Ten notice for the same party that had been arranged for the 8th February 2019. This event would be taking place over the Easter weekend from Sunday 21st April into Monday 22nd April 2019. This was again objected to by Environmental Health as they had served a noise abatement notice against the premise and a counter notice issued.

Over the Easter weekend several incidents happened at the premises that caused concern to West Midlands Police on how the premise was being operated.

On the 20th April at 00:31 hours a call was made from a member of public indicating that there was a large fight and potential stabbing at the premises. Officers attending identified injured persons (who would not engage with the Police) and also signs within the premises of a disorder taking place. A person was named on the Police log as the caller. It was ascertained that no stabbing had happened but officers noted that there were signs of disorder from the main section of the premises and not the area referred to as the "whacky Warehouse".

On the 21st April – WMP were aware of an event at the premises (for which a Ten had been applied but the application had been objected to and so a counter notice issued). This event from Police intelligence had been organised by known members of an organised crime group. The DPS was spoken to on the night by the duty Sgt, who confirmed the event was happening, until 0200 am, with half the security being provided by someone from the organisers.

Complaints were shared with West Midlands Police to indicate that the event that had started on the 21st had gone past the 02.00 hours as officers were told and had finished at the times that had been applied for through the Temporary Event notice (which had been counter noticed and so not

authorised)

As a result of the incidents Licensing Officer Chris Jones contacted the premises and requested copies of the incident reports for the weekend as well as the CCTV.

The DPS contacted Chris Jones advising that he would get the information and the CCTV which he could see live on his phone.

Licensing officers attended the premise, and spoke to the DPS.

Through the discussion at the premises it was discovered

- The area used for the events did not appear on the plans, and so was suspected to be unlicensed
- It was set up as a bar, with the DPS stating that was the responsibility of the premise licence holder
- CCTV was not working (has been seized for analysis)
- Booking procedures for events was poor
- Security issues
- People booking room, being allowed to sell own alcohol
- People involved in disorder just being ejected so fight could continue outside
- Incident book recording poor
- No risk assessments for TEN's when requested
- The person who had called the Police for the disorder on the 20th April was not on the list of employees working that night, and so the premises had not called the Police.

Discussions then took place with the premise licence holders and their solicitors; however agreement could not be reached on conditions to remedy the above issue.

Please provide as much information as possible to support the application (please read guidance note 3)

Police statements will follow from –

Local Police teams

Licensing Officer – Chris Jones

Pc Rohomon – Licensing Police Officer

Control logs

CCTV evidence (if back from analysis)

Plans for premises

Flyers for events

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day		Month		Year	
1	1	1	1	1	1

If you have made representations before relating to the premises please state what they were and when you made them

A minor variation was submitted on behalf of the premise licence holder on the 14th May 2019 to amend operating conditions.

West Midlands Police objected to this application on the 14th May 2019

Please tick ✓


yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  A/Supt 4595

Date friday 17th may 2019

Capacity Acting Superintendent on behalf of Chief Constable West Midlands Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Birmingham Central Police Licensing Team
c/o Lloyd House Police Station
Snow Hill Queensway

Post town
Birmingham

Post Code
B4 6NQ

Telephone number (if any) 0121 626 6099

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) bw_licensing@west-midlands.pnn.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Abdool Rohomon

From: Abdool Rohomon
Sent: 10 June 2019 12:10
To: licensing authority
Cc: 'Matthew Phipps'
Subject: Horseshoe - additional reps

Dear Licensing,

Following the review application submitted by West Midlands Police for the above premises, West Midlands Police seek to add the additional representation.

On the 18th May 2019, an incident took place inside the premises. West Midlands Police were called twice by people passing by indicating that there was a large fight on the car park for the premises. When officers arrived all parties had left officers informed by staff that two people were having a fisty cuff but had left. Lots of people were watching. No call was received from the premises.

On viewing the CCTV and also the door staff and incident report officers saw, the disorder starts inside the premises. There appear to be two door staff on, however only one is wearing a badge. They eject the parties and another person who is seen attacking and kicking one of the aggressors. From the CCTV you then see numerous people leave the premises and the door staff. CCTV does not cover the car park but people are constantly in and out with drinks, you can see some hostility in a far off shot but it is unclear what is happening.

It is clear that there is some disorder going on for sometime

A person is seen leaving who are extremely drunk and are walking sideways.

The incident reports indicated it was happening for 15 minutes

The incident report is of a low standard

The door staff signing in sheet indicates 4 entries. Two are for the same person all for the 17th May 2019

One of the door supervisors is not showing on the SIA website as having a valid badge.

The ejection clearly led to the continuance of the disorder outside the premises, when parties could have easily been separated inside the premises. There is no call to the Police when clearly things have escalated outside in the car park, only one of the door staff is identifiable and the door staff signing in sheet is inaccurate.

Supporting evidence will be provided for the full review hearing

The premise licence holder is aware and there representative Cc'd in this email

regards

Abs Rohomon

PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ

Internal : 801 1631
External : 0121 626 6099

Follow us on Twitter - @brumcopslicensing

West Midlands Police
Tel. 101 Ext 8011627

Summary of the licence certificate.

Licence Details

Application Reference	73950
Licence Holder Name	Spirit Pub Company (Leased) Limited
Registered Company Number	5699544
Licence Number	1991
Time Limited Start Date	N/A
Time Limited End Date	N/A
Issue Number	5
Issue Date	22/07/2011
Grant Date	24/11/2005
Granted By	Carolyn Bennett
Status	Current
Representation Start Date	04/07/2011
Representation End Date	18/07/2011

2. Current Designated Premises Supervisor

A DPS is required wherever there is a licenced activity for the sale of alcohol for consumption on or off the premises.

Current DPS Details

Status	Assigned
Name	Mr Tanveer Handa
Licence Number	SOL/PE/1106/2009
Issuing Authority	Solihull
Start Date	09/09/2009

3. Premises Details

Details of the premises, the licensed activities and hours of operation.

Licence Details

Premises Name	Horseshoe
Premises Type	PUB
Premises Address	1214 Stratford Road, Hall Green, Birmingham, B28 9BH
Ward Name	HALL GREEN

3.1 Licensable Activities

A list of activities for which this premises is licensed.

A list of activities for which this premises is licensed.

Code	Description
E	Live music
F	Recorded music
H	Anything of similar description to that falling within (live music), (recorded music) or (performances of dance)
J	Provision of facilities for dancing
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

3.2 Activity Times

The times of day during which the activities listed in 3.1 are permitted. Where the start time is later than the end time, the period of activity spans mid-night. Where the start time is equal to the end time, the period licensed is 24 hours.

Days and times for which activities are licensed.

Days	Start Time	End Time	Licensed Activity Codes
Sunday - Wednesday	10:00	00:00	<u>E, F, H, J, M3</u>
	23:00	01:00	<u>L</u>
Thursday - Saturday	10:00	01:00	<u>E, F, H, J, M3</u>
	23:00	02:00	<u>L</u>

A further additional hour into the morning every Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday.

ALL

A further additional hour into the morning every St David's Day, St Patrick's Day, St George's Day and St Andrew's Day subject to seven days notice to, and agreement with, the Police.

ALL

On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to 21 days notice to and agreement with the police.

ALL

The Police retain the right of absolute veto over any such extension.

ALL

3.3 Operating Hours

The hours of operation of the premises during the day. Where the start time is later than the end time, the period of operation spans mid-night. Where the start time is equal to the end time, the period of allowed operation is 24 hours.

Licensed operating hours for the premises

Days	Start Time	End Time
Sunday - Wednesday	09:00	01:00
Thursday - Saturday	09:00	02:00

A further additional hour into the morning every Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday.

A further additional hour into the morning every St David's Day, St Patrick's Day, St George's Day and St Andrew's Day subject to seven days notice to, and agreement with, the Police.

On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to 21 days notice to and agreement with the police.

The Police retain the right of absolute veto over any such extension.

4. Conditions

4.1 Mandatory Conditions

Mandatory conditions attached to the licence.

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

Mandatory conditions attached to the licence

Objective

Condition

- alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
- N/A 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).
- N/A The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- N/A Where the number of children attending the entertainment exceeds 100 the licensee shall ensure the provisions of Section 12 of The Children and Young Persons Act 1933 are complied with.
- N/A 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.

Mandatory conditions attached to the licence

Objective

Condition

- N/A The responsible person must ensure thatâ€” (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 measuresâ€” (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.â€”
- N/A (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) â€œpermitted priceâ€” 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) â€œdutyâ€” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) â€œrelevant personâ€” means, in relation to premises in respect of which there is in force a premises licenceâ€” (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) â€œrelevant personâ€” 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) â€œvalue added taxâ€” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price on a day (â€œthe first dayâ€”) would be different from the permitted price on the next day (â€œthe second dayâ€”) 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.
- N/A Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.
- N/A Licensable activities may continue beyond the times specified in the embedded restrictions up to the times the premises licence authorises the carrying out of licensable activities.
- N/A This licence is granted subject to compliance with the conditions attached to the Public Entertainment Licence, previously issued in respect of these premises, as detailed in document reference number: PEL4.7 (copies of which are available upon request from the Licensing Section)
- N/A Embedded Restrictions where a special hours certificate is in force on all or certain days: (1) Subject to the following paragraphs, the permitted hours on weekdays

Mandatory conditions attached to the licence

Objective

Condition

shall extend until two o'clock in the morning following [three o'clock in the metropolis] [or, if an earlier hour is specified in the special hours certificate, that hour] except that - (a) the permitted hours shall end at midnight on any day on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; and (b) on any day that music and dancing end (or, in the case of casino premises, gaming ends) between midnight and two o'clock in the morning [three o'clock in the metropolis], the permitted hours shall end when the music and dancing end or, as the case may be, when the gaming ends. (2) In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect - (a) with the substitution of references to three o'clock in the morning [four o'clock in the metropolis] [or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 a.m. and 2 a.m.] (3) Except on Sundays immediately before Bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that - a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. (4) On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following [3 a.m. in the metropolis], except that - (a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; (b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and 2 a.m. [3 a.m. in the metropolis], the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends. For casino premises (5) The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment. For other premises (6) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

4.2 Operating Conditions

Operating conditions attached to the licence and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Conditions consistent with the operating schedule

Objective	Condition
GENERAL	No adult entertainment or services are permitted on the premises, with the exception of AWP machines.
GENERAL	Regulated entertainment is permitted to take place inside the premises only.
GENERAL	The licence holder will ensure the premises respect Spirit Group's Approach to Responsible Drinking.
GENERAL	On a maximum of 12 occasions per calendar year for events of local, national or international significance licensable activities may be provided for an additional hour, subject to twenty-one days notice to, and agreement with, the Police. The Police retain the right of absolute veto over any such extension.
CRIME	When door staff are used on the premises they will be Security Industry Authority (SIA) approved and operate in accordance with the Security Industry guidelines.
CRIME	The licence holder shall ensure a zero tolerance towards illegal drugs will be enforced at all times on the premises.
CRIME	If a disk jockey is used on any night at the premises, then he/she will ask patrons to leave the premises quietly.
CRIME	The licence holder shall ensure that all instances of crime and disorder are reported to the police and an incident log book will be kept and maintained on the premises.
CRIME	The Licence Holder will ensure CCTV system is in place that captures sufficiently clear, usable images.
CRIME	Door staff will continue to be employed at the premises on Friday and Saturday evenings.
SAFETY	Maximum occupancy level: - limited to 200 persons (lounge) - limited to 100 persons (bar)
NUISANCE	The licence holder shall ensure additional patrols are carried out by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.
NUISANCE	Notices will be displayed on the premises, asking customers to respect local residents when leaving the premises.
NUISANCE	The Licence Holder will ensure that text and/or radio pagers, where already used will continue to be used on the premises during the hours of operation.
NUISANCE	Soft drinks and non-alcoholic refreshment will be available during any extended period between the cessation of the supply of alcohol and the closure of the premises.
CHILD	Whenever children are permitted on the premises, any entertainment offered within the premises will be suitable for persons of that age.
CHILD	Persons under the age of 16 must be supervised by an accompanying adult at all times.
CHILD	Soft drinks and non-alcoholic drinks will be available.
CHILD	Persons under the age of 18 are not permitted to play on Section 34 permitted AWP machines.

Conditions consistent with the operating schedule

Objective	Condition
CHILD	Persons under the age of 16 are not permitted in the area immediately adjacent to the bar servery.

4.3 Committee Conditions

Conditions attached to the licence after a hearing by the licensing authority and classified by objective:

General

General conditions consistent with the operating schedule.

Crime

Conditions consistent with, and to promote the prevention of crime and disorder.

Safety

Conditions consistent with, and to promote public safety.

Nuisance

Conditions consistent with, and to promote the prevention of public nuisance.

Child

Conditions consistent with, and to promote the protection of children from harm.

Conditions attached after a hearing by the licensing authority

Objective	Condition
GENERAL	N/A
CRIME	N/A
SAFETY	N/A
NUISANCE	N/A
CHILD	N/A

5. Licence History

The history of variation and transfer applications since the initial application for grant or conversion.

Reference	Applicant Name	Application Type	History of applications		Representation Dates	Variation Reason
			Application Date	Status		
<u>110588</u>	Greene King Brewing and Retailing Limited	Transfer	03/04/2019	New	03/04/2019 To 17/04/2019	
<u>49455</u>	Punch Taverns Plc	Variation	31/08/2007	Transferred	31/08/2007 To 28/09/2007	• Premises Plan Changed

History of applications						
Reference	Applicant Name	Application Type	Application Date	Status	Representation Dates	Variation Reason
<u>49021</u>	Punch Taverns Plc	Transfer	08/08/2007	Varied	08/08/2007 To 22/08/2007	
<u>48253</u>	Spirit Pub Company (Services) Limited	Variation	09/07/2007	Transferred		• Premises Plan Changed
<u>31845</u>	Spirit Pub Company (Services) Limited	Conversion -Variation	03/08/2005	Varied		

6. Designated Premises Supervisor History

A list of all Designated Premises Supervisors that have been responsible for sale of alcohol from the premises.

History of previous Designated Premises Supervisors for the premises.

Start Date	Finish Date	Name	Licence	Issuing Authority
04/09/2008	09/09/2009	Mr Pargon Malhi	3597	Birmingham
04/09/2008	09/09/2009	Mr Pargon Malhi	3597	Birmingham
19/07/2007	04/09/2008	Mrs Iwona Salmon	3264	Birmingham
19/07/2007	04/09/2008	Mrs Iwona Salmon	3264	Birmingham
05/03/2007	13/06/2007	Ms Colleen Andrews	132	Birmingham
05/03/2007	13/06/2007	Ms Colleen Andrews	132	Birmingham
05/03/2007	13/06/2007	Ms Colleen Andrews	132	Birmingham
05/03/2007	13/06/2007	Ms Colleen Andrews	132	Birmingham
05/03/2007	13/06/2007	Ms Colleen Andrews	132	Birmingham
09/11/2006	05/03/2007	Mr Jonathan Pickering	3117	Birmingham
09/11/2006	05/03/2007	Mr Jonathan Pickering	3117	Birmingham
09/11/2006	05/03/2007	Mr Jonathan Pickering	3117	Birmingham
09/11/2006	05/03/2007	Mr Jonathan Pickering	3117	Birmingham
09/11/2006	05/03/2007	Mr Jonathan Pickering	3117	Birmingham
03/08/2005	09/11/2006	Miss Lucy Collins	599	Birmingham
03/08/2005	09/11/2006	Miss Lucy Collins	599	Birmingham
03/08/2005	09/11/2006	Miss Lucy Collins	599	Birmingham
03/08/2005	09/11/2006	Miss Lucy Collins	599	Birmingham
03/08/2005	09/11/2006	Miss Lucy Collins	599	Birmingham

7. Events

Other significant events recorded for this licence.

Other matters of interest defined within schedule 3, section 8 of the Licensing Act 2003

Date	Reference	Event Name
03/04/2019	110588	Application Received (Transfer)
22/07/2011	73950	Issue
22/07/2011	73950	Licence Approval
04/07/2011	73950	Application Received (Transfer)
09/09/2009	49455	Designated Premises Supervisor Nominated
04/09/2008	49455	Designated Premises Supervisor Nominated
01/12/2007	49455	Issue
01/10/2007	49455	Licence Approval
22/08/2007	49021	Issue
22/08/2007	49021	Licence Approval
08/08/2007	48253	Issue
07/08/2007	48253	Licence Approval
19/07/2007	31845	Designated Premises Supervisor Nominated
05/03/2007	31845	Designated Premises Supervisor Nominated
09/11/2006	31845	Designated Premises Supervisor Nominated
17/01/2006	31845	Issue
17/01/2006	31845	Licence Approval
16/01/2006	31845	Committee Decision
03/08/2005	31845	Application Received (Conversion-Variation)

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© Birmingham City Council [Licensing Section](#), P.O. Box 17013, Birmingham, B6 9ES

Tel: 0121 303 9896

Email: licensing@birmingham.gov.uk



= held open at all times

SITE LOCATION PLAN SCALE 1:1250

P	REVISED LICENSING NOTES REVISED LICENSING LANDLOT	24-08-07 22-08-07
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newman gauge

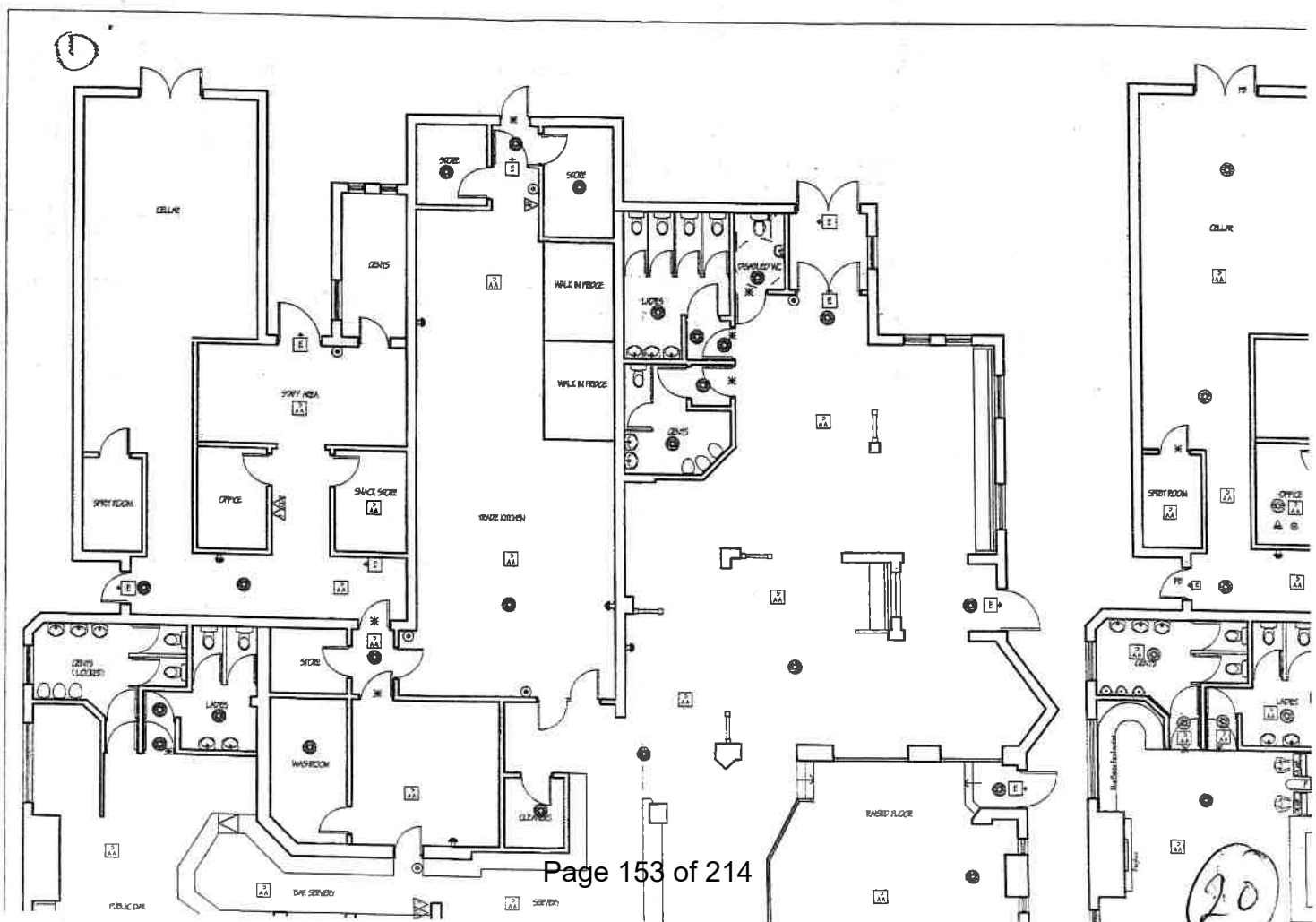
0244 923 212 9800 Fax: +44 (0) 22 212 9801

12-14 Gange Lane, Pimlico, SW14 6JL (England)
Tel: +44 (0) 22 212 9800 Fax: +44 (0) 22 212 9801
duncan@newmanguauge.com

HORSESHOE
BIRMINGHAM

LICENSING PLAN

JUNE 07	STATED	LDH
1377	208	B



20

WITNESS STATEMENT

Crime Number:.....

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

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Statement of: Abdool Rohomon

Age if under 18: +18 (if over 18 insert 'over 18') Occupation: Police Officer.....

This statement (consisting of 8 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: Date: 5th July 19Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person currently a serving Police Officer within West Midlands Police. For the last 16 years of my 28 year career I have been one of the licensing officers for Birmingham City Centre. I hold qualifications in risk management, risk assessment, assessing licensing premises and BII level 2.

This statement is in relation to my dealing with the Horse Shoe public house, 1214 Stratford Road, Hall Green, Birmingham. Up until this year I have had no dealings with these premises, with their main point of contact being Police Licensing officer Christopher Jones.

Around January 2019 Licensing officer Jones spoke to me about the premises, in that they had applied for a TEN for what was described as a "party" but turned out to be an event for an event gang member who had been killed. Chris Jones had concerns that the information being provided on the TEN applications was incorrect, and so it was decided that for any further TEN applications we would be seeking a risk assessment to be provided as well. I am aware that Chris Jones relayed this information to the DPS Tanveer Handa, over the phone.

Through our conversations about the premises I also became aware that the Police local Neighbourhood team had been receiving complaints from local residents and councillors around noise nuisance from the premises in the very early hours of the morning. Although I was aware that there were noise complaints I was not involved in dealing with them.

Over the next couple of months I was aware that a number of additional TEN were applied for, these are covered in the statement from Chris Jones. Over the Easter bank holiday which spanned from the 19th April to 22nd inc.

West Midlands Police were aware that the premises had applied for another TEN for an event on the 21st April.

This notice had not been accompanied with a risk assessment, which had been the request to the DPS previously and then was objected to by BCC Environmental Health officers. A counter notice was issued and so the premises had no authority to trade the additional hours it had applied for through the TEN.

Through the bank holiday weekend two significant issues occurred at the premise, which were of concern to West



(22)

Midlands Police, calls were logged to West Midlands Police on the 20th April 2019 indicating that there was a large fight outside the pub, and then on the 21st April 2019 intelligence was received that there was going to be an "urban event" at the premises until 5am.

The call on the 20th April was made at 00.31 hours, through the 999 emergency call system. The caller initially indicated that a stabbing had occurred and was screaming at the operator, by the time officers arrived officers indicated that there had not been a stabbing but had clearly been a disorder inside the premise that had spilt outside. I have listened to the 999 call (which is produced) and you can hear the screaming of the callers, asking for Police and Ambulance stating there was a lot of blood. This is crucial evidence as it is a first-hand account of what people at the premises were seeing.

The second police log, was a Police officer generated log on the 21st April 2019. It relates to intelligence being received that an event was happening at the premises that would attract gang nominal and the potential for firearms to be present at the event. There are several individuals named in the Police log, who are believed to be members of an organised crime group.

Officers have attended the premises before they opened, spoken to the DPS Tanveer Handa who indicated that the event would only be happening until 2am. The reason why officers were told this, is due to the fact that Tan had applied for a TEN for this date, which had been served as a late one, but BCC Environmental Health officers objected to the application which would have allowed the premises to operate until 6am. As the objection had been received a counter notice was issued and the authority to provide licensable activity was removed. The officers attending advised the DPS to consider his security procedures. Officers were aware that there were going to be 12 security staff provided 6 from the premises and the 6 from the organisers of the event. Intelligence indicated that the 6 being provided by the organisers were coming from a person who was named and again linked to organised crime groups.

On Tuesday 23rd April 2019 when I came back into work, Chris Jones made me aware of the two logs at the premises from over the weekend and that complaints had been received that the premises were open until 6/7am on the 21st/22nd which goes against what Tanveer told officers when they attended.

I asked Chris Jones to contact Tanveer and request the CCTV as a matter of urgency so we could see what had happened and also to see whether the premises had been trading until 6am. I also informed the area manager from Greene King that we would be attending the premises for a meeting and invited them along, however the area manager was unable to attend for find someone who could attend in his place. Together with Licensing officer Jones, we attended the premises on the 26th April 2019. Prior to going to the premises I was shown a copy of the premise licence and also the plans that were attached to the licence. Looking at the plans, it appeared to me that the area used for the events was not included within the license boundary line and so from my interpretation this area which

in the plans was referred to as the "Whacky Warehouse" was not licensed and so no licensable activity should take place there without the authority of a Temporary Event Notice.

At the premises we were met by a person I now know to be Tanveer Handa and his agent Patrick Burke. We asked to see the conference room and were shown to the rear room where the events took place. This building was not physically attached to the main building and we were walked out of the front door and then walked into the Whacky Warehouse entrance. On checking this room it was clearly set up and fitted out as a bar and event area. There was a large stocked bar to the left and a stage immediately opposite the bar, against the far wall. I completed a quick drawing of the layout which showed the bar and stage and the locations of the 4 CCTV cameras that I could see in the premise.

I took notes of the conversation that we then had with Tanveer.

When asked about the disorder on the Friday night, he stated that there had been nothing booked in. There had been some disorder but the parties had been ejected and the disorder carried on down the road. He stated he had a doorman on called Peter Brown and that he was provided to Tan by a friend of his called Rag. I then asked to look at the incident book, which was a new ring folder with no indexing. There was one entry for that Friday which was very poor and contained little detail. We asked to see a list of the people at work at the premises that day, which was provided and showed that the person that called the Police to say there was disorder was not a member of staff, and so the premises had clearly not called the Police.

Tan indicated that there was a booking for the Saturday, and they had paid £2,500 for the use of the outdoor premises, they would be provided 4-6 of their own security and then the premise would provide 4. The 4 from the premises were being provided by Tan, but he is not aware of the licence numbers. Tanveer told us that he had been in the premises for most of the night, but had definitely been back by 1am until 3am, and that the event had finished at 2am and everyone was out by 3am. Tanveer stated that when events are organised they normally have a personal licence holder with them, as they are allowed to sell their own alcohol, although he had not checked, and he had no knowledge of where the tickets were being sold or how many or had any control on them.

On the Sunday there was a further booking again for £2,500, which was just for the room only. The organiser was allowed to bring their own alcohol as those had done for Saturday and they were listed as Brandy, Champagne, Red Bull and other items. Tan was provided some of the security with the remainder coming from the organiser. Tan could not provide details of the security staff, he stated the ones he used were obtained through an associate he knew as Raj. Tan stated he didn't think Raj had a company and that he was paid cash or cheque.

Tan stated he did speak to the officers that attended and that he was there for the night and it did finish at 2am. I asked to see the booking forms for these events and was shown a diary. The detail in the diary was very poor and had little to no details in other than names and numbers. When I checked the entries against those of a restaurant booking, there was more information on the restaurant booking than the hire of the room booking. Tan

confirmed he did no risk assessments. When I asked him around the room called the "whacky Warehouse" and whether it was licensed, Tanveer was very quick to distance himself and said it was an issue for the brewer as they had fitted the premise out as a bar.

I then asked about the CCTV and we were told it was not working, I decided to seize the hard drive to see if it could be assessed.

My professional opinion was that Tanveer had absolutely no control over the premises and that he was allowed to do as he pleased by the premise licence holder, which are his landlords – Greene King. He was very quick to dismiss the point about the "whacky Warehouse" potentially being an unlicensed area as not his responsibility and that was the responsibility of Greene King. He had no booking in system, no risk assessments or controls, security provision that was potentially illegal under SIA legislation. It was also clear he was struggling as he said he was not getting the numbers through for his restaurant, and that he was prepared to let out his function room, where he was receiving £2,500 for its use. I was deeply concerned around the arrangements for the people hiring the venue being allowed to sell their own alcohol and provide their own security. Neither the DPS or PLH have any control of what is being sold, the quality, the safety of it. There is no control on the volume being sold to ensure drunkenness remains to a minimum. There were no policies on searching, egress or dispersal, or how they would deal with any vulnerability issues to ensure the public safety. There were no checks on the "security staff" being provided to ensure they were correct and their details were not recorded.

It appeared to me that the whole emphasis from Tanveer was to hire out the room and make as much money as possible whilst enabling the people who hired it to do as they pleased. I was also concerned around the apparent lack of control from the premise licence holder – Greene King. I was aware that the premise was being run on a tenanted basis, however the premise licence was being held by Greene King. They were clearly benefiting from this basis as they could then rent out the premise to their tenant (in this case Tanveer), on the basis the premise maintained a premise licence. This seemed to me as far as their involvement stopped, there were no procedures produced to us to show any policies for use of the premises especially the function room. The only comment we had around the function room when we questioned whether it was licensed was from Tanveer who was very quick to distance himself from it and claimed that responsibility lay with Greene King.

I had already spoken to the area manager indicating we would be having a meeting and over the next couple of days I spoke to various people from Greene King before finally getting a call from their solicitors. I had already indicated to the people I had spoken to at West Midlands Police concerns around the operation of the premises and that there was every chance we would be seeking an "Expedited Review" of the premises as we believed it was being associated with serious disorder.

After some consideration I took the decision that West Midlands Police would not seek to review the premises if they agreed to have a draft of conditions imposed on the licence through the process of a minor variation (this is

not an uncommon use of this variation if all parties can agree as it saves the time and cost of a review hearing). I took the position of including the conditions West Midlands Police would be seeking; these are included in the evidence bundle. All the conditions were relevant and proportionate to deal with the issue at the premises, issues that were that serious we were considering issuing a certificate and application for an Expedited Summary review. Although the new conditions were mainly aimed at the DPS to comply with, there were several that required the premise licence holder to also do things. One was for them to provide a booking form that could be used for events, that any bookings to be signed off by the premise licence holder, and for the premises to do risk assessments when events were booked in.

The reason these conditions were tailored specifically to the premise licence holder comes back to the concerns we had around the lack of control the premise license holder had on the operation of its own licence. We asked for the Booking form to come from Greene King, as they would know what they wanted to see in terms of details on the form. We did not ask for them to complete it, but they must sign off each booking. This would show that they had control of their premise licence and show that they were promoting the licensing objectives. This is neither onerous nor difficult as they clearly have an area manager for the premises.

I did receive a reply on the 2nd May, detailing some concerns the premise had around the conditions and also asking for an extension in terms of submitting any minor variation. A flurry of emails then transpired between myself and the premises solicitor (which are included in the bundle). These directly show the dialogue and concerns and so I will rely on those as my evidence.

On the 14th May 2019 West Midlands Police received the minor variation application, as submitted by Greene King. Whilst the majority of the conditions had remained the same, the premise licence holder had changed the wording of any condition that directly meant they had to do something, and replaced it with the DPS. I took this as a direct attempt by the premise licence holder to distance themselves from the premises and absolve themselves of any responsibility. It has to be remembered that the premise licence holder is responsible for the promotion of the licensing objectives, and yet it seemed they did not want any such burden and would leave it all to the DPS. I was disappointed as the conditions we had offered were not onerous or unachievable for the premise licence holder, and showed that they would have knowledge of what was going on inside the area of their licensed premises, an area where significant concerns had arisen.

West Midlands Police had no option but to object to the minor variation and submitted a review application.

On the 20th May 2019 on returning to work from the weekend, I was made aware that there had been disorder at the premises on the 18th May. Two separate calls had been made from members of the public as they were driving past the premises to say there was disorder at the premises, one indicating up to 50 people fighting and the other that person was being punched in the head. Neither call had come from the premises. I was aware that Chris

Jones had been in contact with Tanveer and requested the CCTV. He then went and collected the CCTV as well as taking picture of the incident book and also the door staff signing in sheet. I will deal with them separately.

I viewed the CCTV with Chris Jones, it shows the main bar area, with a view back to the main entrance. As stated before prior to this year I have had no involvement with these premises, however I surprised by the reaction of Chris Jones (who has for the last 5 years) around the clientele inside the premises and that this was not what he would have expected or led to believe would be in the premises.

The crowd inside the premises was very young; I would say aged between 18-25 years of age. You can see that there are 2 persons in the room who are dressed all in black, one clearly has an arm band on which is hi-vis and so is easy to presume that he is a door supervisor. The other male although dressed in black has no such arm band or any other visible markings to indicate they are a door supervisor. It is unclear why the disorder took place, there is some pushing and shoving and punches thrown. The two persons in black do move in and one of the offenders is removed from the premises and also the person who has been punched and kicked to the floor. The second offender dressed in a white top is left to remain in the premises.

From the footage you can see that the disorder continues outside, a flock of people suddenly leave the premises and it is possible to see more issues in the car park, but as the angle and lighting is poor it is not possible to see all the details. What it does clarify is that there are 2 persons who appear to be door staff, one with a badge on his arm which could be clearly seen and the other with nothing. Towards the end of the clip that shows the foyer, a young girl can be seen walking out of the premises, she is clearly intoxicated as she walks almost in a sideways motion, walks into the front door, even though the other side is open, and then stumbles further left as she leaves. There is little to no control at the door or outside, people just push the door staff a side, and by doing this the disorder just continues but now outside the venue.

The record in the incident book, which is not indexed and just appears to be a loose banded folder. The entry is very poor and offers very little detail and is hard to say is the same incident as seen on the CCTV. The entry is signed by a Michael Justin.

The door supervisor duty log, is from a company called TLG security, a company known to West Midlands Police. It is dated on the 17th May 2019, there are 4 entries for this one day. There are 2 entries for a M.L.J with the name Michael to the left, one for Leon Bell and another for S.A, with the name Ahmed to the left.

From this it would appear there are 3 supervisors for the 17th. From the names alone we can only assume that Ahmed would be of Asian appearance, whilst the other two would be unknown. The 2 persons in the CCTV are not of Asian appearance, and there is no one in the CCTV that appears to be acting as door supervisor or dressed as a door supervisor who would be.

I checked with Tanveer and he confirmed that he only had 2 door staff on that night, which questions why there are

Handwritten signature/initials

27

4 entries for one day.

There are two entries for M.L.J, with the name Michael to the left. It is fair to assume that this person is Michael Justin (the one that signed the incident book). I have conducted checks on both the SIA public website and our local enforcement officer, and both have confirmed that there is no one with the name of Michael Justin on their system as a licensed door supervisor. I have also put in the licence number as recorded, and neither my checks on the website or with the local investigator have shown the licence number to be valid. For clarity the numbers checked by myself and the local SIA investigator were –

1963144510927760 or 1963144510927260

On the 3rd June I emailed the DPS and premise licence holder and asked for a copy of the physical SIA badge for M.L.J to be sent through to us. I made it clear that we could not find any record for M.L.J. so this was the reason I was making the request.

On the 10th June I got a reply from Tanveer, with a list of 5 names for persons who at worked at his premises that weekend. I noted that none of the names matched M.L.J and so I was still not able to identify who this person was. Over the next couple of weeks I have correspondence with the Sales and Recruitment manager from TLG security. Initially they said they had supplied the details of all the staff on the signing in sheet (the sheet they had as we had only taken a photo of it). I had to make several requests for the specific door supervisor signed in as M.L.J.

On the 26th June 2019 I got an email from TLG security saying that they had only supplied 2 staff that day and they were not sure who M.L.J. was, and they had no record of that person.

With the fact that the CCTV clearly shows someone with a badge visible and under taking the responsibilities of a door supervisor, the signing in sheet showing two entries for M.L.J, the incident book being signed off by Michael Justin, I am happy to conclude that the person who signed in as M.L.J and completed the register was the person acting as a door supervisor without the badge being visible.

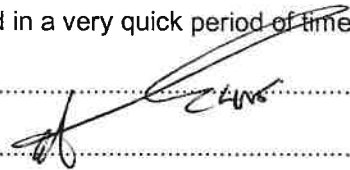
There is no such person on the S.I.A website as M.L.J. either by name or the number in the book and so on this evidence I have to conclude that there was unlicensed door supervisors working at the premises, either provided by TLG or the premises. This matter has been reported to the SIA for investigation.

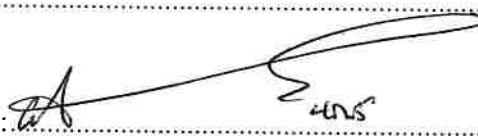
On the 28th June 2019 I received an email from Tanveer, stating he had finally been given the details of the person who had worked that day. This was for a person who was not on the signing in sheet for the 17th, it is a completely different person and there is no similarity between the badge numbers on the sheet to the one provided in the photo.

I am bewildered by this, the request was simple, for the badge details of the person signed in as M.L.J, but instead we have been given 5 different people initially, then don't know who he is, to then being supplied details for another completely different door supervisor.

I am very comfortable and confident in saying that the premises were using illegal unlicensed door supervisors.
 I have no confidence in the DPS, but I also have little confidence in the premise licence holder who has seemed it fit to try and distance themselves from the clear and apparent issues, rather than accept conditions that will promote the licensing objectives, which is what they should be doing.

The issues at these premises have been significant and have developed in a very quick period of time.



Signature:  Signature witnessed by:

OFFICIAL (when complete)

Witness contact details

URN : / / /

Name of witness: Mr/Mrs/Ms/Miss/Dr

Former name: *Email address:

*Email address needed for correspondence i.e. support material to be sent

Address: Postcode:

Preferred telephone number: Alternate telephone number:

Agreed means of contact and frequency :

Gender: Date and place of birth: Ethnicity Code (16+1)

DATES OF WITNESS NON-AVAILABILITY: (12 months)

CCTV – timeline

Horseshoe Public House –

17th May 2019

Frame reference number AO1-20190517234500

- General comment frame of the main bar area, bar to the bottom right, DJ top right, main entrance top left, tables and chairs throughout
- Around 30 people inside mainly young looking
- 23:49 – concentrate on round table middle left of picture
 - o Sitting top of table male in cap and white t-shirt
 - o To there right male with bald head
 - o To the bottom of the table another male
 - o The male with the bald head is of importance
- 23:49 – male with bald head has something white in his right hand (male 1)
- 23:50:04 – this male is rolling his fingers together
 - o Appears to be taking something out of something else
 - o Left palm is open
 - o Right hand appears to be crushing something in his hand
 - o Lots of people around him, people paying attention to him
- 23:50:43 – male with bald head bends over
 - o His head is over the table, can't see exactly what he is doing
 - o Clear that there is nothing in his hand anymore
- 23:50:58 – male who has bald head and had just bent head onto table has quickly become agitated
 - o This is only 15 seconds, so a very quick reaction
 - o Male with pony tail, who had been very animated previously holds bald head male down
- 23:51:12 – male in cap and white t-shirt grabs hold of a male that male 1 was agitated towards
 - o He grabs him around his neck and pulls him onto him

- Male 1 gets up and is very agitated
- Raises his right hand in clenched fist and does punching motion
- 23:51:21 – door staff that is wearing badge intervenes
 - He grabs hold of male with bald head (male 1)
- 23:51:34 – Male with baseball cap gets up with the male in the headlock still with him
 - Right hand punch towards male he had in headlock that he had let go of
 - Grapples him to the floor
 - Right foot kick to the head
 - Door staff 2 – who is not wearing a badge, grabs hold of the male in the white t-shirt and cap(offender)
 - Another male from pub grabs hold of the victim, who had been kicked and punched
- 23:51:54 – Male 1 is taken through the exit/entrance doors
 - Male in white shirt is being held
 - He is then patted by the door staff and released – he was the offender
 - IP walks to front door with others and walks out
- 23:52:53 – Male with white t-shirt and cap walks to exit/entrance. Door staff are there
 - People start to walk out
 - Some are looking through a window at outside
- 23:53:46 – people rush out
 - Even the DJ leaves his area to look out the window and then goes outside
- 23:55:49 – all bar 2/3 people who had been in the pub are now either outside or watching through a window
 - Clearly something going on outside
- 23:56:10 – people start filtering back into the pub.

Frame reference number AO3 – 2019057234613

- General comment frame of the front lobby area, doors to the right and then main doors to car park. Door staff to the right behind the door. Cannot see any badge ID on his arm or body
- 23:51:43 – male bald head, black top is being grabbed and held by doorstaff

- He is ejected but clearly agitated
- Comes back at door man who is now by the front doors
- 23:52:15 – other people leave
 - Fight carries on outside
 - See something happening on car park
 - Male in white top is brought to front doors
 - Door staff try and stop him going out
 - Another male in baseball cap comes in and starts to remonstrate towards the male in white t-shirt
- 23:53:35 – other people take white t-shirt male out
 - People rush out of premises and people go to the right
 - Fight then comes back in front of the premises
 - Someone is on the floor, but difficult to identify
 - One of the males fighting appears to be wearing white t-shirt
 - Fight continues on the car park
 - Lots of people outside watching or involved
- 23:58:05 – most people come back in
 - Door staff at front but looking to their left
 - People can still be seen on car park
 - People still looking left
 - People at top of screen start walking to the left
- 23:59:35 – very drunk female leaves premises and walks into door and sideways

WITNESS STATEMENT

Crime Number:.....

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

URN

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Statement of: 55410 Christopher Jones.....

Age if under 18: over 18 26.1.18 (if over 18 insert 'over 18') Occupation: Licensing Officer.....

This statement (consisting of 4 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: Chris.....Date 06th June 2019.....Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by West Midlands Police as a Licensing Officer currently based as Lloyd House, Colmore Circus Birmingham B4 6NQ working within the Central Licensing Team. This team has responsibility for all licenced premises within the Birmingham City Council area.

I have known of The Horseshoe for approximately the last 5 years and until recently have had no concerns with how the premises have been run or managed by the Designated Premises Supervisor Tanveer Handa. I have always believed this premises were run a mainly food lead venue serving predominately high end Asian (Indian) food in a restaurant space segregated from the bar area. With the bar itself well presented catering for the upper end of the clientele for 'wet' lead business. I was also aware of a rear room which the venue hired out for corporate events and family parties.

On 13th January 2019 I was sent an email by the neighbourhood policing team who had received a complaint from local residents via a councillor complaining about loud music at the premises sometimes until 7 am. I asked the neighbourhood team to supply more information such as dates of the noise and also to download the CCTV for the dates in question. Unfortunately the neighbourhood team never came back to me with any other details.

This complaint surprised me as I would not think that this sort of complaint at this time of the morning would be related to this premises due to the business operating model I believed the premises operated.

The premises submitted a Temporary Event Notice (TEN) for a birthday party between the hours of 2200 and 0600 on 26.01.19. West Midlands Police (WMP) received intelligence that this event was a memorial for an urban gang member who was killed. I spoke with Mr Handa on the telephone after the event and explained that WMP had concerns that the event he had stated on the TEN application was a birthday party which was obviously incorrect and suggested that he made more checks on who was booking the venue and for what type of event. Also mentioned were the noise complaints which had been earlier raised by the Neighbourhood Team. Due to WMP concerns Mr Handa was informed that he would need to supply a Risk Assessment if he was to submit any more

TENs. This was to ensure that the licensing objectives had been considered by the premises. Mr Handa agreed to do this.

The premises submitted a TEN for an event on 16.02.19 from 2200 to 0500 this application was objected too by environmental health and a counter notice issued. No risk assessment was supplied with the application.

WMP received intelligence that on 16.03.19 there was an event taking place in Birmingham called 'March Madness' again this event was targeted at urban street gang members. The event was being advertised on social media at a secret location in Birmingham to be released on the day to avoid it coming to the attention of the police. Due to the other recent events at the premises I telephoned Mr Handa and asked if there were any events booked in on that date. He informed me that he did have an event booked and had taken part payment for it. Although he said that on reflection the event 'didn't seem right' and had decided to cancel the booking.

On 12.04.19 I visited the premises with the neighbourhood team, at their request due to concerns they had about the events which were taking place and information about cocaine use in the premises. Mr Handa was not at the premises at the time of the visit but one of his staff phoned him. I spoke with him and again explained WMP concerns and again stated the need for a risk assessment to be submitted with any TEN application.

The premises submitted a TEN for 21.04.19 this was again objected too by environmental health and a counter notice issued. This application was not accompanied with a risk assessment.

For the weekend bank holiday weekend 19th April to 22nd inc. WMP recorded a log at the premises for a fight outside the pub on 20.04.19 and also received intelligence that there was an event being held for an urban street gang member on 21.04.19 which is the same date that the premises had submitted a TEN until 05.00hrs. (Which a counter notice was issued against the application.) I was also made aware of noise complaints made to environmental health throughout the weekend including times outside the premises licensable hours.

I phoned Mr Handa and followed up with an email requesting CCTV footage of both evenings to see the disorder and what time the premises traded too as the noise complaints were outside their licensable hours (but would have been covered by the TEN which had been objected too and a counter notice issued.) I arranged to meet Mr Handa at the premises on 26.04.19 with a colleague PC Rohomon.

After speaking with Mr Handa back on 26th January 2019 requesting a risk assessment with every TEN and explaining WMP concerns he continued to submit various other TENs. A disorder also took place at the premises at no time did Mr Handa supply a risk assessment with the TEN application or make first contact with WMP. All the interaction with the premises was as a direct result of WMP contacting the premises first.

We met at the premises as agreed and Mr Handa informed that there was an event at the premises on 21.04.19 but it had finished as per the times stated in the premises licence (which contradicted the complaint to environmental health.) He also confirmed an incident at the premises which was dealt with by the door staff. Mr

Handa then stated that he was unable to supply the CCTV as it was faulty and had not been recording; therefore his version of events have not been confirmed. Mr Handa also stated that at the event he had allowed the person hiring the venue to supply and sell their own alcohol (anything other than draft beer) at the event. The person hiring the venue is obviously not an employee of the premises and Mr Handa as the DPS would have little or no control over the sale of alcohol at the event. Also Mr Handa would have not known where the alcohol had been sourced from and even if it was genuine or fit for human consumption. Mr Handa also stated that the person hiring the room had supplied half of the door staff / security for their event. Again Mr Handa would have had little or no control over these door staff, wouldn't have known if they were SIA registered and legally allowed to carry out security / door staff duties. PC Rohomon seized the hard drive for forensic examination which WMP are still awaiting results. The premises have installed a new hard drive for their CCTV. At this meeting Mr Handa indicated that the premises was not taking as much money as it used to and these events were supplementing what the business used to take. Mr Handa was also asked if the rear / function room of the premises was shown on the premises licence plan, as a copy I had requested from Birmingham City Council appeared not to show this room as being licenced. Mr Handa stated that he didn't know and that was an issue for the premises licence holders – Greene King and totally dismissed that fact I had raised a potentially serious issued that would affect his business putting the entire onus back to the premises licence holders.

On 20th May I was made aware of another disorder at the premises on 18th May. There were two logs called in by members of the public, who were passing the premises in two separate phone calls. The premises did not call the police themselves. Again I contacted Mr Handa for a copy of the CCTV and door staff details for the incident and arranged a date to collect it. The CCTV was collected and I took photographs of the door staff signing in & book and the incident report. The signing in book appeared to show 3 door staff on duty although one of the door staff signed in twice making a total of 4 entries in the book. After reviewing the CCTV it showed the incident report for the disorder was extremely poor and lacked in detail. The incident report did not really resemble what was seen on CCTV.

I viewed the CCTV at a later date with PC Rohomon and was very surprised of what I saw. In my opinion the premises has always appeared to cater for a more mature, discerning clientele at a food lead premises which has a large restaurant area. The CCTV showed a crowd of around 30 young people (18 to 25 years) very casually dressed with a disco playing for entertainment, completely the opposite type clientele to what I would have expected to see in the premises.

The CCTV showed a disorder starting inside the premises which spilled out to the car park, after door staff had ejected both parties, followed by what seemed the whole of the pub customers. From this point, from what could be seen on the CCTV the door staff took no further but was seen going in and out of the premises, although the

situation was obviously escalating outside the premises. There was no phone call from the premises or door staff to the police about the on-going disorder. The CCTV does not show what happen on the car park but customers were seen coming and going in and out of the premises carrying open drinks in glasses and bottles.

The door staff were not easily identifiable on the CCTV, there appeared to be only 2 door staff on duty. Neither was wearing high-viz clothing and only one could be seen wearing his SIA badge.

At one stage a young woman can be seen leaving the premises who appeared to be so intoxicated she was stumbling sideways. As she tried to leave she almost missed the open door almost crashing into the door that was closed.

Signature: *Ches* Signature witnessed by:

Christopher Jones

From: Martin Key <[REDACTED]> on behalf of Pollution Team
<Pollution.Team@birmingham.gov.uk>
Sent: 08 February 2019 13:31
To: Licensing Online; bw licensing
Cc: [REDACTED]
Subject: [Possible SPAM] RE: LATE TEN-The Horseshoe, 1214 Stratford Road, B28 9BH
Importance: High

Hi

I am responding on behalf of the Environmental Health team as a responsible authority.

The application is for a late TEN for 16/17 February 2019 from 22.00 until 05.00 including regulated entertainment. Our officers have witnessed a noise nuisance on the 27 January 2019 attributed to loud noise from the banqueting suite/ function room and this was following comprehensive correspondence with the applicant, the DPS and the premises licence holder prior to the event. I am therefore concerned based on the previous history and location of the proposed entertainment that this event will lead to public nuisance.

I would therefore object to the grant of the TEN and would request that you issue a counter notice to this TEN.

Best Regards

Martin Key on behalf of Pollution Team
Environmental Protection Officer

Environmental Health | Regulation & Enforcement Division

☎: +44 (0) [REDACTED]

✉: Environmental Health, Manor House, PO Box 16977, Birmingham, B2 2AE

(Office Site: Environmental Protection, 1st Floor, 40 Moat Lane, Birmingham, B5 5BD)

🌐: www.birmingham.gov.uk/eh | Facebook: ehbham | Twitter: @ehbham

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🖨 Please consider the environment before printing this email

From: Lisa Woodward On Behalf Of Licensing Online
Sent: Friday, February 08, 2019 10:58 AM
To: bw_licensing@west-midlands.pnn.police.uk; Pollution Team
Subject: LATE TEN-The Horseshoe, 1214 Stratford Road, B28 9BH

Good morning all,

Please find attached an application submitted via GOV.UK for your consideration.

Christopher Jones

From: bw licensing
Sent: 11 April 2019 10:42
To: [REDACTED]
Subject: FW: LATE TEN-THE HORSESHOE, 1214 STRATFORD ROAD
Attachments: The Horseshoe-1991-Late TEN-777942.pdf

Good morning Tanveer,

As previously discussed - due to recent intelligence about events at your premises and the fact Environmental Heath have recently issued the premises with an abatement notice West Midlands Police require a full risk assessment for the event you have applied for to ensure the licensing objectives are met and promoted. This risk assessment will need to be agreed with West Midlands Police.

Due to the tight legal timescales responsible authorities have to make representations to temporary event notices West Midlands Police require the full risk assessment no later than 10.00am Monday 15th April 2019 which needs to be agreed.

Regards

Chris Jones 55410
Birmingham Central Licensing Team

Switchboard Tel: 101 ext. 801 1628
Direct Dial Tel: 0121 626 6099

West Midlands Police HQ
Lloyd House
Colmore Circus
Birmingham
B4 6NQ

(Sat nav postcode B4 6AT)

Contact us on 999 in an emergency or for all other matters please visit [WMPolice Online](#)

From: Lisa Woodward [mailto:L[REDACTED]] **On Behalf Of** Licensing Online
Sent: 10 April 2019 16:39
To: bw licensing; Pollution Team
Subject: LATE TEN-THE HORSESHOE, 1214 STRATFORD ROAD

Good afternoon all,

Please find attached an application submitted via GOV.UK for your consideration.

Kind regards

Lisa

Christopher Jones

From: Paul R Samms <[REDACTED]> on behalf of Pollution Team
<Pollution.Team@birmingham.gov.uk>
Sent: 11 April 2019 10:38
To: Licensing
Cc: [REDACTED]; Pollution Team; bw licensing; [REDACTED]
Subject: RE: LATE TEN-THE HORSESHOE, 1214 STRATFORD ROAD - Objection

All,

The applicant has submitted a TEN to extend hours of operation until 5am in the morning.

Env. Health has previously served a noise abatement notice as a result of the premises causing noise disturbance to local residents.

As a representative of Environmental Health I object to the above TEN for the event at The Horseshoe, 1214 Stratford Road, B28 9BH on grounds of likely public nuisance.

Regards,

Paul Samms
Environmental Protection Officer

Environmental Protection Unit
Environmental Health
Manor House
40 Moat Lane
Digbeth
Birmingham
B5 5BD

[REDACTED]
email [REDACTED]

Environmental Health, Regulation & Enforcement, Birmingham City Council, PO BOX 15908, Birmingham, B2 2UD

Website: <http://www.birmingham.gov.uk/eh>
Facebook: <http://www.facebook.com/ehbham>
Twitter: <http://www.twitter.com/ehbham>
Flickr: <http://www.flickr.com/photos/envhbham>

"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"

From: Lisa Woodward On Behalf Of Licensing Online
Sent: Wednesday, April 10, 2019 4:39 PM
To: bw_licensing@west-midlands.pnn.police.uk; Pollution Team
Subject: LATE TEN-THE HORSESHOE, 1214 STRATFORD ROAD

Good afternoon all,

Please find attached an application submitted via GOV.UK for your consideration.

Command & Control - Search Results

Intranet Homepage

Return to Incident List

New Search

URN	Date & Time	Secure Record	Owner	Operator	Beat
89	20/04/2019 00:31:00	No	BVSP1	58929	BEEA
Initial Class	Response	Crime No.	Arrests	Date Closed	Status
DISORDER	P1 IMMEDIATE		0	20/04/2019 01:24:54	CLOSED
Method Received	999 Call --- Telephone No.: [REDACTED]				
Caller					
Caller Address					
Caller Phone	[REDACTED]				
Incident Location	RESTAURANT MIDLANDS LTD-1214 STRATFORD ROAD HALL GREEN-BIRMINGHAM-WEST MIDLANDS B28 9BH				
OSGR	410568, 281853				
Incident Detail	STABBING				
Incident Result	NO FURTHER POLICE ACTION REQUIRED				

Updates

User	Date	Time	Terminal	Text
58929	20/04/2019	00:31:11	WBCHK2	Saturday 20 Apr 2019
58929	20/04/2019	00:31:11	WBCHK2	Location was HARASSMENT on 03-02-18
58929	20/04/2019	00:31:11	WBCHK2	Routed To Radio Operator(s)
58929	20/04/2019	00:31:11	WBCHK2	CLI data: EE- [REDACTED]
58929	20/04/2019	00:31:11	WBCHK2	409073- 281268- 4316- 4316- 80- 0- OSGB36
53916	20/04/2019	00:31:15	BER1	Incident Transfer Accepted by terminal BER1
58929	20/04/2019	00:31:17	WBCHK2	CALLER SAID THERES BLOOD EVERYWHERE
58929	20/04/2019	00:31:17	WBCHK2	
57919	20/04/2019	00:31:38	BER4	Incident Switch to Terminal YMR1-YMR2-YMMSS
57919	20/04/2019	00:31:38	BER4	FYI STABBING
57919	20/04/2019	00:31:38	BER4	Incident Switch
58929	20/04/2019	00:31:22	WBCHK2	SAID ITS HER COUSIN
58929	20/04/2019	00:31:23	WBCHK2	
58929	20/04/2019	00:31:44	WBCHK2	THIS IS THE HORSEHOE 1214 STRAFORD ROAD
58929	20/04/2019	00:31:44	WBCHK2	
57919	20/04/2019	00:31:52	BER4	View Street Index For Incident
58929	20/04/2019	00:31:48	WBCHK2	CALLER HAS NOW CLEARED
58929	20/04/2019	00:31:49	WBCHK2	
58929	20/04/2019	00:31:52	WBCHK2	SO MUCH DISORDER GOING ON
58929	20/04/2019	00:31:53	WBCHK2	
57919	20/04/2019	00:32:06	BER4	RCO70 Automatic STM Notification generated
57919	20/04/2019	00:32:06	BER4	RCO70 Despatched
58929	20/04/2019	00:32:09	WBCHK2	ONTO AMBO
59402	20/04/2019	00:32:27	BERA	22298 Redeployed from Incident 3039 19-04-19
59402	20/04/2019	00:32:27	BERA	22298 Automatic STM Notification generated
59402	20/04/2019	00:32:27	BERA	22298 Despatched
58811	20/04/2019	00:32:33	BER2	Invalid pluscode entry
59402	20/04/2019	00:32:35	BERA	RCM71 Redeployed from Incident 3018 19-04-19
59402	20/04/2019	00:32:35	BERA	RCM71 Automatic STM Notification generated
59402	20/04/2019	00:32:35	BERA	RCM71 Despatched
58728	20/04/2019	00:32:35	WHSD5	MATCHED WITH 84 (20-04-19) - REASON AS BELOW :-
58728	20/04/2019	00:32:35	WHSD5	FURTHER CALL
58811	20/04/2019	00:32:37	BER2	RCO72 Redeployed from Incident 3026 19-04-19
58811	20/04/2019	00:32:37	BER2	RCO72 Automatic STM Notification generated
58811	20/04/2019	00:32:37	BER2	RCO72 Despatched
57919	20/04/2019	00:33:00	BER4	RCB66 Redeployed from Incident 40 20-04-19
57919	20/04/2019	00:33:00	BER4	RCB66 Automatic STM Notification generated
57919	20/04/2019	00:33:00	BER4	RCB66 Despatched
59402	20/04/2019	00:33:06	BERA	0957 Redeployed from Incident 3039 19-04-19
59402	20/04/2019	00:33:06	BERA	0957 Automatic STM Notification generated
59402	20/04/2019	00:33:06	BERA	0957 Despatched
57919	20/04/2019	00:33:09	BER4	RCF70 Redeployed from Incident 40 20-04-19

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57919 20/04/2019 00:33:09 BER4	RCF70 Automatic STM Notification generated
57919 20/04/2019 00:33:09 BER4	RCF70 Despatched
57919 20/04/2019 00:33:19 BER4	RCV7 Automatic STM notification generated
57919 20/04/2019 00:33:19 BER4	RCV7 Allocated to Incident
57919 20/04/2019 00:33:31 BER4	RCR24 Automatic STM notification generated
57919 20/04/2019 00:33:31 BER4	RCR24 Allocated to Incident
51239 20/04/2019 00:33:33 YMR1	Incident Switch Accepted By YMR1
51239 20/04/2019 00:33:56 YMR1	Incident Switch to Terminal YM1
51239 20/04/2019 00:33:56 YMR1	FOR INFO..THAKNS
51239 20/04/2019 00:33:56 YMR1	Incident Switch
58929 20/04/2019 00:33:58 WBCHK2	CALLER [REDACTED] FROM PREVIOUS CALLS
57919 20/04/2019 00:34:11 BER4	MOBILE BACK TO A [REDACTED]
57919 20/04/2019 00:34:27 BER4	OF [REDACTED]
57919 20/04/2019 00:34:36 BER4	RINGING BACK...
51239 20/04/2019 00:34:49 YMR1	AD59 Automatic STM Notification generated
51239 20/04/2019 00:34:49 YMR1	AD59 Despatched
57926 20/04/2019 00:35:02 BER3	Resources Dealing with this Incident Enquiry
59402 20/04/2019 00:35:07 BERA	RCF70 Redeployed to Incident 90 20-04-19
58929 20/04/2019 00:35:09 WBCHK2	AMBO LOG: 86
59402 20/04/2019 00:35:21 BERA	RCB66 Redeployed to Incident 90 20-04-19
4220 20/04/2019 00:35:41 YM1	YM1NOTED - MONITORING.
57926 20/04/2019 00:35:44 BER3	RCB66 Arrived at Incident
59402 20/04/2019 00:35:47 BERA	RCB66 Already Despatched
57919 20/04/2019 00:35:59 BER4	ON TO CALLER... NOT A STABBING
57919 20/04/2019 00:36:11 BER4	NOW SAYING SOMEONE HAS HAD THEIR HEAD STAMPED ON
57919 20/04/2019 00:36:22 BER4	CLEARING LINE ON ME- SHE KEEPS SCREAMING
59402 20/04/2019 00:36:28 BERA	RCO72 Redeployed to Incident 90 20-04-19
4220 20/04/2019 00:36:34 YM1	Incident Switch Accepted By YM1
57919 20/04/2019 00:36:34 BER4	RINGING BACK...
57919 20/04/2019 00:36:58 BER4	KEEPS GOING TO VM.
57926 20/04/2019 00:37:19 BER3	Incident Match
57919 20/04/2019 00:37:31 BER4	OFFICER ON SCENE STATES NOT A STABBING- FIGHT INSIDE
57919 20/04/2019 00:37:39 BER4	PUB WHICH HAS SPILLED OUTSIDE
57919 20/04/2019 00:37:48 BER4	ONE MALE INJURED
57926 20/04/2019 00:37:53 BER3	Incident Switch to Terminal YMR1-YMR2-YMMSS
57926 20/04/2019 00:37:53 BER3	TO CANCEL AD - NOT A STABBING
57926 20/04/2019 00:37:53 BER3	Incident Switch
57919 20/04/2019 00:37:55 BER4	AD59 Cancelled
51239 20/04/2019 00:38:16 YMR1	Incident Switch Accepted By YMR1
53916 20/04/2019 00:38:34 BER1	AD59 Automatic STM Notification generated
53916 20/04/2019 00:38:34 BER1	AD59 Despatched
57926 20/04/2019 00:39:09 BER3	MATCHED WITH 103 (20-04-19) - REASON AS BELOW :-
57926 20/04/2019 00:39:09 BER3	SAME
53916 20/04/2019 00:39:47 BER1	Incident Transferred by terminal BER1 to BER4
53916 20/04/2019 00:39:47 BER1	THANKS
53916 20/04/2019 00:39:47 BER1	Incident Transfer
57919 20/04/2019 00:39:50 BER4	Incident Transfer Accepted by terminal BER4
22214 20/04/2019 00:39:52 IncApp	INJURED MALE NOT WISHING TO ENGAGE WITH OFFICERS
22214 20/04/2019 00:39:52 IncApp	WHATSOEVER. APPROX 50 PEOPLE STILL PRESS T
53916 20/04/2019 00:40:53 BER1	0957 Arrived at Incident
59402 20/04/2019 00:40:54 BERA	0957 Already At Incident
58811 20/04/2019 00:41:05 BER2	AD59 Arrived at Incident
59402 20/04/2019 00:41:05 BERA	AD59 Already At Incident
57926 20/04/2019 00:41:12 BER3	RCM71 Arrived at Incident
53916 20/04/2019 00:41:29 BER1	<input checked="" type="checkbox"/> View Incident 89-20-04-19
57919 20/04/2019 00:42:20 BER4	RINGING AMBO...
53916 20/04/2019 00:42:29 BER1	RCO70 Redeployed to Incident 109 20-04-19
53916 20/04/2019 00:42:44 BER1	RCM71 Redeployed to Incident 109 20-04-19
22214 20/04/2019 00:42:48 IncApp	FEMALE IP IS [REDACTED]
22214 20/04/2019 00:42:48 IncApp	[REDACTED]
58811 20/04/2019 00:42:53 BER2	AMBO TA
57926 20/04/2019 00:43:17 BER3	PNC - [REDACTED]
53916 20/04/2019 00:43:49 BER1	RCB66 Left Incident

53916 20/04/2019 00:43:49 BER1 RCB66 Redeployed to Incident 130 20-04-19
 58811 20/04/2019 00:45:01 BER2 22298 Redeployed to Incident 3039 19-04-19
 58811 20/04/2019 00:45:04 BER2 0957 Redeployed to Incident 3039 19-04-19
 57926 20/04/2019 00:47:42 BER3 AD59 Left Incident
 22214 20/04/2019 00:48:07 IncApp [REDACTED]
 22214 20/04/2019 00:48:07 IncApp [REDACTED]
 57919 20/04/2019 00:52:59 BER4 Resources Dealing with this Incident Enquiry
 57919 20/04/2019 00:53:12 BER4 Incident Transferred by terminal BER4 to BVSUPP
 57919 20/04/2019 00:53:12 BER4 UPDATES
 57919 20/04/2019 00:53:12 BER4 Incident Transfer
 0041 20/04/2019 00:53:23 BVSP1 Incident Transfer Accepted by terminal BVSP1
 53916 20/04/2019 00:56:17 BER1 Incident Switch to Terminal YMR1-YMR2-YMMSS
 53916 20/04/2019 00:56:17 BER1 ANY AD UNIT PLEASE
 53916 20/04/2019 00:56:17 BER1 Incident Switch
 51239 20/04/2019 00:56:48 YMR1 Incident Switch Accepted By YMR1
 51239 20/04/2019 00:57:21 YMR1 WHAT IS THE DOG REQUIRED FOR PLS - ALREADY ATTENDED
 51239 20/04/2019 00:57:22 YMR1 AND LEFT
 51239 20/04/2019 00:57:45 YMR1 POSSIBLE SWITCH ON WRONG LOG?
 51239 20/04/2019 00:57:53 YMR1 Incident Switch to Terminal BER1
 51239 20/04/2019 00:57:53 YMR1 AS LAST PLS
 51239 20/04/2019 00:57:53 YMR1 Incident Switch
 0041 20/04/2019 01:00:45 BVSP1 DOG NOT REQUIRED
 22214 20/04/2019 01:09:13 WebOASIS ONE WHITE MALE EXITED THE PUB WITH A FEW SCRATCHES
 22214 20/04/2019 01:09:13 WebOASIS BUT WAS REFUSING TO ENGAGE WITH OFFICERS. NOT CLEAR
 22214 20/04/2019 01:09:13 WebOASIS WHO-WHERE OFFENDER IS AND WITHOUT VICTIM ENGAGING
 22214 20/04/2019 01:09:13 WebOASIS NOTHING CAN BE RECORDED. LOG CAN BE CLOSED
 21322 20/04/2019 01:11:48 BVSP3 All Resources Leave Scene-Dispatch Cancelled etc
 21322 20/04/2019 01:12:39 BVSP3 Incident Result-Close Exited
 21322 20/04/2019 01:12:39 BVSP3 Incident End (Result - Close)
 21322 20/04/2019 01:13:13 BVSP3 Changed Class From CRIME
 21322 20/04/2019 01:13:13 BVSP3 Amending Incident Type
 21322 20/04/2019 01:13:21 BVSP3 Changed Class From MISCELLANEOUS
 21322 20/04/2019 01:13:21 BVSP3 Amending Incident Type
 21322 20/04/2019 01:13:36 BVSP3 Incident Closed By Terminal BVSP3
 21322 20/04/2019 01:13:36 BVSP3 Incident End (Result - Close)
 53916 BER1 The following was entered after the Incident was
 53916 BER1 Closed
 53916 20/04/2019 01:22:16 BER1 Re-Opened by BER1
 53916 20/04/2019 01:22:22 BER1 Incident Switch Accepted By BER1
 53916 20/04/2019 01:22:45 BER1 Incident Transferred by terminal BER1 to BVSUPP
 53916 20/04/2019 01:22:45 BER1 FURTHER UPDATES SORRY
 53916 20/04/2019 01:22:45 BER1 Incident Transfer
 22214 20/04/2019 01:22:58 WebOASIS IF-WHEN [REDACTED] CALLS PLEASE REFER TO LOG [REDACTED]
 22214 20/04/2019 01:22:58 WebOASIS OF [REDACTED] WHICH RELATES SPECIFICALLY TO HER
 22214 20/04/2019 01:22:58 WebOASIS ASSAULT. THANK YOU. LOG CAN BE RE-CLOSED
 0041 20/04/2019 01:24:15 BVSP1 Incident Transfer Accepted by terminal BVSP1
 0041 20/04/2019 01:24:55 BVSP1 Incident Closed By Terminal BVSP1
 0041 20/04/2019 01:24:55 BVSP1 Incident End (Result - Close)

Resources

Rank	Name	Collar No	Dispatched	Arrived	Left	Cancelled	Informed	Informed Cancelled	Dealt With	Call Sign
PC	MCDONALD	22030	20/04/2019 00:32			20/04/2019 00:42				RCO70
PC	REYNOLDS	21080	20/04/2019 00:32			20/04/2019 00:42				RCO70
PC	TEBAY	22298	20/04/2019 00:32			20/04/2019 00:45				22298
PC	MILES	22408	20/04/2019 00:32	20/04/2019 00:41		20/04/2019 00:42				RCM71
PC	CHISHTI	22417	20/04/2019 00:32	20/04/2019 00:41		20/04/2019 00:42				RCM71
PC	SAINES	21094	20/04/2019 00:32			20/04/2019 00:36				RCO72
			20/04/2019			20/04/2019				

PC	TUDOR	22234	00:32		00:36		RCO72
PC	YATES	22214	20/04/2019	20/04/2019	20/04/2019		RCB66
			00:33	00:43	00:35		
PC	LISSEMORE	0957	20/04/2019	20/04/2019	20/04/2019		0957
			00:33	00:40	00:45		
PC	MAYE	21202	20/04/2019		20/04/2019		RCF70
			00:33		00:35		
INSP	NAJIB	4544			20/04/2019	20/04/2019	RCV7
					00:33	01:11	
PS	WITHERS	3437			20/04/2019	20/04/2019	RCR24
					00:33	01:11	
PC	O'DONNELL	4775	20/04/2019		20/04/2019		AD59
			00:34		00:37		
PC	YATES	22214		20/04/2019			RCB66
				00:35			
PC	O'DONNELL	4775	20/04/2019	20/04/2019	20/04/2019		AD59
			00:38	00:41	00:47		
Final Classification		PUBLIC SAFETY/WELFARE SUSPICIOUS CIRCUMSTANCES					
Qualifier		NONE					
Power of Arrest Used							
Anti-social behaviour							
Closing Text							
Officer Dealing		22234					

Access may be restricted.

Data is subject to the provisions of the Data Protection Act 1998.

Misuse of such data may be an offence under the Computer Misuse Act 1990.

2.4.0

Command & Control - Search Results

Intranet Homepage

Return to Incident List

New Search

URN	Date & Time	Secure Record	Owner	Operator	Beat
103	20/04/2019 00:36:00	No	BER1	58749	BEEA
Initial Class	Response	Crime No.	Arrests	Date Closed	Status
DISORDER	P9 CONTACT RESOLUTION			20/04/2019	CLOSED
Method Received	999 Call --- Telephone No.: [REDACTED]				
Caller	[REDACTED]				
Caller Address					
Caller Phone	[REDACTED]				
Incident Location	RESTAURANT MIDLANDS LTD-1214 STRATFORD ROAD HALL GREEN-BIRMINGHAM-WEST MIDLANDS B28 9BH				
OSGR	410568, 281853				
Incident Detail	MASSIVE FIGHT OUTSIDE....				
Incident Result	[X] MATCHED WITH 89 (20/04/19)				
Updates					
User	Date	Time	Terminal	Text	
58749	20/04/2019	00:36:44	WBCHF6	Saturday 20 Apr 2019	
58749	20/04/2019	00:36:44	WBCHF6	Location was HARASSMENT on 03-02-18	
58749	20/04/2019	00:36:46	WBCHF6	Routed To Radio Operator(s)	
58749	20/04/2019	00:36:47	WBCHF6	CLI data: [REDACTED]	
58749	20/04/2019	00:36:47	WBCHF6	No Location data available	
53916	20/04/2019	00:36:53	BER1	Incident Transfer Accepted by terminal BER1	
58811	20/04/2019	00:36:55	BER2	LOG 89 REFERS	
58749	20/04/2019	00:36:54	WBCHF6	CALLER WAS DRIVING PAST	
58749	20/04/2019	00:36:57	WBCHF6	F258749	
58749	20/04/2019	00:37:05	WBCHF6	THE HORSESHOE PUB	
57926	20/04/2019	00:37:06	BER3	Graded Response changed from P1 IMMEDIATE to P9	
57926	20/04/2019	00:37:06	BER3	CONTACT RESOLUTION	
57926	20/04/2019	00:39:09	BER3	MATCHED WITH 89 (20-04-19) - REASON AS	
57926	20/04/2019	00:39:09	BER3	BELOW :-	
57926	20/04/2019	00:39:09	BER3	SAME	
57926	20/04/2019	00:39:09	BER3	Incident Match	
Resources					
No Resources available.					
Final Classification	DISORDER				
Qualifier					
Power of Arrest Used					
Anti-social behaviour					
Closing Text					
Officer Dealing	N/A				

Access may be restricted.

Data is subject to the provisions of the Data Protection Act 1998.

Misuse of such data may be an offence under the Computer Misuse Act 1990.

2.4.0

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Command & Control - Search Results

Intranet Homepage

Return to Incident List

New Search

URN	Date & Time	Secure Record	Owner	Operator	Beat
1782	21/04/2019 17:26:00	No	BER4	56692	BEEA
Initial Class	Response	Crime No.	Arrests	Date Closed	Status
MISCELLANEOUS P8	INTERNAL TASK		0	22/04/2019 07:16:23	CLOSED
Method Received	Telephone Call				
Caller	8941				
Caller Address					
Caller Phone					
Incident Location	RESTAURANT MIDLANDS LTD-1214 STRATFORD ROAD HALL GREEN-BIRMINGHAM-WEST MIDLANDS B28 9BH				
OSGR	410568, 281853				
Incident Detail	POSSIBLE GANG NIGHT TAKING PLACE.				
Incident Result	NO POLICE ATTENDANCE				

Updates

User	Date	Time	Terminal	Text
56692	21/04/2019	17:26:47	WHSD5	Location was HARASSMENT on 03-02-18
56692	21/04/2019	17:26:50	WHSD5	8941 Automatic STM Notification generated
56692	21/04/2019	17:26:50	WHSD5	8941 Despatched
56692	21/04/2019	17:26:54	WHSD5	8941 Arrived at Incident
56692	21/04/2019	17:26:56	WHSD5	Incident Routed to Radio Operators
56692	21/04/2019	17:26:56	WHSD5	Route To All Operators
56692	21/04/2019	17:27:09	WHSD5	8941 SAYS THIS LOCATION SHOULD BE THE THE HORSESHOE PH
56692	21/04/2019	17:27:09	WHSD5	
56692	21/04/2019	17:27:24	WHSD5	Job 1: - CONTACT IT RE SIG NAME CHANGE
55998	21/04/2019	17:28:05	BER3	Incident Transfer Accepted by terminal BER3
55998	21/04/2019	17:28:27	BER3	Incident Transferred by terminal BER3 to BER4
55998	21/04/2019	17:28:27	BER3	FOR AI
55998	21/04/2019	17:28:27	BER3	Incident Transfer
52468	21/04/2019	17:29:42	BER4	Incident Transfer Accepted by terminal BER4
8941	21/04/2019	17:30:14	IncApp	272865-19 19-04-19 THERE WILL BE A PARTY AT
8941	21/04/2019	17:30:14	IncApp	THE HORSESHOE PUBLIC HOUSE- 1214 STRATFORD ROAD-
8941	21/04/2019	17:30:14	IncApp	BIRMINGHAM ON SUNDAY 21ST APRIL 2019. THIS WILL BE A
8941	21/04/2019	17:30:14	IncApp	BIRTHDAY PARTY AND AROUND 150 GUESTS ARE EXPECTED
8941	21/04/2019	17:30:14	IncApp	BETWEEN THE AGES OF 25-55 YEARS OLD. THE PARTY WILL
8941	21/04/2019	17:30:14	IncApp	BEGIN AT 21:30 AND END AT 06:00 ON 22-04-19. THERE
8941	21/04/2019	17:30:14	IncApp	WILL BE 12 SECURITY GUARDS IN ATTENDANCE AT THE TIME
8941	21/04/2019	17:30:14	IncApp	OF THE PARTY. THE MANAGER OF THE HORSESHOES PUB IS
8941	21/04/2019	17:30:14	IncApp	CALLED TAN AND HAS A CONTACT NUMBER OF [REDACTED]
8941	21/04/2019	17:30:14	IncApp	INTEL SUGGESTS THAT THE PARTY WILL BE ATTENDED BY
8941	21/04/2019	17:30:14	IncApp	BURGER BAR GANG MEMBERS AND THAT THERE IS POTENTIAL
8941	21/04/2019	17:30:14	IncApp	FOR FIREARMS TO BE PRESENT [REDACTED] FURTHER
8941	21/04/2019	17:30:14	IncApp	INTEL CORROBORATING THIS INFORMATION. [REDACTED]
8941	21/04/2019	17:30:14	IncApp	FURTHER INTEL CORROBORATING THIS INFORMATION- PARTY
8941	21/04/2019	17:30:14	IncApp	TO BE HOSTED BY [REDACTED] AKA [REDACTED]
8941	21/04/2019	17:30:14	IncApp	[REDACTED] IS WM FOR ROBBERY OFFENCES. HE HAS A **FI**
8941	21/04/2019	17:30:14	IncApp	MARKER [REDACTED] - THERE WILL BE A PARTY AT
8941	21/04/2019	17:30:14	IncApp	THE HORSESHOE PUBLIC HOUSE- STRATFORD ROAD
8941	21/04/2019	17:30:14	IncApp	BIRMINGHAM- B28 9BH ON EASTER SUNDAY 2019. IT WILL BE
8941	21/04/2019	17:30:14	IncApp	ATTENDED BY BURGER BAR GANG MEMBERS AND THERE IS A
8941	21/04/2019	17:30:14	IncApp	POTENTIAL FOR FIREARMS TO BE PRESENT.
8941	21/04/2019	17:34:31	IncApp	THE FUNCTION IS TAKING PLACE IN THE BANQUETING SUITE
8941	21/04/2019	17:34:31	IncApp	AT THE REAR OF THE PUB AND IT OUT OF SIGHT FROM THE

8941 21/04/2019 17:34:31 IncApp ROAD. IT IS UNCOMMON FOR THIS VENUE TO HAVE 12
8941 21/04/2019 17:34:31 IncApp SECURITY EMPLOYED FOR A PROVATE FUNCTION THEREFORE I
8941 21/04/2019 17:34:31 IncApp WOULD SUGGEST THE MANAGEMENT BELIEVE THERE IS AN
8941 21/04/2019 17:34:31 IncApp INCREASED RISK ALTHOUGH THE MANAGER 'TAN' IS MAKING
8941 21/04/2019 17:34:31 IncApp EVERY EFFORT TO REASSURE ME.
58360 21/04/2019 19:23:42 BERA 8941 Left Incident
8941 21/04/2019 19:31:32 WebOASIS I HAVE CONFIRMED THAT AN EVENT IS TAKING PLACE AT THE
8941 21/04/2019 19:31:32 WebOASIS BANQUETING SUITE AND HAS BEEN ADVERTISED AS A LADIES
8941 21/04/2019 19:31:32 WebOASIS NIGHT. IT IS TAKING PLACE TONIGHT-SUNDAY 21ST APRIL.
8941 21/04/2019 19:31:32 WebOASIS THE ORGANISER IS KNOWN AS [REDACTED] WHO IS NOW KNOWN
AS
8941 21/04/2019 19:31:32 WebOASIS [REDACTED] THE EVENT IS CALLED
8941 21/04/2019 19:31:32 WebOASIS SOPHISTICATED SWAG. THERE WILL BE 12 SECUIRITY ON
8941 21/04/2019 19:31:32 WebOASIS DUTY- SIX OF WHICH ARE SUPPLIED BY THE VENUE AND WILL
8941 21/04/2019 19:31:32 WebOASIS ALL BE SIA BADGED. SIX WILL BE PROVIDED BY A MALE
8941 21/04/2019 19:31:32 WebOASIS ONLY KNOWN AS [REDACTED] IS BELIEVED TO BE
8941 21/04/2019 19:31:32 WebOASIS [REDACTED] HAS HISTORIC
8941 21/04/2019 19:31:32 WebOASIS LINKS TO THE BURGER BAR OCG AND IS BELIEVED TO BE
8941 21/04/2019 19:31:32 WebOASIS ATTENDING THE EVENT THIS EVENING. THE EVENT IS
8941 21/04/2019 19:31:32 WebOASIS SCHEDULED TO START AT 2230 AND FINISH AT 0200
8941 21/04/2019 19:31:32 WebOASIS ALTHOUGH INTELLIGENCE SUGGETS IT WILL CONTINUE UNTIL
8941 21/04/2019 19:31:32 WebOASIS 0600. INTELLIGENCE SUGGESTS THAT A NUMBER OF HISTORIC
8941 21/04/2019 19:31:32 WebOASIS BURGER BAR NOMINAL MAY ATTEND THE FUNCTION AND THAT
8941 21/04/2019 19:31:32 WebOASIS THEY MAY BE IN POSSESSION OF FIREARMS. THE LICENSEE
8941 21/04/2019 19:31:32 WebOASIS HAS BEEN SPOKEN TO REGARDING POLICE CONCERNS AND
HAS
8941 21/04/2019 19:31:32 WebOASIS BEEN ASKED TO CONSIDER HIS SECURITY ARRANGEMENTS
8941 21/04/2019 19:31:32 WebOASIS AROUND THE EVENT AND CONSIDER ROBUST SEARCHING ON
8941 21/04/2019 19:31:32 WebOASIS THOSE ATTENDING. LOG NUMBER PROVIDED FOR REFERENCE.
8941 21/04/2019 19:32:52 WebOASIS PLEASE SWITCH FOR THE ATTENTION OF YM1 AND THE DUTY
8941 21/04/2019 19:32:52 WebOASIS FIM FOR CONSIDERATION AROUND [REDACTED]
8941 21/04/2019 19:32:52 WebOASIS [REDACTED]
4923 21/04/2019 20:00:29 WebOASIS FIM1 APPRAISED
8941 21/04/2019 20:04:59 WebOASIS 5349- 7651 AND 0861 ON THE LOG PLEASE AS PASSING
8941 21/04/2019 20:04:59 WebOASIS ATTENTION UNTIL 23.00. FIM UPDATED VIA PHONE AND WILL
8941 21/04/2019 20:04:59 WebOASIS LIAISE WITH YM1
7651 21/04/2019 20:47:13 IncApp CODE 6 ALL OFFICERS
7651 21/04/2019 21:35:00 IncApp [REDACTED] WHITE RANGEROVER
7651 21/04/2019 21:40:28 IncApp [REDACTED] - WHITE 1 SERIES
7651 21/04/2019 21:51:20 IncApp 1 SERIES ON CLONED PLATES. PASSED FOR OBS
7651 21/04/2019 22:03:28 IncApp [REDACTED] VAUXHALL INSIGNIA
7651 21/04/2019 22:04:36 IncApp [REDACTED] - VAUXHALL ASTRA
7651 21/04/2019 22:05:39 IncApp [REDACTED] - VAUXHALL CORSA
7515 21/04/2019 22:07:10 WebOASIS IF CLONED BMW [REDACTED] IS SIGHTED AGAIN- PLEASE BEAR
7515 21/04/2019 22:07:10 WebOASIS IN MIND NPAS ARE CURRENTLY IN THE AIR
7651 21/04/2019 22:09:10 IncApp ***PRIOR TO LOG BEING CLOSED CAN VEHICLES BE PASTED
7651 21/04/2019 22:09:10 IncApp INTO LOG. FOR FUTURE REFERENCE THESE VEHICLES HAVE
7651 21/04/2019 22:09:10 IncApp ALL BEEN SEEN ENTERING OR ON THE CARPARK OF THE
7651 21/04/2019 22:09:10 IncApp HORSESHOE DURING THE TIME OF OUR ATTENDENCE. PLEASE
7651 21/04/2019 22:09:10 IncApp NOTE THAT THE PUB WAS OPEN TO THE PUBLIC AND AS SUCH
7651 21/04/2019 22:09:10 IncApp VEHICLES MAY BE LINKED TO PATRONS OF THE PUB AND NOT
7651 21/04/2019 22:12:05 IncApp ATTENDEES OF THE FUNCTION SUITE****
7651 21/04/2019 22:20:38 IncApp [REDACTED] - BLACK SEAT
[REDACTED] - AUDI
8941 21/04/2019 22:30:01 IncApp THE VENUE IS ONLY NOW STARTING TO GET PEOPLE
STARTING
8941 21/04/2019 22:30:01 IncApp TO ATTEND. GANGS TEAM OFFICERS WILL BE CLEARING AT
8941 21/04/2019 22:30:01 IncApp 23.00 AND PASSING ATTENTION IS REQUIRED. COULD THE
8941 21/04/2019 22:30:01 IncApp NIGHTS BE INSP PLEASE BE APPRAISED OF THE LOG.

7651 21/04/2019 22:30:11 IncApp [REDACTED] - SAAB
 7651 21/04/2019 22:35:32 IncApp [REDACTED] GOLF
 7651 21/04/2019 22:38:52 IncApp [REDACTED] - ASTRA
 7651 21/04/2019 22:40:30 IncApp [REDACTED] - ROLLS ROYCE
 7651 21/04/2019 22:50:09 IncApp [REDACTED] - TOYOTA YARIS
 7651 21/04/2019 22:55:22 IncApp DISREGARD AUDI [REDACTED] CORRECT VRM IS [REDACTED]
 7651 21/04/2019 23:10:48 IncApp GANGS TEAM HAVE NOW CLEARED. INTEL SUGGESTS EVENT IS
 7651 21/04/2019 23:10:48 IncApp ON TILL 0600. CAN LOG BE KEPT OPEN TILL THEN IN CASE
 7651 21/04/2019 23:10:48 IncApp OF ANY ISSUES.
 7651 21/04/2019 23:28:48 WebOASIS IF NIGHTS OFFICERS DO HAVE OPPORTUNITY TO PAY PASSING
 7651 21/04/2019 23:28:48 WebOASIS ATTENTION CAN VRMS BE NOTED ON THE LOG PLEASE
 55022 22/04/2019 03:58:15 BER4 Monday 22 Apr 2019
 55998 22/04/2019 07:15:22 BER4 Incident Close-Result failed - Outstanding Jobs
 55998 22/04/2019 07:15:30 BER4 Job No. 1 Completed
 55998 22/04/2019 07:16:23 BER4 Incident Closed By Terminal BER4
 55998 22/04/2019 07:16:23 BER4 Incident End (Result - Close)

Resources

Rank Name	Collar No	Dispatched	Arrived	Left	Cancelled	Informed	Informed Cancelled	Dealt With	Call Sign
PS WEBB	8941	21/04/2019 17:26	21/04/2019 17:26	21/04/2019 19:23					8941
Final Classification		PUBLIC SAFETY/WELFARE CONCERN FOR SAFETY							
Qualifier		NONE							
Power of Arrest Used									
Anti-social behaviour									
Closing Text									
Officer Dealing		55998							

Access may be restricted.

Data is subject to the provisions of the Data Protection Act 1998.

Misuse of such data may be an offence under the Computer Misuse Act 1990.

2.4.0

Incident 3017 of the 17/05/2019

Log Details CLOSED	
Urn	3017
Date	17/05/2019 23:55
Owner	BVSP1
Initial Classification	DISORDER
Response	P1 IMMEDIATE
Last Updated	18/05/2019
Reported by	CALL 999 [REDACTED]
Brief Incident Details	fight .. approx 50 people
Location of Incident	
Feature	THE HORSESHOES (HALL GREEN) LTD,1214
Street	STRATFORD ROAD
Area	HALL GREEN,BIRMINGHAM,WEST MIDLANDS
Postcode	B28 9BH
Beat	BEEA
OSGR	410568 281853
Location Ref	2/32/6/421
Caller	
Name	[REDACTED]
Title	
House	
Street	
Area	
Telephone Number	[REDACTED]
Ex-Directory	
Warning Markers	HARASSMENT
Crime Number	
Status	CLOSED
Date Closed	18/05/2019
Result	NO FURTHER POLICE ACTION REQUIRED
Final Incident Type	PUBLIC SAFETY/WELFARESUSPICIOUS CIRCUMSTANCES
Closing Qualifiers	NONE
Free Text	
Number of Arrests	0

Log Updates				
Date	Time	User	Terminal	Text
17/05/2019	23:55	52287	LHCHH3	Friday 17 May 2019
17/05/2019	23:55	52287	LHCHH3	Location was HARASSMENT on 03/02/18
17/05/2019	23:55	52287	LHCHH3	Routed To Radio Operator(s)
17/05/2019	23:55	52287	LHCHH3	CLI data: O2 [REDACTED]

Date	Time	User	Terminal	Text
17/05/2019	23:55	52287	LHCHH3	410601, 281541, 887, 887, 90, 0, OSGB36
17/05/2019	23:56	59239	BER4	Incident Transfer Accepted by terminal BER4
17/05/2019	23:56	52287	LHCHH3	CALLER IS ACROSS THE ROAD FROM LOCATION
17/05/2019	23:56	52287	LHCHH3	SPILLING OUT ONTO THE ROAD
17/05/2019	23:56	59239	BER4	Incident Switch to Terminal YMMSS,YMR1,YMR2
17/05/2019	23:56	59239	BER4	ANY AD UNIT
17/05/2019	23:56	59239	BER4	Incident Switch
17/05/2019	23:56	52287	LHCHH3	CANT SEE ANY WEAPONS
17/05/2019	23:56	52628	YMR1	Incident Switch Accepted By YMR1
17/05/2019	23:56	52287	LHCHH3	SOMEPEOPLE ARE SHOOTING OFF IN CARS .. - DRIVING OFF
17/05/2019	23:57	52287	LHCHH3	NFI CALLER IS OFF LINE
17/05/2019	23:57	59239	BER4	RCO70 Redeployed from Incident 2831 17/05/19
17/05/2019	23:57	59239	BER4	RCO70 Automatic STM Notification generated
17/05/2019	23:57	59239	BER4	RCO70 Despatched
17/05/2019	23:57	52628	YMR1	NOTED
17/05/2019	23:57	52628	YMR1	AD81 Redeployed from Incident 3004 17/05/19
17/05/2019	23:57	52628	YMR1	AD81 Automatic STM Notification generated
17/05/2019	23:57	52628	YMR1	AD81 Despatched
17/05/2019	23:57	59239	BER4	RCO73 Redeployed from Incident 2831 17/05/19
17/05/2019	23:57	59239	BER4	RCO73 Automatic STM Notification generated
17/05/2019	23:57	59239	BER4	RCO73 Despatched
17/05/2019	23:58	52628	YMR1	ERALLY UPDATE MAKING FROM A DISTANCE
17/05/2019	23:58	53154	BERA	MATCHED WITH 3013 (17/05/19) - REASON AS BELOW :-
17/05/2019	23:58	53154	BERA	FURTHER CALL REPORTING BIG FIGHT
17/05/2019	23:58	53154	BERA	Incident Match
18/05/2019	00:02	59239	BER4	Saturday 18 May 2019
18/05/2019	00:05	1577	BER1	RCB72 Redeployed from Incident 3007 17/05/19
18/05/2019	00:05	1577	BER1	RCB72 Automatic STM Notification generated
18/05/2019	00:05	1577	BER1	RCB72 Despatched
18/05/2019	00:05	RCO70	Airwave	RCO70 Arrived at Incident
18/05/2019	00:07	1577	BER1	View Incident 3013,17/05/19
18/05/2019	00:07	RCO73	Airwave	RCO73 Arrived at Incident
18/05/2019	00:08	RCB72	Airwave	RCB72 Arrived at Incident
18/05/2019	00:09	RCB72	Airwave	RCB72 Left Incident

Date	Time	User	Terminal	Text
18/05/2019	00:08	1577	BER1	WAS D FIGHT, BUT BOTH LEFT.
18/05/2019	00:10	59239	BER4	Incident Transferred by terminal BER4 to BVSP1
18/05/2019	00:10	59239	BER4	FOR UPDATES
18/05/2019	00:10	59239	BER4	Incident Transfer
18/05/2019	00:11	1577	BER1	1
18/05/2019	00:12	52468	BVSP1	Incident Transfer Accepted by terminal BVSP1
18/05/2019	00:15	1577	BER1	AD81 Arrived at Incident
18/05/2019	00:15	1577	BER1	AD81 Redeployed to Incident 38 18/05/19
18/05/2019	01:03	8485	WebOASIS	OFFICERS HAVE SPOKEN WITH STAFF AND CUSTOMERS. THERE
18/05/2019	01:03	8485	WebOASIS	WERE TWO PEOPLE HAVING FISTICUFFS AND A LARGE GROUP
18/05/2019	01:03	8485	WebOASIS	WATCHING BUT ALL PARTIES CONCERNED HAVE NOW LEFT. LOG
18/05/2019	01:03	8485	WebOASIS	CAN BE CLOSED PENDING ANY IP'S COMING FORWARD.
18/05/2019	01:05	59048	BVSP3	All Resources Leave Scene/Dispatch Cancelled etc
18/05/2019	01:05	59048	BVSP3	Incident Closed By Terminal BVSP3
18/05/2019	01:05	59048	BVSP3	Incident End (Result / Close)

Incident Response THRIVE+ Assessments

Grade		Date	Time	Operator	Terminal
Original, Current	P1 IMMEDIATE Decision	17/05/2019	23:55	52287	LHCHH3
	THRIVE+ Assessment	17/05/2019	23:57	52287	LHCHH3

disorder 50 people

Log Resources

Rank	Name	Collar No	Dispatched	Arrived	Left	Cancelled	Informed	Informed Cancelled	Dealt With	Call Sign
PC	PARTLOW	22286	17/05/2019 23:57	18/05/2019 00:05	18/05/2019 01:05					RCO70
PC	LOWE	8485	17/05/2019 23:57	18/05/2019 00:05	18/05/2019 01:05					RCO70
PC	SHORT	8001	17/05/2019 23:57	18/05/2019 00:15		18/05/2019 00:15				AD81
PC	WESTON	22372	17/05/2019 23:57	18/05/2019 00:07	18/05/2019 01:05					RCO73
PC	TOON	0319	17/05/2019 23:57	18/05/2019 00:07	18/05/2019 01:05					RCO73
PC	WOOD	20283	18/05/2019 00:05	18/05/2019 00:08	18/05/2019 00:09					RCB72

PNC Results

No PNC checks have been made against this incident

Vehicle Recovery System

No Elvis records are associated with this incident

Incorrect use of this facility may be an offence under the Computer Misuse Act 1990 and the data displayed is subject to the provisions of the Data Protection Act 1998.
Version: 3.0.1.0

Incident 3013 of the 17/05/2019

Log Details CLOSED

Urn	3013	Date	17/05/2019 23:54	Owner	BERA
Initial Classification	DISORDER	Response	P9 CONTACT RESOLUTION	Last Updated	17/05/2019

Reported by CALL 999 [REDACTED]

Brief Incident Details BIG FIGHT AT LOCATION. SAW SOME GETTING PUNCHED IN THE HEAD

Location of Incident

Feature THE HORSESHOES (HALL GREEN) LTD,1214
Street STRATFORD ROAD
Area HALL GREEN,BIRMINGHAM,WEST MIDLANDS
Postcode B28 9BH
Beat BEEA
OSGR 410568 281853
Location Ref 2/32/6/421

Caller

Name [REDACTED] **Title** MRS
House
Street
Area
Telephone Number [REDACTED] **Ex-Directory**

Warning Markers HARASSMENT

Crime Number

Status CLOSED

17/05/2019

Date Closed**Result** MATCHED WITH 3017 (17/05/19)**Final Incident Type** DISORDER**Closing Qualifiers****Free Text****Number of Arrests****Log Updates**

Date	Time	User	Terminal	Text
17/05/2019	23:57	50573	WBCHG6	Location was HARASSMENT on 03/02/18
17/05/2019	23:57	50573	WBCHG6	CLI data: O2, [REDACTED]
17/05/2019	23:57	50573	WBCHG6	410601, 281541, 887, 887, 90, 0, OSGB36
17/05/2019	23:57	50573	WBCHG6	CALLER STATES THEY ARE IN THEGARDEN
17/05/2019	23:57	50573	WBCHG6	CALLER NOTICED AS SHE WAS DRIVING PAST
17/05/2019	23:57	50573	WBCHG6	Incident Routed to Radio Operators
17/05/2019	23:57	50573	WBCHG6	Route To All Operators
17/05/2019	23:57	53154	BERA	Incident Transfer Accepted by terminal BERA
17/05/2019	23:58	53154	BERA	DUPLICATE LOG..
17/05/2019	23:58	53154	BERA	Graded Response changed from P1 IMMEDIATE to P9
17/05/2019	23:58	53154	BERA	CONTACT RESOLUTION

Date	Time	User	Terminal	Text
17/05/2019	23:58	53154	BERA	MATCHED WITH 3017 (17/05/19) - REASON AS BELOW :-
17/05/2019	23:58	53154	BERA	FURTHER CALL REPORTING BIG FIGHT

Incident Response THRIVE+ Assessments

Grade		Date	Time	Operator	Terminal
Original	P1 IMMEDIATE Decision	17/05/2019	23:57	50573	WBCHG6
	THRIVE+ Assessment	17/05/2019	23:57	50573	WBCHG6
DISORDER IN PROGRESS					
Current	P9 CONTACT RESOLUTION Decision	17/05/2019	23:58	53154	BERA
	THRIVE+ Assessment	17/05/2019	23:58	53154	BERA
duplicate log					

Log Resources

There are no resources associated with this incident

PNC Results

No PNC checks have been made against this incident

Vehicle Recovery System

No Elvis records are associated with this incident

Incorrect use of this facility may be an offence under the Computer Misuse Act 1990 and the data displayed is subject to the provisions of the

Abdool Rohomon

From: Abdool Rohomon
Sent: 29 April 2019 11:48
To: 'Matthew Phipps'
Cc: Christopher Jones; 'Teresa Wilding'; 'k.boyle@birmingham.gov.uk'; Talib Hussain
Subject: Three Horseshoes - Stratford Road
Attachments: conditions.doc

Hi Matthew,

Following on from our conversations last week, I am now in a position to put into context what has happened and the communication we have had with your clients tenant and DPS for the premises Tanveer Handa.

On the 20th April at 00:31 hours a call was made from a member of public indicating that there was a large fight and potential stabbing at the premises. Officers attending identified injured persons (who would not engage with the Police) and also signs with the premises of a disorder taking place. A person was named on the Police log as the caller.

On the 21st April – WMP were aware of an event at the premises (for which a Ten had been applied but the application had been objected to and so a counter notice issued). This event from Police intelligence had been organised by known members of an organised crime group. Tan was spoken to on the night by the duty Sgt, who confirmed the event was happening, until 0200 am, with half the security being provided by someone from the organisers.

On Tuesday 22nd April – Licensing officer Chris Jones, both spoke to and sent an Email to Tan, requesting the CCTV, Incident reports, security details and member of staff details for the various nights. A deadline of Thursday was placed on this request. On the afternoon of the 23rd April, Tan requested an extension on getting the details until Friday. It was agreed that we would attend the premises on the Friday to collect the information.

Myself and Chris Jones attended on Friday and spoke to Tan, who also had his own personal licensing representative with him called Patrick Burke.

We inspected the area called the old “whacky warehouse” where the events were taking place – it was set up as a function room, with a bar, and had 3 cameras on the inside and on pointing at the car park on the outside.

From looking at the current plan held by BCC we were unable to see that this area was covered within the licensed area. We Tan was asked he stated he assumed it was and the landlord had put the bar and pumps in not him

In relation to the weekend, tan stated that
Friday – nothing booked in
Saturday – someone from the Sturidge family
Sunday – booking by someone called Gavin

Friday – Tan stated that there had been some disorder, they had ejected the parties and the disorder had carried on down the road. The doorstaff were through someone called Rag’s who was a friend of his. He was not a company but was licensed with SIA.

Tan confirmed he did not hold a badge

Incident book was seen. This was a new ring folder, with only one entry. The entry was poor, the booked was not indexed.

The person who called the Police was not on the staff sheet, and so there was no call from the premises to the Police

Saturday – booking taken and put in diary – no detail other than a name. £2500 paid for room hire

Tan provided 4 door staff, and the organisers provided the rest, unaware of any details of who they were
Indicated that the event stopped at 2am and everyone out by 3am

Room hire – the person booking it, provided for their own bar, alcohol sales not provided by Tan
People got wristbands to go in, which was checked by head doorman and door staff from the organiser
Tan did not check if they were selling alcohol, or if tickets had been sold to other parties

Sunday – booking taken on New Years eve for this event, £2500 paid

Booked as a birthday party and church event

Again they did their own bar, Tan was aware that tickets were being sold at £15 per head

Organisers provided security, and Tan also provided 4

Tan confirmed no checks were made for this booking

Was aware of Police concerns on the night, but stated couldn't cancel event

Stated finished at 2am with everyone out by 3am

All the aspects of the event, ie DJ, food, what was being sold (other than beer) was the decision of the organisers

When challenged when I spoke to him why he couldn't, stated "Look at the pub, it's not exactly busy!"

When asked about CCTV for all 3 days indicated he couldn't get it to download, although could see live footage on his phone. CCTV had been put in by a friend, not aware of what his qualification are to do this.

Tan indicated he paid Rags for security staff either by cash or cheque and then Jags would pay his staff

Concerns

- Clear Tan is chasing money by putting these events on. When challenged why he could cancel event he said as above. The Police had been to premises before it opened to express concerns
- Using an area that from looking at plans is clearly not licensed
- Non existent booking procedure – in his book there was more about a wedding than there was for either event over the weekend
- Poor incident recording and welfare provisions
- CCTV not being available
- Inability to access CCTV system or see if it is recording
- Too many "friends" doing things with little control
- SIA irregularities
- No control on the venue
- Operating beyond his licensed hours
- My direct control needed by PLH

As stated we have seized the CCTV hard drive which will be sent off for examination, if that shows that the CCTV has been tampered with then we will be following through with a review application. Tan has assured us he hasn't tampered with it, he was asked that question directly and in the email from Chris Jones, he was told not to touch it or call and engineer out if he was having problems downloading it.

It is clear that these issues are as a result of the use of the function room, and so subject to the above around the CCTV, WMP are in a position to offer your client to apply for a minor variation to have the attached conditions imposed on the licence – once the question around the conference area being licensed, has been resolved. If these are not agreed we will have to follow this up with other action. This is a situation we cannot allow to continue

I have CC'd in BCC licensing and EHO as I am aware that there had been numerous noise complaints from the weekend, some of which support the intel that we have that the events went on past the times we were told by Tan.

Clearly any decision around what you do with the tenant is one for your client only.

I look forward to hearing back from you, in terms of the conditions we would request a response by Thursday of this week, with the application following by Friday

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

**Internal : 801 1631
External : 0121 626 6099**

Mobile - [REDACTED]

Follow us on Twitter - @brumcopslicensing

**West Midlands Police
Tel. 101 Ext 8011627**

Email: a.rohomon@west-midlands.pnn.police.uk

Website: www.west-midlands.police.uk

Twitter: www.twitter.com/brumpolice

Facebook: www.facebook.com/westmidlandspolice

YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

- There will be no licensable activity within the function /conference room after 23.30hrs
- The volume of any regulated entertainment will be reduced at 23.00hrs to 'back-ground' music level.
- The function room will be clear of all customers no later than 00.00hrs
- When the function room has been hired out / booked the premises will take the booking using the Premises Licence Holder approved booking form. The booking will include photographic ID. If photographic ID is not available then a copy of a utility bill no less than 3 months old will be acceptable.
- All bookings in the function/conference room (known as the old Whacky Warehouse) to be signed off by the premise licence holder.
- Last entry to the main premises on Friday, Saturday, Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday last entry to the premises will be 23.30hrs
- Regulated entertainment in the main premises to terminate at 23.30 hours. Retail sale of alcohol to remain as current licence.
- The premises will install / update a CCTV system to the specifications and recommendations of West Midlands Police. CCTV will record for a minimum of 28 days, display the correct time and date stamp and be downloadable.
- CCTV will be made immediately available to any of the responsible authorities on request. There will be a member of staff on duty who can operate the CCTV system.
- The CCTV to be checked to ensure it is recording daily and documented in management book. The DPS to sign this off and check every week.
- Where door staff are used then they must be supplied by an SIA (Approved contractor scheme ACS) supplier.
- There premises will employ a minimum of 2 doors staff on Friday, Saturday, every Sunday and Monday of each statutory Bank holiday weekend and on the Thursday preceding Good Friday. From 20.00hrs until all customers have dispersed from the premises.
- The premises will risk assess the need for extra door staff and different start times depending on any event being held at the premises or function room. These risk assessments will be made immediately available to any of the responsible authorities on request.
- All door staff will sign on and off duty. The premises will keep a profile for each of the door staff deployed at the premises. This profile will include a copy of their SIA badge and photographic ID. If photographic ID is not available then a copy of a utility bill no less than 3 months old will be acceptable. The profiles and signing on & off sheet will be made

immediately available to any of the responsible authorities on request. They will be kept on the premises for a minimum of 3 months

- The premises to have a carbonated and numbered incident book, to record all incidents irrelevant if any of the emergency services are called
- Incident book to be made available immediately on request, to any responsible authority
- Premises to have a documented vulnerability policy, to which all staff are trained (documented) and refreshed every 6 months. This policy as a minimum should look at the methods needed to protect people who become vulnerable through being at the premises.

19th April

Staff on the Night:

A [REDACTED] B [REDACTED]

L [REDACTED] S [REDACTED]

S [REDACTED] S [REDACTED]

V [REDACTED] G [REDACTED]

H [REDACTED] [REDACTED]

V [REDACTED] M [REDACTED]

18/02/2019

Date: 1/17/05 (2017)

Page 194 of 214

18/5/2019

Reedbank: 18/05/19
Time: 12:45
Emergency Police.

While the club a minor
accident took place
between two friends
the accident was dealt with
quickly by the security
guards of the club.
The fight was about 15 min.
The guys were separated,
they left.

Michael push him

Abdool Rohomon

From: Abdool Rohomon
Sent: 03 June 2019 14:44
To: [REDACTED] 'Matthew Phipps'
Subject: Door staff MLJ

Dear Tan,

Could you also provide a copy of the SIA badge for MLJ as the number provided on the signing in sheet does not exist on the SIA website and we are getting no hits on the name either

If you could send this through to me please

regards

Abs Rohomon

**PC 4075 Rohomon
BW Licensing
Police headquarters
Lloyd House
Colmore Circus
Birmingham
B4 6NQ**

**Internal : 801 1631
External : 0121 626 6099**

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**West Midlands Police
Tel. 101 Ext 8011627**

Email: a.rohomon@west-midlands.pnn.police.uk
Website: www.west-midlands.police.uk
Twitter: www.twitter.com/brumpolice
Facebook: www.facebook.com/westmidlandspolice
YouTube: www.youtube.com/westmidlandspolice

Vision statement - Serving our communities, protecting them from harm

Abdool Rohomon

From: [REDACTED]
Sent: 10 June 2019 20:09
To: Abdool Rohomon

Hi Abdool,

Tyson has just got back to me today with the badge details.

Here the badges for that weekend.

1012 6564 3171 [REDACTED] - L. Hall
1016 6404 5664 [REDACTED] - M. Abubakar
1019 0796 6915 [REDACTED] - J. Bell
1019 3259 9683 [REDACTED] - J. Singh
1011 8574 6239 [REDACTED] - L. Bell

Thanking You

Tan Handa

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Abdool Rohomon

From: [REDACTED]
Sent: 27 June 2019 08:49
To: Abdool Rohomon
Subject: Re: FW: Attached Image

Dear Abdool,

Our time sheets are for each day so I'm unsure why there is an extra name on there twice.

I understand your concerns and I'm happy to speak with the SIA on this matter.

Kind regards,
D J H

On Jun 27, 2019 at 8:23 am, <[Abdool Rohomon](#)> wrote:

Dexter,

I find this somewhat disconcerting that a person is on your signing in sheet who is clearly not a door supervisor and was the person that signed the incident register and now you are saying you do not know who he is, if there was a supervisor or manager on duty as you seem to be implying then they should have done the incident register. This also does not appear to be the fact as there are only 2 members of staff in the premises who appear to be door staff and only one who is wearing a SIA badge.

I will be referring this matter to the SIA to investigate as I believe you are supplying unlicensed door staff.

Abs Rohomon

PC 4075 Rohomon

BW Licensing

Police headquarters

Lloyd House

Colmore Circus

Birmingham

B4 6NQ

Internal : 801 1631

External : 0121 626 6099

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Vision statement - Serving our communities, protecting them from harm

From: Dexter Harris [mailto:dex.operations@tlgmanagement.co.uk]

Sent: 26 June 2019 21:51

To: Abdool Rohomon

Subject: Re: FW: Attached Image

Dear Abdool,

I have checked through our records and it appears that we only sent two guards on that day. (Our requirements are only for two operatives. However sometimes a manager or supervisor may be on duty along with the guards and we have). Bell and Ahmed are part of the TLG team and I'm not sure who M L J is.

Kind regards,

D J Harris

On Mon, Jun 24, 2019 at 3:10 PM Dexter Harris <dex.operations@tlgmanagement.co.uk> wrote:

Oh yes we are on the same date now. I will look through our records and get back to you asap.

Kind regards,

Dexter J H

On Mon, Jun 24, 2019 at 2:17 PM Abdool Rohomon <a.rohomon@west-midlands.pnn.police.uk> wrote:

Dexter;

This is the time sheet we took a copy of, and the one we have asked for detail from. You can clearly see this not 5 persons on it. We are interested in entries 1 and 3 which we believe are from the same person, they are marked MLJ.

I look forward to seeing the badge and badge number

Abs Rohomon

PC 4075 Rohomon

BW Licensing

Police headquarters

Lloyd House

Colmore Circus

Birmingham

B4 6NQ

Internal : 801 1631

External : 0121 626 6099

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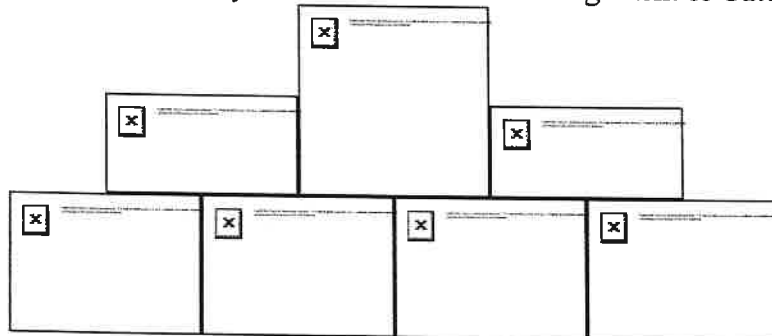
Vision statement - Serving our communities, protecting them from harm

From: "Abdool Rohomon" [mailto: [REDACTED]]
Sent: 24 June 2019 14:08
To: Abdool Rohomon
Subject: Attached Image

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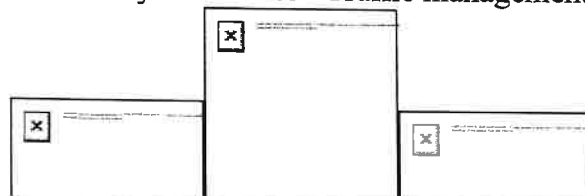
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[REDACTED]
Sales & Recruitment Operations
www.tlgmanagement.co.uk
Work Mobile - [REDACTED]
Head Office - [REDACTED]
Recruitment & Operations

Member of Chamber of Commerce
TLG Events - Security - Facilities - Traffic management & Catering



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www.tlgmanagement.co.uk
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Head Office - [REDACTED]
Recruitment & Operations

Member of Chamber of Commerce
TLG Events - Security - Facilities - Traffic management & Catering



Abdool Rohomon

From: [REDACTED]
Sent: 28 June 2019 15:02
To: Abdool Rohomon
Subject: Sis badge for guard

Hi Abdool,

I have finally received the badge and details of the guard that was present on the day. Apologies for any delay.

019 0435 3961 6012

LICEN

Security Industry Authority

MAY 2022

MANNO

07 05

Thanking You

Tan Handa

Office Suite 1
1214 Stratford Road
Hall Green
Birmingham
B28 9BH
UK

TEL: [REDACTED]



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TONIGHT

WHITE LINE
ENTERTAINMENT
IN CONJUNCTION WITH
TNT PROMO.
PRESENTS

**PROBABLY THE
Link Up**

**20 YEARS ANNIVERSARY REUNION
IN MEMORY OF ADAM**

FEATURING
LIVE FROM USA

**NASHEEN
FIVE**

MAIN EVENT

BIRMINGHAM CITY COUNCIL

**LICENSING SUB -
COMMITTEE A -
10 JUNE 2019**

**MINUTES OF A MEETING OF
LICENSING SUB-COMMITTEE A HELD
ON MONDAY 10 JUNE 2019
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Mike Sharpe in the Chair;

Councillors Bob Beauchamp and Adam Higgs.

ALSO PRESENT:

Chris Arundel/ Shaid Yasser – Licensing Section
Parminder Bhomra – Legal Services
Katy Townshend – Committee Services.

NOTICE OF RECORDING

- 1/100619 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.

DECLARATIONS OF INTERESTS

- 2/100619 Members were reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business discussed at the meeting. If a disclosable pecuniary interest are declared a Member must not speak or take part in that agenda item. Any declarations to be recorded in the minutes of meeting.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/100619 No apologies were submitted.

APPOINTMENT OF THE SUB-COMMITTEE

- 4/100619 Members noted the appointment by the City Council of the Committee and Chairman for the Municipal Year 2019/20.

Members were reminded that they may nominate another Member of their respective Party Group on the Licensing and Public Protection Committee to attend in their place.

Any Member nominated must have had formal training as set out in Paragraph 6.1 of the Licensing Committee Code of Practice for Councilors and Officers.

5/100619 **MINUTES**

The Public part of the Minutes of Meeting held on 18 February 2019 were noted.

The Public part of the Minutes of Meeting held on 4 March 2019 were noted.

The Public part of the Minutes of Meeting held on 1 April 2019 were noted.

The Public part of the Minutes of Meeting held on 4 April 2019 were noted.

6/100619 **DELEGATIONS OF THE SUB-COMMITTEE**

The delegations to the Sub-Committee were noted as follows:-

To determine matters relating to the Licensing Act 2003, the Gambling Act 2005, Hackney Carriage Licences, Private Hire Licences and such business as may be referred by the Assistant Director of Regulation and Enforcement.

EXCLUSION OF THE PUBLIC

7/100619 **RESOLVED:**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-
(Paragraphs 3 & 4)

BIRMINGHAM CITY COUNCIL ACT 1990 ESTABLISHMENTS FOR MASSAGE AND/OR SPECIAL TREATMENTS - ASPIRE TAN AND BEAUTY, 602 BRISTOL ROAD, SELLY OAK, BIRMINHGAM.

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

On behalf of the Applicant

Claire Smith – Director

Those Making Representations

Teresa Wilding – Licensing Enforcement Officer

* * *

Following introductions by the Chairman, Shaïd Yasser, Licensing Section, made introductory comments relating to the report.

Ms Claire Smith, on behalf of the applicant made the following points:-

- a) That she bought the shop a year ago off a friend who had been operating for 10 years. She did everything she thought she should have, like contacted the insurance company but she was not aware she needed a licence.
- b) That she had implemented massive changes, including training on the sunbeds and yearly refresher training.
- c) That basically the shop was a beauty/tanning shop.
- d) That they were sometimes very busy and sometimes quiet.
- e) That they worked really hard.
- f) That she was genuine.
- g) That they always carried out consultations prior to people using the sunbeds. They would refuse clients if they were not suitable.
- h) That she wasn't in the shop when the girls came in whom subsequently made complaints. The girls said they had used the sunbeds before and had done 12 minutes, the staff advised that 6 minutes would be appropriate. However, the staff member let them on for 12 minutes and said if it gets too hot get out of the sunbed.
- i) That she had never before had problems with people burning on the sunbeds.
- j) That she contacted Sue who previously owned the shop who had also never had issues with burns.
- k) That she was mortified and tried to work with the mother.
- l) That she genuinely wasn't aware she needed a licence for sunbeds.

- m) That they had a full training programme, information manual, and 2 section checking system.
- n) That they would not be allowing any customers to use sunbeds if they were skin type 1 or 2.
- o) That they used the Bliss training and salon tracker system which would go through everything including skin types, max exposure and she would also do 1:1's with the team.
- p) They had questionnaires to make sure staff understood the training.
- q) That they currently had 2 people working for them and didn't plan on having any others working for them.
- r) That her daughter was ill that's why she wasn't in the shop that day.
- s) That they never had one person in the shop on their own.
- t) That she had inherited sunbeds and they were about 10 years old and were in good working order, regularly serviced and maintained.
- u) That the previous owner of the shop was not licensed either, she was unaware it was a requirement.
- v) That it would never happen again and she had put lots of time and money into the shop.

Mrs Teresa Wilding, Licensing Enforcement Officer, made the following points:-

- a) That their concern was staff training and measures to ensure it would not happen again.
- b) That she had recommended further training, tested the tubes in sunbeds and environmental health had carried out an inspection with no issues.
- c) That to ensure the ongoing safety she would like the mandatory and additional conditions attached to the licence, as outlined below, to ensure the safeguarding of future customers/ the public.

Additional conditions regarding sunbed facilities

All member of staff employed at the premises will undertake comprehensive training regarding how to screen customers and provide all relevant information regarding the safe use of the sunbed facilities.

Staff training must cover the following but this is not an exhaustive list:-

- *Age verification checks to ensure no one under the age of 18 is permitted to use the sunbed facilities;*

- *The importance of providing customers with all relevant information regarding safe use of sunbed facilities;*
- *How to determine a customer's skin type;*
- *The schedule of maximum exposure times for each skin type;*
- *The importance of completing and maintaining the customer record/declaration cards;*
- *The importance of issuing eye protection to every customer;*
- *The requirement there must be 48 hours between tanning sessions;*
- *The salons refusal policy to ensure customers who are not suitable for tanning sessions are refused treatments.*

This training must be documented and each member of staff must sign and date their training records.

Recorded refresher training must be conducted every 12 months and include any new guidance issued.

The staff training records must be maintained at the premises and made available for inspection by any Authorised Officer of Birmingham City Council on request.

- d) That they had added conditions regarding age checks, the importance of providing customers with all relevant information in relation to the safety implications of sunbeds.
- e) There were conditions regarding skin types, training, maintaining client records, eye protection, 48 hours between sessions, salon refusal policy, training documentation, 12 month renewal on staff training, in order to address concerns.
- f) That following their visit the applicant had followed the recommendations and implemented them, and applied for a licence.
- g) That they couldn't ignore the complaint that was received, which is why they had requested the conditions.
- h) That the information and maximum exposure was as recommended by the sunbed association and the industry itself.
- i) That clients would have to provide information sign and date it in order to keep client records.

In summing up Teresa Wilding, LEO, made the following points:-

- That the conditions would mitigate their concerns, training was important and needed yearly refreshers.
- That training would address the new guidance that would come out and what the licence does was address the 4 safety implications, the salons go beyond that and are promoted by the sunbed association.

In summing up, Claire Smith made the following points:-

- That she apologised and was an experienced hair and makeup professional.
- That she was grateful that the authorities had checked and were happy she was complaint.
- That they had genuinely addressed the issues.

At 1219 hours the Sub-Committee adjourned and the Chairman requested that all present, with the exception of the Members, the Committee Lawyer and the Committee Manager withdraw from the meeting.

At 1226 hours all parties were recalled to the meeting and the decision of the Sub-Committee was announced as follows:-

8/100619 **RESOLVED:-**

That the application by Claire Smith for a Massage and Special Treatment Licence in respect of Aspire Tan & Beauty, 602 Bristol Road, Selly Oak, Birmingham B29 6BQ

BE GRANTED SUBJECT TO THE AGREED CONDITIONS WITH LICENSING ENFORCEMENT AUTHORITY.

The reasons for the Sub committee's decision are related to the representations and submissions made by both the applicant and licensing enforcement officer in respect of the provision of sunbed treatments at the premises following on from a complaint as outlined in the Licensing Enforcement Report.

Members heard the applicant implemented new policies and a documented training package for all members of staff in relation to the health and safety usage of sunbeds on receipt of information and advice from the Licensing Enforcement authority. Further, that applicant was agreeable to the Licensing Enforcement officer's proposed additional conditions requiring mandatory staff training and refresher training regarding the provision of sunbed treatments being attached to the licence.

The Sub-committee carefully considered the recommendations of the Licensing Enforcement officer and the fact that the applicant had already implemented the requirements of the proposed additional conditions in practice with a view to promoting the protection, safety and welfare of those wishing to use the sunbed facilities.

The Sub-Committee were therefore satisfied to impose the additional conditions which were reasonable and proportionate to address the initial complaint and concerns regarding the provision of sunbed treatments at the premises.

All parties are reminded that under the provisions contained within Birmingham City Council Act 1990, any applicant for the grant or renewal of a licence who is aggrieved by the terms, conditions or restrictions on or subject to which the licence is granted or renewed has a right of appeal to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

9/100619 **ANY OTHER URGENT BUSINESS**

There were no matters of urgent business.
