

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 26th 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 26th 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 or poor control measures and training.

Signature of applicant:



Supt 3294,

Date:

28/12/22.

Rank/Capacity:

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): 0121 626 6099

E-mail - bw_licensing@west-midlands.police.uk

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.