

Premises known as – The ARK Birmingham.



License Plan August 2023.

The ARK Birmingham
74 John Bright Street
Birmingham
B1 1BN

INTRODUCTION

The Ark Birmingham has unfortunately experienced crime and disorder on certain nights where they have utilised an outside promotor for a night that focuses on a particular style of music, namely Hip Hop and R&B. This led to an expedited review of the premises Licence and the interim steps of suspending our Premises Licence and removal of the Designated Premises Supervisor specified on the Premises Licence.

It is accepted that our operation had to completely change, so we have written this new licensing plan with the primary focus to ensure that our premises make sure the licensing objectives of the Licensing Act 2003 are being promoted whilst Licensable Activities are taking place. The purpose of this new Licensing Plan is to detail the new robust procedures adopted in the operation of the premises to prevent any further serious incidents from occurring at The Ark Birmingham venue in the future.

The Issues/ risk factors Identified that contributed to the disorder at the venue were: -

1. Genre of music held on the night – Hip Hop and R&B - this attracts a particular crowd;
2. The use of an outside promoter to advertise and sell tickets for the club night;
3. The choice & management of Door Company contracted by The Ark Birmingham;
4. Staff and management training on Emergency First Aid, Bleed control;
5. Procedures and protocols when the disorder broke out including staff training;
6. Under age policy- challenge 25 -an underage person got into the venue (outside ticket sales);
7. Dress code not being enforced;
8. Management by The Ark Birmingham monitoring the Door Staff;

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The aim of this plan is to achieve a safe compliant venue based on the introduction of these new robust company policies and management procedures by managing the risks identified to promote the Licensing Objectives.

The following additions to our management systems:

- Additional robust policies and procedures applied to all bar/club nights held on the second floor;
- Brand new operational methods with a new contracted door company;
- Management and staff training – Emergency First Aid, Bleed control training, Search methods training, Screening and body language training;
- Closer workings with West Midlands Police;
- Noise monitoring and management;
- On-going review process of policies such as the dispersal policy;
- Public complaint procedure;
- On-going work with local authorities and neighbouring businesses;

At The ARK Birmingham the first floor consists of a restaurant, whilst regulated entertainment is only carried out on the second floor. Highlighted below are our new Business Model licensing operational procedures to effectively manage the premises and promote the Licensing Objectives by eliminating the risk of reoccurrence of serious disorder associated with The Ark Birmingham: -

Component	Management Plan – Measures currently in place / to be taken
REDUCTION OF CLOSING TIMES FOR SECOND FLOOR NIGHTS	The premises will now close all nightclub nights on Fridays and Saturdays from 3am to 2am. The reduction of an hour for closing times will have a great impact on reducing and preventing late night public nuisance. Management will remain mindful for the local residents.
ID SCANNER	The license holder shall maintain and operate an ID Scan to all persons entering the nightclub premises whenever licensable activities are being carried on. The premises will adopt and display a clear notice to the effect that there is a strict policy of "NO ID, NO ENTRY". The ID Scanner will be used for the second-floor club nights from 10pm until last admission. Door staff re-trained to enforce 'Challenge 25'. Management will conduct regular refresher training on different methods of adopting this policy, which will be documented.

<p>SECURITY BODY SEARCHES</p>	<p>All persons including staff, DJs and entertainers entering the nightclub second floor area will be subject to a full body search. This includes pockets being emptied, males patted down and metal detection equipment used (Metal detection wands), DJ equipment including bags are searched, female handbags are being handed over to SIA approved guards and searched then they are being metal detected too. This is a strict premises rule we have NO SEARCH NO ENTRY. Searches will always be carried out by one of at least 3 security staff we have on the front door. Staff on the door remain mindful we have guests arriving into our first-floor restaurant and must maintain professionalism.</p> <p>Any patron migrating from the restaurant area to the second-floor area will be subject to the same search.</p> <p>Any and each person whom may decide to leave and re-enter the second-floor nightclub premises are also currently subject to the same searches being carried out, no matter what the reason is to leave and re-entering the premises.</p>
<p>VULNERABILITY POLICY</p>	<p>The premises will now operate a vulnerability policy which will be made available to any of the responsible authorities on request. As part of this policy, we have made a safe space for vulnerable people which consists of an area on the restaurant floor away from patrons.</p>
<p>STAFF TRAINING UNDER THE LICENSING ACT 2003</p>	<p>It is standard practice for us to train all our existing and new staff under the Licensing Act 2003 prior to being allowed to sell/ supply alcohol. This will cover the conditions on the premises licence; the ‘challenge 25’ policy and the relevant parts of this Licensing plan. All our training including refresher training is documented and signed off by the Premises License Holder and the trainee. All training records are available to any of the responsible authorities on request. Staff other than personal license holders involved in the sale/ supply of alcohol will receive documented refresher training every six months.</p>
<p>INCIDENT LOG</p>	<p>A refusals/ incident log is currently maintained at the premises. The incident log remains on site and is available to members of the responsible authorities on request.</p>
<p>SECURITY STAFF</p>	<p>It is crucial for the premises to work closely with a reputable Security Company. A new firm will be appointed who are rated in the top 3% of all UK ACS approved security providers which holds Safe Contractor Approved status. Mr Otis Hanley, the chief executive of SNSG has confirmed they have capacity to enter into a contract with Ark as soon as the licensing review has</p>

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	<p>been determined. Their firm currently deploys security guards in a neighbouring venue.</p> <p>Management work with the guards on duty to and deploy staff in their designated positions in and outside the venue. Security staff must without fail sign in and out, prepare for the nightclub event by wearing fluorescent jackets, checking all equipment provided by the venue which includes – radios, earpieces, clickers, body camera and metal detection wands. The premises will make sure we keep a profile of all door staff on duty which will include a copy of the SIA license and photographic ID. The signing in and out log, along with the incident log remains on site, immediately available to any of the authorities on request. Part of our dispersal plan is for guards to remain on duty until all customers have dispersed from the venue and the front vicinity is all clear. The venue management will carry out a risk assessment for the front door and for all nightclub nights proposed and work with WMP who will hold VITO of any proposed new club nights which includes the number of door staff required. Details of which will be recorded and available to any responsible authority immediately on request. The premises will be introducing one dedicated role for an extra member of door staff which includes double checking ID, enforce 'challenge 25' and making sure patrons are wearing the strict dress code to enter premises. It currently is a policy for the venue to refuse patrons for not following the strict dress code which does not include – tracksuits, sportswear shorts, manbags, baseball caps.</p>
AGE RESTRICTION	No persons under the age of 18 will be allowed into the second floor of the premises when Licensable Activity is taking place. No persons under 18 will be allowed to be in the restaurant after 2200 hours.
VENUE PROMOTION/BEING HIRED OUT TO PROMOTERS/FOR PRIVATE PARTIES	The Ark Birmingham will no longer use outside promoters. The venue will not be hired out/used by outside promoters. All nights will be promoted from The Ark themselves using employees and contractors who work for The Ark.
VENUE BEING BOOKED	<p>The venue will not be hired out/used by outside promoters.</p> <p>When bookings for the premises or part of the premises for private parties and events are made the premises will take details of persons booking the venue including the name, address telephone number of the person making the booking. Details will be confirmed by photographic ID. Booking details will be kept on the premises for a minimum of 28 days after the event and made available to West Midlands Police on request. All bookings in the past and currently are subject to a refundable deposit being taken along with a written invoice detailing the agreed booking conditions. All persons booking events are informed that the premises will be deploying door staff as per the</p>

	<p>premises risk assessment and that persons will be subject to the premises search / entry policy including metal detection.</p>
<p>DISPERSAL POLICY</p>	<p>We ensure dispersal is carried out as effectively as possible reminding patrons to be mindful of local residents as they leave. Management have will work very closely with door staff and build a relationship to endow the importance of our dispersal policy. Management will monitor the dispersal process and if need be, work on any improvements and more efficient methods of dispersal. We make sure security staff commit to this policy in an orderly and professional manner whilst assuring guards are fully trained and have an extensive knowledge in crowd management and health and safety. Equipped with radios and ear pieces security staff work in co-ordination with each other from the second floor to the first-floor landing and onto the main entrance. Any large grouped patrons that may wish to leave prior to closing will be advised to wait on the first-floor landing whilst security staff can monitor any patrons gathered outside if any before allowing any further patrons to leave the premises. Regular patrols in and out of the premises are conducted to remind people to be respectful of neighbours. Customers are currently advised at point of entry and exiting that there shall be no form of gathering outside the premises in respect of local residents. This reminder educates people to remain thoughtful throughout these regulated hours. The premises will continue to use the proven method of a 30-minute cooling down period by reducing the music volume and switching on the main ceiling lights which helps our dispersal process. Nearing closing time we now will be implementing an additional exit strategy to reduce patron gathering on the street outside. Barriers will be set up in simple left and right direction and as people leave security staff will be asking which direction, they wish to leave with a polite hand gesture patrons will be asked to leave in that direction. Barriers will be set up at a minimum of 11 metres in each direction.</p> <p>No ropes with metal cordons will be used as it has been shown these can be used as weapons.</p> <p>Confectionery sweets will be offered free of charge for leaving patrons.</p> <p>Our dispersal Policy is regularly reviewed and updated where necessary. As an established venue we learn new improved strategies as time progresses which we immediately adapt into our dispersal plan.</p>
<p>NOISE OUTSIDE THE LICENSED HOURS</p>	<p>All noise associated with live music or amplified music, speech or sound outside the licensed hours for regulated entertainment and licensable activities shall be background and will be inaudible outside our premises.</p>

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OUTSIDE MUSIC NOISE	There will be no speakers used for amplified music, speech or sound outside the building.
SIGNAGE AND NOTICES	The premises have ensured notices and signs are displayed around the premises advising patrons to be mindful and respect the nearby residents. Door staff continue to also remind patrons to keep noise levels to a minimum as they depart and leave the street.
ALCOHOL DRINKS TO REMAIN ON PREMISES	No alcoholic drinks are allowed to be taken off the premises for examples such as persons wishing to exit to smoke.
FIRST FLOOR HOURS RESTRICTIONS	There will be no regulated entertainment on the first floor between 23.00 and 10.00 the following day. The first floor balcony shall not be used for any purpose between 23.00 and 10.00 the following day.
ASSESSMENT OF THE SECOND FLOOR.	Blue Acoustics (NS363) have carried out an in-depth acoustic impact assessment. Pointers taken into account: <ul style="list-style-type: none"> • The premises provide a high level of sound installation with the second floor being well built and sealed. • A Noise Limiting Device (Ashly Protea DSP360 in-line limiter) is installed to the sound system on the second floor to ensure the volume of music is pre-set and locked to 95dBA so as not to cause a noise nuisance to the occupiers of nearby buildings. • The NLD is an in-line limiter linked to the PA system which has been reviewed by a qualified acoustic specialist. If the system is changed at any point it will be re-approved by a specialist. • The device is lockable and capable of limiting signal output to the speaker system • The only amplification system used will be the house PA and no other sound equipment shall be used. • The NLD shall be maintained in full working order and at the pre-set volume (95dBA) whilst the amplification system is operational. Any damages or malfunction will be reported within 24 working hours of the damage being recorded. The NLD will not be used if damaged or malfunction until further approval.
TRAINING	The premises and taking past incidents very seriously and are vastly improving our training programme by introducing new aspects never explored before.

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	By conducting new training programmes, we aim to educate our staff in new ways such as Screening and body language training which includes recognising early signs of patrons being intoxicated, a change in body language, how to screen patrons on entry and recognise NVC and the antecedents to aggression and violence, search methods training including hand wands and drug awareness and dress code training. Emergency First Aid training and Bleed Control training will also be conducted (Venue to purchase a Bleed Control Kit). We believe by taking such extra measures will safeguard the venue from any possible incidents occurring in the future.
EXISTING MANDATORY CONDITIONS	The premises continue to meet and promote our existing mandatory conditions set out on the premises license.

Key Points:

- Clicker system is used to control and keep a track on the correct number of patrons within the venue compacity.
- Ensure event log sheets, door staff logs and incident logs are documented.
- Patrons are regularly reminded to remain mindful and respectful for the nearby residents.
- Security staff continue to be vigilant looking for patron behaviour change, unusual body language and any early signs of patrons being intoxicated.
- Consistent reminders to patrons upon entry and egress to adhere by our signs and notices and remain mindful and respectful of local occupied buildings.
- Any unruly customers are not allowed entry and details are documented in the incident log. Patrons which are banned from the premises are not allowed entry and the reasons are backed up by 24 hours of CCTV recording, written statements from staff members and a signed management acknowledgment.
- All complaints concerning unwanted noise generated by our premises are directed to the duty manager. Who records and investigates the complaint which includes recorded date, time, name, cause and action taken. Reasonable and practical actions will be taken to reduce noise levels and monitored for the rest of the working period.
- All managers will be fully aware and conversant with the new Business Plan. Staff will receive adequate training on new conditions and policies which all will be documented. A record of such training will be kept by management on site.
- The premises to reinforce 'Challenge 25' policy as proof of age scheme to be in operation during licensed hours. Any counter fit documentation produced by any patrons will be recorded and logged with the ID scanner.

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Taking all of the above into account with on-going robust training and policies we are confident our new Business Model will be effective in continuing to running a successful establishment.

Signed by Premises License Holder:

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Date:11.08.2023

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