

# Agenda

## Licensing Sub Committee 3

**Wednesday, 16 August 2023 at 11.30 am**  
**Online meeting**

**This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.**

- |   |   |        |
|---|---|--------|
| 1 | <b>Apologies for Absence</b>  | 5 - 6  |
|   | To receive any apologies for absence.   |        |
| 2 | <b>Declarations of Interest</b>   | 7 - 8  |
|   | Members to declare any interests in matters to be discussed at the meeting.   |        |
| 3 | <b>Application for an Expedited Review for the Premises Licence for MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ</b>          | 9 - 32 |
|   | To consider an application for an Expedited Review for the Premises Licence for MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ. |        |



**Shokat Lal**  
**Chief Executive**  
Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution**  
Councillor Lewis (Chair)  
Councillors A Hussain and Tromans

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

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## Licensing Sub Committee 3

### Apologies for Absence

To receive any apologies for absence from the members of the Committee.



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## Licensing Sub Committee 3

### Declarations of Interests

Members to declare any interests in matters to be discussed at the meeting.



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## Report to Licensing Sub Committee [3]

**16 August 2023, meeting held by remote means (MS Teams)**

<b>Subject:</b>	Meeting is to consider whether interim steps are necessary after receipt of an Application made under Section 53A of the Licensing Act 2003 for Expedited Review of Premises Licence at MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ
<b>Director:</b>	Director – Borough Economy – Alice Davey
<b>Contact Officer:</b>	Balbir Dhugga (Licensing Officer) licensing_team@sandwell.gov.uk

### 1. Recommendations

- 1.1 An expedited review application dated 15<sup>th</sup> August 2023 has been submitted by West Midlands Police under Section 53A of the Licensing Act 2003 to review the Premises Licence in respect of MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ.
- 1.2 The meeting is to consider whether interim steps are necessary, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The options that can be considered detailed at section 6.

### 2. Purpose of Report

- 2.1 To advise members of an expedited review application made under section 53A of the Licensing Act 2003 for a summary review of the premises licence for MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ.
- 2.2 The application for summary review is being made by a senior police officer of West Midlands Police who has certified that in their opinion the premises are associated with serious crime and serious disorder (or both). A male was dropped off at Walsall Manor Hospital on 13<sup>th</sup> August



2023 with serious injuries. This was after an incident occurred inside MJ's Bar, 38 Bridge Street, Wednesbury, WS10 0AQ.

- 2.3 The Licensing Authority must within 48 hours of receipt of the application consider whether it is necessary to take interim steps pending determination of the review of the premises licence.
- 2.4 A review of the premises licence must be held and determined within 28 days of receipt of the application.

### 3. Context and Key Issues

- 3.1 Under the Licensing Act 2003, a responsible authority or any other person may make representations in respect of the application which must be relevant to one or more of the four licensing objectives, namely:
  - The Prevention of Crime and Disorder
  - Public Safety
  - The Prevention of Public Nuisance
  - The Protection of Children from Harm

### 4. CURRENT POSITION

- 4.1 The application is made by West Midlands Police for a summary review of the premises licence. A copy of the application is attached at Appendix 1.
- 4.2 A certificate has been given by a senior member of that force that in his opinion the premises are associated with serious crime and serious disorder (or both). A copy of the certificate is attached at appendix 2.
- 4.3 The application has been served by email on the premises licence holder (MJ's Bar & Venue Limited) on 15<sup>th</sup> August 2023 via the current director, a Mr Michael Straker. The premises licence holder has been informed that this is an interim steps meeting.
- 5.1 The committee may consider the interim steps without the holder of the premises being given an opportunity to make representations.



- 5.2 The licence was granted on 12 February 2019.
- 5.3 The current Designated Premises Supervisor (DPS) is Mr Michael Straker. Mr Straker was specified as DPS on 28th February 2019.
- 5.4 The hours permitted for Licensable Activities (as stated on Appendix 3) are  
Monday to Wednesday - 09.00 – 01.30  
Thursday 09.00 – 02.30  
Friday & Saturday – 09.00 – 04.30  
Sunday – 09.00 – 02.00

The hours will be extended at the end of licensed hours on Christmas Eve, Christmas Day, Boxing Day, St Valentine's Day, St David's Day, St Patrick's Day, St George's Day, St Andrew's Day. The Sunday before a Bank Holiday. On these days the hours are 09.00 – 04.45

- 5.9 The opening hours of the premises are  
Monday to Wednesday - 09.00 – 01.30  
Thursday 09.00 – 03.15  
Friday & Saturday – 09.00 – 05.30  
Sunday – 09.00 – 02.45
- 5.10 A copy of the current licence is attached at Appendix 3.
- 5.11 The location of the premises can be seen on the location map provided which is attached at Appendix 4.

## 6. Options available at meeting

- 6.1 The interim steps available to the Licensing Sub Committee having considered all the relevant information are as follows:
- To modify the conditions of the premises licence
  - To exclude the sale of alcohol by retail from the scope of the licence
  - To remove the designated premises supervisor from the licence
  - To suspend the licence
- 6.2 Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new



conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

## 7. Implications

<b>Resources:</b>	<p>There are no direct strategic resource implications associated with this application.</p> <p>In respect of expedited review applications, we do not foresee any issues in respect of sustainability of proposals.</p>
<b>Legal and Governance:</b>	<p>Members of the Licensing Sub Committee when making their decision on interim steps must take into account the four licensing objectives, the Guidance issued under Section 182 of the Licensing Act 2003 and the Council’s own Statement of Licensing Policy.</p> <p>Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only decide on the application having had an opportunity to consider all relevant facts.</p>
<b>Risk:</b>	<p>The Police have put in this expedited review. The meeting and information connected with it shall be in the public domain subject to the requirements of the following –</p> <p>The requirements of GDPR and the Data Protection Act 2018, and Regulation 14 of the Licensing Act 2003 (Hearings Regulations) 2005 which allows the sub-committee to resolve to go into private session for all or any part of the proceedings, if they consider the public interest is best served by doing so.</p>
<b>Equality:</b>	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>The operators of this premises are responsible for complying with all relevant legislation.</p>



<b>Health and Wellbeing:</b>	The benefits of premises being able to conduct licensable activities are subject to the promotion of the Licensing Objectives outlined in the report.
<b>Social Value</b>	The benefits of premises being able to conduct licensable activities are subject to the promotion of the Licensing Objectives outlined in the report

## 8. Appendices

- Appendix 1 – Summary Review application
- Appendix 2 – Certificate
- Appendix 3 – Premises Licence
- Appendix 4 – Location Plan

## 9. Background Papers

- Sandwell Metropolitan Borough Council Licensing Policy
- Guidance issued under Section 182 of the Licensing Act 2003
- The Licensing Act 2003 (Hearings) Regulations 2005
- Summary Review Guidance - Section 53A-C Licensing Act 2003



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**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 Lisa –Jayne Robson**

**(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: MJ's Bar and Venue

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

**38 Bridge Street**

Post Town: **Wednesbury, West Midlands**

Post Code (if known): **WS10 0AQ**

2. Premises Licence details:

Name of premise licence holder (if known): **MJ's Bar & Venue Ltd**

Number of premise licence (if known): **19/000017/LAPREM**

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)

At 0407hours on 13<sup>th</sup> August 2023, a male was dropped off at Walsall Manor Hospital with serious injuries. At this time no earlier calls had been made to West Midlands Police reporting a serious incident and no reports made to the West Midlands Ambulance Service of any incident.

An investigation is commenced immediately and it has been ascertained that an incident occurred inside MJ's Bar and Venue, 38 Bridge Street, Wednesbury, WS10 0AQ.

Officers have viewed the CCTV at the Premises and have confirmed MJ's Bar and Venue was open and trading for licensable activities at the time the incident occurred and that the incident took place at the venue. CCTV has also shown the offenders have been in attendance inside the venue.

This is currently an attempted murder investigation and would therefore constitute a serious crime for the purposes of utilising the summary review powers contained within the Licensing Act 2003.

For ease of reference, the tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000.

Those tests are that the conduct:

(a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; or

(b) 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.

Given the severity of the incident itself, the lack of call from the venue or its staff to the Police or Ambulance Service and the intention to continue to trade the following day despite a serious incident occurring, West Midlands Police have significant concerns about the continued operation of the Premises and request that this matter is brought to the urgent attention of the Licensing Sub Committee and respectfully request the suspension of the Premises Licence with immediate effect.



**Signature of applicant:**

 Supt 4050.

**Date:** 15<sup>th</sup> August 2023

**Rank/Capacity:** Superintendent

**Contact details for matters concerning this application:** Licensing Team for Sandwell LPA

**Address:** West Bromwich Police Station, Moor St, West Bromwich, B70 7AQ,

**Telephone Number(s):** 101 ext 8113063

**E-mail -** [sw\\_licensing@west-midlands.pnn.police.uk](mailto:sw_licensing@west-midlands.pnn.police.uk)

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 Lisa Jayne Robson hereby certify that in my opinion the premises described below are associated with both serious crime and serious disorder.

**Premises: MJ's Bar and Venue**

**Address: 38 Bridge Street, Wednesbury, WS10 0AQ**

**Premise Licence Number: 19/000017/LAPREM**

**Premise Licence Holder: MJ's Bar & Venue Ltd**

**Designated Premise Supervisor: Michael Straker**

**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 13<sup>th</sup> August 2023, which is being treated as an attempted murder and the inadequacy of measures taken by the operators on the night of the incident including no call made to Police and an intention operate the following day, in my opinion immediate steps are required that can best be achieved through the summary review procedures. 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 track record of the premises, 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 :



Supt 4050

Dated: 15.08.23.





**PREMISES LICENCE - LICENSING ACT 2003**

**PART A – PREMISES LICENCE VARIATION 20<sup>TH</sup> JANUARY 2022**

DATE OF GRANT	<b>12 February 2019</b>	PREMISES LICENCE NUMBER:	<b>19/000017/LAPREM</b>
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**Part 1 – Premises details**

Postal address of premises	<b>MJ's Bar &amp; Venue 38 Bridge Street Wednesbury West Midlands WS10 0AQ</b>
Telephone Number	-

Name of premises licence holder	<b>MJ's Bar &amp; Venue Ltd</b>
Address	<b>38 Bridge Street Wednesbury West Midlands WS10 0AQ</b>
Telephone number	-
Email address	-
Registered number of holder (e.g. Company/Charity)	<b>11071547</b>

Name of Designated Premises Supervisor	<b>Michael Straker</b>
Address	██████████ ██████████ ██████████
Telephone Number	-
Personal Licence Number	<b>19/000044/LAPER</b>
Issuing Authority	<b>Sandwell MBC</b>

Where the licence is time limited the dates	-
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State whether access to the premises by children is restricted or prohibited	-
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**Part 2**

<b>LICENSABLE ACTIVITIES</b>	
<b>Licensable activities authorised by the licence</b>	<b>The times the licence authorises the carrying out of licensable activities</b>
Plays (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Films (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Live music (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Recorded music (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Performances of dance (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Anything of a similar description to that falling within live music, recorded music or Performances of dance (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Late night refreshment (Indoors)	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Sale by retail of alcohol for consumption on and off the premises	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 02.30 Friday & Saturday – 09.00 – 04.30 Sunday – 09.00 – 02.00
Hours premises are open to the public	Monday – Wednesday - 09.00 – 01.30 Thursday 09.00 – 03.15 Friday & Saturday – 09.00 – 05.30 Sunday – 09.00 – 02.45
Non Standard Timings for all the above	Christmas Eve, Christmas Day, Boxing Day, St Valentine’s Day, St David’s Day, St Patrick’s Day, St George’s Day, St Andrew’s Day. The Sunday before a Bank Holiday.  09.00 – 04.45

**Trading Standards and Licensing**  
**Sandwell Council House**  
**PO Box 2372**  
**Oldbury B69 3BS**

[IL1: PROTECT]

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**Mandatory Conditions**

**Section 19 Licensing Act 2003**

Where this licence authorises the supply of alcohol,

- (1) No supply of alcohol may be made under the licence:
  - (a) at a time when there is no designated premises supervisor (DPS) in respect of the licence, or
  - (b) at a time when the DPS does not hold a personal licence or that licence is suspended
- (2) Every supply of alcohol under the licence must be made or authorised by a person who holds a personal licence

**Section 20 Licensing Act 2003**

Where this licence authorises the exhibition of films,

- (1) the admission of children to the exhibition of any film will be restricted.
- (2) where the film classification body is specified in the licence, unless otherwise stated, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where :
  - (i) the film classification body is not specified in the licence, or
  - (ii) the licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

**Section 21 Licensing Act 2003**

Where this licence includes a condition that at specified times one or more individuals must be on the premises to carry out a security activity, each such individual must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**

**These conditions apply to all relevant premises licences and all relevant club premises certificates authorising consumption of alcohol on the premises.**

1. (1) 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.
  - (2) 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).**
- 2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.**
- 3. (1) 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.**
- (2) 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.**
- (3) 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.**
- 4. 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.”**



**These conditions apply to all relevant premises licences and all relevant club premises certificates only authorising consumption of alcohol off the premises**

1) 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.

(2) 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.

(3) 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 Licensing Act 2003 (Mandatory Licensing Conditions)  
Order 2014**

This applies to all premises where alcohol is sold or supplied for consumption on or off the premises.

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. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) “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 rate 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;

(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(b).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

(2) 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.

## Annex 2

### Steps premises licence holder proposes to take to promote the licensing objectives :

#### General

CCTV will be digitally recorded for upto 31 days and will be made available on request to all licensing authorities. Licence holder shall ensure there is a member of staff on duty who is trained and able to show and download images from the system during opening hours. Recording will be operative during opening hours and will cover all licensable activity areas.

The premises will have an incident book and all incidents will be recorded that occur inside or immediately outside the premises, regardless of whether any emergency services have been called. The record of incident will include details of the member of staff involved in the incident and the actions taken.

Regular liaison with Police will be encouraged to ensure cross-reference of venue related incidents. The incident book can be inspected at any reasonable time by all responsible authorities.

#### The prevention of crime and disorder

All staff will be trained on signs of drug abuse both on persons and how to recognise signs of use on the premises. Training will also be given on signs of persons drinking to excess. All training will be recorded, and records will be kept at the premises to be made available to all responsible authorities immediately upon request.

A refusal book will be kept on the premises detailing the time and date of refusal and the reasons the refusal was made. This book will be kept on the premises and handed to any responsible authority upon request.

A challenge 25 policy will be in place and only photographic evidence including a driving licence, passport student card or pass scheme card will be accepted as proof of age. 'Challenge 25' signs will be prominently displayed for customers at the premises. Staff will be trained in signs of underage drinking and this will be recorded in the training book and kept on the premises and can be inspected by any responsible authorities upon request. A policy of issuing polycarbonate glasses will be implemented when the premises is open. Glass bottles will not be handed to customers and will be poured into a polycarbonate glass. The only exception to glass bottles will be bottled wine or champagne available when seated at the booth on the premises. The wine, champagne or associated glasses will not be allowed on the dance floor at any time.

For any event other than weekly resident DJs, full details of the event/booking shall be provided to West Midlands Police nominated person, 7 days prior to trading. The notification shall include details of the security provision, staff numbers, and the proposed entertainment and style of operation. Notification shall be given in writing to the nominated email address given by West Midlands Police.

The Premises shall operate a last entry time of 2.30am and there shall be no re-admission after this time (save for customers who have been on site already and have exited to use any external smoking area).

The Premises shall operate a strict dress code policy and customers shall not be permitted entry wearing caps, hats, hoodies, tracksuits or sportswear. Persons wearing hooded jackets will be required to remove them and place them in the cloakroom of the venue.

The Premises shall have in place a search policy. The search policy will be regularly reviewed and updated to take into account any risks identified by the Premises operation and will be updated to take into account any concerns raised by West Midlands Police. Door staff and staff involved in the admission of patrons to the venue, will be fully briefed on the search policy and shall ensure it is adhered to. Signage shall be displayed at the Premises advising of the requirement to be searched on entry.

### **Public Safety**

No drinking vessels at any time are to be taken beyond the outside perimeter. The licence holder shall ensure notices are displayed in any designated outside smoking or drinking area to inform patrons of the restriction.

The location must have had a full risk assessment carried out by responsible authority or company. The capacity will be assessed by West Midlands Fire Service and the displayed at the front of the premises.

### **The prevention of Public Nuisance**

The DPS shall ensure that noise levels arising from the premises including the smoking areas are at a level that residents are not disturbed.  
Signs will be displayed around the premises including exits and smoking areas notifying customers to respect residents and to leave quietly.  
We operate an approved taxi firm and order taxis well in advance to ensure customers are away from the area quickly.

### **The protection of children from harm**

CCTV to be installed SSAIB or NSI registered installer and to meet the requirements of British Standard BSEN 50132 and GDPR complaint. Including a camera to cover each entrance and exit points.  
Recordings will be recorded for 31 days during licensed hours and will be handed to any responsible authority upon request.

At least two door staff one male and one female on a Friday and Saturday evening and any Sunday before a Bank Holiday including Christmas Eve and New Years Eve, when entertainment is being provided from 20:30 hours until 30 minutes after closing.

The door staff are to be SIA registered and to sign a record book at the start and end of their duty. The SIA company used will have full public liability insurance. The book shall be kept on the premises and readily be available for inspection by any responsible authority upon request.  
The badges of door staff will be clearly visible to all customers.  
The DPS or member of staff is to ensure that the SIA badges are still valid when they are on duty.  
A search policy will be in place directed by SIA staff on entrance to the premises when open.

Any Items that appear to be or are controlled substances will be seized if possible and the person will be refused entry. This will be recorded in the incident book with time, date and description of person refused entry. This will be recorded in the incident book with time, date and description of person refused entry and item seized.

The police will be called as soon practicable and in case within 24 hours of items recovered. This will include any items that have been recovered which are weapons or anything of a similar sort. The items will be kept in a secure locked safe place where there is no access to any members of the public.  
The toilets will be checked on an hourly basis and a record of the member of staff and time checked will be kept in the toilet.

Drugs misuse signs will be prominently displayed in all areas.

Any Temporary Event notice received in relation to the premises will include full details of the DJ attending and all details will be forwarded to the Sandwell Licensing Office at the time of application. If the event goes beyond the permitted licensing hours, then a full risk assessment will be conducted by the Licence holder and consideration for SIA staff to cover event.

All staff will be trained on signs of drug abuse both on persons and how to recognise signs of use on the premises. Training will also be given on signs of persons drinking to excess.  
All training will be recorded, and records will be kept at the premises to be made available to all responsible authorities immediately upon request.

The premises will have an incident book and all incidents will be recorded that occur inside or immediately outside the premises, regardless of whether any emergency services have been called. The record of incident will include details of the member of staff involved in the incident and the actions taken.

A challenge 25 policy will be in place and only photographic evidence including a driving licence, passport student card or pass scheme card will be accepted as proof of age. 'Challenge 25' signs will be prominently displayed for customers at the premises.

Children under the age of 18 will be monitored by a parent/guardian of a minimum age of 21 at all times with at least one adult for every two persons.

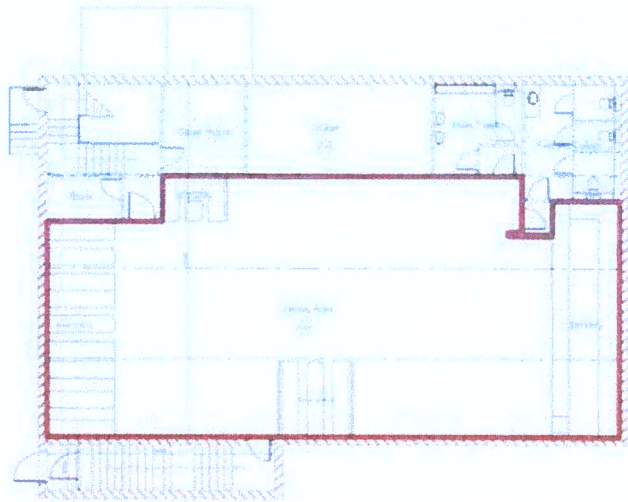
### Annex 3

Conditions attached after a hearing by the licensing authority

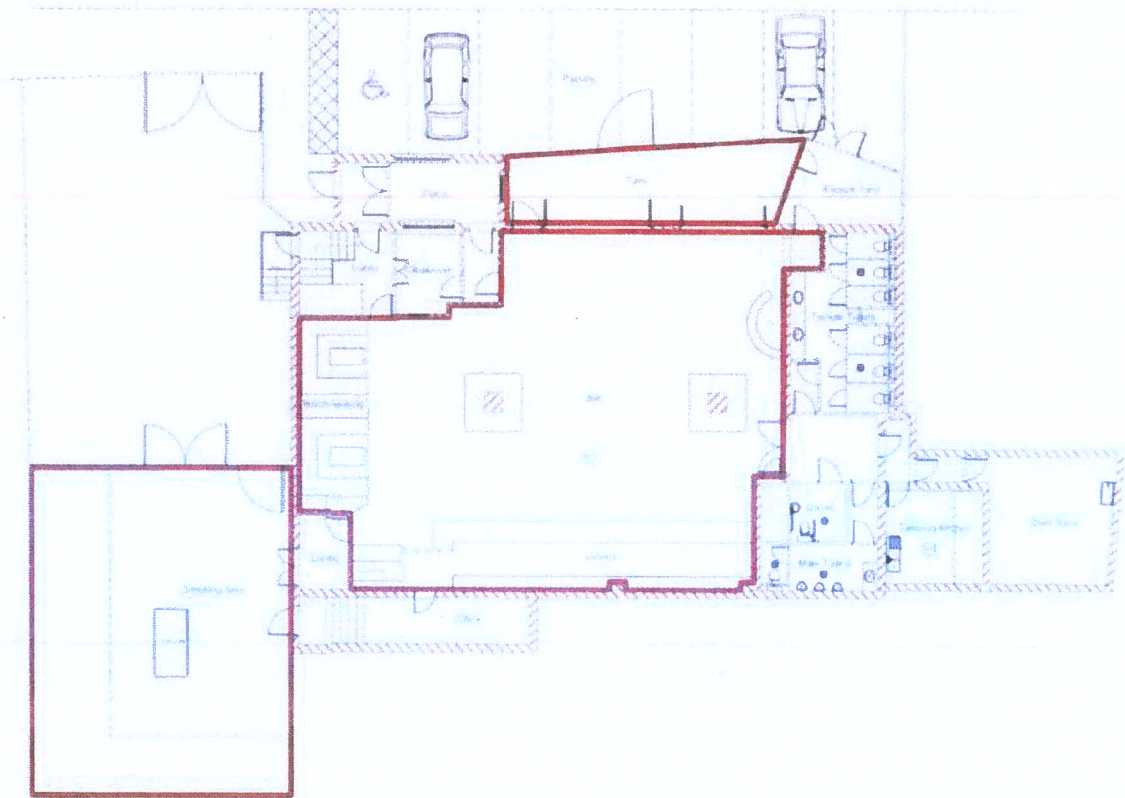
NONE

**Plans**

Plan No DPM186/06 rev A is attached to this licence



First Floor Plan



Ground Floor Plan



Appendix 4 - Location Map

