

NOTES FROM PERRY BARR WARD MEETING

HELD ON 24 SEPTEMBER 2015 AT 6.30PM AT PERRY HALL METHODIST CHURCH

Attending – Councillor Karen Trench & Councillor Jon Hunt

Chris Neville – Head of Licensing

Inspector Adam Henderson – West Midlands Police

Wahid Gul – Planning

Doug Wright & Sharon Watson – Licensing Enforcement Officers

Neil De-Costa – Lead Officer, Perry Barr District

Kate Foley – Senior Service Manager, Place

Agenda Items

1. **Election of a Chair** – Councillor Karen Trench elected.
2. **Notice of recording** – Noted
3. **Apologies** – Cllr Ray Hassall
4. **Petitions** – on line petition raised supporting regeneration of area but objecting to operating practices at the Badshah Palace.
5. **Tower Hill Issues – The Badshah Palace**

Over 130 residents attended the meeting to raise concerns about the running of and associated problems with the Badshah Palace. The Chair read a statement provided by the owners of the Badshah Palace explaining why they were unable to attend the meeting due to Eid, steps taken so far to alleviate some of the problems identified by residents and an offer to meet with Councillors and residents.

The following issues were raised and comments made in relation to the Badshah Palace;

1. A petition was submitted objecting to current operating practices, management & running of the premises and objecting to any existing operating licence or application for such a licence.
2. Inspector Henderson said that initial parking issues had been resolved but complaints were now being received again. A reactive approach was being taken to speeding but no fines had yet been issued. He was working with WMFS and a joint visit had been undertaken.
3. Chris Neville advised that as the premises did not sell alcohol a licence was not necessary. Other activities taking place at the venue were also not licensable. An EHO had visited re: claims of noise nuisance but the noise had not lasted long enough to constitute a statutory noise nuisance. Parking enforcement attended when there was an event. One Temporary Event

Notice had been issued to the premises. Officers were aware of local concern and would include the premises for consideration by the Joint Task Force.

4. Wahid Gul said an enforcement complaint had been generated and an officer allocated. Fireworks were not a matter planning could take action on. Residents were asked to gather evidence in respect of any breach of planning conditions.
5. A resident living adjacent to the Badshah Palace said that in his opinion the parking attendants did a good job and did not drink alcohol while working. Drug taking had been an issue before the premises opened and therefore such complaints could not be attributed to the venue. As he lived next door he could say that the drums were not a real problem. Fireworks did not feature in the premises policy and it was hirers who were responsible for bringing in and letting off fireworks. The owners charged a £600 surcharge to try to mitigate against any damage etc. Alcohol was not sold on the premises. The main issue was that there were insufficient car parking spaces available but there had been problems while the building was empty and therefore the regeneration and occupation of the building should be welcomed. The parking problem could be made worse if the medical centre changed use to a nursery; a solution, if the need arose, might be to work with the Badshah owners for use of their car park by nursery parents.
6. Tower Hill Residents Association – main concern was the management of the premises. The re-development of the premises and benefit to the local economy was welcomed but the way the premises was run was affecting the peaceful enjoyment of residents lives. The premises advertised as having a 650 capacity and ample parking. The actual capacity was 500 and there was limited parking. This was clearly a breach of the planning consent. Visitors to the venue did not live in the area and were therefore unlikely to be that considerate of the local residents so it was imperative that the owners properly managed the functions that took place to ensure that residents were not disturbed/inconvenienced. Demarcation of the car park was needed.
7. A request was made for a meeting with the Badshah owners as a matter of urgency.
8. Fireworks were let off at 10/11pm, drums were heard at the same time for 10/15 minutes and were loud enough to wake children who had been sleeping. A party had recently finished at 3am.
9. Booths Farm Neighbourhood Watch – inconsiderate parking by visitors to the premises blocked pavements and driveways and sports cars were regularly speeding along the dual carriageway. Wheelchair users had to go into the road as they could not get along the pavements. Emergency vehicles would be unable to get through. Fireworks had been let off near to the main road. There was constant noise nuisance. At a 'fight night' held on 31 October 2014 and attended by a number of local residents alcohol had been for sale and purchased at the premises. At least two other events had been held that would have required a Temporary Event Notice.

10. Cars had to swerve to miss fireworks shooting across the road. Fireworks let off at midnight had hit windows and damaged the conservatory roof of a neighbouring house. Children were running around outside the building and on the balcony and residents were concerned for their safety.
11. Concern regarding the removal of the original 'Clifton' sign given the listed/heritage status of the building was raised.
12. Issue with vast amounts of litter outside the building after events not being cleared by the premises.
13. Residents were disappointed that the owners of the Badshah Palace had not attended the meeting and despite it being Eid residents also celebrating had taken time out from their celebrations to come to the meeting due to the importance of the situation. It was felt that a representative from the banqueting suite could have come along. There was also disappointment that no action had yet been taken by the City Council and it was queried what would happen in the short term to alleviate the nuisance caused as these issues had been affecting the lives of residents for some 10 months and they were still waiting for some response from the authorities. Enforcement against parking should be happening without continual complaints having to be made.
14. The contents of the statement read out at the beginning of the meeting from the owners of the Badshah were questioned. They had been asked to amend their website re parking facilities and capacity but had not done so and had not responded to residents over other matters. It was queried whether the owners owned similar businesses elsewhere and if so how well managed those establishments were managed.
15. The Co-Op was losing business as residents were not using the shop when there was an event at the Badshah for fear of their cars being blocked in by those attending a function. The area could not afford to lose its local businesses.
16. There had been fly tipping in the car park.
17. Noise nuisance – this had been reported to Environmental Health, diary sheets completed and noise monitoring equipment installed. However the equipment had only been put into the house over a time when events were not taking place. The diary sheet entries that had been provided referred to noise that had been ongoing for 25 minutes+. The number of events, especially during the school holidays when there had been an event all day/everyday, was affecting resident's lives. Amplified music had been played from the balcony that evening. Vehicles, including coaches parked on the red route by Marco's chip shop.
18. The re-introduction of speed cameras on the Walsall Road would help the situation.

ACTIONS

1. Residents to gather evidence – times, dates, photos etc of nuisance, parking, litter, anti social behaviour, fireworks etc
2. Councillors to collate evidence collected to forward to Head of Licensing/ Police
3. Inspector Henderson to put marker on police system to alert officers to issues at the Badshah Palace so that they were aware when called to incidents at the premises.
4. Inspector to raise at Safer Communities Group for consideration/action by partners.
5. Head of Licensing to also action through Safer Communities Group and to co-ordinate City Council resources to take action, including environmental health officers and parking enforcement. Also to meet with owners of the Badshah Palace to look for a solution to the complaints but action would be ramped up if complaints continued.
6. Wahid Gul to add front elevation and boundary treatment to enforcement complaint. Details of worse times of nuisance needed so that a stake out could be organised. Removal of the sign to be checked.
7. Councillor Hunt requested a plan of the demarcation of the boundary of the site so that parking areas could be clearly seen. Red lines were also required on the corners of roads.
8. A meeting to be arranged with the owners of the Badshah Palace to discuss resident's concerns and a further Ward meeting to be held to report the outcomes.
9. Chair stated that updates would be posted on Facebook and leaflets/information would be circulated around the neighbourhood.