



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE B

6 SEPTEMBER 2018

LAB 11, 26 OXFORD STREET, DIGBETH, BIRMINGHAM, B5 5 NR

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Afta Dark Music Ltd in respect of Lab 11, 26 Oxford Street, Digbeth, Birmingham, B5 5NR this Sub-Committee determines:

- That the licence be suspended pending a review of the licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application

The Sub-Committee's reasons for imposing this interim step is due to concerns expressed by West Midlands Police in relation to matters which came to light at the premises during the weekend of 2nd September 2018, as outlined in the Chief Officer of Police's certificate and application.

West Midlands Police stated that there had been a fatality of a patron aged 19 years, during the weekend of the 2nd September. At this early stage, it was suspected that the death was likely to have been caused by a drug overdose.

The Sub Committee determined the causes of the serious crime appeared at this stage to originate from either patrons of the premises, or deficient security measures (perhaps at the door), and/or the inability of management to uphold the licensing objectives.

It was the recommendation of the Police that the interim step of suspension should be imposed. The premises licence holder stated that this was not resisted.

The Sub-Committee therefore considered it necessary and reasonable to impose the interim step of suspension to address the immediate problems with the premises, in particular the likelihood of serious crime, and to promote the prevention of crime and disorder objective in the Act.

The Sub Committee noted that West Midlands Police had found the premises to be cooperative and helpful thus far.

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, and the submissions made by the police and the premises licence holder at the hearing.

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.