

WITNESS STATEMENT

Crime Number:.....

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

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Statement of: 55410 Christopher Jones

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Licensing Officer

This statement (consisting of 03 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: Date 3rd April 2023Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by West Midlands Police as a Licensing Officer based at Police Headquarters, Lloyd House Birmingham. I work within a specialised team that have responsibility for all the licensed premises across the Birmingham Council area.

This statement is made in relation the expedited review of Great Western Hotel, 10 Yardley Road, Acocks Green B27 6EB. Premises licence number 368.

The meeting was held on 17th March 2023 as a result of a section 18 assault at the premises on 13th March 2023. The interim steps imposed by the licensing subcommittee was to suspend the premises licence, pending a full review of the premises licence.

Prior to the expedited meeting I spoke with the DPS and informed her that I would also need to speak with the premises licence holders and arrange a meeting.

At this point West Midlands Police were considering what action to take, as it may have been possible to resolve this incident with consent of the premises licence holders, without the need to revert to a licensing subcommittee.

I then spoke a representative of the premises licence holding company, who were very open, honest and transparent about the situation and relationship they have with the premises and their tenant.

They informed that, although they were the premises licence holders they have no communication with the tenant, no control of the operation of the premises and therefore no influence on the promotion of the licensing objectives within the premises. This was all as a result of an on-going legal dispute they had with the tenant.

At no point during the conversation with the DPS did she mention any concerns or issues with the premises licence holding company.

This now was a very rare situation, one of which I have never come across before, were the premises licence holder has no communication with the tenant / DPS and no meaningful working relationship. Meaning that the premises licence holder was not in a position to change or influence the operation of the premises.

This means that any mediation between West Midlands Police and premises licence holder has little or no value on the operation of the premises and promotion of the licensing objectives.

This obviously gave West Midlands Police serious concerns, that the licensing objectives would not be promoted, as the premises licence holder, who is ultimately responsible for the premises have no control of its operation and indeed do not even have any sort of meaningful relationship with the tenant to influence the premises operation whatsoever.

With the serious nature of the assault and lack of control by the premises licence holder West Midlands Police had no other option other than to request the expedited review. Bringing the incident to the attention of the subcommittee and to raise their concerns around the promotion of the licensing objectives.

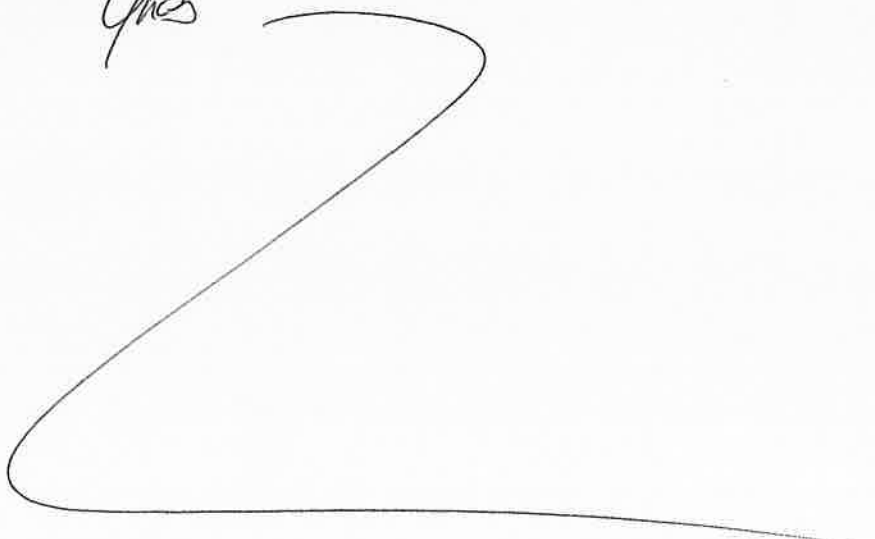
Since the interim steps were imposed by the subcommittee West Midlands Police have been liaising with senior representatives of the premises licence holding company, which culminated in a meeting at their offices in Solihull. West Midlands Police suggested several operating conditions to be imposed onto the premises licence in order to promote and uphold the licensing objectives. These conditions were agreed in full by the premises licence holders.

1. The premises will not carry out any licensable activity until the premises licence holder has influence over the operation of the premises and they are in a position to promote the licensing objectives, together with liaison with the DPS. Any recommencement of licensable activity at the premises is to be confirmed via an email to West Midlands Police Central Licensing Team, from the premises licence holders. This conformation will be sent a minimum of 48 hours prior to the recommencement of any licensable activity on the premises.
2. The DPS or their nominated person will check the CCTV system daily, to ensure it is working and recording. This check to be documented, timed, signed and dated by the person checking. This documentation to be made immediately available to any of the responsible authorities on request.
3. CCTV will be installed / updated to the specifications and recommendations of West Midlands Police. CCTV will record throughout the whole of the licensable activity, store recordings for a minimum of 28 days, show the correct time & date stamp and be downloadable. CCTV to be made immediately available to any of the responsible authorities on request.
4. The premises will have a written vulnerability policy. All staff working in the premises while it carrying out licensable activity will be trained in this policy, prior to their first shift. Training records will be dated and signed by the trainer and trainee – unless held electronically. These training records will be made immediately available to any of the responsible authorities on request.
5. All staff (with the exception of personal licence holders) will be trained in their responsibility of the licensing act and challenge 25 policy, prior to their first shift. Training records will be dated and signed by the trainer and trainee – unless held electronically. These training records will be made immediately available to any of the responsible authorities on request.

6. The DPS and duty managers will be trained in (crime) scene management. There will always be a member of staff on duty, at the premises who has had this training. These training records will be made immediately available to any of the responsible authorities on request. Training records will be dated and signed by the trainer and trainee – unless held electronically.
7. The premises will keep an incident book and record all instances of crime, disorder, ejections and ASB at the premises, whether the emergency services are contacted or not. This report to be completed as soon after the incident as possible but at the latest at the end of licensable activity for that day. This log will be signed off weekly by the DPS, unless held electronically. This log will be made immediately available to any of the responsible authorities on request.
8. A refusals log will be kept on the premises. All refusals of the sale of alcohol will be recorded. This log will be signed off weekly by the DPS, unless held electronically. This log will be made immediately available to any of the responsible authorities on request.
9. The premises will operate a Challenge 25 policy. Only photographic ID with a hologram logo will be acceptable under this policy. Prominent signage will be displayed within the premises at the bar serving area(s) of this policy.

West Midlands Police and the premises licence holders are in an agreed position with imposing the above operating conditions onto the premises licence.

West Midlands Police would request the licensing subcommittee to impose the above conditions onto the premises licence as a resolution to this matter.



Signature:



Signature witnessed by: