



BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE - B

14 September 2015

GATECRASHER, 182 BROAD STREET, BIRMINGHAM, B15 1DA

That having reviewed the premises licence held under the Licensing Act 2003 by Simon Raine in respect of **Gatecrasher, 182 Broad Street, Birmingham, B15 1DA**, following an application for an expedited review made on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that the conditions of the premises licence **be modified** as follows, in order to promote the prevention of crime and disorder objective in the Act:

A.	Internal Audit and Action Plan	The on-going recommendations contained within the Gatecrasher Internal Audit & Action Plan submitted at today's Hearing, must be reviewed jointly by the Premises Licence Holder and West Midlands Police, Licensing Section at least once a month (or as and when determined by West Midlands Police, Licensing Section) to ensure that any actions contained within the Plan are implemented to properly promote the Licensing Objectives, particularly the prevention of crime and disorder.
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The Sub-Committee's reasons for imposing this condition, on to what is already a comprehensive Premises Licence, is due to the history of enforcement action taken against the venue, and the seriousness of the incidents which took place culminating in the Expedited Review Application on the 18 August 2015.

Since the imposition of interim steps at the previous hearing, the Sub-Committee noted the efforts being made by the premises licence holder to remedy the matters which in the view of the Police resulted in the Review Application. These were set out within the additional evidence presented to the Sub -Committee at the Hearing and included:-

- 1) The Internal Audit & Action Plan prepared by an external consultant, Mr J H Hislop.
- 2) Appointment of a new Security Provider, on the basis that no one employed by the previous Security Provider would be re-employed by them for use at the Licensed Premises.
- 3) Observation Reports for the Events which took place on the 5th and 13th September 2015, which established that the Premises were operating in compliance with the Premises Licence.
- 4) Contracting with UK Life Medics to provide Health Care Professional Council Paramedics at the venue.

- 5) A full review of the Reporting Lines, Roles and Responsibilities of staff employed at the venue, and how they would properly promote all the Licensing Objectives within the Licensing Act 2003.

In the circumstances, West Midlands Police Licensing Section had made representations to the Sub-Committee that they did not feel any further action was required by the Premises Licence Holder, or in relation to the Premises Licence itself, given the voluminous conditions already attached to the Licence, which is amongst the most comprehensive for any Licensed Premises within the City.

Notwithstanding this, and the progress made by the Premises Licence Holder since the Review Application was submitted, the Sub Committee considers the condition imposed to be appropriate, reasonable and proportionate to address concerns raised in particular the likelihood of serious crime and or serious disorder. The Sub Committee felt that it was incumbent on the Premises Licence Holder and West Midlands Police Licensing Section, to continue to work together to negate incidents of serious crime and/or serious disorder in the future. Reviewing the Action Plan, would help to manage this risk.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, the certificate and application made by West Midlands Police under Section 53A of the Licensing Act 2003, written representations and submissions made at the hearing by the police, the premises licence holder, their legal representative and other persons.

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

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