

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 28 JUNE 2023 AT 13:30 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 - 12

4 **MINUTES**

To note the public part of the Minutes held on 7 June 2023 at 1000 hours.

13 - 100

5 **LICENSING ACT 2003 PREMISES LICENCE – SUMMARY REVIEW
VELVET MUSIC ROOMS, GROUND FLOOR, CUMBERLAND HOUSE,
200 BROAD STREET, LADYWOOD, BIRMINGHAM, B15 1SU**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 1:30pm.

6 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

7 **EXCLUSION OF THE PUBLIC**

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

Exempt Paragraph 3

PRIVATE AGENDA

1 **MINUTES**

To note the private part of the Minutes held on 7 June 2023 at 1000 hours and to confirm and sign the Minutes as a whole.

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

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

<p>LICENSING SUB-COMMITTEE C 7 JUNE 2023</p>

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 7 JUNE 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Diane Donaldson and Penny Wagg.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/070623

NOTICE OF RECORDING/WEBCAST

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2/070623

DECLARATION OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

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Councillor Diane Donaldson advised that she knew Mr Olley on a personal level, however she had not discussed this matter with him and hadn't spoken with him for over a year.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/070623 Apologies were submitted on behalf of Councillor Zafar Iqbal and Councillor Diane Donaldson was the nominated substitute Member.

LICENSING ACT 2003 AS AMENDED BY THE VIOLENT CRIME REDUCTION ACT 2006 – APPLICATION FOR EXPEDITED REVIEW OF PREMISES LICENCE: CONSIDERATION OF INTERIM STEPS – VELVET MUSIC ROOMS, GROUND FLOOR, CUMBERLAND HOUSE, 200 BROAD STREET, LADYWOOD, BIRMINGHAM, B15 1SU.

On Behalf of the Applicant

Mark Swallow – WMP (West Midlands Police)
Huram Taj – WMP

On Behalf of the Premises Licence Holder

Heath Thomas – Solicitor
Dani Collins – Director of the PLH (Premises Licence Holder) Company
Eilis Collins – Family Member and staff
Rory Collins – Family Member, part of the PLH company
Martyn Greene – SNSG Security
Mike Olley – Manager Broad Street BID

* * *

The Chair introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Heath Thomas, on behalf of the PLH company requested that all parties be present at the hearing, namely those involved in the company (the Collins). The company is family owned and therefore, he requested that all those whom are part of that company be party to the hearing.

Mark Swallow, on behalf of WMP requested that due to on-going criminal investigations and proceedings that the CCTV be screened in private. He also responded to Mr Thomas's request for all three family members to be involved in the hearing and opposed this, stating that Dani Collins in the only person listed on company's house who is a director, no other persons have any registerable interest in the company according to the record listed on companies house. Therefore, he requested that Dani Collins and Heath Thomas are the only persons present.

Heath Thomas informed the Committee that whilst he understood the request for CCTV to be heard in private, he didn't see any requirement to have the discussions following on from that in the private session.

The Chair informed all parties that there have been late documents served which, due to time constraints have not been read or considered by the Committee. She asked Mr Thomas if he wished for these to be considered and he confirmed that he did as they show the dialog between WMP and the PLH and also show the proposed conditions from both parties.

At this stage the Chair adjourned the meeting to consider the preliminary points and take legal advice.

At 1030 the meeting was re-convened, and the Chair announced the determination on all three preliminary points:

1. In order to ensure fairness and proportionality the Committee determined that Dani Collins as the Director of the PLH company and Heath Thomas would be present at the hearing, all other parties would need to remove themselves and would have an opportunity to make representations at the Summary Review hearing in 28 days.
2. That the hearing would be held in private, in order to allow all parties the freedom to speak freely and openly on the matters to be discussed and to ensure all evidence can be disclosed in light of their being sensitive material and an on-going investigation.
3. That in order to give the Committee time to read, consider and absorb the further additional late documents submitted by Heath Thomas, the Committee will adjourn for one hour. If this takes less time, all parties will be notified to re-join the hearing at an earlier time.

Mark Swallow confirmed he had understood the determination of the preliminary points.

Heath Thomas advised that he was disappointed in the Committee's decision and had never been in a position where the DPS had been told they could not attend and speak before the Committee.

The Chair interjected and advised Mr Thomas that he had had an opportunity to speak and make his representation on such matters and asked him to confirm that he had understood the Committee's decision on those such matters?

Mr Thomas advised that he would be taking some time to look at the hearing regulation when the Committee retired to read the further late documents he had submitted.

The Chair advised Mr Thomas that she was indeed Counsel as well as a Councillors and understood the regulations fully.

She asked him to confirm he had understood their decision again, at which stage he confirmed he had.

The Committee adjourned to read the supporting documents at 1036 hours.

At 1148 hours the Committee reconvened and the Chair continued to outline the procedure to be followed at the hearing.

David Kennedy, Licensing Section, outlined the report.

The Chair then advised that the private session would start and all parties moved over to the separate private Teams session.

At this stage the Members, officers and other parties joined a separate MS Teams meeting which was held privately.

EXCLUSION OF THE PUBLIC

4/070623 **RESOLVED:-**

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the short decision of the Sub-Committee was announced in public, then a full written decision was sent to all parties as follows;

5/070623 **RESOLVED:-**

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 Sugar Leisure Ltd in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham B15 1SU, this Sub-Committee hereby modifies the conditions of the premises licence, namely by adopting all those conditions proposed by West Midlands Police in advance of the meeting, pending a review of the licence, such review to be held within 28 days of receiving the Superintendent's application.

The conditions are as follows:

- From Thursdays through to Sundays or on any evenings where promoted events take place from 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- From Thursdays through to Sundays or on any evenings where

promoted events take place 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
- The premises will maintain an incident register. Each incident will be signed off by the DPS or their nominated deputy. The incident register will be made available to any of the responsible authorities on request

The Sub-Committee's reasons for imposing the modification of conditions were 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 Sub-Committee accepted the advice of the Police that the risks of further serious crime and/or serious disorder could only be managed satisfactorily via the adoption of the Police's suggested conditions.

The Police were represented at the meeting. The director of the licence holder company also attended the meeting, accompanied by others. Those from the premises were represented by their solicitor.

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 Police also observed that the proper way to proceed was for only the director of the licence holder company and

her solicitor to attend the meeting and address the Sub-Committee.

The solicitor considered that there was no reason to exclude the other persons from the meeting, and also considered that whilst the CCTV should be viewed in private, the oral submissions should be heard in public.

However, the Sub-Committee was aware that under paragraph 4.3 of the Procedural Rules (issued to all parties in advance of the meeting), it was at the discretion of the Sub-Committee whether to permit the request for other persons to appear at the meeting. The Police had observed that the company director was present, and the Members noted that she was represented by a solicitor; in the interests of focusing properly on the issues, and in particular the risks of further serious crime and/or serious disorder, the Sub-Committee considered that the proper course was to restrict attendance to only the company director and her solicitor.

Regarding the application to conduct the meeting in private, the Sub-Committee considered that the best course was to hear all of the evidence and submissions in private session. This was to ensure fairness to all parties, and to ensure that the licence holder company was able to properly address the Police submissions without the need to avoid mentioning those parts of the evidence shown in private.

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 Monday 5th June 2023.

The Police summarised the investigation thus far – exactly as detailed in the Report. The Velvet Music Rooms premises was located in the main nightlife district of the city. The incident had been the subject of a crime report for wounding, per s18 of the Offences Against the Person Act 1861. A criminal investigation was under way. CCTV from inside the premises was played to the Sub-Committee.

The Police felt that there had been what they described as “a catastrophic breakdown of the security arrangements at the premises”. The risk assessments for operation had either not been followed, or had been inadequate; a weapon of some kind had found its way into the premises and was then used to commit a wounding. The person responsible had then left the premises; enquiries were ongoing.

The Police felt that the only suitable remedy was the adoption of suitable conditions; these had been submitted in advance of the meeting. The Police remarked that these would prevent human error and protect public safety.

The Police had noted that the licence holder company had not agreed the proposed conditions, and had instead submitted its own suggested conditions. The Police view of these was that they were “unworkable and not fit for purpose”. It was therefore the Police’s recommendation that only the Police’s proposed conditions were suitable, as they were “the minimum [*which would be*] acceptable”. The Police also remarked that a number of other licensed premises in and around Broad Street had voluntarily taken on such conditions, and were operating well as a result.

The Sub-Committee then heard from the licence holder company, via its solicitor. The Velvet Music Rooms was a long-established venue which had been trading since 2005, without incident. It had an impeccable record and was an exemplary operator, said the solicitor. It was known as a safe place which attracted minority groups, such as the LGBT community, and also an older style of clientele who attended for entertainment aimed at their age group (such as jazz evenings). It also hosted a variety of classes such as salsa lessons and cocktail-making classes, and was also used for art events such as those held by the Birmingham Art Zone.

The solicitor drew a distinction between the premises’ normal trade, as opposed to externally-promoted events. A normal week’s trade would be for the more mature customer. However, on the night in question, the premises was hosting an afterparty-style event which followed a separate event which had been held at an unconnected premises in Digbeth. The DJs and entourages, and fans, then came to the Velvet Music Rooms. The Velvet Music Rooms premises had previously hosted two afterparties without incident.

Seven security guards were on duty, which was more than a normal night. Searches were conducted at the door and a “spotter” was on the lookout for known troublemakers; had the premises known that the event was going to be high-risk, it would not have hosted it, said the solicitor. The clientele for the afterparty was a different demographic from the premises’ usual clientele. The solicitor then went on to explain what had happened during the incident in question.

Regarding the modification of conditions, the solicitor urged the Sub-Committee to distinguish and discuss the root cause – namely an externally-promoted event which was quite unlike the premises’ normal style of trading. The solicitor therefore submitted alternative conditions requiring 28 days’ notice of events, and giving the Police 7 days to respond (and also a power of veto). The premises also did not see the need for the ID scanner proposed by the Police.

The Police however found the premises’ suggested conditions to be completely unsatisfactory, reiterating that the risk assessment and search regime had been proven to be completely inadequate. The Police also considered the staffing to be inadequate in terms of preventing persons from entering and in managing the scene. The ID

scanner was a very important feature of safe operation – both as a deterrent, and to ensure that appropriate action could be taken. These requirements were the only way to guard against the risk of further serious crime and/or serious disorder, and to ensure public safety; they had been seen to do so at other venues elsewhere in Birmingham.

The Police further remarked that it was up to the premises to run its events safely, and that no venue could rely on the Police to make decisions for it regarding operating style and the upholding of the licensing objectives. The Police therefore urged the Sub-Committee to use only the conditions proposed by the Police as a proportionate and reasonable measure to ensure safe trading.

Having heard all of the evidence, the Members were confident that only the course proposed by the Police was satisfactory, and accepted that only the Police's course would be sufficient to ensure that the risk of any further serious crime and/or serious disorder was removed. Whilst deliberating, the Sub-Committee agreed with the Police that the suggestion made by the licence holder company did not adequately cover the risks. Any incident where a weapon(s) had found its way into licensed premises was very serious, and the correct course was that which had been recommended by the Police. This was particularly important given that minority groups were a regular part of the clientele.

The Sub-Committee therefore resolved to modify the conditions in the terms proposed by the Police. 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 had not been recommended by 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 licence holder company via its solicitor.

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.

Please note the meeting ended at 1328 hours.

CHAIR.....

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation and Enforcement
Date of Meeting:	Wednesday 28th June 2023
Subject:	Licensing Act 2003 Premises Licence – Summary Review
Premises:	Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU
Ward affected:	Ladywood
Contact Officer:	David Kennedy, Principal Licensing Officer, licensing@birmingham.gov.uk

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 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 5th June 2023 in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU.

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 5th June 2023, Superintendent Munro, 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 Sugar Leisure Limited in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham, B15 1SU.

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 C met on 7th June 2023 to consider whether to take any interim steps. The Sub-Committee resolved that the conditions of the licence be modified pending a 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 20th June 2023.

Representations have been received from Other Persons, which are attached at Appendices 3 – 5.

A copy of the current Premises Licence is attached at Appendix 6.

Site location plans are attached at Appendix 7.

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 7th June 2023, Appendix 2
Copies of the representations from Other Persons, Appendices 3 – 5
Current Premises Licence, Appendix 6
Site location plans, Appendix 7

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 7th June 2023.



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

I - Superintendent 2643 James Munro,

(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: Velvet Music Rooms.

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

200, Broad Street, City Centre.

Post Town: **Birmingham**

Post Code (if known): **B15 1SU..**

2. Premises Licence details:

Name of premise licence holder (if known):

Sugar Leisure Ltd.

Number of premise licence (if known):

3282..

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)

Velvet Music Rooms is a licensed premises situated at 200, Broad Street, City Centre, Birmingham. B15 1SU. The premises license holder is Sugar Leisure Ltd and designated premises supervisor is Mr Steven Emmison.

The premises is licensed to sell alcohol for consumption on and off the premises between the hours of 1000 and 0600 each day of the week.

Between 0049 and 0054 hours Monday 5th May 2023 the premises were open and conducting licensable activity.

At this time disorder has occurred within the premises and as a result of this a customer in the premises has received several stab wounds and a member of security staff has received a superficial wound to his arm. The offender has left the scene prior to police arrival. It would also appear that the scene had been cleaned prior to the police attending the scene.

This matter is subject of a crime report for wounding against section 18 wounding against The Offences Against The Persons Act 1861 which is a serious crime by virtue of the maximum sentence on conviction being life imprisonment. This is an ongoing enquiry which may lead to more reports of injuries.

West Midlands Police have serious concerns for the promotion of the licensing objectives at this premises. There are concerns as to how the scene was managed by management and staff from the venue. This is a live on-going criminal investigation and any CCTV footage of the incident has not been viewed by Licensing Staff.

West Midlands Police have had communications with the premises and are awaiting the results of this.

Signature of applicant:

Date: 5th June 2023.

Rank/Capacity: Superintendent 2643 Munro

Contact details for matters concerning this application: BW Licensing

Address: Licensing Dept c/o Birmingham West and Central Police Station, Birmingham

Telephone Number(s):

E-mail -

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.

West Midlands Police

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

I Superintendent 2643 James Munro hereby certify that in my opinion the premises described below are associated with both serious crime and serious disorder.

Premises: Velvet Music Rooms

Address: 200, Broad Street, City Centre, Birmingham. B15 1SU.

Premise Licence Number: 3282

Premise Licence Holder: Sugar Leisure Ltd.

Designated Premise Supervisor: Steven Emmison.

I am a Superintendent in West Midlands Police.

I am giving this certificate because I am of the opinion that the summary review procedure is necessary to ensure the licensing objectives are promoted expeditiously. Given the seriousness of the trigger incident on 5th June 2023, which involved a disorder at the premises Whereby two victims have been stabbed one multiple times and the other once. Other steps available under the Licensing Act 2003, including a standard review application, cannot lead to the imposition of immediately effective steps to promote the licensing objectives and so these are inadequate. I view this application as a proportionate and necessary response to the serious incident at the venue.

In coming to my opinion, I have had regard to the facts of the incident and current investigation, the terms of section 53A of the Licensing Act 2003 and Chapter 12 ("Summary Reviews") of the Guidance issued under section 182 of the Licensing Act 2003 (December 2022 revision).

Signed:

Dated: 5th June 2023



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE - C

WEDNESDAY 7 JUNE 2023

**VELVET MUSIC ROOMS, GROUND FLOOR, CUMBERLAND HOUSE,
200 BROAD STREET, LADYWOOD, BIRMINGHAM B15 1SU**

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 Sugar Leisure Ltd in respect of Velvet Music Rooms, Ground Floor, Cumberland House, 200 Broad Street, Ladywood, Birmingham B15 1SU, this Sub-Committee hereby modifies the conditions of the premises licence, namely by adopting all those conditions proposed by West Midlands Police in advance of the meeting, pending a review of the licence, such review to be held within 28 days of receiving the Superintendent's application.

The conditions are as follows:

- From Thursdays through to Sundays or on any evenings where promoted events take place from 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
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- 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
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- The premises will have a bleed kit available on site

- The premises will maintain an incident register. Each incident will be signed off by the DPS or their nominated deputy. The incident register will be made available to any of the responsible authorities on request

The Sub-Committee's reasons for imposing the modification of conditions were 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 Sub-Committee accepted the advice of the Police that the risks of further serious crime and/or serious disorder could only be managed satisfactorily via the adoption of the Police's suggested conditions.

The Police were represented at the meeting. The director of the licence holder company also attended the meeting, accompanied by others. Those from the premises were represented by their solicitor.

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 Police also observed that the proper way to proceed was for only the director of the licence holder company and her solicitor to attend the meeting and address the Sub-Committee.

The solicitor considered that there was no reason to exclude the other persons from the meeting, and also considered that whilst the CCTV should be viewed in private, the oral submissions should be heard in public.

However, the Sub-Committee was aware that under paragraph 4.3 of the Procedural Rules (issued to all parties in advance of the meeting), it was at the discretion of the Sub-Committee whether to permit the request for other persons to appear at the meeting. The Police had observed that the company director was present, and the Members noted that she was represented by a solicitor; in the interests of focusing properly on the issues, and in particular the risks of further serious crime and/or serious disorder, the Sub-Committee considered that the proper course was to restrict attendance to only the company director and her solicitor.

Regarding the application to conduct the meeting in private, the Sub-Committee considered that the best course was to hear all of the evidence and submissions in private session. This was to ensure fairness to all parties, and to ensure that the licence holder company was able to properly address the Police submissions without the need to avoid mentioning those parts of the evidence shown in private.

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 Monday 5th June 2023.

The Police summarised the investigation thus far – exactly as detailed in the Report. The Velvet Music Rooms premises was located in the main nightlife district of the city. The incident had been the subject of a crime report for wounding, per

s18 of the Offences Against the Person Act 1861. A criminal investigation was under way. CCTV from inside the premises was played to the Sub-Committee.

The Police felt that there had been what they described as “a catastrophic breakdown of the security arrangements at the premises”. The risk assessments for operation had either not been followed, or had been inadequate; a weapon of some kind had found its way into the premises and was then used to commit a wounding. The person responsible had then left the premises; enquiries were ongoing.

The Police felt that the only suitable remedy was the adoption of suitable conditions; these had been submitted in advance of the meeting. The Police remarked that these would prevent human error and protect public safety.

The Police had noted that the licence holder company had not agreed the proposed conditions, and had instead submitted its own suggested conditions. The Police view of these was that they were “unworkable and not fit for purpose”. It was therefore the Police’s recommendation that only the Police’s proposed conditions were suitable, as they were “the minimum [which would be] acceptable”. The Police also remarked that a number of other licensed premises in and around Broad Street had voluntarily taken on such conditions, and were operating well as a result.

The Sub-Committee then heard from the licence holder company, via its solicitor. The Velvet Music Rooms was a long-established venue which had been trading since 2005, without incident. It had an impeccable record and was an exemplary operator, said the solicitor. It was known as a safe place which attracted minority groups, such as the LGBT community, and also an older style of clientele who attended for entertainment aimed at their age group (such as jazz evenings). It also hosted a variety of classes such as salsa lessons and cocktail-making classes, and was also used for art events such as those held by the Birmingham Art Zone.

The solicitor drew a distinction between the premises’ normal trade, as opposed to externally-promoted events. A normal week’s trade would be for the more mature customer. However, on the night in question, the premises was hosting an afterparty-style event which followed a separate event which had been held at an unconnected premises in Digbeth. The DJs and entourages, and fans, then came to the Velvet Music Rooms. The Velvet Music Rooms premises had previously hosted two afterparties without incident.

Seven security guards were on duty, which was more than a normal night. Searches were conducted at the door and a “spotter” was on the lookout for known troublemakers; had the premises known that the event was going to be high-risk, it would not have hosted it, said the solicitor. The clientele for the afterparty was a different demographic from the premises’ usual clientele. The solicitor then went on to explain what had happened during the incident in question.

Regarding the modification of conditions, the solicitor urged the Sub-Committee to distinguish and discuss the root cause – namely an externally-promoted event which was quite unlike the premises’ normal style of trading. The solicitor therefore submitted alternative conditions requiring 28 days’ notice of events, and giving the Police 7 days to respond (and also a power of veto). The premises also did not see the need for the ID scanner proposed by the Police.

The Police however found the premises’ suggested conditions to be completely unsatisfactory, reiterating that the risk assessment and search regime had been proven to be completely inadequate. The Police also considered the staffing to be

inadequate in terms of preventing persons from entering and in managing the scene. The ID scanner was a very important feature of safe operation – both as a deterrent, and to ensure that appropriate action could be taken. These requirements were the only way to guard against the risk of further serious crime and/or serious disorder, and to ensure public safety; they had been seen to do so at other venues elsewhere in Birmingham.

The Police further remarked that it was up to the premises to run its events safely, and that no venue could rely on the Police to make decisions for it regarding operating style and the upholding of the licensing objectives. The Police therefore urged the Sub-Committee to use only the conditions proposed by the Police as a proportionate and reasonable measure to ensure safe trading.

Having heard all of the evidence, the Members were confident that only the course proposed by the Police was satisfactory, and accepted that only the Police's course would be sufficient to ensure that the risk of any further serious crime and/or serious disorder was removed. Whilst deliberating, the Sub-Committee agreed with the Police that the suggestion made by the licence holder company did not adequately cover the risks. Any incident where a weapon(s) had found its way into licensed premises was very serious, and the correct course was that which had been recommended by the Police. This was particularly important given that minority groups were a regular part of the clientele.

The Sub-Committee therefore resolved to modify the conditions in the terms proposed by the Police. 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 had not been recommended by 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 licence holder company via its solicitor.

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:

Sent: 20 June 2023 13:31

To: Licensing

Subject: Velvet Music Rooms Public House Broad Street

To Whom it May concern

I am a regular customer at The venue Velvet Music Rooms on Broad Street Birmingham. I visit this venue several times a week during the week and at weekends. During the twelve years I have been visiting the venue I have never had concerns with regards to crime, disorder or my personal safety. The regulars who use the venue vary in age range from early twenties to pension age and the atmosphere suits all age ranges. Recently when visiting the venue I have been asked to provide identification which I did not have as I am a woman of 54 years old and do not carry ID as a rule, I am aware that other customers some older than myself have also experienced the same and feel this is extremely disproportionate resulting in the cancellation of our evening

The staff and customers at Velvet Music Rooms create a friendly atmosphere and I will continue to use this venue as my regular as will others within our social circle

Regards

Registered Care manager

From:

Sent: 20 June 2023 16:13

To: Licensing

Subject: Velvet Music Rooms

Dear Sirs,

I have spent a lifetime organising events in licensed premises – please see attached – and I can say with confidence that Velvet Music Rooms is managed as responsibly as can be imagined.

I organise live music at that venue three times every week throughout the year and attend at other times for various reasons, and I can assure you that I have never witnessed even the slightest sign of any untoward behaviour by management or staff members.

On the contrary, I have several times witnessed how they handle difficult customers, which they do calmly, firmly, and discreetly.

However, I must stress that the venue does not generally attract trouble-makers, as a noticeable proportion of regular customers are middle-aged and older.

The clientele that attend this venue for live music events create a somewhat special, good-natural atmosphere which people prone to violence find inappropriate.

I believe that unique atmosphere created by the management of Velvet Music Rooms is enhanced by their enthusiasm to support art and culture. A society of local painters have a permanent exhibition in the premises and I have held talks and discussions there regularly as well as free music instrument workshops. Meetings of The New Street Authors, a collective of independently published writers, take place at Velvet and charity fund-raising events include an Evening for Ukraine where £3850 was raised for the relief fund. The Lord Mayor has attended and spoken at events in that venue and I believe all the above clearly indicate that The Velvet Music Rooms is not a venue that attracts or tolerates violence of any sort.

Yours Sincerely,

Birmingham Jazz & Blues Festival / Big Bear Music



Big Bear Music

the venues put something in. From late November onwards, the festival takes over. It's very labour-intensive. It means working 60 to 70 hours every week to keep the thing going. I've not had a holiday for something like 10 years. I hate the paperwork and the business side of it but I love putting things together. I don't want to retire, I just know what I would do. I just feel compelled to spread the word."

In an era of budgetary cuts and increasing pressures on local authority finances, Simpson and the festival board (which includes the likes of well-known Birmingham business names such as John Hemming, former BT PR executive Derek Inman and national broadcaster Gary Newbon – realise that a new approach to keeping the festival's wheels turning may be needed in highly austere economic times.

"We are finding other ways of making money. This year we are approaching businesses to become friends of the festival. We ask for £1,000 from 20 of them. They get accorded all sorts of privileges, not financial ones but they get our logo everywhere. We print 40,000 festival programmes."

"Our festival hotel is Hampton by Hilton. You check in there during the festival and get a discount. You have got an average of 20 shows a day, free, many of them are on Broad Street. It's like going to New Orleans."

But whilst the Jazz & Blues Festival and its extraordinary longevity over nearly four decades is undoubtedly one of the proudest artistic and cultural achievements for this most genial of entrepreneurs, it's not the only string to Simpson's multi-faceted musical bow.



American Blues Legends '79 in Chicago, taking a break from recording at Chess Recording Studios – from left are Billy The Kid Emerson, Jimmy Fastfingers Dawkins, Jim Simpson, Lester Mad Dog Davenport, Little Smokey Smothers, Eddie C. Campbell, Good Rockin' Charles and Chico Chism

He will always be remembered as the man who propelled Black Sabbath to worldwide fame. But the Brummie band were not Simpson's only musical proteges and enthusiasts.

"I opened this blues club called Henry's Blueshouse at the Crown in the city centre. We had Ten Years After, Status Quo, Barclay James Harvest, Chicken Shack, Arthur Crudup (the man who wrote Elvis Presley's first hit, That's All Right Mama). We had Arthur in an upstairs room in Birmingham."

"Within a few weeks a band called Earth approached us and asked if I could get them a gig. I gave them an opening gig and they opened for Ten Years After. They were good so I repeat booked them. After a while they asked if I would manage them. Their name was changed to Black Sabbath."

"Without me, there wouldn't have been a Black Sabbath – it was a real backbreaker of a job to get them a record deal. I got them gigs. We did TV in France and Germany before we got the record deal, I got 14 straight rejections. I knew the band were hot, people liked them, audiences came out for them."

"But London in those days was like a fortress, the music business even more so. Unless it was fashionable and in, they wouldn't show any interest. It's not that different now."

Eventually, Simpson used his contacts in the music industry – he had already won major record deals for previous bands Locomotive, Tea and Symphony and Bakerloo – and was able to persuade a music publisher to put the money up to help fund Black Sabbath's first album, cut in just one day. The band, which helped invent heavy metal, were on their way to global stardom, principally due to the

initial efforts of Simpson.

The Black Sabbath story and many more tales of Brummie music legends through the decades are told in Simpson's highly readable memoir *Don't Worry 'bout The Bear*.

In the foreword, another Brummie legend, comedian Jasper Carrott, writes: "Jim Simpson is not a name that is too familiar outside Birmingham, but his influence is quite remarkable. Jim has been around the music scene in Birmingham for over 60 years. He has carved himself a place in the hearts and minds of the citizens of the city who know him as the indefatigable dynamo who is responsible for the history of many of its renowned musical legends, places of entertainment and of course, the world-famous Birmingham Jazz Festival."

Jasper is surely spot on. Jim Simpson's influence on the music business in Birmingham across six decades cannot be questioned, as many performers and jazz and blues lovers would surely agree. This is after all, the jazz fan who tried to save Ronnie Scott's in Broad Street out of his own pocket more than 20 years ago by re-mortgaging his house. "It went down owing me nearly £50,000. It was so sad."

Ronnie Scott's may have gone, but the music will always live on for Simpson, the man who turned his passion into a career – and is still rocking at the age of 85.

Or as he puts it: "There is nothing wrong with music, it keeps inspiring me. There is something primal about the rhythms of jazz and blues which appeal to the human spirit." Quite.

■ The Birmingham Jazz & Blues Festival is taking place July 14-23. Visit birminghamjazzfestival.com for more information.

He's the brains behind an annual jazz and blues festival which has pumped millions of pounds into the West Midlands economy over nearly 40 years.

He is also the man who launched Black Sabbath, who photographed the likes of Mick Jagger, Little Richard and Jerry Lee Lewis, and re-mortgaged his house to try to keep Ronnie Scott's afloat in Broad Street.

This is Jim Simpson – friend of the stars, record producer, irrepressible lover of jazz and blues, who for artistic reasons once turned down the Birdie Song, that slice of 1981 kitsch nonsense which became a money-spinning chart hit. He is as integral a part of Birmingham's cultural fabric as any figure of the last six decades.

Without Simpson, there would have been no Birmingham Jazz & Blues Festival – now in its 39th year – an annual summer music extravaganza which has become the longest-running event of its kind in England and Wales.

There would also have been no Black Sabbath, the Birmingham band fronted by Ozzy Osbourne, which started off in the former Crown pub opposite the city's crown court, and became one of the world's most successful heavy metal bands.

Without Simpson, countless blues bands would never have been able to get their feet on the musical ladder, thanks to the Henry's Blueshouse evenings he continues to help run at the Velvet Rooms in Broad Street – a lasting Brummie legacy to the raw, primal musical format which originated in the deep south of America and would inspire the likes of Little Richard, Jerry Lee Lewis, Chuck Berry and later the Rolling Stones.

And without him, there would have been no Big Bear Records, the UK's longest-running independent record label he continues to manage to this day from offices in Broad Street, an enduring testament to his love of jazz, blues and rock which first inspired the launch of the business back in 1968.

Simpson was born in London to a schoolteacher mother and jazz-loving father who served in the Royal Tank Regiment in the Western Desert during the Second World War. The family were evacuated, eventually ending up in Bromsgrove. A lover of jazz and the blues from an early age, he formed a jazz club at school. Called up for RAF duty, he found himself posted to Gibraltar during the Suez crisis and indulged his love of jazz by having his own music show on Radio Gibraltar, which also broadcast to Spain.

Returning to England in 1961 he landed his first 'proper job', as he puts it, as a beach photographer in the less exotic climes of Skegness before being appointed photographer at Birmingham's college of technology, which later

"Within a few weeks a band called Earth approached us and asked if I could get them a gig. I gave them an opening gig and they opened for Ten Years After. They were good so I repeat booked them. After a while they asked if I would manage them. Their name was changed to Black Sabbath."

became part of Aston University. He was subsequently offered work as a freelance photographer with music weekly Melody Maker and found himself rubbing shoulders with – and photographing – the likes of the Rolling Stones, Chuck Berry, Jerry Lee Lewis and Little Richard. Gradually, music would become both his passion and his vocation.

Jim Simpson is now 85 years old. But you suspect that his love of the music that ultimately changed the world back in the 50s and 60s – turning grey post-war monochrome into glorious technicolour courtesy of a few pioneering artists – keeps him young. It also keeps him flying the flag for the local rocking talent of Brum and elsewhere in the West Midlands.

As we meet in the offices of Big Bear Records at the bottom end of Broad Street, Simpson is already relishing the thought of this summer's festival, a cultural feast which in pre-Covid times made more than £5 million in one year alone for the city's economy, pulling in tens of thousands of visitors from across the UK and overseas.

"We launched in 1985, this is our 39th year, we are the longest-lasting jazz

festival in England and Wales," he says. "Last year we approached pre-Covid levels, we had 194 performances in 10 days, 188 of those were free admission at a total of 91 venues. We had 79,000 people through. We go out to ordinary folk, we do not play just to seriously committed music fans."


"We go to parks, bars, restaurants, museums, art galleries, shopping centres and shops. There is live music on the Metro between Birmingham and Wolverhampton and we put music on steam trains to Stratford. We have free ukulele classes, mostly for kids. We teach them in one and a quarter hours to play one song and sing one song, which they don't do terribly well, but it doesn't matter."

But whilst nearly four decades of largely free musical entertainment has generated millions of pounds for the region, there is also a constant battle to keep the show on the road.

"We generated £5.3 million in one year, but our core funding (from Birmingham City Council, Sandwell Council, Westside B and the Musicians Union) is £31,900 this year. Put that against wages, forget rent, and it ends up being a real co-operation



Jim Simpson with Muddy Waters and, right, Cousin Joe

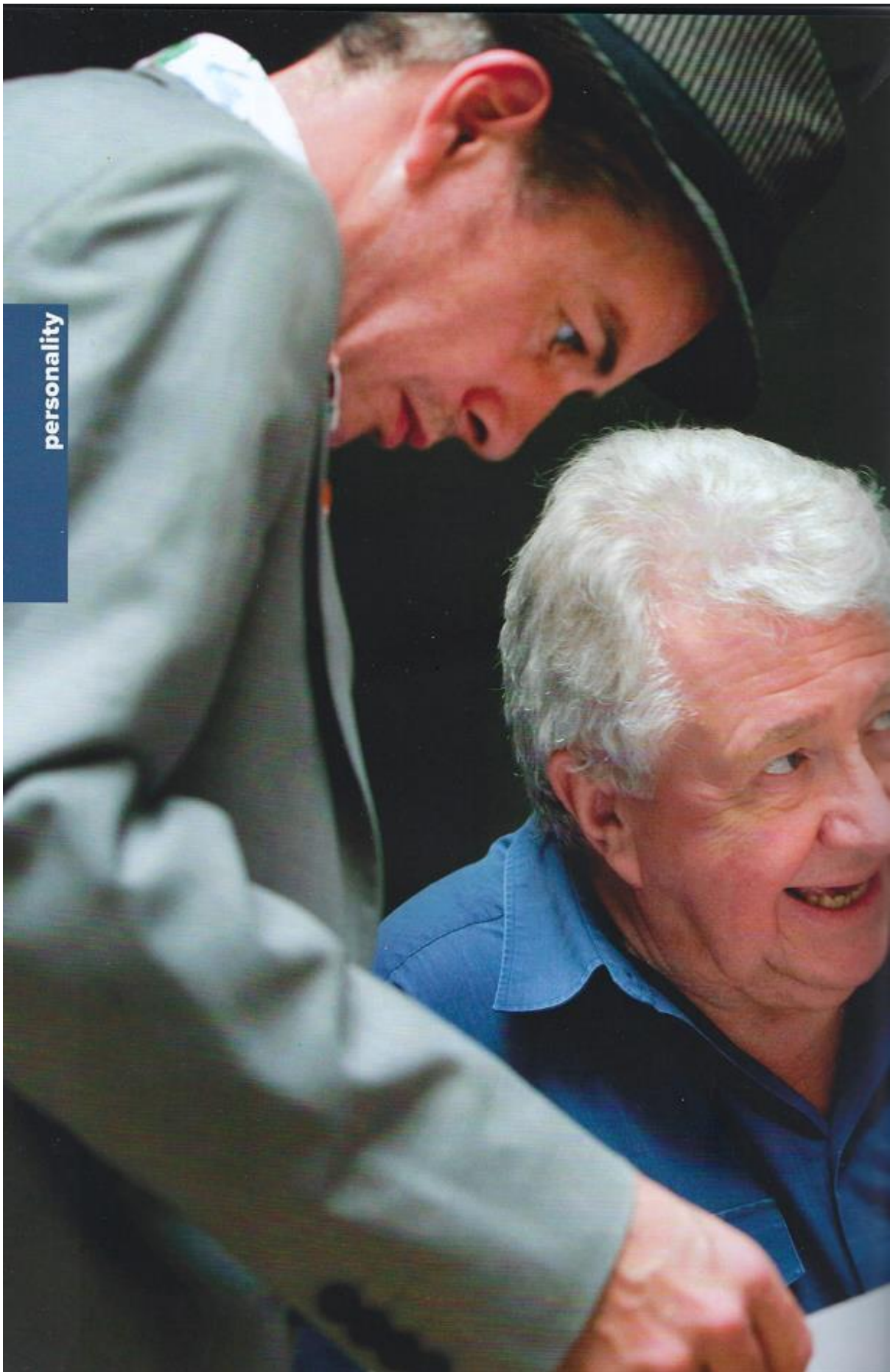


During a 10-day period in July, scores of bars, pubs and public areas across the city will be full of the sound of live music. The Birmingham Jazz & Blues Festival, now in its 39th year, has brought millions of pounds to the region's economy, not to mention given enormous pleasure to music lovers across the generations. The festival is down to the vision and drive of one man – Jim Simpson – still as passionate as ever at the age of 85.

JON GRIFFIN meets...

personality

Birmingham's *Mr Music*



From:
Sent: 20 June 2023 16:51
To: Licensing
Subject: Velvet Music Rooms

TO WHOM IT MAY CONCERN

I am a regular customer of Velvet Music Rooms and have been for many years. I, with my family and friends, attend on Sundays, frequenting the live music events.

This is the only venue that has an innovative and creative programme of artists catering for my age group (over 60s) with bands, solo artists and music from our era. The overwhelming majority of the clientèle is of a similar age to myself and as a safe and welcoming venue it is now established as a vital part of our cultural activities.

In the many years that I have been a customer, neither I nor anyone I know, has witnessed any behaviour, activity or incident of a criminal, threatening or intimidating nature that has led us to be concerned for our safety. On the contrary, Velvet Music Rooms' staff and management make it their business to make the environment accessible, secure and welcoming. In this current environment, this is a rarity for people within our age group and we value Velvet Music Rooms and all they do to NOT make us feel vulnerable or at risk. However, the excessive and immoderate regulations that have been imposed since 8th June 2023 have the opposite affect. Compulsory scanning and identity checks are, in my informed opinion, extreme and disproportional to the risk posed from and to my fellow customers at the live music events on Sundays. The new regulations require searches, identity scanning etc. and is intrusive, time consuming, unreasonable and unnecessary. It raises the ante by increasing the perception of risk or possible harm, when there no evidence for this. This impacts negatively on numbers and affects what used to be a pleasant, easy going, relaxed and casual event. This treatment of a group of older people enjoying music is unfair and errs on the side of ageism. It does nothing to protect us any more than the previous stringent security arrangements, managed and monitored professionally and robustly by Velvet Music Rooms, for which we are grateful. These have been proportionate, appropriate and effective, borne out and evidenced by the exemplary track record of Velvet MusicRooms. For these reasons, I feel best placed to request that the new, imposed regulations are withdrawn with immediate effect. I am willing and happy to provide any assistance or additional information to ensure this happens as these events essential for our mental health and wellbeing.

Kindest regards,

LICENSING ACT 2003**PREMISES LICENCE****Premises Licence Number:****3282 / 2****Part 1 - Premises details:**

Postal address of premises, or if none, ordnance survey map reference or description	
Velvet Music Rooms Ground Floor Cumberland House 200 Broad Street	
Post town:	Post Code:
Birmingham	B15 1SU
Telephone Number:	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of licensable activities

Monday-Sunday	10:00 - 06:00	B ,E ,F ,G ,H ,M3
	23:00 - 05:00	L
23:00hrs on New Year's Eve to 05:00hrs on New Year's Day.	-	
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.		B ,E ,F ,G ,H ,M3

The opening hours of the premises

Monday-Sunday	10:00 - 06:30
From the start of permitted hours on New Year's Eve to 06:30 on 2nd January.	00:00 - 00:00

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 Sugar Leisure Limited Velvet Music Rooms 200 Broad Street	
Post town: Birmingham	Post Code: B15 1SU
Telephone Number:	
Email N/A	

Registered number of holder for example company number or charity number (where applicable) 06860362
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Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Steven Emmison	
Post town:	Post Code:
Telephone Number:	

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 19/000001/LAPER	Issuing Authority SANDWELL METROPOLITAN BOROUGH COUNCIL

Dated 19/04/2022

Bhapinder Nandhra
Senior Licensing Officer
For Director of Regulation and 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.”

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. (2) In this condition:— (a) “permitted price” is the price found by applying the formula $P = D + (D \times V)$, where— (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (b) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence— (i) the holder of the premises licence, (ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994. (3) Where 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.

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.

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

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

Regulated entertainment and late night refreshment to take place indoors only.

No adult entertainment services or activities permitted on the premises at any time.

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

Use of the premises between 0400 and 0600 on 28 days notice to the police licensing officer at Steelhouse Lane Police Station or any other officer or police station as may be advised to the designated premises supervisor in writing and with the police having the right of veto any such occasion within 3 days of notification, such veto not to be exercised unreasonably.

CCTV to be installed and maintained to the satisfaction of West Midlands Police.

The CCTV system to be in full working order, including all the cameras at all times when the premises are open for any licensable activity.

The CCTV system must record and store images, for a minimum of 30 days. These images must be available, with immediate access, to the Police and local authorities. The CCTV must be installed in a secure location.

If the premises use external door supervisors, those door supervisors must sign on and off duty every time they work. The signing sheet to include badge numbers and the sheet to remain on the premises for a minimum of 30 days.

If an external door company is used the venue must keep on the premises doorstaff profiles, to include photo ID, (other than their SIA badge), and a utility bill which must not be dated later than 6 months previous. Such profiles to be available for inspection by the Police or local authority at any time and kept in a secure location. If any door supervisors leave the premises, the profile to be retained on the premises for at least three months, following their departure.

The premises to implement a Challenge 25 proof of age scheme.

When door supervisors are used at the venue, they must wear Hi-Vis clothing as follows:-

- a) Hi-Vis jackets outside the premises save for British Summer Time when Hi-Vis tabards may be worn; and
- b) Hi-Vis tabards inside the premises at all times.

The premises will implement and put in to practice a drugs policy for the venue as approved by West Midlands Police.

If the venue wishes to hold an under 18 event, the venue must provide Steelhouse Lane Licensing Department with 28 days notice, together with a Risk Assessment. West Midlands Police to have a power of veto over any under 18 event.

All sales of alcohol for consumption off the premises are to be in sealed containers.

The premises will risk assess its standard operating procedure. The Risk Assessment will be kept at the premises and made available upon request to responsible authorities

Where a third party promoter is used for any new late night event at the premises, there will be a Risk Assessment completed and sent to Birmingham Central Licensing Team at least 7 days (or such shorter notice as may be agreed in writing with West Midlands Police Birmingham Central Licensing Team) before the event.

If the venue wishes to hold an under 18 event, the venue must inform Birmingham Central Licensing Team with at least 28 days notice, together with a risk assessment. West Midlands Police to have a power of veto over any under 18 event.

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

A fire safety assessment will be conducted and implemented in the premises.

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

No enforceable conditions identified from operating schedule.

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

Children will be permitted on the premises in accordance with the provisions of the Licensing Act 2003.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

N/A

3b) Committee conditions to promote the prevention of crime and disorder

N/A

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

N/A

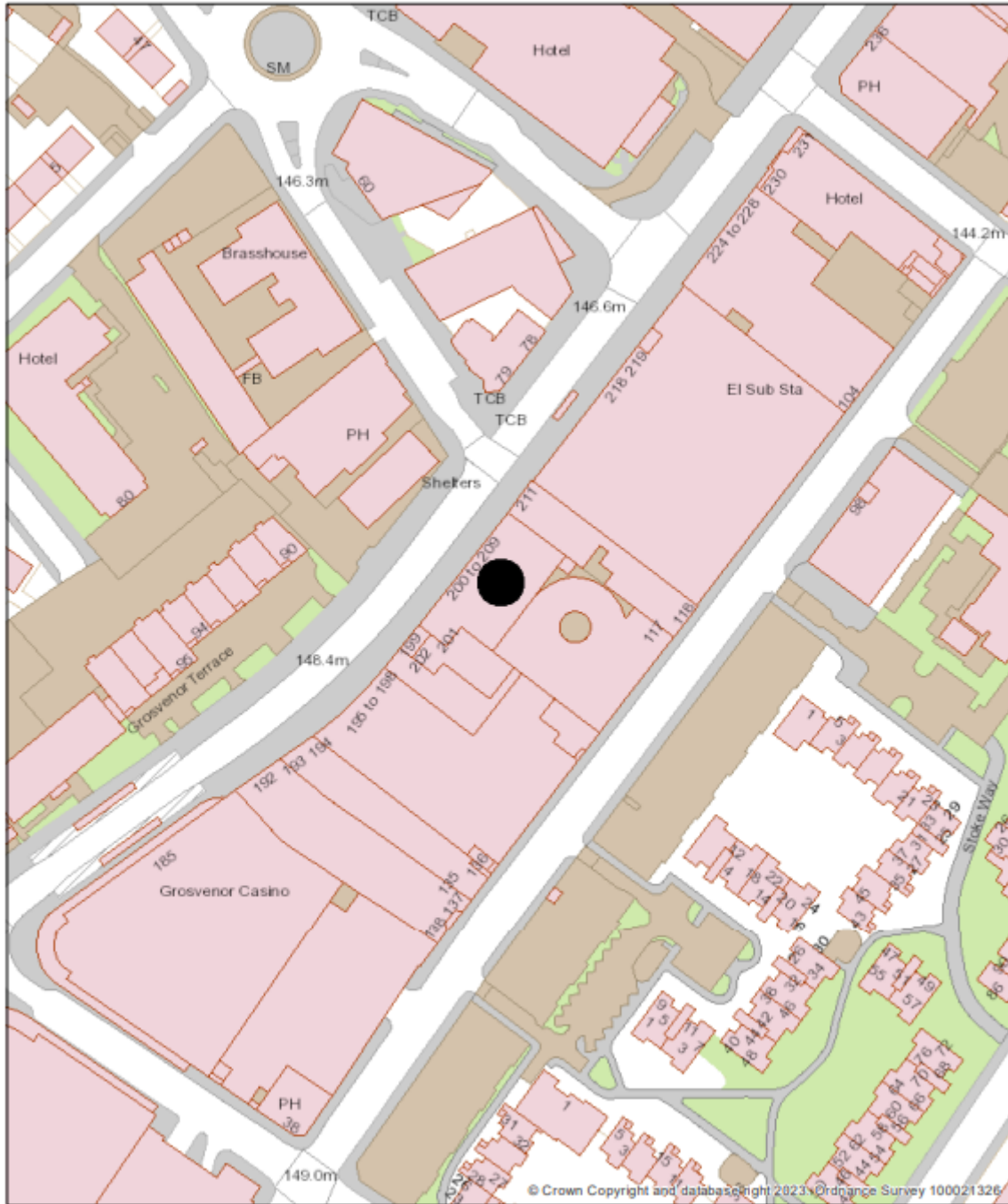
3e) Committee conditions to promote the protection of children from harm

N/A

Annex 4 – Plans

The plan of the premises with reference number **124346-3282/2** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please call the Licensing Section on 0121 303 9896 to book an appointment.





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BEFORE THE BIRMINGHAM CITY COUNCIL LICENSING SUB-COMMITTEE

Summary Review of Premises Licence

Velvet Music Rooms

Broad Street

Birmingham

Evidence submitted on behalf of Sugar Leisure Ltd

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Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

Statement of Elis Collins

Age if under 18 _____ (if over 18 insert "over 18") Occupation General Manager

This statement (consisting of 10 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 23 Day of June 2023

Signature 

I Elis Collins WILL SAY AS FOLLOWS: -

1. I am General Manager at Velvet Music Rooms. I have held that position since 2004. It's a family business. My sister Danielle (Dani) Hadley is the director.
2. My role as General Manager, on a day-to-day basis, is hands-on in marketing the business, meeting with customers, dealing with staff and suppliers. My parents no longer have a day-to-day role in the business, my sister and I are the ones who are very hands-on.
3. We have approximately 15 full-time and part-time staff. We employ a dedicated designated premises supervisor, Steve Emmison. Steve has been with us for over 13 years, and has been the DPS for 4 ½ years.
4. In terms of our management structure, Dani and I are here on a daily basis. Steve is the next person in line, he has two junior managers beneath him, Nathan and Jordan, in training for general manager positions. We then have duty managers who will be in charge in their absence, Hilary and Akille (?), both of whom are mature women and very experienced.
5. Most days of the week we open at 2 PM for food service, which is a large part of the business for us. We show sports during the week and live music three times a week. Our normal standard weekly trade is as follows:

Mondays

6. We open at 2 PM. This is probably one of the quietest days of our week, where we provide no entertainment or sports. We have a contract with Hampton hotel where we provide food for their residents, their everyday meals. It's a deal we have with them as they have no

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Continuation of Statement/Interview of Ellis Collins

restaurant facility. Hilton issue a voucher and the guests come to us up to 10 PM daily for their meals. Our kitchen closes at 10 PM.

7. Last orders are generally at 11 PM on a Monday and we close shortly thereafter.

Tuesdays

8. Tuesdays is when we host 'Henry's Blues Hour'. Customers tend to arrive between 6 - 6:30 PM, and most customers will have an evening meal and go on to enjoy the blues session music. The live music usually ends by 10:30 PM. We find that customers arrive throughout the evening, it's free entry on the door and the majority of our customers purchase a meal as well as enjoy the entertainment. Tuesdays is one of our most mature nights in the week, when customer ages range from 60 to 80 years of age. We tend to attract approximately 50 to 60 customers, which can increase marginally depending on the calibre of the band playing.
9. This is not a hugely well attended evening, and 50 customers would be the average number of attendees. We call last orders between 11:30 PM and midnight. On these nights, no door staff are deployed. What we do have are several members of the employed staff who are SIA trained and hold valid SIA licences, we believe that as sensible operators we should have that training and resource should it be required. However, there is no need for externally engaged security staff on a Tuesday as the clientele we attract give rise to no concerns of crime or disorder.
10. Tuesdays is promoted by Jim Simpson, he also helps with our Friday and Sunday evenings, which are the three evenings where we have live music in the week. Jim is a gentleman in his 80s, and he has been championing the jazz festival in Birmingham for over two decades now.

Wednesdays

11. Depending on sport fixtures, we show football. We open at 2 PM, provide late lunches and drinks for the afterwork crowd. Football fans tend to arrive at around 7- 7:30 PM close to kick-off times and by 9:30 - 10 PM the bar winds down as the football clientele leave. Again, this is a night where no security is required or deployed as it is simply not needed.

Thursdays

12. We open at 2 PM for food and the afterwork crowd. Background music is played on a computer. We also host salsa classes on Thursdays. Customers arrive from 6:30 PM and classes are staggered with various coached classes which include ballroom, Latin, and other styles of dancing. The customers tend to arrive for the group in which they will participate. The salsa customers tend to leave by 11:30 PM. Each class lasts one hour. That's it for a

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Continuation of Statement/Interview of Eilis Collins

Thursday. It's just bar vibes and no other entertainment. Some customers will simply come to have a drink, for example we have a number of individual/solo customers, those that are workers or those who are staying in nearby hotels, who come to our premises because they feel safe here and it's fine for them to be on their own in the bar.

Fridays

13. We open at midday, this is a day when we provide live entertainment, it is fairly new for us on Friday. Tuesdays and Sundays have worked well so we introduced live entertainment on Fridays too. The type of music we play can be described as Cajun music, lots of blues and some Indie. We have a whole band on stage, music usually starts at 7 PM, although this can vary slightly depending on whether there are sporting events being broadcast. The bands generally play two 45 minute sets, taking a break in between, and live music finishes around 10 PM. We then have background music to 1 AM.
14. Our customers are a little younger on a Friday, the majority of customers are aged between 40 to 65 years of age. We can have other customers in the bar, passers-by in their late 20s/early 30s, but predominantly we cater for the more mature customer. It's very much an equal split between male and female customers, possibly even more female led. We tend to have lots of couples who come into the premises.
15. We have two door supervisors on duty on Fridays from 7:30 PM, they finish between 1 - 1:30 AM. Door supervisors are provided by Safetynet Security Group, a provider that we have used for approximately 15 years.

Saturdays

16. We open for breakfast at 11 AM, a late breakfast/brunch. Saturdays are influenced by sporting fixtures if there are any, normally football. Saturday is the only day of the week we have DJs, and these play from as early as 7 PM, playing a collection of 70s and 80s music, normally soulful, Motown-type vibes.
17. At 10 PM, our next DJ comes on. The music becomes more current and up-to-date, and this DJ plays commercial tracks from the charts (pop, dance music, anything you would perhaps hear, say, on Capital FM). Music finishes at 3 AM on a Saturday.
18. By broad Street standards, we are a grown-up bar. We do not have 18-year-olds, the majority of our customers are late 20s ranging 25 – 60 years. We engage 5 security staff on a Saturday.

Signature E. Collins

Signature Witnessed By _____

Continuation of Statement/Interview of Eilis Collins

19. Another feature Saturdays from early in the day is our hosting of hen parties and other celebratory groups. We put on cocktail master classes and 'Sip and Paint' art classes which include still life, life models et cetera. This is not a serious art class, but it's an activity-based group activity which provides entertainment.

Sundays

20. We open earlier at the weekend, at 11 AM, to catch the hotel guests for breakfast and so on. If there is any sport on we will show that, it depends on the fixtures, usually there is rugby, football, Formula One or tennis. There is usually something sporting on the screens.
21. Sunday is a busy day for food. We do lunches and evening meals especially on the terrace area near the street which is popular. We are also a dog friendly venue so it's not uncommon to have dogs outside too.
22. On Sunday evening it's another live music day for us which we term 'Birmingham Rocks'. Entry begins around 6:30 PM. Our customers normally come in for a meal first and then to see the show. It's a varied array of music, for example in the week following the incident giving rise to this review we had a 17 piece brass band. It is quirky and eclectic, we've had, for example, bands that use unusual instruments e.g. washboards, etc. Jim Simpson organises the bands for these performances. Birmingham Rocks finishes at about 10 PM. Customers are there mainly for the music, arriving quite early. Customers are attracted to the premises throughout the evening to enjoy the live music because live music is so rare in Broad Street these days, no other venue locally provides live music like we do.
23. The clientele are generally aged 55 years to 80 years, This is apparent viewing our CCTV footage which will indicate the customer age and profile.
24. There is no need for security for the Birmingham Rocks nights, but we always maintain two members of the bar team who are both SIA trained and badged during these evenings.
25. The above is a recurring theme of how Velvet Music Room operates on a standard weekly basis.

Non-standard events

26. Non-standard events have and do take place at Velvet Music Room. Recently, Birmingham University Union approached us to hold an event in our separately licensed first floor premises Sugar Suite, entry to that event was still through our ground floor Velvet Music Room.

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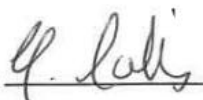
Signature Witnessed By

Continuation of Statement/Interview of Ellis Collins

27. On bank holiday Sundays for example we've had a DJ for those evenings between 10 PM and 1:30 AM and we've put the event on and promoted it ourselves.
28. In terms of the ground floor Velvet Music Room externally promoted events are very rare, we normally place them in our separately licensed first floor event space, Sugar Suite.

The After Party event

29. Steve and Dani can give evidence about the organisation for that event. Generally Steve would take all of the information regarding a proposed event and feed that back to me and Dani. For this After Party event, we were aware of the promoters, Double Impact. One is a DJ and the other is an MC, they are a duo act and quite well-known in Birmingham, possibly better known 10 years ago, but gained revival during lockdown and throughout covid.
30. I did not take part in the initial discussions with the promoter, but between me, Steve and Dani we agreed to hire the venue to them. I think they first contacted Steve with a request to host an After Party, this is a party following a main event held elsewhere during the day. We had worked well with them in the past, and never experienced trouble with them or their attendees. This was the third After Party we had agreed to host, the others being in January and March 2023. The two previous events gave no cause for concern.
31. Our DPS, Steve, was on annual leave the night of the incident. Prior to commencing leave Steve had hand-picked the security team, he went to the effort of naming at least half the team he wanted, including engaging two security Compliance officers who are more experienced and have better training than your average doorman. The compliance officers have a role akin to an area manager and frequent different venues in the city, they are good at leading a team, have advanced first aid, and are generally good at delegating. They have more skills than the average doorman. We requested two compliance officers, we always have one for external events but with Steve on annual leave we felt it best to have another Compliance officer in place. I should add that Steve is also SIA trained and holds an SIA licence, and without him it was sensible for us to request another Compliance officer.
32. On the night, we decided to serve with plastic cups, for speed of service and as a precautionary measure. This was in the knowledge that customers were coming from a party earlier in the day where they may have been consuming alcohol.
33. Steve had risk assessed the event, and sent the risk assessment to me and Dani a couple of weeks before the event took place.

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Continuation of Statement/Interview of Eilis Collins

34. We also had a WhatsApp group set up between me, Steve, Dani and the two promoters to enable clear communication with everyone. I recall a voice message from one of the promoters in response to our request to find out what the day event had been like and to see how it was going, he told us that it was busy, what time to expect customers, and also briefed us as to the dress code of what he would like to admit to the venue that evening. This message was supplemented by other messages to assist us in preparation for the night. There was nothing in that contact or messages that gave rise for concern. We were told that it was looking busy at the main event to expect it to be busy at our premises.
35. On the day, and before the After Party started, I was not aware of any incidents having taken place at the main event.
36. I was on shift throughout the event. I began work at about 9 PM. I was the General Manager, the most senior person in the building.
37. The event was very quiet that day, it attracted only about 30 customers. Once Birmingham Rocks finished the bar was very quiet, which is not uncommon for Sundays as we generally are wrapped up by 11 PM with staff leaving by midnight. There were only two remaining customers in the venue when I arrived for work.
38. The bar staff were setting up for the special event that we were hosting. They are experienced with events. We removed some furniture from within the premises to create extra space for our customers, and made the change to disposable drinking vessels. We put up the metal detector arch we like to use, it's a deterrent and aids our security staff for events. We brought in additional bar staff, usually it's only two on a Sunday but we increased our bar staff to eight staff. After speaking with the promoter in the daytime, and hearing how busy it was, we put on two additional agency staff, one to work the cloakroom and the other as a cleaner/glass collector/stock person. These were additional decisions made on the day after speaking with the promoters.
39. The event was to start at 10:30 PM, the DJs arrived at approximately 10:15 PM and took control of the music from 10:30 PM onwards. That's when the first customers began to arrive for this special event.
40. I had a meeting with the two Security Compliance officers before 10 PM. I explained that the main event was well attended and if they wanted to be extra fussy with who was permitted entry, I didn't mind if they turned away a greater number of customers. As the daytime event preceded the After Party the dress code for those attending was more relaxed, and so we

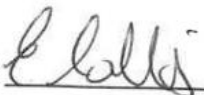
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Signature Witnessed By _____

had agreed with the promoter that we would, for example, accept shorts. Caps/Hats were also accepted and we would make provision for them in the cloakroom, but those wearing them would be required to turn them around to ensure that their faces remained visible to our cameras.

41. The two compliance officers had worked the two previous events. They were not concerned about this event, and there was nothing untoward revealed by any of their intelligence.
42. We put out crowd barriers on the streets, we do this to keep a single file system and prevent obstruction of the footpath, retaining a 2 m gap before the road. Also just for customers to be safe when exiting the venue. We keep a separate sterile area.
43. The two compliance officers had differing roles, one acted as a spotter to spot known troublemakers or intoxicated customers or persons who should not be permitted entry because of their demeanour. The second officer helped to deal with the queues and keep everyone in an orderly manner.
44. The next security officer was placed at the top of the queue, to frisk/patdown and conduct bag searches. Behind him was a metal detector arch, and each individual had to undergo a search and pass through the arch. As the evening got busier for entry, we deployed a second security guard to help manage customers through the arch to control them as they came through and to ensure that persons walk through one by one.
45. Another door supervisor was approximately 2 ½ m away at the box office where customers paid for entry, he was the last check of customers demeanour/attitude before permitting entry.
46. In all there were 2/3 security checks to vet customers.
47. Inside the venue, one security officer stood on the staircase providing him with an eagle eye view of the venue and another constantly patrolled. All door staff had earpieces and radios and war hi viz stop we also provided both the male and female toilet attendants with radios which is something we do not normally do, because he wanted to ensure that everyone had an air piece and was able to communicate.
48. The After Party on 4 June attracted a younger than normal customer. The customer's were much younger, more expensively dressed, and seemed to have a greater spend in the premises than our normal customers. On the night, they arrived en masse and the bar was busy. Normally, this doesn't happen in our premises where there is a steady flow of

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Continuation of Statement/Interview of Eilis Collins

customers. The mix of customers in hindsight, may have been more male than female that evening. Customers began arriving at 10:30 PM and arrived within a small window of time.

49. The perpetrator identified from the CCTV footage entered the premises, and can be seen to be spoken to by the Compliance officers where their ID was checked. They underwent a search and were required to pass through the knife arch.
50. At 00 52 hours I was alerted to a fight in the bar area. I think a member of bar staff called the security via the radio. I was in the office with the CCTV screens in front of me. I sent out clear messages to security to attend the main bar area. All security personnel attended except for one guard who was required to remain on the front door to prevent entry and for the venue to be secure.
51. An off duty staff member also alerted me to the fight.
52. I immediately went to the DJ box and stopped the music and put the lights up. I asked the DJ to make an announcement for guests to calmly leave the venue. I went to my office to view the CCTV and asked the bar staff to use the police radio to advise them that we were making a major ejection and ending the night early. I believe that we failed to get a response from the police radio and so I asked a member of staff to call 999 to say that we had people leaving the venue. I had no confirmation at that time that a serious incident taken place. Once I was aware of the wounding, I made contact with the police on the radio, and received confirmation that they had a call logged earlier from the venue. This was within minutes of the fight.
53. At 1 AM the police arrived, within eight minutes of the fight. We were fully cooperative with the police. The majority of customers had left the premises by this time and the premises had reverted to a calm environment. I took the police to my office to watch the CCTV footage, whilst my duty manager took incident reports from members of staff.
54. At 01:37 hours, the police tape was put around the scene. A lot of my time was spent with the police in my office. The police asked staff to remain for statements and ultimately allowed them to leave at around 3 AM. I have prepared a chronology of the incident which I copy below:

00:52am I radioed security to attend the bar area as a fight had broken out.

00:52am I cut music volume completely.

Signature 

Signature Witnessed By _____

Continuation of Statement/Interview of Ellis Collins

00:52am I instruct staff to request police & police cameras - we fail to get a police response on radio.

00:53am I instruct a manager to dial 999

00:54am To note at this time a member of agency staff (who does not use venue radio) has begun to glass collect and mop spilt drinks.

**we believed the injury sustained was a one time occurrence, contained in the mens toilet lobby area.*

It was quite some time after viewing CCTV, for the venue and the police to conclude that the injury was sustained in the bar area.

00:55am House white lights are turned fully up and DJ announcements are made for patrons to leave the venue. I instruct security to aid guests out safely. I instruct 2 guards to the pavement outside to keep patrons safe and the roads clear.

00:56am I receive confirmation there has been a stabbing.
I try the police again for assistance and am successful.
I am told a call has already been logged.

00:56am-onwards

I am receiving instruction from the police on the radio, one of which is not to clean anything as we now have a crime scene. I relay this message across the venue radios to all staff, security and toilet attendants, all of this team have a radio.

01:00am Police arrive at the venue.

01:37am Bar area, including men's toilets are taped off with police tape. The scene is made prohibited by police.

While I am viewing CCTV with police, a bar manager had gathered incident reports from all bar staff & security, 13 reports in total.

55. One police officer who viewed the CCTV said that it was quite likely that the bladed article was plastic because a lot of the items that West Midlands police confiscated these days are.

56. We are shocked that an incident of this nature has taken place in our premises. We pride ourselves on being a safe venue, and this has impacted us personally, damaged our

Signature  Signature Witnessed By _____

Continuation of Statement/Interview of Eilis Collins

reputation, and has led to customer loss. In future, events of this nature will not be considered by Velvet Music Room because of this incident.

Interim steps

57. The interim steps applied immediately as conditions on 8 June 2023. The impact of these has been immense. We find that many of our customers who attend the venue are in their 40s 50s and 60s and do not carry identification. There was the recent concert at the arena where Bruce Springsteen performed, attracting an audience of a certain age. They too do not need to carry ID to prove they are over 25 (challenge 25 schemes), but we could not allow them entry.
58. Many of our customers come from Ireland because we are an Irish bar. They are not accustomed to these regulations in pubs, and we have lost significant customers as a result.
59. Last Saturday, two guests from Ireland came to the venue, both in their 60s, and known to a family member. We had to deny them entry even though they know my brother.
60. In reality, we are a local pub in the city centre. We have demonstrated throughout our trade that our normal/standard operating style of business, where no externally promoted events take place, does not give rise to concerns of crime or disorder. This is a safe venue with a reputation for mature customers and families with children.
61. I consider that the interim steps do not address the root cause of the incident that was as a result of the non-standard externally promoted event held at Velvet Music Room. I would accept conditions for externally promoted events, because that is where the risks are, but not for our standard nights of the week where we are familiar with our customers. We are very much described as *"the local in the city"*.

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Signature Witnessed By

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

Statement of Danielle Hadley

Age if under 18 _____ (if over 18 insert "over 18") Occupation _____

This statement (consisting of 4 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 23rd Day of June 2023

Signature 

I Danielle Hadley WILL SAY AS FOLLOWS: -

1. I am the director Sugar Leisure Ltd, owner of Velvet Music Room. This is a family business owned together with my parents and operated with my sister Eilis Collins.
2. The senior management team consists of me, Eilis and Steve Emerson, our full-time designated premises supervisor. Between us, we share the senior level of responsibility for the operation of the business. We are all very hands-on day-to-day, our job role is practical, which includes being physically in the kitchen, behind the bar, dealing with the back office, suppliers, contracts, etc. We do not delegate the responsibility outside of this senior management team.
3. I have read the statement prepared by Eilis and adopt and repeat her evidence regarding the normal standard day-to-day operation of Velvet Music Rooms Monday to Sundays each week. I am confident that our normal style of operating does not give rise to problems of crime or disorder and certainly would not give rise to the wounding incident that took place in our venue the 4th/5th of June 2023.
4. On that day, the premises hosted an After Party event. The event had been discussed some weeks previous, we were approached by the promoter Double Impact, to run the After Party as we had hosted two previous events this calendar year. Owing to the success of the first two events, which passed without incident, we agreed to host the After Party. We stayed in regular contact with the promoter to understand timings of the event, anticipated attendance, and the event featured in our regular management meetings.
5. This was not a last minute event, it was well thought out and planned.

Signature 

Signature Witnessed By _____

Continuation of Statement/Interview of Danielle Hadley

6. The final say for the event rested with me and Ellis. Between the three of us we would not take a booking if any one of us was against it. The three of us were happy to take this event, having worked with the promoter Double Impact.
7. My role was to consult with Steve and review with him the numbers of security staff to be engaged, the staff rota, the safety measures to be put in place for the event such as barriers, metal detecting arch, hi viz clothing, etc. My role was one of event planning and ensuring that Steve had carried out a risk assessment and reviewing that risk assessment with him and Ellis.
8. Upon review, I do not believe that there were oversights or omissions by us that led to the crime that occurred in our premises.
9. The risk assessment was discussed on several occasions prior to the event. In our meetings it was discussed, I queried whether it been done, was it ready, and ensured that I had sight of it. My job was to make sure it was being done. Steve normally sends out a copy of his risk assessment to West Midlands police irrespective of whether we have run the event previously. Having prepared his risk assessment, Steve believed that he had shared it, but it transpires that this was not the case.
10. We identified was that this might be a well-attended event, and because of that we looked to increase security numbers, and considered crowd control and dispersal procedures. We did not anticipate any areas of high risk, only low to medium risk and the fact that attendees would have been to a day party before the After Party led us to consider the risk of customers being intoxicated before coming to our premises as being far greater. Staff were reminded to refuse entry and sale of alcohol to any persons appearing intoxicated.
11. We put a metal detecting arch in place by default, we do this for most of our externally promoted events. It was not put there because we genuinely thought weapons could be brought into the venue. We own a metal detecting arch anyway, and use it as a deterrent. We adopted the same approach with regard to the search policy, all persons were required to be searched. We have experience of running much higher risk events than we deemed this to be. In fact, our actions are learnt from a period when we were subject to a review of our premises licence in 2010, over a decade ago. Those lessons ring in our ears today, and we will always notify the police of any issues in our premises, following the advice and guidance which we had obtained from West Midlands police licensing all of those years ago. We have a reputation for being extremely safety conscious venue.

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Continuation of Statement/Interview of Danielle Hadley

12. Our DPS, Steve, was on a pre-booked holiday during this event. This holiday had commenced 48 hours beforehand. Nothing had changed in the event planning. We had a WhatsApp group between the three of us which we consistently used, and in my opinion Ellis is a much more experienced manager than Steve, so by Ellis stepping in as DPS that night we were putting in a more experienced person, not a less experienced person. Ellis has been in the business since 2005, whereas Steve joined us in 2010. I had every confidence with what was in place that evening.
13. The security Compliance Officers had been prearranged, and whilst it is not a condition of our premises licence, for externally promoted events we always engage a security Compliance Officer. On the night of this event, we engaged two compliance officers, both from Safetynet Security Group, in the knowledge that Steve would not be present.
14. I was not present at Velvet Music Room that night.
15. I have viewed the premises CCTV, and to have considered the premises reaction to the incident. I believe that I would not have taken any different course of action had I been present. Ellis dealt with the incident without delay, put up the lights, called the police, notified all of us as to what was happening, and had immediate contact with senior family members and management. Ellis had immediate support. Had I been in Ellis' shoes I would not have taken any different action.
16. I have considered the root cause of the incident. I consider this was due to the type of event hosted, the nature of customer it attracted, its music, and that it attracted an individual or individuals who are comfortable to carry concealed weapons and use them in the premises. The event hosted that night is a world away from the customers, and events we personally host on daily basis week in week out. They are opposing extremes.
17. If the licensing subcommittee and West Midlands police address the root causes which give rise the review, the police should be concerned about how the premises run those events outside of its normal way of operating, that is, those externally operated and promoted events. Conditions should be applied to those events so that they focus on the people and the event that carry the risk as opposed to a blanket approach which imposes restrictions against an entirely innocent and low risk demographic. The premises would support the police action to address that root cause.
18. I have always strived hard to develop and maintain good working relationships with the licensing officers at West Midlands police. Prior to his retirement, I had regular contact with PC Abdool Rohomon, the police licensing officer for Broad Street. He equally sought to engage with operators and understand their businesses. Since his retirement, there

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Signature Witnessed By

Continuation of Statement/Interview of Danielle Hadley

has not been the same engagement from West Midlands Police, I do not know Mark Swallow and he is not familiar with me or my premises and how it operates.

19. Abdool Rohomon now works as an independent risk and licensing consultant to the hospitality and event trade. Through my solicitor I have instructed Mr Rohomon to carry out an independent review of Velvet Music Room, to report on the premises standard operating days and whether these give rise to concerns of crime or disorder. I have also asked him to give his expert opinion on the root cause of the incident and the measures that should be implemented to address these. I invite the licensing subcommittee to consider Mr Rohomon's statement dated 20 June 2023.
20. I agree with the recommendations contained within Mr Rohomon's statement, and would support more stringent conditions than those which we previously proposed at expedited review ***in respect of externally promoted events***. For the avoidance of doubt, these additional conditions should not be applied to standard nights of operation which do not give rise to crime or disorder.
21. As for the Interim Steps, contrary to what Mark Swallow has said, these have had an immediate negative effect on the business. We have had to turn away high numbers of customers because they simply do not carry identification. People reach a certain age when they just stop carrying ID, it's not something that people are used to, and in fact it causes offence, we can see customers feel that we don't trust them, and they have written social media reviews to say so.
22. Whilst the requirement to search everyone is less problematic, people can either accept or refuse. But if someone has travelled to see a band without ID, their whole night out has been ruined. The requirement for IT all Thursdays to Sundays is completely unworkable. I believe it has been applied as a blanket approach. It may be workable in a premises is customer age profile is 25 and under, as those customers are accustomed to carrying ID, but that is not the customer profile for velvet music room and that really needs to be understood.
23. I don't have a problem with the other interim steps, the big issue is the ID scanner.
24. Whilst I work in these premises, I am also a mother with young children aged five and two years. I enjoy live music, and on Sunday evenings it has become a family treat to come together in the premises to eat and listen to the music. It's eclectic music on a Sunday, with percussion outfits, wash board bands, brass bands, all of which are family friendly where people can bring grandparents and children. That's how safe our normal days have been. I would not put my children at risk if I deemed these premises to be unsafe.

Signature 

Signature Witnessed By

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

Statement of Steve Emmison
Age if under 18 _____ (if over 18 insert "over 18") Occupation Designated Premises Supervisor

This statement (consisting of 4 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 23 Day of June 2023

Signature 

I Steve Emmison WILL SAY AS FOLLOWS: -

1. I am the designated premises supervisor for Velvet Music Rooms, Broad Street, Birmingham.
2. I have held that position for 4 ½ years, and have worked at the premises since 2011.
3. My day-to-day role involves setting up the bar, speaking to customers, dealing with security, kitchen staff, as well as responsibility for general maintenance and outside contractors. I report to Danielle Hadley (Dani) and Eilis Collins.
4. In my role as DPS, I was responsible for the preparations for the After Party event held at Velvet Music Rooms on 4th/5 June 2023.
5. As a venue this was to be our third event this year with the promoters, Double impact. The first and second events were without issue, full capacity events of 500 persons with no crime or disorder and no ejections; generally a really friendly, happy crowd. I was informed that this event was similar to the two former events and as such the risks for the event were considered low to medium. All three events hosted by Double impact were After Parties, each event having the same DJs, and expected to have a similar clientele. However, the event on the 4th/5th June turned out to be more of a House and Garage music genre event, which attracts a different clientele. These events are very different to our normal trade in the premises, where our customers are much older clientele, in their 40s, 50s 60s and above. We cater for the more mature customer in Broad Street.
6. The event on 4th June was age range 18 to 30. The two previous events had an approximate age range of 25 to 40 years. That distinction was not made by the

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Continuation of Statement/Interview of Steve Emmison

promoters, and looking back, it is apparent that the age range for this event was lower than the two previous events.

7. The event on 4 June was booked in by me and Eilis based on the first and second events. In planning for the event we booked our security and went through the same procedures as we did for the two previous events. As far as we were aware, the age range and clientele was the same as the two previous events.
8. I prepared the risk assessment for this event, and liaised with the promoters when doing so. On the day of the event, we liaised with the promoters and were told that the daytime event was going well. Even though I was on holiday, I continued to receive and respond to our group WhatsApp messages. The promoters informed us that the ticket sales had gone well, and that a good turnout was anticipated for the After Party.
9. In preparing the risk assessment, I noted that Double Impact had hosted a previous event at Sugar Suite with no issue. I also considered other venues where they had hosted events, these being Bambu, The Mill, and Rosies, where there were no issues on those occasions; I spoke to both the promoters and the other venues who had hosted them. I considered the DJs. The DJs listed had all played at our premises before, and there had been no issues on those previous occasions.
10. As part of the risk assessment, I recommended Implementation of the queueing system with barriers, searches of all customers and deployment of the metal detecting arch (knife arch).
11. The risk assessment was shared internally. It was not necessary to send it to West Midlands police, but it is normal for me to do so. Whilst originally I believed that I had sent the risk assessment to Chris Jones at West Midlands Police, upon checking I can confirm that I did not send the risk assessment to the police.
12. I knew that I would not be present for the event, and Eilis was acting DPS whilst I was on holiday. We put in additional measures which included a second security Compliance Officer from Safetynet Security Group, which was their managing director Martyn Green. His role would be to help manage security and the crowd. I also appointed my assistant manager Nathan to be Front of House Manager that night. He manages security at the entrance. I have reviewed the CCTV from the night, and I'm of the opinion that they undertook their roles properly, I could see that Nathan was at the front door 90% of the time, undertaking the duties expected of him.
13. Additional measures that night included using disposable glasses to remove the risk associated with normal glass. We employed two glass collectors. We have male and

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Continuation of Statement/Interview of Steve Emmison

female toilet attendants and we agreed that they would have radios as well and is the security and management, for the larger events we do this in case there are issues.

14. The search policy that was part of the risk assessment was followed throughout the evening. I have reviewed the CCTV to check this. All persons entering were required to pass through the search, which included emptying their pockets and passing through the metal detecting arch and having a pat down search.
15. This event risk assessment was no different from the original risk assessment sent to West Midlands police for the first Double Impact event held in January 2023. There had been no changes in risk profiles. West Midlands police had been satisfied with the first risk assessment, they made no comment regarding it.
16. I am satisfied that there were appropriate measures put in place during my absence and that the event was properly considered and planned for.
17. This event held on the 4th/5th of June is significantly different from our normal pattern of trade in the premises in that the event was externally promoted and run by those external promoters, its clientele was much younger than our usual crowd, and less culturally diverse. All previous events have been very mixed.
18. Velvet Music Rooms is known for its live music and sport. In my time working at the premises I have never encountered an incident such as this. We are a well-managed premises.
19. In hindsight, I would have wanted more contact with the promoters to obtain feedback from the day event. It was only later that we discovered there had been incidents during the day. Had we been aware of this, we may have contemplated cancelling the event.
20. Our normal trade at Velvet Music Rooms does not give rise to this type of incident. This has arisen because of the externally promoted event that was hosted. As a DPS I support West Midlands police and the Licensing Committee in addressing these externally promoted events, but not the normal daily routine events that take place at the premises.

Interim steps

21. We have been required to turn away many mature customers in their 40s+ since the imposition of the Interim Steps. For example, Birmingham has just hosted the Ashes, and in its final this week, we turned away over 200 people between Thursday and Sunday because they had no ID, these are people aged between 40 and 65 years.
22. We have social media Facebook comments suggesting that we lost 10 customers because we asked for ID when they were aged 55 and over.

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Continuation of Statement/Interview of Steve Emmison

23. We have had a lot of unhappy people would otherwise normally come in for an evening drink and we cannot permit them entry.
24. No one has complained about searches, it's more the complaints about the need for ID. I do not think that the Interim Steps are warranted for our normal daily routine trade, but should perhaps be targeted at externally promoted events.
25. I regularly liaise with West Midlands police, and recently Sgt Dale Harwood spoke to me on 17 June expressing his surprise by the conditions, as he understood our premises not to be problem premises. In fact, we have police officers who come to our premises with their wives and families who attend to watch sport, etc with no problems.
26. I am aware that there are other premises in Broad Street that had similar conditions imposed upon their premises licence following a stabbing incident. These premises are Obar. Obar had a reputation for having trouble every day of the week and they were regularly calling for assistance. In contrast, Velvet Music Room in its normal operation never gave rise to incidents, and it is only the externally promoted event that has caused this issue. I would invite West Midlands police and the Licensing sub-committee to tackle the root cause only.

Signature



Signature Witnessed By

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(A) and 5B, MC Rules 1981, r.70)

Statement of Martyn Green
Age if under 18 _____ (if over 18 insert "over 18") Occupation Managing Director

This statement (consisting of 3 Pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 23rd Day of June 2023

Signature Green

I Martyn Green will say as follows:

1. I am the Managing director of SNSG Ltd (formally known as SafetyNet Security Group Ltd), and act as a Compliance Officer.
2. I have over 22 years' experience operating within the Night-Time Economy, and I hold a level 4 Diploma in Spectator Safety Management.
3. On Sunday 4th June 2023 I worked at Velvet Music Rooms, Broad Street, Birmingham as the designated premises supervisor Steve Emerson was out of the country, on holiday. I was present together with Ellis Collins, the General Manager, as well as the normal head of security.
4. This was an externally promoted event. This event had been risk assessed by the designated premises supervisor, Steve Emmison, using a risk assessment template provided by Abdool Rohomon, a former member of West Midlands police licensing department.
5. The event was an After Party. The premises had hosted two previous events with no issue, so it was categorised as low risk. Also, it was a Sunday night, which is generally a night of lower risk during the week.
6. On the night, a different crowd was present to those who normally attend Velvet Music Rooms. There were no gang nominals to the best of my knowledge, and all customers passed through a metal detecting arch, and were searched upon entry. IDs were also checked. I worked on compliance and asked for all customers to produce their ID. A handful attended without ID, and after questioning they were deemed to be low risk, for

Signature Green

Signature Witnessed By

Ellis Collins
Compliance Officer (23, 2023) (37) (CME-1)



Ellis Collins
Compliance Officer (23, 2023) (37) (CME-1)

Continuation of Statement/Interview of Martyn Green

- example, they were with somebody who had ID or they were female, etc. Whilst it was not the normal Velvet crowd, there was no sign of animosity between the customers.
7. At approximately 1 AM I was alerted to a fight taking place in the left-hand side of the bar. I walked over and saw a male wearing a blue T-shirt crouching over and punching downwards. I pulled him away and held onto him. I could see a male on the floor being kicked. I let go of the male with the blue T-shirt and picked the male up from the floor. Other colleagues and customers separated the group from the male. I pulled him away and realised that he had a laceration to his back, a large laceration that needed immediate attention. I took him to the male toilets. Whilst in there, two males entered the toilet and began to fight with the injured male, there were no knives, just a fight. Those men were pushed/pulled out of the toilet and my colleagues were asked to seal the door.
 8. I noticed a puncture wound over the males left abdomen and a large laceration, about 3 to 4 inches wide, in the injured man's back. He remained conscious throughout.
 9. The police were called by the premises, and upon attendance a police officer examined the male and discovered a further puncture wound on his upper left thigh.
 10. A risk assessment was provided for this event. It was an After Party event, with the main event running between 3 PM and 10 PM earlier that day. I now understand that multiple fights occurred at the main event however, we received no warning of any incidents at the main event. Had we been aware of problems at the main event, we would have pulled this event.
 11. The security staff that night used a knife arch and carried out searches of all customers entering the venue. In my opinion, nothing more could have been done that night.
 12. As for the age of the attendees to the After Party, they were in their mid-20s. I believe everyone was local. There was a mix of males and females. The event had a more cultural difference than normal nights at the premises, it attracted a predominantly black and Jamaican crowd, and was less multicultural than normal nights at Velvet and had a different vibe. The DJ had a bit of a following, a niche demographic, but no known gang nominal was present. The perpetrator and the injured party were both of West Indian/Jamaican origin.
 13. I am aware that the police are recommending permanent use of an ID scanner following this incident. I would consider ID scanners for externally promoted events, but not the normal trading days of the premises. The event on Sunday night/Monday morning is distinguishable from normal events at the premises.

Signature 

Signature Witnessed By


 Connie Sanders (Jun 23, 2023 10:37 GMT+1)
 
 Connie Sanders (Jun 23, 2023 10:37 GMT+1)

Birmingham Licensing Committee

Witness Statement

1. I, Abdool Rohomon BEM am providing this statement as a witness in the summary licensing review, instigated by West Midlands Police against Velvet Music Rooms.
2. I am Abdool Rohomon BEM. I retired from West Midlands Police in Sept 2021 having completed 30 years' service with the force as a Police Officer.
3. I completed all my service in Birmingham City Centre. For the last 20 years of my service I was a licensing and planning officer for West Midlands Police in Birmingham.
4. I was seen as one of the force specialists in licensing and event planning matters. I advised other licensing units within the force, legal services, and senior officers, on licensing cases, problematic premises, and licensing processes. I also trained officers within the force, in licensing matters.
5. I have been involved in many licensing cases, from normal review proceedings, expedited reviews and closure orders. I dealt with many of the most high profile reviews and licensing proceedings undertaken by West Midlands Police.
6. I also sat on national licensing groups and was the vice chair of the National Police Chiefs (NPCC) sub licensing group. I sat on this group for approximately 10 years with the last two as vice chair.
7. I have received many accolades during my service, from commendations from local commanders, Assistant Chief Constables, district judge commendation. In 2019 I was honoured by Her Majesty the Queen in the New Year's Honour's list, receiving a British Empire Medal (BEM) for services for Police and Licensing. As a Police Constable this is a rare accolade to get at that rank.
8. I have qualifications in inspecting licensed premises, IOSH risk assessment and management, foundation in crowd science and level 5 crowd safety.
9. Since my retirement I have set up my own company, as a consultant, with expert knowledge in licensing, event planning, risk management and event management. I

advise and work for organisations needing licensing assistance, crowd movement, risk assessments and event manuals. The organisations I work for are both big and small.

10. My standards have remained the same as they were when I worked for West Midlands Police, which is a quality my clients appreciate.
11. I have been asked to examine and investigate the normal day to day usage of Velvet Rooms, Broad Street, and whether there is any clear distinction between the day to day operation and those events organised by third parties, where they effectively hire the premises.
12. I have also been asked to comment on the conditions imposed at the request of West Midlands Police and whether there are any other conditions that would be more proportionate/reasonable to address the issue.
13. The reason I have been asked to look at this is in response to the interim steps imposed by Birmingham Licence sub-committee C on the 7th June 2023.
14. The conditions imposed upon the recommendations from West Midlands Police require additional control measures to be deployed from Thursday to Sunday from 2100 hours or any evenings where a promoted event takes place from 2100.
15. I wish to make it clear that I know the premises well and was their licensing officer during my tenure in West Midlands Police. My professional relationship was and is based on being firm but fair, and I was not afraid to act against them if needed. The current management team are the same today as they were in 2012.
16. This is shown by the fact that in Feb 2012, following an incident at the premises I was the lead officer in review proceedings against the premises. After thorough investigation and looking at the issues that had led to the incident, it resulted in one condition being imposed on the licence.
17. After that incident in 2012, I felt the premises learnt a great deal, and together we developed the policies and procedures that I am told they still operate today.
18. It is important to understand the relevance of the Section 182 guidance says in determining review proceedings. Paragraph 11.20 is of particular significance and was the approach taken in 2012.
19. In that instance we determined through the investigation that the back door was breached, with no alarm facility which had then led to the disorder. Staff and security were unaware the door had been breached until it was too late.
20. For clarity '**Section 11.20: in deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial**

action should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the concerns that instigated the review’.

21. I met with the management team from Velvet Rooms on the 19th June 2023, at the location. I am aware of the background and reason why the summary review process was instigated.
22. My statement does not concern the serious incident. There is concern from the premises and their solicitor that the conditions imposed during the interim steps meeting do not acknowledge the normal operation of the premises and that the event which led to the incident was a third-party event not organised by the premises.
23. As I left WMP in 2021 I am not aware of the how Velvet Rooms now operates and how that compares to how it operated when I was their licensing officer.
24. Before I examined the CCTV, I asked how the premises now operated and what they did on a weekly basis.
25. I was informed that after the pandemic, like many licensed premises they saw a boom for 2 to 3 months both as a nightclub and a bar.
26. I should say that Velvet Rooms is made up of two floors in the same building, and they are licensed separately. Upstairs is Sugar Suite which I know as the nightclub section of the premises and downstairs is Velvet Rooms which is I know as the bar section.
27. After the boom, the nightclub side (Sugar Suite) of the business has diminished, it is rarely used as a nightclub and now more as overspill for when they have sporting events on, or classes.
28. There is no student night at the premises, this stopped pre-covid. This was not due to any incident or intervention but more that they were not financially successful.
29. I was informed that they now operate as follows -

Monday – open 2pm, close between 11-12pm. They show sport, whether this as any major sporting event of any form of sport on the TV. They serve food and have a seated clientele, that as a holding figure number a handful at any one time. (Holding means the maximum they would have in at any one time, and not the in and out through the day)

Tuesday – open 2pm, close between 11-12pm. They have live music on from 6pm. This is a blues/jazz band, which has been going for a year. The audience demographic is very much the older generation, that are seated and eat. On a normal day they have between 30-50 people. I was informed that when the

band finished there is a normal 50% egress from the premises, and then a small trickle before they close.

Wednesday – open 2pm, close between 11-12pm. General bar operation, which is food lead. Holding clientele would number no more than 40 at any one time. Music is from a pre-programmed “Spotify” play list.

Thursday – open 2pm closes between 11-12pm. General bar operation through the day but have Salsa classes (dancing and teaching) from 7pm-9pm. This has been running for 2 years. Attracts between 50-60 people, aged 20-50. If there is a major sporting event on, the Salsa event is put on in Sugar Suite.

Friday – open at 12 midday, close between 1am-2am. General bar operation during the day, with Live music band on from 7pm-10pm. The music genre is described as middle of the road rock, tribute bands. They use the same booking agent as for Tuesdays. After the band a DJ plays (50% of the month and then it's a pre-programmed paly list), with the music being played that compliments what the bands have played. So, there is no change in music genre, which would draw in a different audience. The age demographic was 40+, with eating as a large element of the night. 50% leave after the band had finished. Two door staff are employed from 9pm

Saturday – open at 12 midday and close by 3am. General bar activity through the day, with a heavy take up of food, with sport being shown. Do attract Hen parties but they have changed and a more activity based (painting, cocktail masterclasses, dance classes etc). Up to 7pm have a holding audience numbering between 80-100. From 11pm party music is played and then from 1am, music changes to RnB, Dancehall style. Only resident DJ's play. This is the one day they get a slightly younger crowd aged between 25-55. They have between 5-7 door staff on, staggered from 7.30pm.

Sunday – open at 11am and close by 12 midnight. Food and sport through the day, with a live band from 6.30pm. The band are booked through the same agent as the other nights and is Rock/Indi in music genre. It has been going for about 12 months. It holds between 60-70 people with an age range of 40-70 years. After the band finishes a play list is put on that compliment what the band where playing. 90% of the crowd are seated and the rest dance.

30. This synopsis was provided by the venue management, they also informed me that they have a contractual agreement with an adjacent hotel to provided Diner for their guests, and that food is served until 10pm all week.
31. They are also the Head Quarters for the Birmingham Jazz festival and have been for the last 3 years. All the bands associated with the festival play and eat at the venue.

32. I also noticed when inspecting the premises that they were selling art, which was being displayed on several walls.
33. My initial assessment before I watched the CCTV was that the usage of the premises had changed significantly from my previous interaction as their licensing officer.
34. I had asked the premises to keep and store the CCTV for the month before the event on the 5th June 23. The reason was so I could look at the CCTV before the incident, and not after it. This was to negate any argument that the premises had changed operational styles after the event.
35. I then looked at CCTV for days, dates and times as detailed below (for ease of reading I have put them into a grid format)

Day	Date	Time	Observations	Notes
Sun/Mon	28/5/23	12 midnight – 12.15	30 people in, mixed groups (ages in clear). Max 10 more arrive in time frame	Bank holiday weekend
Sun/Mon	8 th May 23	12 midnight – 12.15	40+ people, mixed demographic, mixed ethnicities. 25-40 years age range	Bank holiday weekend
Tuesday	2/5/23	9pm	60-70 people inside, clearly older generation, look and hair and demeanour	Informed this was a good turn out
Tuesday	9/5/23	9pm	Carbon copy of 2/5/23	
Wednesday	3/5/23	9pm	Small number inside (handful)	
Wednesday	10/5/23	9pm	Same as 3/5/23	
Thursday	4/5/23	9pm	Couple of people inside. Wide age range – 40-70	

Thursday	11/5/23	9pm	40/50 people inside	Salsa class was downstairs with an event from Bham uni upstairs in Sugar Suite.
Thursday	18/5/23	9pm	20 downstairs and 40 upstairs. Young and middle age couples, with even male/female split	Salsa class was upstairs.
Thursday	25/5/23	9pm	Carbon copy of the week before	
Friday	5/5/23	9pm	10 people if that inside	
Friday	12/5/23	9pm	60+ inside, seated. Age range 30-70. Same style as Tuesdays	New live music night started to try and create a Friday event
Friday	19/5/23	9pm	Less than half than the week before, same age demographic	
Friday	26/5/23	9pm	Same as 12/5/23 in terms of numbers and demographic.	
Saturday	6/5/23	9pm	Approx 30 inside. Mainly males (Stag party), aged 30/40	
		10pm	Approx. 15 inside	Informed this is normal
Saturday	13/5	9pm	Approx 30-40 inside, mixed ethnicity and	

			ages from 25-40	
		10pm	Reduced again, about half inside.	
		11.30pm	60/70 inside. Mixed ethnicity with ages ranging from 30-50 years	
Saturday	20/5/23	9pm	Same as previous Saturdays at this time	
		10pm	Reduced to about half the numbers at 9pm	
		11.30pm	50/60 inside. Mixed ethnicity with ages ranging from 30-50 years	
Saturday	27/5/23	9pm	Same as previous week	
		10pm	Reduced by half at least	
		11.30	80+ inside. Mixed ethnicity with ages ranging from 30-50 years	Bank holiday weekend
Sunday	7/5/23	9pm	50/60 inside, noticeable older crowd (40-70 years)	Band just finished
		10pm	25 inside, same older demographic as 9pm	
Sunday	14/5/23	9pm	20+, older demographic as previous Sunday	
		10pm	5 inside	

Sunday	21/5/23	9pm	10 inside, very noticeable that same demographic as previous Sundays.	
		10pm	Same as 9pm	
Sunday	28/5/23	9pm	50/60 people inside, older demographic as detailed in previous Sundays	
		10pm	Slightly busier than at 9pm, and slightly younger demographic	Bank holiday weekend. (first CCTV entry was for same day/date and shows reduction by midnight).

36. What was noticeable and what I commented to the management team, was that on certain days, it was almost impossible to distinguish what week it was as they all the time and days week after week had the same demographic and audience type in. The only way to distinguish was the time stamp of the CCTV fame.

37. I examined CCTV from the bar (side angle) front door, pool table and dance floor.

38. I am aware that the incident leading to the review happened through the trading period of the 4th June into the 5th June 23. This would have been the Sunday trade period. I asked and viewed CCTV on the following times.

Sunday	4/6/23	9pm	6 people inside, same demographic as previous Sunday at this time	
		10pm	Nobody inside	
		11.30pm	At least 250 inside, mostly from same ethnicity group with a good mixture of	<u>EVENT DAY</u>

			male/female ratio.	
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39. For clarity I then asked to see the previous four weeks for the Sunday at the same time as 11.30pm. This was done to see if what I had seen at 11.30pm on the 4/6/23 was normal or not.

40. I observed the following -

Sunday	28/5/23	11.30pm	15 people inside mixed ethnicity with even split (male/female)	
Sunday	21/5/23	11.30pm	4 people inside	
Sunday	14/5/23	11.30pm	4 people inside, looked older	
Sunday	7/5/23	11.30pm	25 inside, some appeared young (25+) of mixed ethnicity	

41. The CCTV viewing was very significant in my professional opinion. Taking the weekly run down (Monday to Sunday), there was a clear pattern repeated weekly in the 4-week period I viewed footage for. There were small differences in numbers, but this was minimal. This shows a clear pattern of operation. I also note that I viewed the CCTV from dates before the incident on the 4th/5th of June, to see what the premises was normally like.

42. One of the most significant differences was the CCTV footage for 11.30pm on the 4th June, compared to the same time for the 4 weeks previous. In my professional experience there is no comparison between the footage and the demographic of the audience type shown on the 4th, to the footage seen for the previous 4 weeks.

43. I did ask if West Midlands Police had asked to see the footage, considering the conditions requested implied that the style of operation for Thursday to Sunday from 2100 hours was the same as that of the 4th June.

44. I was informed they hadn't, which was surprising considering the assertion made by the conditions.

45. I am aware that the Police will be invited to view the footage, as the difference in operation is so significant and clearly distinctive.

46. I have requested the footage and still images be downloaded to show the committee and that the playlists for the relevant routine operation days be played, against the music played for the private event on the 4th June.
47. This I believe will assist in showing the significant difference in what is normal operation to that of the third-party event.
48. I will now comment on the conditions imposed at the interim steps meeting at the request of the Police.
49. I am minded by the relevant sections in the Sec182 guidance, both in terms of, determining applications (Section 9) and conditions imposed (Section 10).
50. For clarity they are –
- a.** Section 9.12 “.....it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing”
 - b.** Section 10.2 “..... The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.”
 - c.** Section 10.10 “....The 2003 Act requires that the licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premise concerned. Conditions should be determined on case by case basis and standardised conditions should not be used to implement a general policy in a given area such as CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises.....”
51. Velvet Rooms operates under licence number 3282, and there are several conditions on the operating schedule already. I do note that some of the conditions imposed at the request of West Midlands Police are already conditions on the current premises licence.
52. From what I am told by speaking to the management team and solicitor and from looking at the decision notice, there is no evidence to say that the day-to-day operation of the premises has caused any concern.
53. The premises are not under any action plans or have been. Indeed, up to 2 years ago I was their licensing officer so can state that up to that time they had not been on any action plan since the incident in 2012.
54. No one at the premises is denying what happened on the 5th June 23 and the serious consequences it has caused, and that conditions specifically relating to that type of scenario are both relevant and proportionate.

55. In my professional opinion what shouldn't take place is for conditions to be imposed that generically impact the way the premises operates without substantial evidence to support the implementation of such conditions.
56. My professional opinion is determined with the Sec 182 guidance in mind, which backs up my assertions. I have detailed those as above.
57. There are conditions that can be imposed that would specifically deal with the issue at hand, and I propose the following -
- a. Where the venue, is wholly or partly hired by a third party for an event for which the premises licence holder is not involved (marketing, promotion, ticket sales), the premises licence holder will conduct a full written risk assessment.**
 - b. The requirement for a risk assessment is per event, regardless of whether the third party has used the venue in the past.**
 - c. That risk assessment will contain as a minimum:**
 - i. management structure for event and who has authority to act**
 - ii. Security deployment, numbers and dot plan**
 - iii. Additional security measures (barriers, dogs etc) based on the risk of the event.**
 - iv. Last entry**
 - v. Ingress and egress plans**
 - vi. Past history**
 - vii. Is the event part of a series of events, in different days and/or locations.**
 - viii. If so contact and learning from those locations to be detailed.**
 - d. Notwithstanding any additional control measures identified in the risk assessment the premises will :**
 - i. Require ALL customers to provide identification sufficient for the use in an ID Scanner. All ID is to be scanned, and to be under CCTV coverage to prove all customers have provided ID.**
 - ii. IDScanner will be operational for all the ingress hours identified in the risk assessment.**
 - iii. All customers/artists/DJ's and entourage to enter the premises through a knife arch, and then the use of knife wands. Search area to be under the coverage of CCTV.**
 - iv. Any refusal to either IDScanner or search will be treated as refusal, and parties will be refused entry into the premises.**
 - v. All refusals will be recorded in the incident book, with descriptions of persons involved.**
 - vi. A minimum of 50% of door staff will have bodycams. Footage will be kept for a minimum of 31 days, and provided to responsible authorities in accordance the data protection legislation.**

- e. The risk assessment to be sent to West Midlands Police Licensing (address as per licensing policy), a minimum of 28 days before the event.*
- f. The risk assessment will become the operational procedure for the event, and is to be treated as a condition of licence. A copy will be available for inspection at any time of the event by any responsible authority.*
- g. West Midlands Police retain the power of veto of any such third party event, such power to be exercised by an officer of at least the rank of inspector and reasons sent to the premises licence holder (by email).*
- h. Prior to the start of the event, all staff will be given a briefing (to be recorded), indicating the nature of the event, risks and control measures and confirmation that all staff have been trained in the relevant procedures.*
- i. Premises to have an incident book where all incidents irrelevant if the emergency services are called are recorded. All incidents to be signed off by either the premise licence holder or DPS, and any actions recorded against the incident.*
- j. Premises to train all operational staff in crime scene management, training to be recorded against individual staff members.*

58. In my professional opinion the above proposed conditions are more appropriate and proportionate and relevant to deal with the issues that arose from the event on the 4th/5th of June 23.

59. The interim steps conditions requested by West Midlands Police, in my professional opinion do not address the finer details of the event that led to the review application. The impact of those conditions is disproportionate on the normal day to day activities of the premises.

60. The premises welcomes the opportunity to strengthen their position, in imposing tighter controls for when and if the venue is ever hired by a third party.

61. These proposed conditions are more focused and stricter where they need to be, without disproportionately affecting their day-to-day business.

62. My concerns with the interim step conditions are as follows:

- a. Rather than seeking to address the issue of the third party promoter they impose a blanket approach. The event on the 5th June was not one that had*

been on since the Thursday, so with proportionality in mind why are they needed for that duration?

- b. There is no evidence to indicate the day to day operation has caused any issues recently or ever since 2012, that may warrant such use of the conditions.*
- c. The day to day operation is shown to be significantly different in style and operation to that of the event of the 5th June.*
- d. The premises has contractual agreement with an adjacent hotel to provide food for the hotel guests until 10pm. If these conditions remain it would require all customers coming from the hotel to go through the ID Scanner for their dinner. It would also mean the unproblematic Live Music events would require the same degree of scrutiny.*

63. I believe that the facts in this witness statement are true.

Signed – A.Rohomon BEM
(electronically)

Dated 20th June 2023

Witness Statement off Mike Olley, Chief Executive Officer
WestSide Business Improvement District

In respect of the review of the licence of Velvet Music Rooms, Broad Street, Birmingham

- 1 My name is Mike Olley, I am the Chief Executive officer of the WestSide Business Improvement District.
- 2 The WestSide Business Improvement District was established by Parliament in 2005, at that time it was known as the Broad Street Business Improvement District.
- 3 I was appointed as the Chief Executive Officer of Broad Street Business Improvement District in 2005 and have held that post continuously.
- 4 The role of the WestSide Business Improvement District is to act as a representative body of all its business concerns within the geographic district who are its members.
- 5 Membership of the WestSide Business Improvement District is compulsory for most businesses within the geographical area, subject to largely a business rate floor of £10,000.
- 6 We have approximately 400 members, they are given the opportunity to accept the position of our Business Improvement District or not by means of a democratic vote, this is overseen by the City Council and the relevant Secretary of State.
- 7 Accordingly the business make up of the WestSide Business Improvement District is very eclectic. It contains numerous business interests. On scale it could be illustrated as an area principally populated by banking and financial services. To the informed visitor it would be characterised as a diverse entertainment and hospitality area.
- 8 In terms of “entertainment or hospitality sector members”, we have entities such as the CBSO, Hyatt Regency, Birmingham Repertory Theatre, pubs, bars, kebab takeaways.
- 9 WestSide BID seeks to add additionality to the area, we do this largely by seeking to make the area, brighter, cleaner and safer.
- 10 In order to achieve this, in part, we provide teams of Pastoral, Hi Visibility and Environmental Wardens.
- 11 Pastoral Wardens provide a range of services to our homeless and street communities. Primarily focussed on providing signposting to specialist services, daily distribution of bottled water, personal representation and support when engaging with state and NGO bodies. Primarily we offer a none critical corporate friendship provision.

- 12 Hi Visibility Wardens teams provide reassurance and assistance to visitors and our members.
- 13 Environmental Wardens undertake additional light cleaning tasks. Keeping the Black Sabbath Bench clean and fresh, small cleaning jobs to assist our members premises. Helping to remove chewing gum, graffiti and stickers wherever it/they may be deposited.
- 14 Our work as described above and so much more integrates us with members. It is true to say we develop strong corporate bonds and friendships with them.
- 15 Velvet Music Rooms was established in 2005, at about the same time I took up my post as Chief Executive Officer.
- 16 Since their establishment they have had an exemplary record. They are in my opinion a very responsible and model bar operator.
- 17 In order to support our licensed premises the WestSide Business Improvement District have duopoly of district wide communication systems, a radio link and a Whats App group for all licensed premises managers and door supervisors. The Whats App allows them to share experiences. The radio system is linked directly to the Police control room.
- 18 Velvet are a strong and very responsible contributor to both systems. Messages they post are always of the highest quality and can be counted and depended upon.
- 19 Velvet has a female led management team, with a strong LGBT+ flavour.
- 20 Velvet is a very discreet LGBT+ friendly bar. Many of the LGBT+ community simply do not want to wear a big badge expressing their sexuality. They don't want to mix in the Gay Village or overt LGBT+ establishments. This community therefore come along to Velvet and enjoy their own company in a convivial friendly unbadged environment.
- 21 Velvet also has a very strong "arts", led agenda. They offer a home to the Birmingham Arts Zone. This is a group of Birmingham artists who display and sell their artistic endeavours from within Velvet.
- 22 The 39th Birmingham International Jazz Festival has its Head Quarters located within Velvet this year, as often they do.
- 23 Velvet regularly have live bands, for a mature audience, fifty five plus, three nights a week.
- 24 The then Lord Mayor of Birmingham (Cllr Cornish), recently awarded a Walk of Star to legendary Birmingham Rocker Steve Gibbons at a major packed house event at Velvet. This was covered by global, national, regional and local media, in what was an exceptional celebration for our City.
- 25 These artistic and LGBT+ foundations make Velvet a unique bar, however they also offer very different nights hiring to external promoters. Some of these can be described as

- Bashment, Garage styled evenings. They are very different from the normal events described above. They need a tight and solid regime to moderate behaviour and to ensure such evenings are enjoyed by all. To date all of these evenings have been exceptionally well managed and have passed off with minimal disturbance. These events for years, have offered little or no challenge to the Police or the WestSide family.
- 26 These events demonstrate how the venue management run a good house. A house which in no way could be described as a danger to the public.
- 27 It is my belief that Mark Swallow, licensing officer, lacks any in depth knowledge of Broad Street in general and Velvet in particular. He is not someone who the street management team, that is myself and our street warden team, has ever personally met or had any contact with. I have never not known a licensing officer with responsibility for Broad Street, in over eighteen years, of working in the entertainment area. I can only conclude that this gap in knowledge of the venue has led to the licensing officers requests for restrictions to be imposed throughout evening trade Thursdays to Saturdays when an objective assessment of its normal trade would conclude that these conditions are unnecessary and disproportionate.
- 28 I can only conclude that Mark as the licensing officer has rightly been alarmed at the stabbing at Velvet and acted in haste. I note that the paperwork used to seek conditions on Velvets licence are a cut and paste from a similar incident recently at another Broad Street venue. The text is an exact copy of proposed conditions for them, even including a redundant bullet point at the very end of the communication.
- 29 Indeed I believe his approach which lacks diligence has promoted him betraying the trust of senior police officers in supporting his application. I have regular contact with senior police officers who state that Velvet is an exceptionally well run business. I believe, if presented with the evidence, they would acknowledge immediately that Mark Swallow has got it comprehensively wrong on this occasion, utilising what in effect is a sledge hammer to break a very small nut.
- 30 Mark Swallow is seeking a condition that would have now required the Lord Mayor of Birmingham to have been searched and ID recorded at the Walk of Stars event. The Walk of Stars event was a Sunday evening event promoted by myself, it operated past 21.00, yet being a very low risk event with an average age of sixty plus, with no door staff present.
- 31 The reality is that Velvet are very happy to introduce and actively use ID scanners at appropriately determined "risk events", those that are provided by external promoters. However, many of their weekly events held at 21.00 or past that time are events as

described, “mature people out for an easy night out, nursing a pint whilst watching a local band”.

- 32 In general, Sundays are those types of nights, elderly patrons and easy going evening. To insist of searching and scanning such patrons would create confusion and turning away many decent people who simply don’t carry appropriate ID as a matter of course.
- 33 The majority of Velvets events are low risk and don’t need search and scan of patrons.
- 34 If patrons of low risk events were searched and scanned many would be prevented from entry and that would drive patrons away.
- 35 The cost of search and scanning patrons would add many hundreds of pounds to overheads, perhaps as much as fifty thousand a year. The bar simply can’t afford that extra expenditure against what would be lower income on food and beverage.
- 36 The proposed conditions in all likelihood would financially destroy the bar.
- 37 However, for high risk events, Velvet would be happy to search and scan all patrons, as requested, along with all the current conditions required by the police.
- 38 It is my view that Velvet have operated for almost two decades with a mixture of high and medium, but more often than not, low risk events. They have an exemplary record of management, in all respects.
- 39 Indeed on the evening of the incident the situation was contained within minutes and the police called. This is how I would have expected Velvet to have managed the situation.
- 40 I have sponsored numerous event at Velvet and remain comprehensively confident that the bar provides the very best in management to support a safe and easy going event. Indeed they management high risk events in the same manner.
- 41 Without hesitation I would and most certainly will use Velvet for events, going forward.
- 42 I confirm that the contents of this statement are true.

Proposed conditions on behalf of the Premises Licence Holder

- a. Where the venue, is wholly or partly hired by a third party for an event for which the premises licence holder is not involved (marketing, promotion, ticket sales), the premises licence holder will conduct a full written risk assessment.
- b. The requirement for a risk assessment is per event, regardless of whether the third party has used the venue in the past.
- c. That risk assessment will contain as a minimum:
 - i. management structure for event and who has authority to act
 - ii. Security deployment, numbers and dot plan
 - iii. Additional security measures (barriers, dogs etc) based on the risk of the event.
 - iv. Last entry
 - v. Ingress and egress plans
 - vi. Past history
 - vii. Is the event part of a series of events, in different days and/or locations.
 - viii. If so contact and learning from those locations to be detailed.
- d. Notwithstanding any additional control measures identified in the risk assessment the premises will :
 - i. Require ALL customers to provide identification sufficient for the use in an ID Scanner. All ID is to be scanned, and to be under CCTV coverage to prove all customers have provided ID.
 - ii. IDScanner will be operational for all the ingress hours identified in the risk assessment.
 - iii. All customers/artists/DJ's and entourage to enter the premises through a knife arch, and then the use of knife wands. Search area to be under the coverage of CCTV.
 - iv. Any refusal to either IDScanner or search will be treated as refusal, and parties will be refused entry into the premises.
 - v. All refusals will be recorded in the incident book, with descriptions of persons involved.

- vi. A minimum of 50% of door staff will have bodycams. Footage will be kept for a minimum of 31 days, and provided to responsible authorities in accordance the data protection legislation.
- e. The risk assessment to be sent to West Midlands Police Licensing (address as per licensing policy), a minimum of 28 days before the event.
- f. The risk assessment will become the operational procedure for the event, and is to be treated as a condition of licence. A copy will be available for inspection at any time of the event by any responsible authority.
- g. West Midlands Police retain the power of veto of any such third party event, such power to be exercised by an officer of at least the rank of inspector and reasons sent to the premises licence holder (by email).
- h. Prior to the start of the event, all staff will be given a briefing (to be recorded), indicating the nature of the event, risks and control measures and confirmation that all staff have been trained in the relevant procedures.
- i. Premises to have an incident book where all incidents irrelevant if the emergency services are called are recorded. All incidents to be signed off by either the premise licence holder or DPS, and any actions recorded against the incident.
- j. Premises to train all operational staff in crime scene management, training to be recorded against individual staff members.



**BIRMINGHAM
ROCKS!**
AT
VELVET
MUSIC ROOMS

LIVE MUSIC EVERY SUNDAY!

ROCK N' ROLL - SKA - SOUL - CAJUN - ROCK
Making All The Stops Along The Way!

APRIL

2ND TIPITINA

9TH THOMAS ATLAS

16TH BACK ON THE ROAD

23RD WHITE TYGER

30TH BLUE 2 THE BONE

MAY

7TH HARD GRAFT

14TH CLEAN SHIRT

21ST KEVAN AND

THE BLACK COUNTRY SONS

26TH THE JOURNEYMEN

FROM 6:30PM **FREE** **ADMISSION**

ENQUIRIES - 0121 454 70 20 - JIM@BIGBEARMUSIC.COM

VELVET

MUSIC ROOMS

LIVE MUSIC EVERY TUESDAY, FRIDAY & SUNDAY

TUESDAYS...

7PM - FREE ENTRY

TUESDAYS IS BLUESDAYS AT

HENRY'S
BLUESHOUSE



JUNE 6TH - THE SHUFFLEPACK

JUNE 13TH - THE RIGMAROLLERS

JUNE 20TH - JAMIE THYER & THE WORRIED MEN

JUNE 27TH - THE SHAKEDOWN BROTHERS

FRIDAYS...

7PM - FREE ENTRY

BANDIT FRIDAYS

JUNE 2ND - UNSUNG HEROES

JUNE 9TH - THE HEELS

JUNE 16TH - VASELINE

JUNE 23RD - BIG JIM & THE ALABAMA BOOGIE BOYS

JUNE 30TH - EASTWOOD



BIRMINGHAM
ROCKS!

SUNDAYS...

6:30PM - FREE ENTRY

JUNE 4TH - THE WASHBOARD RESONATORS

JUNE 11TH - NEIL COLEY BIG BAND

JUNE 18TH - CHICK WREN'S ROLLIN' RIVER BAND

JUNE 25TH - MELVIN HANCOX BAND

**BANDIT
FRIDAYS**

PRESENTS★

VASELINE

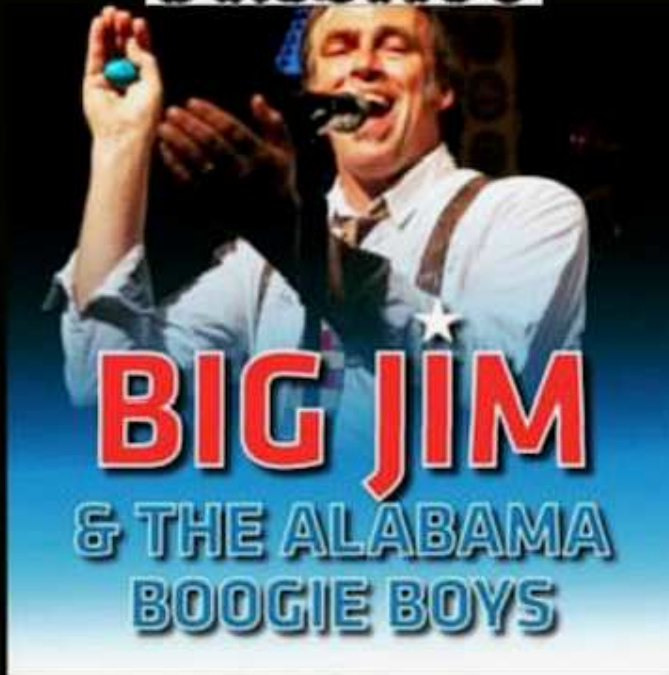


**FRIDAY 16TH
JUNE**

**VELVET
MUSIC ROOMS**

GENUINE IRISH INDEPENDENT

**BANDIT
FRIDAYS**



BIG JIM
& THE ALABAMA
BOOGIE BOYS

Fri 23rd
June

VELVET
MUSIC ROOMS

GENUINE IRISH INDEPENDENT



VELVET

MUSIC ROOMS

BAR SNACKS 3 FOR £15* OR £6 EACH

BONELESS CHICKEN WINGS

Choose from either Frank's® Hot Sauce or sticky barbecue served with a blue cheese dip, spring onions, fresh chillis and sesame seeds.

TACO FRIES

Golden fries covered in nacho cheese sauce with home-made chilli con carne, topped with melted cheddar cheese.

Vegetarian quorn option available.

BEER BATTERED COD GOUGEONS

Served with tartar sauce

FILLED YORKIES

Two Yorkshire puddings, filled with our slow cooked beef brisket or pulled pork & gravy

CHINESE CHILLI BEEF

Chinese chilli beef served with sweet chilli sauce

CALAMARI STRIPS

Squid strips lightly dusted in breadcrumbs

GRILLED FLAT BREAD & HUMMUS

Chilled with hot sauce

CHICKEN SATAY SKEWERS

Marinated chicken served with a peanut dipping sauce

HALLOUMI FRIES

Served with sweet chilli sauce

BANGIN' FRIES

Golden fries, grilled cheddar cheese, jalapeños & chopped bacon

BREADED GARLIC MUSHROOMS

Served with creamy garlic mayo dip

STARTERS & SNACKS



BREADED GARLIC MUSHROOMS 5.00
Served with creamy garlic mayo dip

CLASSIC NACHO BOWL 7.25
Corn tortilla chips with melted cheese, sour cream, spicy salsa, guacamole & jalapeño peppers

CHILLI BEEF NACHOS 8.55
Corn tortilla chips with melted cheese, homemade chilli con carne, sour cream and jalapeño peppers

THAI PRAWNS 7.25
Lightly fried prawns wrapped in filo pastry, served with sweet chilli sauce & dressed salad garnish

HALLOUMI FRIES 5.70
Served with sweet chilli dipping pot

CHICKEN WINGS 10 Wings 8.95 | 20 Wings 14.95
In house seasoned British chicken wings. Choose from: Sticky BBQ wings or Buffalo Wings, seasoned in Frank's® Hot Sauce served with blue cheese dip, fresh chillies & sesame seeds

BONELESS CHICKEN WINGS 10 Wings 9.95 | 20 Wings 15.95
Choose from either Frank's® Hot Sauce or sticky barbecue, served with a blue cheese dip, spring onions, fresh chillies & sesame seeds

VEGETARIAN & VEGAN

BAR SNACKS £6 EACH OR 3 FOR £15

TACO FRIES 5.00
Golden fries covered in nacho cheese sauce with home-made chilli con carne, topped with melted cheddar cheese

GRILLED FLAT BREAD & HUMMUS 5.00
Chilled with hot sauce

HALLOUMI FRIES 5.00
Served with sweet chilli dipping pot

BANGIN' FRIES 5.00
Golden fries, grilled cheddar cheese, jalapeños & chopped bacon

BREADED GARLIC MUSHROOMS 5.00
Served with creamy garlic mayo dip

GRILLED CHEESE TRIPLE DECKER 5.75
Stacked, toasted triple decker, cut into quarters. Served with salted crisps, side salad & pink coleslaw. Add Chips for 1.50

SIZZLING QUORN FAJITAS 9.15
With peppers & red onions cooked in Mexican spices. Accompanied by cheese, salsa, guacamole, sour cream, jalapeños & flour tortillas

VEGAN SPAGHETTI BOLOGNESE 9.15
Rich vegan soya mince Bolognese served with fresh parmesan

THE BIG NY CHEESEBURGER VEGAN STYLE 10.25
Served on a warmed vegan bun with vegan mature cheddar, sliced tomato, red onion & lettuce. Topped with a giant pickle & onion rings. Accompanied by a bucket of chips with a vegan spicy Sriracha mayo

VEGETABLE LASAGNE 9.15
Served with chips. Add 2 slices of garlic bread for 1.25

THE HEARTY VEGGIE BREKKIE 9.25
A fried or scrambled egg with toast, beans, mushrooms, two Quorn sausages, halloumi sticks & a hash brown. Served with chips. Available all day

VEGETARIAN PIE 9.15
Served with tomatoes, red onion, peppers & nuts

VEGAN & CHOCOLATE COCONUT TART 5.70
A date & mixed nut case with a chocolate & coconut filling. Finished with a coconut swirl served with vegan vanilla ice cream

SALADS & SANDWICHES

All sandwiches served with salted crisps, side salad & pink coleslaw

TRIPLE DECKER TUNA MELT 6.75
Stacked, toasted triple decker, cut into quarters, with grilled cheese & cucumbers

TRIPLE DECKER COD GOUGEON 7.30
Stacked, toasted triple decker, cut into quarters, topped with tartar sauce & mixed leaves

CLUB SANDWICH 7.50
Stacked, toasted triple decker sandwich, cut into quarters with grilled chicken, bacon, grilled cheese, lettuce, tomato & mayonnaise

CAJUN OR JERK STUFFED PIZZA 7.50
Pizza bread stuffed with spiced chicken, lettuce, tomatoes, onion & mayonnaise served with pink slaw

GRILLED CHEESE TRIPLE DECKER 5.75
Stacked, toasted triple decker, cut into quarters

MEXICAN CHICKEN WRAP 6.95
Pan fried spiced chicken breast with peppers, onions, jalapeños & cheese served in a toasted tortilla wrap

TOASTED BBQ WRAP 6.95
Chicken breast with melted cheese & smoky BBQ sauce

CHICKEN CAESAR SALAD 8.60
Chargrilled chicken breast on a bed of crunchy lettuce, tossed in a Cardin's Caesar dressing, with parmesan cheese & croutons. Add Garlic Bread for 1.25

GRILLED GOAT'S CHEESE & BALSAMIC SALAD 8.25
Served with tomatoes, red onion, peppers & nuts

SIDES

BEER BATTERED ONION RINGS 2.65
CHIPS 2.95
FRIES 2.95

CAJUN SPICED CHIPS 2.95
SWEET POTATO FRIES 3.65
CURRY SAUCE 1.50

PINK SLAW 1.50
TOASTED GARLIC BREAD 3.00
TOASTED GARLIC BREAD WITH CHEESE 3.50

CHILDRENS SET MENU 5.65

Served from Sunday until Friday from 12-8pm & Saturday from 12-5pm. Price includes Main, Ice Cream & Drink. Suitable for children under 10 years old.

MAINS

SAUSAGES
2 Cumberland sausages with your choice of fries or mash, baked beans, mushy peas or salad

CHICKEN NUGGETS
With your choice of fries or mash, baked beans, mushy peas or salad

FISH GOUGEONS
Cod fish gougeons with your choice of fries or mash, baked beans, mushy peas or salad

SPAGHETTI BOLOGNESE
Spaghetti pasta tossed in an Italian Bolognese sauce & served with a slice of garlic bread

CHILD SIZE BURGER
Choose from: Beef, Chicken or Veggie. Served with chips & beans

PUDDING Please ask for available selection
DRINKS Fruit Shoot Orange / Summer Fruits/ Apple & Blackcurrant

OUR FAVOURITES



STEAK & GUINNESS PIE 11.50
In-house made Steak, Guinness & red wine pie filling, topped with a puff pastry lid. Served with chips or creamy mashed potatoes & seasonal vegetables



THAI GREEN CHICKEN CURRY 9.95
Homemade creamy sauce with chargrilled chicken breast, lingon rice & naan bread



SIZZLING FAJITAS CHICKEN 11.25 | BEEF 12.45
With peppers and red onions, cooked in Mexican spices. Served with melting cheese, salsa, guacamole, sour cream & jalapeños & flour tortilla wraps

HOMEMADE RED WINE LASAGNE 10.50
Served with chips & salad. Add Garlic Bread for 1.25

FISH & CHIPS 12.50
Hand battered & deep fried cod, served with chips, mushy peas, a slice of lemon, curry sauce & our in-house made fresh tartar sauce

STEAK & GRILL

Chargrilled Prime Steak aged for tenderness & flavour are all served with your choice of fries, creamy mash or baked jacket potato, onion rings & peas



8oz RUMP STEAK 13.75
Tender piece of beef steak, cooked on a char-grill to your liking

8oz SIRLOIN STEAK 15.95
Most flavoursome piece of beef steak, cooked on a char-grill to your liking

MIXED GRILL 17.25
A full 6oz rump steak, 5oz gammon steak, char grilled chicken breast, Cumberland sausage, fried free range egg & beer battered onion rings

THURSDAY GRILL CLUB

FREE drink with all meals from The Grill section

*Cider / Strongbow / 15ml Wine/ Malt & Incht / Draught Soft Drink 120's

10oz GAMMON STEAK 11.95
Served with fried free-range egg, grilled fresh pineapple & peas

THE SOAK 10.35
Bacon, two sausages, mushrooms, hash browns, roasted tomato, baked beans, scrambled or fried egg, two rounds of toast. Served with chips

HUNTER'S CHICKEN 10.95
Chargrilled chicken breast with crispy bacon, melted cheese & hickory smoked BBQ sauce, all served on mixed leaves with our in-house made pink slaw

ADD THESE!
Peppercorn Sauce 1.65 | Gravy Jug 0.75
Spicy Sriracha Mayo 1.45

BURGERS

All of our burgers are served in a glazed brioche bun on a base of lettuce, sliced tomato & red onion, topped with a giant pickle with chips & spicy sriracha mayo on the side

DOUBLE YOUR BURGER FOR 1.95
Chargrilled Chicken, Crispy Chicken Breast or Aberdeen Beef

UPGRADE YOUR CHIPS
Sweet Potato Fries or Cajun Fries 1.00

THE CLASSIC 7.95
Choose from: Chargrilled Aberdeen Angus Beef, Chargrilled Chicken Breast or Crispy Chicken Breast

THE CAJUN 9.95
Chargrilled chicken breast coated in a fiery blend of chili, black pepper & herbs

JERK CHICKEN 9.95
Chargrilled chicken breast marinated in authentic Dunne's River spices

THE TOWERING INFERNO 12.95
Your option of chargrilled chicken breast or Aberdeen Angus beef burger, topped with cheese, our in-house made chilli con carne & onion rings

BEEF BRISKET 13.75
Aberdeen Angus beef burger topped with slow cooked hickory smoked beef brisket, topped with cheese, caramelised red onion chutney and onion rings



THE PULLED PORK 10.65
Chargrilled Aberdeen Angus beef burger, topped with cheese, slow cooked pulled pork, BBQ sauce & onion rings

THE FAT FACE 13.95
Chargrilled Aberdeen Angus beef burger topped with cheese, American style chicken breast, rashers w/ bacon, onion rings & BBQ sauce

ADD EXTRAS
Sliced Cheese 0.75 | Onion Rings 0.95 | Pink Slaw 1.50 | Bacon 0.75
Cheese & Bacon 1.20 | Hickory Smoked BBQ Sauce 0.65

PUDDINGS

ENJOY 2 PUDDINGS FOR 8.50

STICKY TOFFEE PUDDING 4.95
Sticky toffee flour sponge pudding with sticky toffee sauce, served with vanilla custard

CHOCOLATE FUDGE CAKE 4.95
Warm chocolate fudge cake served with double cream vanilla bean ice cream & chocolate sauce

WHITE CHOCOLATE & RASPBERRY BRÛLÉE CHEESECAKE 4.95
A rich white chocolate cheesecake with raspberries & brûlée topping. Served with cream or ice cream

STRAWBERRY ETON MESS SUNDAE 5.45
Real dairy ice cream & fresh strawberries, layered with crushed meringue & topped with fluffy cream & a sugar cone wafer

VEGAN & CHOCOLATE COCONUT TART 5.70
A date & mixed nut case with a chocolate & coconut filling. Finished with a coconut swirl served with vegan vanilla ice cream

THE BIG APPLE PIE 5.45
Sweet pastry case with Bramley apple filling topped with a sweet peony crust & sprinkled with sugar served with custard or cream

ELVIS MESS 5.45
Deep fried Cremo cookies served with a warm peanut butter & double cream vanilla bean ice cream

CHOCOLATE CHURROS 5.45
Churros dusted with cinnamon sugar & a melted chocolate dipping pot

PRIVATE PARTIES - CORPORATE - CHRISTMAS

Reservations Please email bookings@velvetmusicrooms.co.uk

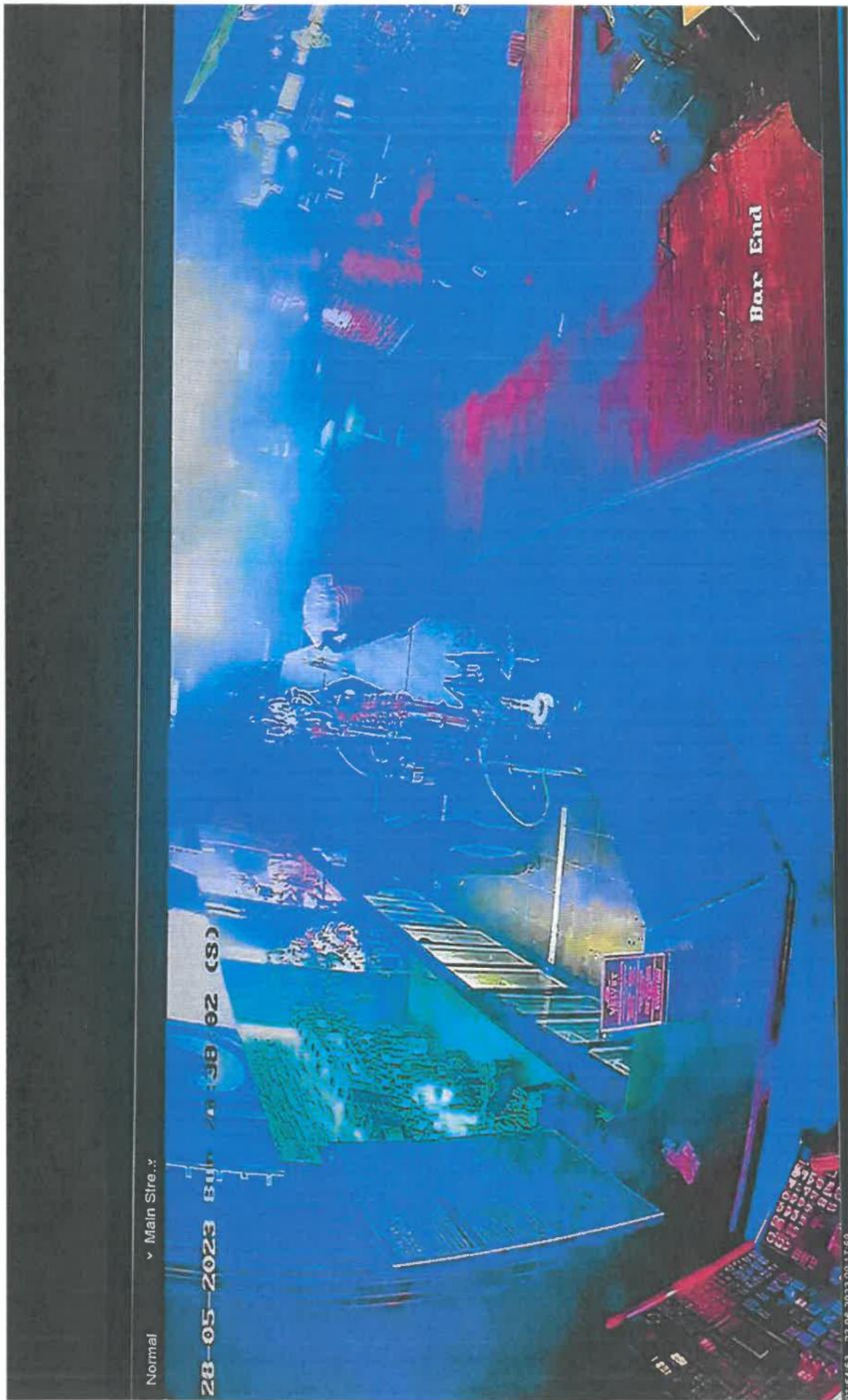
VELVET MUSIC ROOMS | 200 BROAD STREET | BIRMINGHAM | B15 1SU

For table bookings please phone 0121 248 0500 or email sales@velvetmusicrooms.co.uk

Page 86 of 100 For further information about us visit our website www.velvetmusicrooms.co.uk

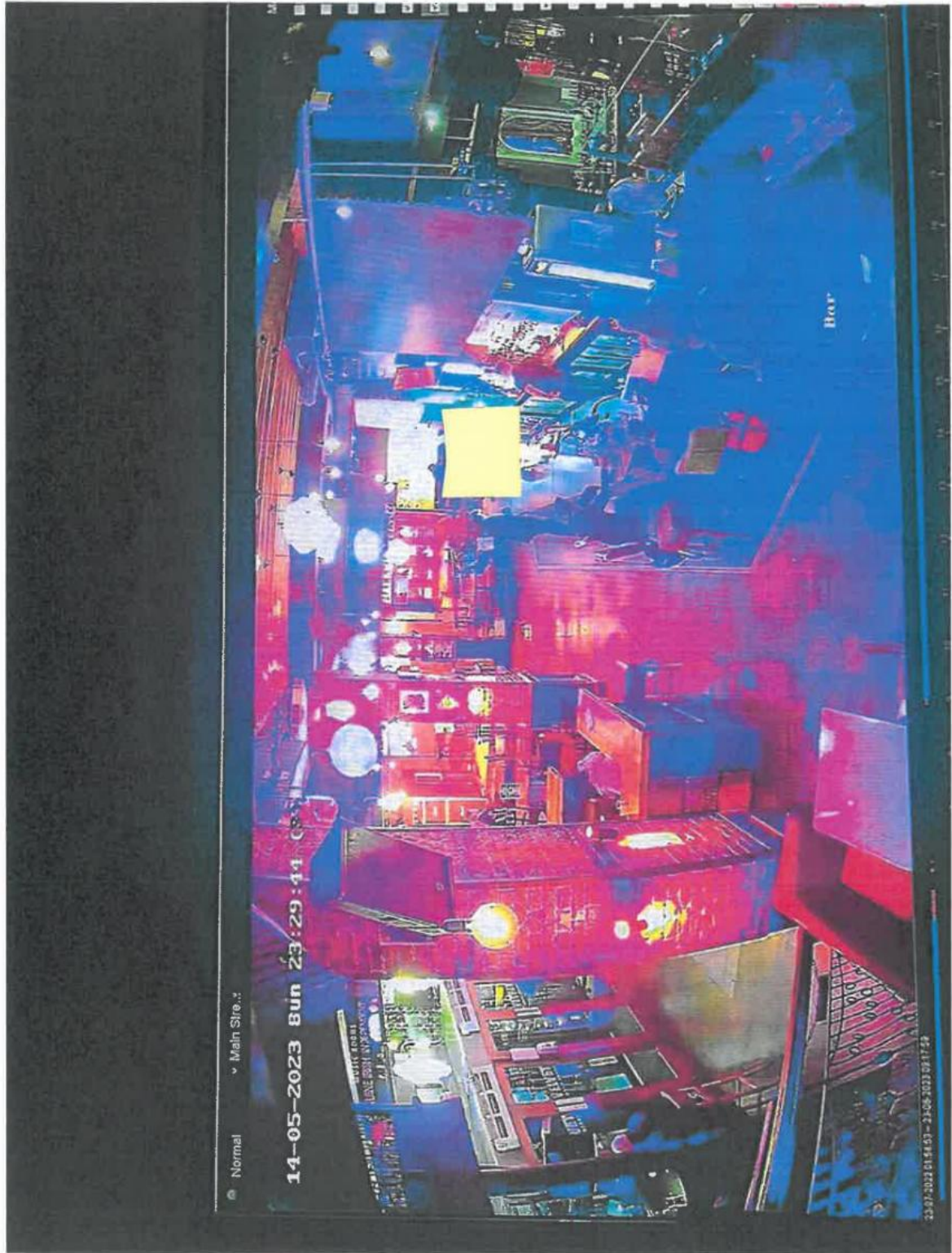
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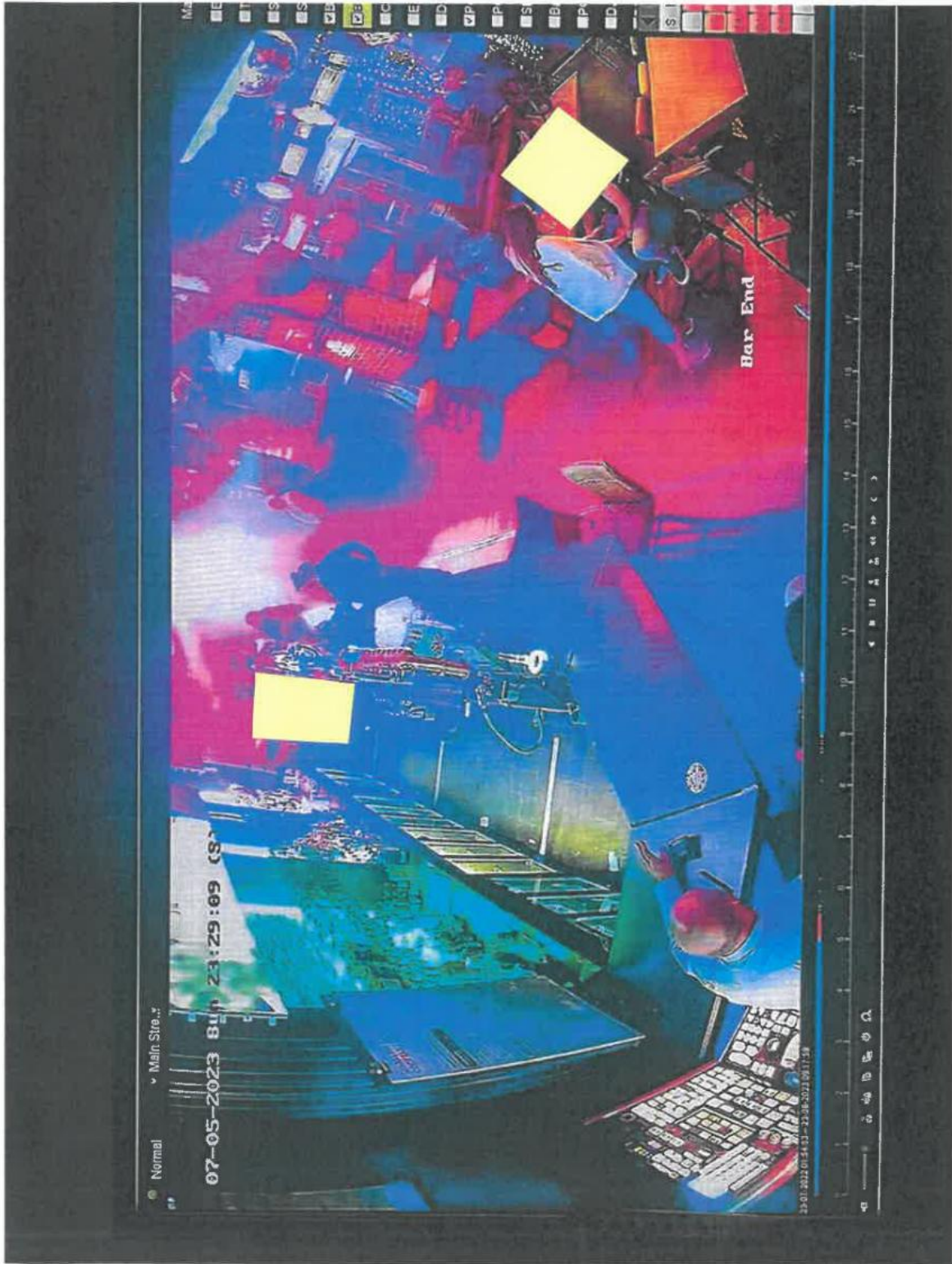
All photos are for illustrative purposes only. All weights of our meat are approximate uncooked. Please note that although we take extra care to remove bones from our meat and fish products, small bones may still remain. Our food is prepared in a kitchen where allergens are present and can include some or all of the following: Celery - including any found in stock cubes and soup. Cereals containing gluten - including spelt, wheat, rye, barley crustaceans - eg crabs, lobster, prawns and shrimp paste. Eggs - including food glazed with egg. Fish lupin - can be found in some types of bread, pastries, pasta milk molluscs - mussels, land snails, squid, also found in oyster sauce mustard. Nuts - for example almonds, hazelnuts, walnuts, macadamia peanuts - also found in groundnut oil. Sesame seeds - found in some bread, hummus, tahini. Soya - found in beancurd, edamame beans, tofu sulphur dioxide - used as a preservative in dried fruit, meat products, soft drinks, vegetables, alcohol.

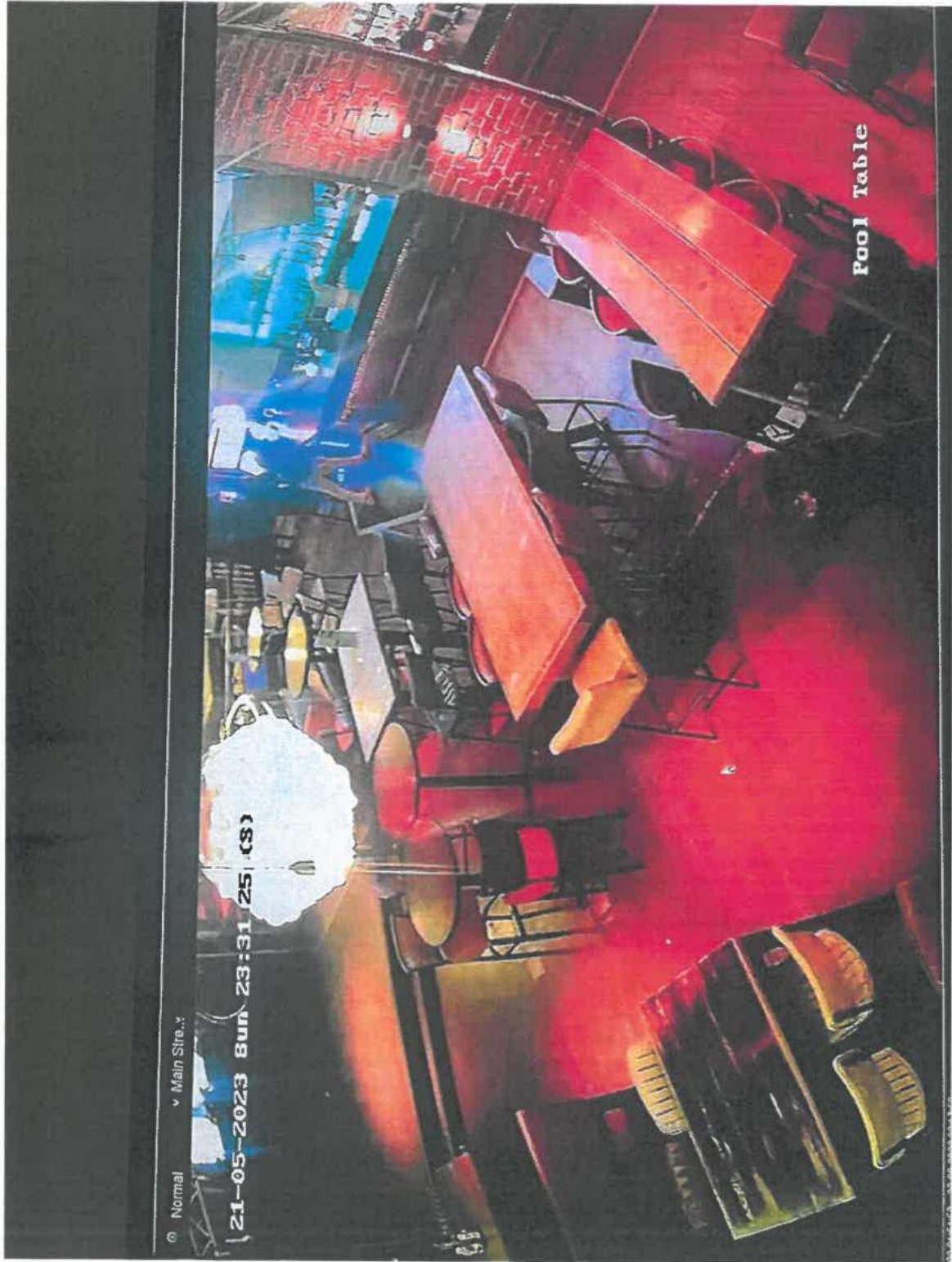


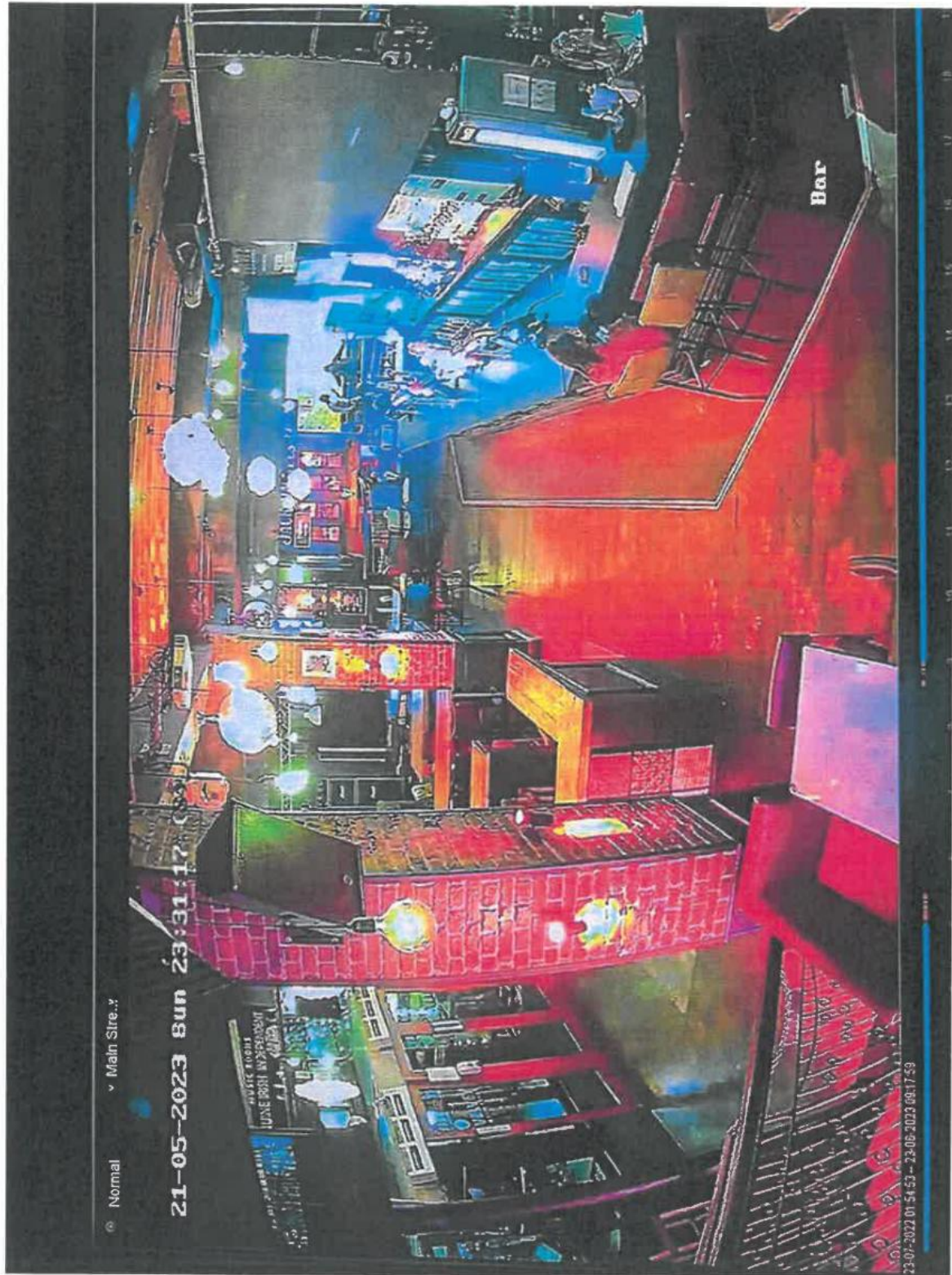


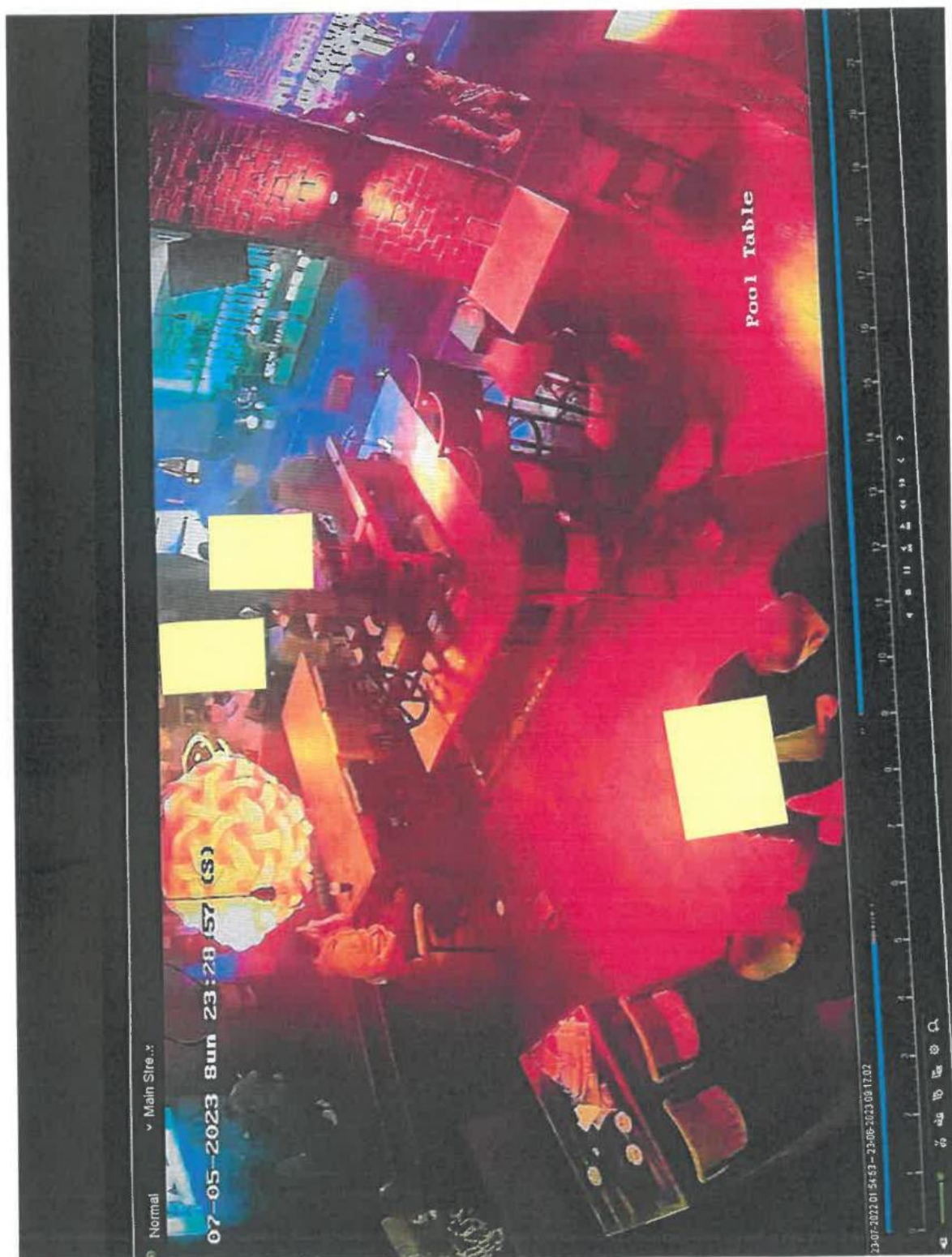




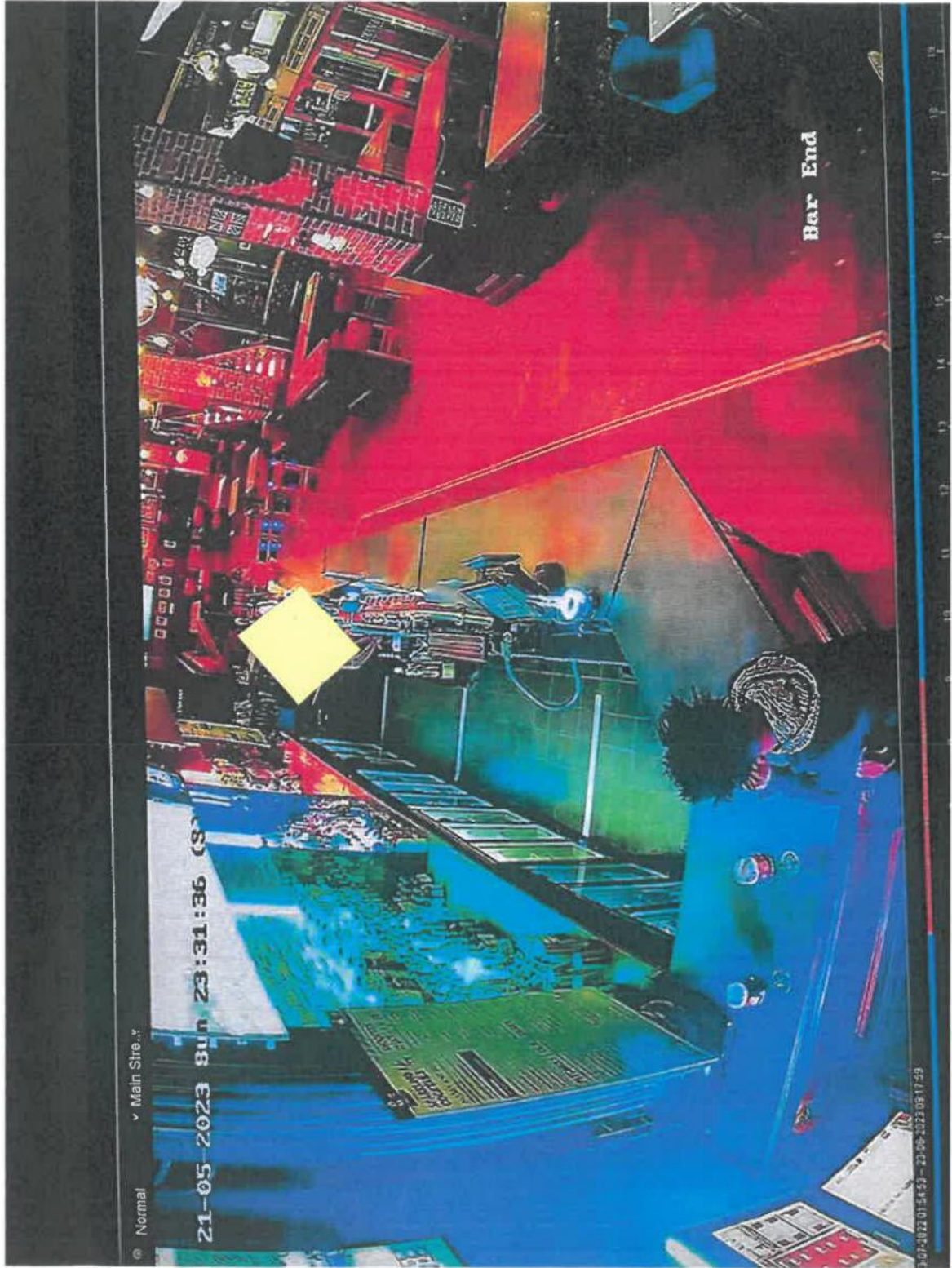












OFFICIAL – (when complete)

MG11

WITNESS STATEMENT**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B****Crime No.****uest****URN**

Statement of Mark Swallow

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

Occupation Police Licensing Officer 60264.

This statement (consisting of two 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: M.SWALLOW. (witness)**Date 22.06.23.**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Licensing Officer 60264 Mark Swallow of the West Midlands Police Force currently stationed at Lloyd House Police Station.

I am part of a team that deals with all matters relating to liquor licensing in the area covered by Birmingham City Council.

Velvet Music Rooms is a licensed premises situated at 200, Broad Street, City Centre, Birmingham. B15 1SU. The premises license holder is Sugar Leisure Ltd and designated premises supervisor is Steven Emmison.

The premises is licensed to sell alcohol for consumption on and off the premises between the hours of 1000 and 0600 each day of the week. Between 0049 and 0054 hours Monday 5th May 2023 the premises were open and conducting licensable activity.

At this time disorder has occurred within the premises and as a result of this a customer in the premises has received several stab wounds and a member of security staff has received a superficial wound to his arm. The offender has left the scene prior to police arrival.

This matter is subject of a crime report for wounding against section 18 wounding against The Offences Against The Persons Act 1861 which is a serious crime by virtue of the maximum sentence on conviction being life imprisonment. This is an ongoing enquiry.

Signature

Signature witnessed by

03/2016

OFFICIAL – (when complete)

Crime No.

uest

URN

Statement of Mark Swallow

The CCTV from the premises has been viewed and supports the account that the premises were open and conducting licensable activity when the incident occurred. After the initial disorder involving approximately 20 people a person that is being treated for a stab wound is seen to be attacked again by a male who uses a knife to do this and inflicts further wounds to the victim. A security guard also receives a more superficial cut from the knife. This offence has been aggravated by the use of a weapon and has been committed by persons in the premises which is carrying out licensable activity. CCTV was shown in the interim hearing exhibit number reference number MS1. The interim hearing was held on Wednesday 7th June 2023 and I presented a number of conditions to the hearing which I invited the committee to impose onto the premises license as a proportionate response to the issues presented exhibit number reference number MS2. The result of the hearing was that the conditions requested were put into place as an interim order.

Since the order being put into place the premises has operated to the new conditions and there have been no issues. I would therefore request that the interim steps are kept in place and made into the final order for this matter. I now produce exhibit numbers reference numbers MS1 and MS2 as evidence.

As this is a live and ongoing enquiry with persons still outstanding and weapons to be recovered I would request that the CCTV be shown in private.M.SWALLOW.

Signature Signature witnessed by

From: Mark Swallow
Sent: 27 June 2023 10:02
To: Licensing
Cc: 'Heath Thomas'
Subject: Velvet Music Rooms, 200 Broad Street, Birmingham

Good Morning Licensing,

Attached is the updated suggested operating conditions as suggested by West Midlands Police. This email has been copied into the premises license holders agent. Could this be added to the case bundle please.

Mark swallow.

- On Fridays and Saturdays or on any evenings where promoted events take place from 21.00hrs all customers/artists/DJs to be searched on entry. This search to include metal detection. No search means no entry
- On Fridays and Saturdays or on any evenings where promoted events take place 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

The premises will maintain an incident register. Each incident will be signed off by the DPS or their nominated deputy. The incident register will be made available to any of the responsible authorities on request.