



**West Midlands Police Evidence Bundle For The
Application To Vary The Premises Licence Of O Bar, 265
Broad Street Birmingham B1 2DS.**

Premises licence number 2621.

PAGE(S)	DOCUMENT(S)
1 to 6	Statement of Licensing Officer Chris Jones
7 to 10	Initial Expedited Review Decision Notice
11 to 13	Full Hearing Decision Notice
Plus	2 CCTV clip sent by Boxxed

WITNESS STATEMENT

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

Crime No. URN

Statement of Christopher Jones

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

Occupation Licensing Officer

This statement (consisting of 06 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  (witness)

Date: 15 October 23

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

I am Licensing Officer 55410 Christopher Jones of the West Midlands Police currently based at Lloyd House. Police HQ. I am part of a team of officers that deal with all matters in relation to the Licensing Act 2003 within the area covered by Birmingham City Council.

I am making this statement regarding a variation application received by West Midlands Police on behalf of City Leisure Entertainment Limited who are the premises licence holders for O Bar, 265 Broad Street, Birmingham. B1 2DS. Premises licence number 2621.

The application seeks to remove an operating condition from the premises licence. The condition which the applicant is seeking to remove is; 'From 21.00hrs premises to operate an ID scanner. All customers will be required to provide ID to satisfy the scanning requirement. No ID or ID not accepted then no entry'

The applicant is seeking to amend the condition with the following; "From 21.00hrs premises to operate an ID scanner. All customers who appear to be under 25 will be required to provide ID to satisfy the scanning requirement. In relation to these customers, no ID, or ID not accepted, then no entry."

The current ID scanner condition was imposed by a licensing sub-committee at the full hearing on 5th June 2023 after an expedited review was submitted by West Midlands Police on 9th May 2023.

The expedited review was requested following 2 section 18 woundings at the premises on Sunday 7th May at approximately 2am. Both victims were members of door staff and received their injuries, while dealing with a disorder inside the premises. The injuries were stab wounds.

West Midlands Police submitted the expedited review paperwork, via email on 9th May 2023. The meeting in front of the Licensing Sub-Committee was set for 11th May 2023. Prior to this meeting the premises requested a meeting with the police licensing team to discuss the situation and to try and establish an agreed way forward.

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I attended a meeting at the premises; a representative from the premises licence holder's were present, together with their licensing consultant and the DPS of the premises. After a discussion a possible agreed position was reached with all parties, for the promotion of the licensing objectives.

I left the premises to discuss the proposals between themselves and take advice from their licensing consultant. A short time later I was contacted by the premises licensing consultant who informed that all the proposed conditions had been agreed. (One of which, the premises are now seeking to remove.)

This was very unusual as I cannot remember attending an expedited review meeting being in an agreed position with the premises.

At the meeting on 11th May 2023 the licensing sub-committee took the decision to suspend the premises licence until the premises had all the agreed operating conditions in place which, would promote the licensing objectives and negate the concerns of West Midlands Police.

The licensing sub-committee noted in their decision notice for the interim steps:

'Overall, the Police felt confident in the premises' ability to uphold the licensing objectives provided the new conditions were added to the licence. It was therefore the Police's recommendation that the premises licence should be suspended in order to allow sufficient time for the conditions to be implemented, but once this had been done, the premises could reopen and resume trading in advance of the summary review hearing.'

'The consultant confirmed that both the director of the licence holder company and the DPS were happy to agree to all the proposed conditions, and would not ask for the suspension to be lifted until all measures were properly put in place and endorsed by the Police. The priority was ensuring that admission at the front door was secure; accordingly, an ID scanner and bodycam equipment had been ordered'

'Having heard all of the evidence, the Members were confident that the course proposed by the Police was satisfactory and would ensure that the risk of any further serious crime and/or serious disorder was removed. In particular, the Members were reassured that the DPS understood her responsibilities and could be trusted to take proper management control of the premises in implementing the new measures.'

Only 2 days after the meeting, on 13th May I received an email from the premises licensing consultant who informed me that the venue intended to open at 16.00hrs that day.

The email informed that the management team had put in place all the agreed conditions and the DPS was confident she could open with all the agreed conditions and training in place. The email also stated that the DPS expected a visit from the local police team to ensure their compliance.

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The full hearing was heard on 5th June 2023 the agreed position was still unchanged between West Midlands Police and the premises.

The result of this hearing was that the licensing sub-committee agreed by imposing the interim steps on the premises licence permanently, it would ensure a robust regime, such that the licensing objectives could be upheld.

The licensing sub-committee noted in their decision notice:

'All in all, the Police were confident that those at the O Bar would ensure safe trading, and felt that it was unlikely that there would be any further serious crime or disorder incidents. The Police had found the premises to be "very proactive" in their plan to learn from the incident and to promote the licensing objectives in future. The Police recommendation was therefore that the Sub-Committee should simply adopt all of the conditions imposed at the interim steps hearing onto the licence permanently.'

'The premises confirmed via its agent that all of the required measures had been put in place without delay. The resumption of the operation from 13th May onwards had been satisfactory in all aspects, and trading had been smooth. The premises had been cooperating with the Police fully, and intended to continue to do so. The designated premises supervisor in particular was keen to ensure that everything was safe for staff and patrons alike.'

'The agent confirmed that the designated premises supervisor was a very capable and experienced person who had carefully implemented all the conditions; he remarked that the events of the 7th May 2023 had been a one-off incident which had simply been unfortunate. The premises would remain vigilant and was confident that it could trade safely.'

Although the hearing was an agreed position with both sides, there was still a 21 day right of appeal, which was not taken by the premises. By the end of the appeal time the premises would have been trading approximately 6 weeks with the new conditions in place.

West Midlands Police object to the removal / amendment of this condition, as per the application, as they believe it would undermine the licensing objectives, especially the prevention of crime and disorder.

This condition has only been in force on the premises since May 13th 23 approximately 4 months and was as a result of 2 serious assaults at the premises following a disorder in the venue. An alleged offender identified at the scene of the disorder and assaults at the time was detained by officers, but has since been negated as the offender by investigating officers.

The alleged offender identified on the night and arrested by officers was born in 1991 which would have

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made him 31 years old at the time.

If the proposed variation was imposed onto the licence, it would mean that the alleged offender would not have had to provide ID and therefore would have remained unidentified if he had left the scene.

If an ID scanner had been in place on the evening it is highly possible that the correct offender would have been positively identified, through the police investigation and brought to justice. It may even have prevented the whole incident, knowing that they had been through an ID procedure and could easily identified.

It was only in May 23 that the licensing sub-committee noted in their decision 'The DPS had been willing to accept the additional conditions, and was particularly keen to prioritise safety.....The consultant confirmed that both the director of the licence holder company and the DPS were happy to agree to all the proposed conditions.....The priority was ensuring that admission at the front door was secure.....all at the premises had seen that more measures were needed, and she (The DPS) was keen to put these in place as per the police recommendations.'

This current application appears to be a shift by the premises in their stance at both the expedited review meeting and subsequent full hearing., It was only at the full hearing on 5th June 23 that the premises stated via their licensing consultant ' the resumption of the operation from 13th May onwards had been satisfactory in all aspects and trading had been smooth.'

The amendment of the ID scanner condition has no positive impact on the licensing objectives. In fact in the opinion of West Midlands Police the application weakens the promotion of public safety considerably, which in turn negatively impacts on the prevention of crime and disorder.

The sub-committee at the full hearing stated that the proposed conditions by the police were, reasonable, proportionate and targeted to address their concerns. It is reasonable to believe that the premises must have been of the same opinion as they were in an agreed position with the police, trading with the conditions already in place and did not take their option to appeal the full decision.

The inclusion of the current ID scanner condition was the key condition that West Midlands Police would have requested the licensing sub-committee to impose on to the premises licence if there was no agreed position with the premises. I am confident in saying that West Midlands Police would not have been in an agreed position with the premises, at the hearing, without them adopting this condition whether other proposals were agreed or not.

Since the full hearing in June 23 I have been contacted by the premises licensing consultant asking if West Midlands Police would consider amending / removing the ID scanner condition. He informed that the

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premises had requested he contacted the police as they are turning away groups of people; as perhaps 2 out of 6 may not have ID and then all don't go into the venue. He also said that the premises state they attract an older crowd who don't all carry ID and therefore they are going elsewhere.

He was advised that West Midlands Police would not support the removal or amendment of the condition.

The weakening of the current ID scanner condition, which was deemed appropriate and proportionate on 5th June 23 does nothing for the promotion of the licensing objectives. However the rationale for this application is clear, it is a commercial decision by the applicant, not for the promotion of the licensing objectives and not for the safety of the staff or customers.

West Midlands Police would also question the fact that the premises attract 'an older crowd' the premises CCTV from the original incident on 7th May 23 appears to contradict this. It shows mixed crowd of customers who appear to be predominately aged between late teens and mid to late twenties.

There are several premises that West Midlands Police have unfortunately had to enforce against for various disorders, assaults, woundings and sexual offences who now have a similar ID scanner condition to O Bar. From experience West Midlands Police find the inclusion of an ID scanner, as per the current licence condition an extremely effective and efficient tool for the promotion of the licensing objectives. It dramatically reduces the number of incidents / crimes in the venues where they are installed, allowing the venue to continue to trade in a safe manner for both customers and staff.

West Midlands Police also wish to bring to the attention of the Licensing Sub-committee the fact that the DPS (who was in place at the initial incident) has recently removed herself from the premises licence.

West Midlands Police believe this is relevant, as in both the initial expedited review meeting and the full hearing there was a lot of weight put on the experience and competency of the DPS.

The sub-committee noted in the initial meeting on 11th May 23:

'The Members noted that the proposals did not include the removal of the DPS. This was somewhat unusual for a very serious incident such as a double stabbing. In response to questions, the Police confirmed that they had confidence in the O Bar management, as the DPS had been in place for some time. The Police were satisfied that the events of the 7th May had been a one-off, and considered that the DPS had done all she could to engage with the Police during the discussions.'

'Members were reassured that the DPS understood her responsibilities and could be trusted to take proper management control of the premises in implementing the new measures.'

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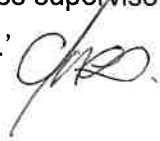
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In the full hearing on the 5th June 23 the sub-committee note of the now previous DPS:

'The agent confirmed that the designated premises supervisor was a very capable and experienced person who had carefully implemented all the conditions.'



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BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE - A

THURSDAY 11 MAY 2023

O BAR, 265 BROAD STREET, LADYWOOD, BIRMINGHAM B1 2DS

That having considered the application made and certificate issued by a Superintendent of West Midlands Police under section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by City Leisure Entertainment Limited in respect of O Bar, 265 Broad Street, Ladywood, Birmingham B1 2DS, this Sub-Committee hereby determines:

1. That the conditions of the licence shall be modified by adopting all those conditions which were agreed between the premises licence holder and West Midlands Police in advance of the meeting
2. That the licence be suspended pending the implementation of these agreed conditions to the satisfaction of West Midlands Police

The conditions which were agreed between the premises licence holder and West Midlands Police in advance of the meeting are as follows:

- From 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- From 21.00hrs premises to operate an ID scanner. All customers will be required to provide ID to satisfy the scanning requirement. No ID or ID not accepted then no entry
- All staff will be trained in (crime) scene management. This training will be documented and signed by the trainer and trainee. These training records to be made immediately available to any of the responsible authorities on request
- The premises security risk assessment for deployment and numbers will be made available to any of the responsible authorities immediately on request
- All door staff to wear either a hi-visibility coat, jacket or tabard
- The premises to ensure that door staff will wear body cams. There will be a minimum of 50% of door staff on duty who wear a body cam. These cameras will record throughout the tour of duty with images & audio, be downloadable and be made available to West Midlands Police on request. Images will be kept for a minimum of 31 days
- Door staff to sign on and off duty. Each entry will include their full SIA licence number. This documentation to be made immediately available to any of the responsible authorities on request and kept on the premises for a minimum of 2 months
- Premises to keep a profile of all door staff to include a copy of their SIA licence, photographic ID (or if photographic is not available then a copy of a utility bill, no older than 3 months.) These profiles to be kept on the premises for a minimum of 2 months after the last shift
- The premises will have a staff member on duty that is first aid trained
- The premises will have a bleed kit available on site

- Premises to risk assess the smoking area to minimise the risk of illicit items passed in by persons outside the venue. This risk assessment to be made available to any of the responsible authorities on request
- CCTV will be updated to the recommendation of West Midlands Police Central Licensing Team

Upon the implementation of these agreed conditions to the satisfaction of West Midlands Police, the suspension shall be lifted and the premises permitted to trade pending the review of the licence, such a review to be held within 28 days of receiving the Superintendent's application.

The Sub-Committee's reasons for imposing the two interim steps are due to the concerns which were expressed by West Midlands Police in relation to matters pertaining to serious crime and/or serious disorder, which had come to light as outlined in the Superintendent's certificate and application. The Police were represented at the meeting. A director of the licence holder company also attended the meeting, accompanied by the designated premises supervisor [DPS]. Those from the premises were represented by their consultant.

The Sub-Committee accepted the advice of the Police that the risks of further serious crime and/or serious disorder could be managed satisfactorily via the adoption of a suite of new conditions, which had been agreed between the parties in advance of the meeting. The Police did not have concerns about the style of management at the O Bar, or the management personnel working there; indeed, the Police remarked several times during the meeting that they had found those at the premises to be cooperative and keen to ensure the safety of all.

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 view the CCTV evidence in public could prejudice an ongoing criminal investigation. The Police therefore asked for the Sub-Committee to go into private session for the meeting. The consultant acting for the premises did not object to this course.

The meeting therefore went into private session and 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 and/or serious disorder which had happened at the premises in the early hours of Sunday 7th May 2023. The Police stated that they did not use the s53 power lightly; the Superintendent had signed the certificate to bring the matter before the Sub-Committee as it had been a very serious incident involving the use of a weapon(s).

The Police summarised the investigation thus far – exactly as detailed in the Report. The O Bar was located in the main nightlife district of the city. A double stabbing had happened at the O Bar. A criminal investigation was under way. The incident had been the subject of two crime reports for wounding, per s18 of the Offences Against the Person Act 1861. The Police reminded the Sub-Committee that such offences are serious crimes which on conviction attract a maximum sentence of life imprisonment. The weapon was thought to have been a knife, but no weapon(s) had been located.

CCTV from inside the premises was played to the Sub-Committee. Police bodycam footage (showing the aftermath of the incident, and the first aid attempts) was also played. It was the advice of the Police that interim steps were required in order to

deal with the causes of the serious crime and/or serious disorder; to that end, discussions had been held between the Police and those from the O Bar.

The Police had been pleased to observe that the premises' management had been highly cooperative during these discussions. The Police remarked that usually in such matters, they would find that a licence holder hindered or obstructed discussions, which resulted in a disputed position; that was not the case here. In the instant matter, there was an agreed position. Those at the O Bar had engaged well with the criminal investigation, and also with the discussions regarding the modification of the licence. The DPS had been willing to accept the additional conditions, and was particularly keen to prioritise safety.

The Members noted that the proposals did not include the removal of the DPS. This was somewhat unusual for a very serious incident such as a double stabbing. In response to questions, the Police confirmed that they had confidence in the O Bar management, as the DPS had been in place for some time. The Police were satisfied that the events of the 7th May had been a one-off, and considered that the DPS had done all she could to engage with the Police during the discussions. The director of the licence holder company had also agreed to all the proposed conditions, and wanted the premises to be safe and well-managed.

Overall, the Police felt confident in the premises' ability to uphold the licensing objectives provided the new conditions were added to the licence. It was therefore the Police's recommendation that the premises licence should be suspended in order to allow sufficient time for the conditions to be implemented, but once this had been done, the premises could reopen and resume trading in advance of the summary review hearing.

The Sub-Committee then heard from the licence holder company, via its consultant. It appeared that on the night in question, some boisterous patrons had been removed by the premises' security staff, and in the course of the removal, the two wounding incidents had happened either outside the premises or on the way out. As soon as the incident had been noticed, the lights in the premises had been turned on, and first aid given to those involved. Nearby Police officers had also entered. The injured parties had been released from hospital, but those at the premises had not yet spoken to them.

The consultant confirmed that both the director of the licence holder company and the DPS were happy to agree to all the proposed conditions, and would not ask for the suspension to be lifted until all measures were properly put in place and endorsed by the Police. The priority was ensuring that admission at the front door was secure; accordingly, an ID scanner and bodycam equipment had been ordered. The consultant agreed with the Police that it had been a one-off incident; he considered that another DPS would not have made any difference. He noted that the premises' staff dealt with ejections well.

The Sub-Committee then heard from the DPS directly. She confirmed that the premises did operate a search policy at the door, and said that she had felt that the arrangements were sufficient as there had never been any incident with a knife. However, all at the premises had seen that more measures were needed, and she was keen to put these in place as per the Police recommendations.

Having heard all of the evidence, the Members were confident that the course proposed by the Police was satisfactory and would ensure that the risk of any further serious crime and/or serious disorder was removed. In particular, the

Members were reassured that the DPS understood her responsibilities and could be trusted to take proper management control of the premises in implementing the new measures.

Whilst deliberating, the Sub-Committee agreed with the Police that it would be possible for the premises to resume trading as soon as everything required by the new conditions was implemented. Both parties had anticipated that this could be done in advance of the full summary review hearing; the Sub-Committee felt that this inspired confidence that the premises would handle the implementation smoothly.

Whilst any incident where a weapon(s) had found its way into licensed premises was very serious, the Sub-Committee agreed with both parties that this was perhaps a one-off incident, and that the correct course was that which had been recommended by the Police. The Sub-Committee therefore resolved to modify the conditions and impose the suspension. This was both necessary and reasonable to address the immediate problems with the premises, namely the potential for further serious crime and/or serious disorder. It was not necessary to consider other steps such as the removal of the designated premises supervisor, as this individual and her management style were satisfactory to the Police.

In reaching this decision, the Sub-Committee has given due consideration to the application made and certificate issued by a Superintendent of West Midlands Police, 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 West Midlands Police, and by the premises via its consultant.

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

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



BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A

MONDAY 5 JUNE 2023

O BAR, 265 BROAD STREET, LADYWOOD, BIRMINGHAM B1 2DS

That having reviewed the premises licence held under the Licensing Act 2003 by City Leisure Entertainment Limited in respect of O Bar, 265 Broad Street, Ladywood, Birmingham B1 2DS, following an application for an expedited review made on behalf of a Superintendent of West Midlands Police, following an application for an expedited review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that

1. The interim step of suspension of the licence, which had been lifted to permit trading from Saturday 13th May 2023 onwards, be formally confirmed as lifted
2. The conditions of the Licence be modified by the adoption of those conditions agreed between the premises licence holder and West Midlands Police which were imposed as interim steps [as detailed below]
3. The interim step of the modification of the licence by way of conditions agreed between the premises licence holder and West Midlands Police [as detailed below], shall be maintained pending the determination of any Appeal

The conditions of the Licence shall be modified as agreed between the premises and West Midlands Police in advance of the Interim Steps meeting, namely:

- From 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- From 21.00hrs premises to operate an ID scanner. All customers will be required to provide ID to satisfy the scanning requirement. No ID or ID not accepted then no entry
- All staff will be trained in (crime) scene management. This training will be documented and signed by the trainer and trainee. These training records to be made immediately available to any of the responsible authorities on request
- The premises security risk assessment for deployment and numbers will be made available to any of the responsible authorities immediately on request
- All door staff to wear either a hi-visibility coat, jacket or tabard
- The premises to ensure that door staff will wear body cams. There will be a minimum of 50% of door staff on duty who wear a body cam. These cameras will record throughout the tour of duty with images & audio, be downloadable and be made available to West Midlands Police on request. Images will be kept for a minimum of 31 days
- Door staff to sign on and off duty. Each entry will include their full SIA licence number. This documentation to be made immediately available to any of the responsible authorities on request and kept on the premises for a minimum of 2 months
- Premises to keep a profile of all door staff to include a copy of their SIA licence, photographic ID (or if photographic is not available then a copy of a utility bill,

no older than 3 months.) These profiles to be kept on the premises for a minimum of 2 months after the last shift

- The premises will have a staff member on duty that is first aid trained
- The premises will have a bleed kit available on site
- Premises to risk assess the smoking area to minimise the risk of illicit items passed in by persons outside the venue. This risk assessment to be made available to any of the responsible authorities on request
- CCTV will be updated to the recommendation of West Midlands Police Central Licensing Team

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 view the CCTV evidence in public could prejudice an ongoing criminal investigation. The Police therefore asked for the Sub-Committee to go into private session for the meeting. The consultant acting for the premises endorsed this course.

The meeting therefore went into private session and Members were shown the CCTV footage of the incident which had given rise to the application for an expedited Review of the licence. The Sub-Committee then heard the submissions of West Midlands Police, who confirmed that they had been advising the licence holder since the last meeting, had been to the venue to conduct inspections, and were satisfied with all aspects of the premises' implementation of the requirements. The premises had reopened and had been trading since Saturday 13th May 2023, without problems. The Police noted that the period in question had included four weekends and one Bank Holiday.

The Police view was that adopting the interim step conditions onto the licence (permanently) would ensure a robust regime, such that the licensing objectives could be upheld. The Police also observed that the management team was satisfactory, noting that the premises had volunteered its Incident Report and extra CCTV footage. Since the reopening, there had been no issues noted by the local teams policing the night-time economy area of Birmingham.

All in all, the Police were confident that those at the O Bar would ensure safe trading, and felt that it was unlikely that there would be any further serious crime or disorder incidents. The Police had found the premises to be "very proactive" in their plan to learn from the incident and to promote the licensing objectives in future. The Police recommendation was therefore that the Sub-Committee should simply adopt all of the conditions imposed at the interim steps hearing onto the licence permanently.

The premises confirmed via its agent that all of the required measures had been put in place without delay. The resumption of the operation from 13th May onwards had been satisfactory in all aspects, and trading had been smooth. The premises had been cooperating with the Police fully, and intended to continue to do so. The designated premises supervisor in particular was keen to ensure that everything was safe for staff and patrons alike.

The agent confirmed that the designated premises supervisor was a very capable and experienced person who had carefully implemented all the conditions; he remarked that the events of the 7th May 2023 had been a one-off incident which had simply been unfortunate. The premises would remain vigilant and was confident that it could trade safely. The designated premises supervisor, who also attended the meeting, then addressed the Sub-Committee personally, to confirm that she had made sure that all the staff understood what was required.

The Sub-Committee considered the modification of the conditions proposed by the Police to be reasonable, proportionate and targeted to address the concerns which had been raised by the Police in the certificate - in particular the likelihood of serious crime and/or serious disorder. The Sub-Committee was pleased to hear that safe trading had resumed at the venue, and considered that the management of the O Bar could be trusted to ensure the promotion of the licensing objectives.

In addition to the above conditions, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to form part of the licence issued.

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 application and certificate issued by West Midlands Police under Section 53A of the 2003 Act, and the submissions made by the premises via its agent, and by West Midlands Police, at the hearing.

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

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