

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee B</b>
<b>Report of:</b>	<b>Assistant Director of Regulation and Enforcement</b>
<b>Date of Meeting:</b>	<b>Tuesday 24<sup>th</sup> January 2023</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Summary Review</b>
<b>Premises:</b>	<b>The Crane, 50 Adderley Street, Birmingham, B9 4ED</b>
<b>Ward affected:</b>	<b>Bordesley and Highgate</b>
<b>Contact Officer:</b>	<b>David Kennedy, Principal Licensing Officer, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

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

### **2. Recommendation:**

To consider the review application and representations and to determine this matter, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

### **3. Brief Summary of Report:**

An application under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) was received on 28<sup>th</sup> December 2022 in respect of The Crane, 50 Adderley Street, Birmingham, B9 4ED.

### **4. Compliance Issues:**

#### **4.1 Consistency with relevant Council Policies, Plans or Strategies:**

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

## **5. Relevant background/chronology of key events:**

On 28<sup>th</sup> December 2022, Superintendent Simpson, on behalf of West Midlands Police, applied for a review, under Section 53A of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), of the Premises Licence granted to Digital Arts Media Limited in respect of The Crane, 50 Adderley Street, Birmingham, B9 4ED.

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

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

Licensing Sub-Committee B met on 30<sup>th</sup> December 2022 to consider whether to take any interim steps and resolved that the licence be suspended pending the review of the licence. A copy of the decision is attached at Appendix 2.

The review application was advertised, by the Licensing Authority in accordance with the regulations; the closing date for responsible authorities and other persons ended on 13<sup>th</sup> January 2023.

Representations have been received from Environmental Health, Trading Standards and Birmingham City Council Licensing Enforcement, as responsible authorities, which are attached at Appendices 3 – 5 respectively.

Representations have been received from Other Persons which are attached at Appendices 6 – 9.

A copy of the current Premises Licence is attached at Appendix 10.

Site location plans are attached at Appendix 11.

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

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

## **6. List of background documents:**

Review Application and Certificate from West Midlands Police, Appendix 1  
Sub-Committee Interim Steps Meeting decision 30<sup>th</sup> December 2022, Appendix 2  
Representations from Environmental Health, Trading Standards and Birmingham City Council Licensing Enforcement, Appendices 3 – 5  
Copies of the representations from Other Persons, Appendices 6 – 9  
Current Premises Licence, Appendix 10  
Site location plans, Appendix 11

**7. Options available:**

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

In addition the Sub Committee will need to decide what action, if any, should be taken regarding the interim steps imposed on the 30<sup>th</sup> December 2022.

## **West Midlands Police**

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

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

**Premises: The Crane**

**Premise Licence Number: 4647**

**Premise Licence Holder: Digital Arts Media Limited**

**Designated Premise Supervisor: Rakesh Gadhia**

**I am a Superintendent in West Midlands Police.**

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

**On Tuesday 26<sup>th</sup> December 2022 a young man was murdered within the premises, while it was open and carrying licensable activity.**

**The victim was stabbed with a knife. The weapon was recovered by officers at the scene. This is currently subject to a live criminal investigation.**

The seriousness of this incident, warrants the use of this power.

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

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

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

Signed

Supt 3294



## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary

1. Sally Simpson Superintendent 3294

(on behalf of) the chief officer of Police for the West Midlands Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003

### 1. Premises details: **The Crane**

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

**50 Adderley Street**

Post Town: **Birmingham**

Post Code (if known): **B9 4ED**

### 2. Premises Licence details:

Name of premise licence holder (if known):

**Digital Arts Media Limited**

Number of premise licence (if known):

**4647**

### 3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

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

(Please tick the box to confirm)



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

On 26<sup>th</sup> December 2022 a male was murdered inside the premises, while it was open and carrying out licensable activity.

Officers were called to the location stating that a male had been stabbed.

It transpired that there had been a fight on the dance floor and in this altercation the victim had been fatally stabbed.

It is confirmed by officers who attended the scene that the victim was stabbed with a knife, which was recovered at the scene.

Officers who initially attended the premises describe a scene in chaos and evidence of drug use within the premise, as detailed below by one of the city centre sergeants. –

'On our entry to the premises officers were asked by security to help with crowd control which they have said no and ran in to commence CPR and assist the paramedics on scene. On body worn you will see staff are wondering around all over the place and it is like they are oblivious to what is happening. Further to this they have started to clean the dancefloor further down from where the deceased was, officers shouted at them to stop. Whilst officers are doing CPR you can see people are just wondering around in the scene freely, as soon as we had more officers on scene they were removed and the whole dancefloor was cordoned off and the area was made sterile.....there were hundreds of small drugs bags and nitrous oxide cannisters all over the dancefloor. These include the small and the very large nitrous oxide cannisters with balloons.

This is an ongoing live criminal investigation.

"Serious crime" is defined by reference to S.81 of RIPA Act 2000. An offence for which an adult could reasonably be expected to be sentenced to imprisonment for a period of 3 years or more.

West Midlands Police are concerned as to how a knife has been able to get inside the premises. Any control measures, the premises may have had, have been found ineffective.


This is compounded by the fact officers have seen evidence of drug use within the venue, which was openly on the dance floor. Also the chaos noted by officers with staff seemingly having no idea of how to manage the situation or preserve the scene, again pointing towards lack of poor control measures and training.

Signature of applicant:

Date:

Rank/Capacity:

Supt 3294,

28/12/22. 

Supt 3294,

Contact details for matters concerning this application: BW Licensing

Address: Licensing Dept c/o Birmingham West and Central Licensing Dept, Lloyd House, Birmingham

Telephone Number(s):

Notes for guidance:

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

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

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

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

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



## BIRMINGHAM CITY COUNCIL

## LICENSING SUB COMMITTEE - B

FRIDAY 30 DECEMBER 2022

THE CRANE, 50 ADDERLEY STREET, BIRMINGHAM B9 4ED

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Digital Arts Media Limited in respect of The Crane, 50 Adderley Street, Birmingham B9 4ED, this Sub-Committee determines:

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

The full hearing for the review of the licence has been set down for Tuesday 24<sup>th</sup> January 2023 at 12 noon. This will be an online meeting conducted via Microsoft Teams and livestreamed on the City Council's website.

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

The Sub-Committee determined that the cause of the serious crime was likely to have originated from a style of management which had failed to uphold the licensing objectives. The style of management was the responsibility of Digital Arts Media Ltd as premises licence holder of The Crane.

The meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005; the Police explained that to hear the evidence in public would undermine an ongoing criminal investigation.

The premises licence holder, represented by counsel, did not object to the application to hold the meeting in private. Counsel remarked that the licence holder had spoken to West Midlands Police to confirm that, in view of the serious crime incident, The Crane would not be open for New Year's Eve. The licence holder was aware that the Police would be requesting the suspension of the licence, and did not oppose this. The licence holder agreed that the 28 days would give time for the premises to assist the Police, and to reflect on what had happened. The Sub-Committee therefore agreed to hear the evidence in private session.

Members heard the submissions of West Midlands Police, namely that the certificate, which had been issued by a Superintendent under s53A(1)(b) of the Act, related to an allegation of serious crime which had happened inside the premises. The Police summarised the investigation thus far – exactly as detailed in the Report. It was the



advice of the Police that the interim step of suspension was required in order to deal with the causes of the serious crime. A criminal investigation was under way.

The investigation related to a serious crime incident on 26<sup>th</sup> December 2022, when the premises was open and conducting licensable activities, in which a patron had been fatally stabbed. "Chaotic" scenes had been witnessed by Police officers attending the venue, in particular inadequate security arrangements; there was also evidence of drug use inside the premises. The incident was being treated as a murder investigation, and the evidence was being reviewed by West Midlands Police in advance of the summary review hearing in 28 days' time.

It was apparent to the Police that The Crane could not operate safely; it had been a serious crime incident in which a man had lost his life. The licensing objectives of the prevention of crime and disorder and of public safety were at grave risk. The Police advised the Sub-Committee that if the premises were to be permitted to trade normally there was a risk of further serious crime; for this reason the Police recommendation was that the licence should be suspended "to safeguard the general public".

The Sub-Committee then heard from counsel acting for the premises. He was accompanied by a representative of Digital Arts Media Ltd (the licence holder). Counsel explained that The Crane had cooperated with Police, and intended to continue to do so; he reiterated that the venue would definitely not be opening for New Year's Eve. It was hoped that the 28 days would assist in allowing a fuller picture to emerge. All at the licence holder company were deeply upset, and considered the incident to be "a terrible thing to have happened at their venue". Counsel confirmed that the licence holder did not object to the course proposed by the Police, namely the suspension of the licence pending the full review hearing.

In deliberating, the Sub-Committee determined that there had been a serious crime incident, which was being investigated by Police. It was clear that the operation was not being run in accordance with the licensing objectives. The Sub-Committee noted that the Police had advised that the licence should be suspended "to safeguard the general public". The Sub-Committee found the Police recommendation to be the proper course, and determined that it was both necessary and reasonable to impose the interim step of suspension of the licence to address the immediate problems with the premises, namely the potential for further serious crime.

The Sub-Committee did not consider whether it could impose alternative interim steps as there had been no objection to the suspension from counsel for the licence holder.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office under s182 of the Act, the written submissions made, and the submissions made at the hearing by counsel representing the licence holder, and by West Midlands Police.

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

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

**From:** Martin Key  
**Sent:** 13 January 2023 12:42  
**To:** Licensing  
**Cc:** 'bw\_licensing'; Pollution Team  
**Subject:** RE: Licensing Act 2003 - Section 53A Expedited Review RE: The Crane, 50 Adderley Street, Birmingham, B9 4ED  
**Importance:** High

Hi

I am responding to this application for an expedited review of the premises licence reference 4647 for The Crane, 50 Adderley Street, Birmingham, B9 4ED by West Midlands Police on behalf of Environmental Health as a responsible authority and I formally raise a representation based on my concerns that the operation of the premises will not support the promotion of the licensing objectives.

Our service has had many interactions with these premises over a period of time in respect of public safety and public nuisance issues. Most recently I have been involved with the current operator in respect of the proposed operations both from a licencing planning aspect. The site is only consented for industrial use and there is a current planning application for use for entertainment activities which I have been involved with which requires significant investment to mitigate noise and this is still pending.

I note from the premises licence 4647 that there are a number of conditions in Annex 3 that have not been approved prior to operation including approval of a noise mitigation scheme and other noise management actions. I would therefore support the police review of this premises licence and I would further comment that the applicant is currently operating in a manner that does not promote the licencing objective relating to the prevention of public nuisance.

Best Regards

Martin Key  
Environmental Protection Officer

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Environmental Protection Unit  
Regulation & Enforcement  
City Operations Directorate  
Birmingham City Council

**From:** Martin Williams  
**Sent:** 04 January 2023 15:28  
**To:** Licensing  
**Cc:** Vir Ahluwalia ;  
**Subject:** West Midlands Police -Licensing Act 2003 section 53A Expedited Review The Crane 50 Adderley St. Birmingham B9 4ED - Trading Standards supporting contribution

Dear Licensing,

*Section 53A Expedited Review,*

*Trading Standards has considered the recent section 53A Expedited Review Application made by West Midlands police concerning the Crane Nightclub 50 Adderley St. Birmingham B9 4ED*

*Whilst Trading Standards has not received any consumer complaints concerning the business, we have considered the evidence provided by the police . The evidence suggests matters of concerns namely:*

- *A person entering the premises with a knife*
- *Evidence of drugs being used within the premises*
- *Nitrous Oxide cannisters being present on the premises suspected of being used for psychoactive effects*

*All the above indicate a lack of effective management control to address the licensing objectives, in particular the prevention of crime and disorder and public safety.*

*Consequently Trading Standards wishes to support the application made by West Midlands Police.*

Vir Ahluwalia  
Operations Manager  
Birmingham Trading Standards  
Regulation and Enforcement  
City Operations Directorate  
Birmingham City Council  
1-3 Ashted Lock Way  
Birmingham  
B7 4AZ

**From:** Shaid X Ali

**Sent:** 13 January 2023 14:56

**To:** Licensing

**Cc:**

**Subject:** Licensing Enforcement Representation re: WMP, Licensing Act 2003 section 53 Expediated Review, The Crane, 50 Adderley St, Birmingham B9 4ED

Good afternoon,

Licensing Enforcement are aware of the Expediated review called for by West Midlands Police (WMP) in relation to The Crane, 50 Adderley St, Birmingham B9 4ED following the death of a young male customer, namely Mr Cody Fisher on Tuesday 26<sup>th</sup> December 2022 as a result of being stabbed inside the venue. WMP police have also stated that when they arrived at the premises they found evidence of drug use within the premises.

I have viewed video footage recorded on someone's phone which has been shared on Social media and which has been forwarded to Licensing from the night the murder took place. The video footage shows the police and paramedics trying to resuscitate Mr Fisher. The crime scene area around where Mr Fisher was being treated had not been secured and customers could be seen walking within close proximity to where Mr Fisher was being treated and this may have caused a potential contamination of the crime scene. Also in the same video a customer appears to be inhaling a balloon which I assume was filled with nitrous oxide and appears oblivious to the presence of the police or the venues security. The area around where Mr Fisher was being treated appeared to be littered with small metal cannisters typical of those which contain Nitrous Oxide and this backs up the Police's observations that there was evidence of drug use within the premises.

There is a condition attached to the Premises Licence which states “ **A zero tolerance towards illegal drugs will operate at all times**”. This clearly does not appear to be the case and it does not appear that this condition was being taken seriously or being enforced by the management of the venue.

Licensing Enforcement received a further email which was anonymous apart from the persons name who had sent it and this person did not provide any other contact details. The email suggested that we contact RTC medical Solutions who used to provide medical support to the venue. I subsequently contacted RTC medical solution and requested information from them in relation to any dealings they had with the premises and during the time the company was providing medical support to the premises how many incidents they had dealt with and the reasons that may have caused these incidents. I received a response via email on 11/01/2023.

RTC medical solution advised they were first contacted by Damian requesting cover for the venue which was due to open on 15/10/2022. RTC recommended x4 First Responders and an ambulance. Damian chose to go with x2 First Responders. After the first event it was recommended the level of medical cover needed to be increased, which was repeated on several occasions by email, phone and face to face. Damian wanted to keep the medical cover the same. RTC informed Damian from 22/11/22 they would no longer be offering medical cover, however they did cover a further 2 events as Damian had stated the attendees would be significantly less than previously. 03.12.2022 was the last event covered by RTC at the premises as the level of medical cover in their opinion was unsafe for them to continue and Damian continually refused their recommendation. In total RTC covered 6 events, 16 out of the 21 patients they assessed were the result of recreational drug use. This appears to confirm the Police observation of evidence of drug use within the premises and it also appears the zero tolerance illegal drugs policy condition was not being enforced by the management of the premises.

The reasons given by WMP for calling for a review of the Premises Licence are in my opinion fully justified. The management of the premises and those responsible for the day to day running of the premises appear to have have little regard to the Prevention of Crime and Disorder and for the safety of the public and are clearly not able to operate the premises in accordance with the conditions of the licence or act on the recommendations of medical professionals.

Please accept this as my representation on behalf of Licensing Enforcement in support of the Review of the Premises Licence submitted by WMP.

Regards

Shaid Ali - Licensing Enforcement Officer  
Valepits Road  
Garretts Green  
Birmingham  
B33 0TD

**From:**

**Sent:** 11 January 2023 07:33

**To:** Licensing

**Subject:** Representation Against THE CRANE (50 Adderley St, Digbeth, Birmingham)

To whom it may concern

Please see attached signed letter of representation against THE CRANE (50 Adderley St, Digbeth, Birmingham) ahead of license review this month.

Please confirm receipt of attachment / letter. A copy of content is as follows:

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Lab 11  
Trent St  
Digbeth  
Birmingham  
B5 5NL

**Representations against - THE CRANE (50 Adderley St, Digbeth, Birmingham)**

To Birmingham City Council – Licensing Authority

As a person involved in the operation of a business within the vicinity of The Crane, I seek to make a representation as an interested party following the instigation of a review process against The Crane by West Midlands Police.

The basis for my representation will be that The Crane have shown disregard and failure to promote the licensing objectives of -

**The Prevention of Crime and Disorder  
Public Safety**

It is very well known, that during an event at The Crane on the 26<sup>th</sup> of December 2022, a male was tragically killed whilst on the dance floor at the venue.

The premise licence holder is a company called Digital Arts Media Ltd. Records from Companies House show that there is one director, Damian Eston. It was incorporated on the 17<sup>th</sup> November 2021. When it was incorporated there was only one share, held by Damian Eston

On the 17<sup>th</sup> March 2022, the number of shares was increased to Ten (10), with the confirmation statement stating 7 of the shares were held by Damian Eston and the other 3 by Amarjit Kullar.

Companies House still shows that Damian Eston as the sole director and person with significant control.

Damian Eston is not a “new” operator to the industry. He has been involved in the nightlife industry for 20 years, I am aware he ran events in Birmingham over 10 years ago. As an established operator with this much experience you will know the level of safety and operational measures required to run a venue of this kind – safely and correctly.

What has since transpired shows the complete disregard for the licensing objectives. The incident involved a knife, that had gotten into the premises, this on the backdrop of people being searched on entry.

There can be no confidence in the licence holder, that either has no policy or such lapse policies that are poorly implemented that a knife can get into the premises. This is further enhanced by the Police reports of drug dealing bags and nitrous oxide cannisters scattered on the floor. How can these items so easily get into the premises.

Filling a venue with people is one thing, ensuring they enter and leave safely is another – one that is more important. Safety and security are not simply tick box exercises, it is a part of what we do and must be upheld by the venue operators. The Crane knew their responsibilities and obligations and blatantly ignored them, and this led to the tragic incident and the sickening loss of a person's life.

I am aware of social media footage from the night, where people can clearly be seen inhaling from balloons. Without even thinking about the consequences of taking nitrous oxide, the act of inhaling from balloons is hard to conceal, as demonstrated in the social media footage, and yet this has been allowed to happen and not stopped by the premises.

I have been told by others that "balloons" as the term is known (inhaling nitrous oxide from a balloon) has been a common occurrence at the premises from opening, and that they are even sold from within the premises. Even after 11 weeks there appears to be no attempt to mitigate this happening.

Further evidence of the shambolic management of the premises is shown in the Police reports which indicate that when officers arrived, the staff from the premises were cleaning the Crime Scene, even with the poor victim still in the premises. What sort of operator thinks one of the first things they should be doing is cleaning where the incident took place!

The impact this event had is being felt across Digbeth and Birmingham. The news articles indicate Digbeth and Birmingham, this is putting the area and the city in bad light. A lot of people, agencies, premises, operators, landlords have been working for years to improve the reputation of the area.

This has all been undone by one premises and it's shocking attitude to operating a safe venue.

Following the tragic incident, we as a business we had to refund numerous ticket sales for New Year's Eve as people were simply telling us they felt unsafe coming to the area. This is with people even knowing the extended measures we have implemented at the venue for years.

The Crane through its operators and licence holder have blatantly chosen to go against their previous knowledge and what is expected to run such a venue, in favour of increasing their profits.

Offering up enhanced/mitigating measures now, is simply too little too late. If they are allowed to operate again in the city, it will ONLY leave a bad example and precedent for other rouge operators in the future.

As a licensing authority I can only say that you should revoke this licence.

Full name –  
Position – Director Orbita Group Ltd (Trading as LAB11)  
Date – 09.01.2022

Kind Regards

LAB11

The Directors  
Oval Real Estate  
The Custard Factory  
Gibb Street  
Digbeth  
Birmingham  
B9 4AA

**Representations against - THE CRANE (50 Adderley St, Digbeth, Birmingham)**

For the Attention of Birmingham City Council – Licensing Authority

Oval Real Estate is seeking to make representations as an interested party and join the review application regarding The Crane, Digbeth.

The basis for Oval's representations is that The Crane and those involved in its management, operation, license and control have failed to promote and seriously undermined the licensing objectives of (1) The Prevention of Crime and Disorder and (2) Public Safety

Before we explain our thoughts on why these objectives have been neglected following the fateful incident on the 26<sup>th</sup> December 2022 it is important to make clear Oval's position in Digbeth; and that we among many other business owners and landlords have worked hard to not only improve the area but also the reputation of Birmingham City as a whole.

Oval Real Estate owns circa 16 acres of buildings, property and land in Digbeth and like many others we take a thorough and pro-active approach to the whole area in order to drive up standards.

For many reasons Digbeth has become a better place in the last 5 years; today there are international film studios slated to arrive, the BBC signing leases, the largest infrastructure project in Europe (HS2) is arriving on our doorstep and Transport for West Midlands is delivering the Metro. This is a generational shift in the quality and purpose of this area of Birmingham; a moment in which the Midlands and its leaders should be proud. Sadly all of this work is being undermined by an element that still operates with impunity in the City and a young man has tragically lost his life in the process.

Oval and other landlords work in collaboration with the LEP, The West Midland Growth Company, The Mayor and West Midlands Combined Authority, the West Midlands Police, Birmingham City Council, Environmental Health, Highways and Licensing; whether that be with improved CCTV across our ownership (which is now patched into WMP systems), lighting, 24/7 estate security, operating procedures for venues and proactive tenant management. In doing so we and others improve the safety, image and reputation of Digbeth and by turn Birmingham as a destination.



The incident on the 26<sup>th</sup> December at The Crane is deeply concerning. It is unacceptable that a person who was out trying to enjoy himself was attacked while dancing and then fatally stabbed.

There are many questions:

- How was a knife carried into the premises?
- Was a search procedure in place?
- How many security personnel were on site? Was this sufficient?
- What are search procedures?
- What was capacity (and crowd) at the time of the incident?
- Was the Risk Assessment adequate, considered and followed.
- Who really operates this venue?
- What current safety protocols and policies are in place and who are those responsible for failure to enforce?

We understand from the Police:

- about the chaos officers discovered on arrival on 26 December.
- the dance floor being littered with drug dealer bags, nitrous oxide cannisters (both large and small) everywhere which supports the argument that the security was not sufficient. Consumption of Nitrous Oxide is obvious and clear to venue management and all staff if they are diligent. The amount of drug paraphernalia supports the fact that search procedures were not adequate.
- that cleaners were cleaning the crime scene area, which suggests the owners and operators were aware of illegal activity and in the process of removing evidence. This indicates that there is no policy in respect of crime scene management – expected in any venue with large numbers, or if there is its one that was not implemented or has failed to have been communicated properly to staff or management.

This young man's tragic death should be a wake up call to everyone in Birmingham; the loss of life was avoidable. Let's let that sink in.

Yours sincerely



(Founder Oval Real Estate/Digbeth Estate) Sent to



**City Councillor Simon Morrall**  
Frankley Great Park Ward – Conservative

**Birmingham City Council**  
Council House, Victoria Square  
Birmingham, B1 1BB

Dear Licensing Committee B.

12<sup>th</sup> January 2023

I feel I speak on behalf of all patrons, clubbers and ravers alike that this is an absolute travesty what happened to this young man. This does not reflect on club and rave culture in our city or across the country. My thoughts and deep condolences go out to his family and I hope they get all the support they need and the people who did this are brought to justice. What happened was despicable, no family should ever have to go through that.

Before getting into politics I was a former night club promoter and I am now the Shadow Cabinet Member for Young People on Birmingham City Council. I've served alongside you on the Licensing and Public Protection Committee for almost five years and as colleagues you have valued my expertise of the night time economy.

I was a patron of the Crane venue the week before for Godskicthen's 25<sup>th</sup> Anniversary. This was a celebration of a famous Birmingham Brand coming out of hibernation for a special event. Despite train strikes, it was packed out and the entire event was a massive success. I was searched fully on entry, I felt completely safe, there was no trouble on the dance floor and I even stayed for the after party in the basement until the early hours. At the end of the night I lost my phone and one of the security guards helped me look for it. The following day I was able to attend the venue to look for my phone. I had placed it behind the bar to charge and forgot about this. I thought the management were sound and of good character. So I was shocked to learn what happened on Boxing Day!

As you know, the Licensing Act is a permissive piece of legalisation, the goal isn't to be the gatekeeper of who can trade, but to be a mechanism of control, so we can mitigate problems and maximum public safety. That said, we must never forget the law of unintended consequences. If we close a venue, not only do we send a message to criminals that they can get away with this, but we amplify them, meaning these instances will simply happen elsewhere. We have seen this in the past, where venues have closed due to drug incidents, only for the same to happen weeks later at another venue. As a result, our night time economy in Birmingham is a fraction of what it was ten years ago, and I have been very vocal about this. We don't solve problems by applying a sledge hammer, we must work with venues, to ensure lessons are learnt and strong conditions are met.

That is why I feel STRONG CONDITIONS should be placed onto the Crane, regarding security, strict search on entry, including metal detection barriers, to set an example, not just at Crane but to other venues across the night time economy. On New Year's Eve I was a patron on Broad Street, and I noticed other venues were using metal detection devices showing the impact this has had. I feel that losing another night time clubbing venue in our city, would simply give more power to the criminals and in my view, only encourage more of their activity. Therefore, rather than close the venue, I feel the City Council should work closely with The Crane, to set a precedent for the industry to put safeguards in place, that could prevent this sad tragedy, from happening again.

Best Wishes,

Cllr Simon Morrall – Working all year round to move Frankley Forward!  
City Councillor for Frankley Great Park Ward – Conservative.

**From:**  
**Sent:** 13 January 2023 20:37  
**To:** Licensing  
**Subject:** Fw: The crane

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**From:**  
**Sent:** 13 January 2023 20:19  
**To:**  
**Subject:** The crane

Good afternoon

I am the owner of frighten/kids with gloves I wanted to put in an email to state that in our experience we have found the crane to be a very positive addition in the local area in what was a rundown part of Digbeth for some time and making very good use of a derelict building.

Up until boxing day we have not noticed any issues or any impact on our business there has been no cleanliness issues and we have had no problem with any of their customers I have found dealing with the team at the crane a pleasure and I hope the Council do realise that one idiot should not ruin it for them and the area they do a lot for the night time economy.

I need to clarify that the media ran a story about fightden/kids with gloves having an issue with the crane but the quote did come from anyone in our club we are located on the entrance to the crane. As the owner of fightden/kids with gloves I am there every day until early evening and have been in my venue for 11 years and I have never had an issue even through the year when the club was getting modernised.

In my opinion it is one of the best venues in digbeth I have watched them building this club from a very rundown derelict old building.

I have sign on my wall outside my building knives down gloves up and will gladly work Birmingham city council and the crane.

Kind Regards  
amateur and professional boxing coach.

**Licensing Act 2003****Premises Licence**

<b>Premises Licence Number</b>	4647
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**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>  The Crane, 50 Adderley Street, B9 4ED
<b>Telephone Number</b>  Not Specified

<b>Where the licence is time limited the dates</b>  N/A
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<b>Licensable activities authorised by the licence</b>  Provision of Late Night Refreshment Performance of a Play Exhibition of a Film Indoor Sporting Events Boxing or Wrestling Performance of Live Music Playing of Recorded Music Performance of Dance Anything of a similar description to that falling within (live music), (recorded music) or (performances of dance) The supply or sale by retail of Alcohol
--

**Times the licence authorises the carrying out of licensable activities**

<b><u>Provision of Late Night Refreshment:</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	23:00	05:00
Tuesday	23:00	05:00
Wednesday	23:00	05:00
Thursday	23:00	05:00
Friday	23:00	05:00
Saturday	23:00	05:00
Sunday	23:00	05:00
<b>Further Details:</b> <b>Place:</b> <b>Seasonal Variations:</b> On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities. <b>Non-Standard Times:</b> On Bank Holidays, licensable activities will be extended by one hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

<b><u>Performance of a Play:</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:00
Tuesday	10:00	06:00

Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Exhibition of a Film:**

<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Indoor Sporting Event:**

<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Boxing or Wrestling:**

<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Performance of Live Music:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Playing of Recorded Music:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour. From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Performance of Dance:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**Anything of a similar description to that falling within (live music), (recorded music) or (performances of dance)**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**The supply or sale by retail of Alcohol:**

<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:00
Tuesday	10:00	06:00
Wednesday	10:00	06:00
Thursday	10:00	06:00
Friday	10:00	06:00
Saturday	10:00	06:00
Sunday	10:00	06:00

**Further Details:**

**Place:**

**Seasonal Variations:** On the commencement of British Summer time, one further hour to be added to the above time for the cessation of licensable activities.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**The opening hours of the premises**

<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	10:00	06:30
Tuesday	10:00	06:30
Wednesday	10:00	06:30
Thursday	10:00	06:30
Friday	10:00	06:30
Saturday	10:00	06:30
Sunday	10:00	06:30

**Seasonal Variations:**

On the commencement of British Summer time, one further hour to be added to the opening times.

**Non-Standard Times:** On Bank Holidays, licensable activities will be extended by one hour.

From the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

On and Off Supplies

## Part 2

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

Digital Arts Media Limited  
20-22 Wenlock Road  
London, N1 7GU

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

13748462

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

Rakesh Gadhia

**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:** CV205000593  
**Issuing Authority:** COVENTRY COUNCIL

Dated 20-10-2022

Shaid Yasser  
Senior Licensing Officer  
**For Director of Regulation & Enforcement**



## Annex 1 – Mandatory Conditions

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

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

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

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

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

The responsible person must ensure that— (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— (i) beer or cider: 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.”

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 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.

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been

granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

## **Annex 2 – Conditions consistent with the Operating Schedule**

Training in relation to the Licensing Objectives and the conditions on the premises licence, Challenge 25, under age sales, sales to adults on behalf of minor (proxy sales), sales to intoxicated persons, refusals registers and incident records must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale or supply of alcohol and at least every six months thereafter.

Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training. The record must be signed by the member of staff who has received the training, the Designated Premises Supervisor, the Premises Licence Holder or external training providers.

Documented training records must be kept at the premises and made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.

If the licence holder wishes to carry on licensable activity past 02:00hrs, the premises must inform Birmingham Central Licensing Team (West Midlands Police) in writing, a minimum of 28 days in advance. Birmingham Central Licensing Team (West Midlands Police) have a power of veto, if it is believed that any of the four Licensing Objectives will be undermined.

Other than for the for the licensable area in the basement, no licensable activities will be carried on from the premises after midnight except for ten (10) event days per calendar year when licensable activities will be permitted until 02:00. Each of these event day swill require the licence holder to notify West Midlands Police and Birmingham City Council's Environmental Health a minimum of 28 days in advance of the event, unless otherwise agreed in writing.

The premises will implement a documented Vulnerability policy. Staff will receive documented training regarding this vulnerability policy and refreshed every six months thereafter.

An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times and will record the following: i. Time date and details of all incidents/complaints of crime and disorder or anti-social behaviour ii. All crimes reported to the venue iii. Any faults in the CCTV system, searching equipment or scanning equipment iv. Any visit by a responsible authority or emergency service

The incident book must be kept at the premises and made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.

A refusals register must be kept at the Premises and maintained up to date at all times recording the date time, type of product refused, reasons for every refusal to sell alcohol to a customer and the name and signature of member of staff refusing the sale.

The refusals record must be made available to West Midlands Police or an Officer of a Responsible Authority on request, or during an inspection.

The Premises Licence Holder or the Designated Premises Supervisor must monitor the Refusals Register every month and must sign and date the Refusals Register when this has been completed, or if the Refusals Register is electronic the check and date and time of the check must be clearly recorded.

A zero tolerance towards illegal drugs will operate at all times

The premises licence holder will ensure that door supervisors will have their SIA badge held in a clear arm sleeve.

The premises licence holder will supply a risk assessment for all externally promoted events held at the premises, to include all security provision, with a minimum of 14 days notice (or lesser period if agreed with West Midlands Police Licensing Department) Risk assessments will include search policies and a security deployment plan to reflect the risk of the event. Dispersal policies will also be contained.

The DPS shall ensure that any door staff employed at the premises wear and clearly display their SIA registration badge at all times whilst on duty. A record shall be maintained containing the names, addresses, dates of birth and registration numbers of door supervisors. The record shall be made available for inspection upon request by the Police and/or officers of the responsible authorities.

1. A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. i. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed. ii. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. iii. Cameras will encompass all ingress and egress to the premises, the immediate area outside the frontage of the Premises and all areas where the sale/supply of alcohol occurs. iv. The system will record

and retain CCTV footage for a minimum of 28 days. v. The system will record at all times when the Premises are open. vi. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. vii. The Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images. viii. There will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment. ix. Upon receipt of a request for a copy of CCTV footage from Police, or Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours, or less if urgently required for investigations of serious crime. x. CCTV footage must be made available to be viewed by West Midlands Police or an Officer of a Responsible Authority upon request or during an inspection.

For any activities that fall into the category of indoor sporting events, boxing and wrestling which involves any form of body contact then a full written risk assessment must be supplied to West Midlands Police Central Licensing team no later than 28 days prior to the event. These risk assessments are to include: 1. The number of customers expected to attend 2. Medical provisions for the event 3. Number of bouts and duration of each. 4. The name of all sponsors/promoters including their business and dates of birth. 5. Each event will be licensed and conducted under the rules governing the sport taking place. 6. If any competitor is under the age of 18, then the premises must also notify Birmingham Safeguarding Children Board.

The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart. 20. The premises shall have an operational dispersals policy and noise management plan.

The Licence Holder shall ensure that all emergency lighting is checked on a weekly basis. Entrances, exits and passageways shall be kept clear. 16. The premises' Fire Risk Assessment will be made available to any officer of a responsible authority upon request. 17. The premises licence holder shall ensure that the maximum number of persons on the premises at any one time shall not exceed the number agreed with West Midlands Fire Service. 18. The premises will operate a vulnerability policy which will be made available to any of the responsible authorities on request.

The premises will adopt the Challenge 25 scheme with appropriate signage to be placed at the entrance to the premises and adjacent to the counter area.

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

Licensing Sub Committee C resolved on 26th October 2016 to Grant the licence subject to modification of hours for the provision of licensable activities and opening hours detailed below: Provision of licensable activities: 10:00 hours to 06:00 hours Monday to Sunday Opening Hours: 10:00 hours to 06:30 hours Monday to Sunday

In addition the premises licence holder agreed to the following Conditions, specifically with Environmental Health, Birmingham City Council identified as EH1 to EH3: EH1. The Crane premises shall not open for licensable activity until works have been carried out to the satisfaction of Environmental Health, Birmingham City Council and Environmental Health, Birmingham City Council have provided written agreement with the premises opening for such licensable activity. EH2. A noise limiter is to be fitted and operational at all times. Its installation and setting shall be agreed by Environmental Health at Birmingham City Council. It is to be of an approved design and all amplified regulated entertainment must pass through it. EH3. Amplified regulated entertainment shall be so controlled as to be inaudible inside any noise sensitive premises at all times as perceived by officers of Environmental Health, Birmingham City Council

Fire Door 'A' on the agreed Plan shall only be used in the event of an emergency.

Portaloos are not to be taken away from the premises via Adderley Street.

A security fence, in the form of a solid hoarding 8ft in height, shall be erected between the two points marked with an 'X' on the agreed Plan whenever the premises offers any form of licensable activities that requires the use of the external area.

Prior to any event taking place at the premises requiring the use of the external area, at least 28 days' notice (or lesser period by agreement) shall be given to the Pat Benson Boxing Academy.

The level of music played at the premises shall not be played, so as to cause a disturbance to the Pat Benson Boxing Academy between 0800 hours and 2200 hours

## Annex 4 – Plans

Plan Reference; - 157924 as attached.

