

**From:** Peter Adkins <Peter.Adkins@knightsplc.com>  
**Sent:** 23 March 2020 10:09  
**To:** Emma Waites; Elaine Moreton; Councillor Paul Birch; Tracey Homfray  
**Cc:** 's.a.reynolds@west-midlands.pnn.police.uk'; Elizabeth Gregg  
**Subject:** Without Prejudice : Proposed Conditions Rose Banqueting Hall 295 Parkfield Road  
**Attachments:** Rose Garden Drugs Policy\_PAH8\_1\_30169114.docx; Rose Garden Banqueting Hall Proposed Conditions\_PAH8\_1\_30169113.docx

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I am writing on behalf of the Applicant Mr Kuljinder Pahal

We have been sent copies of the various representations received by the Licensing team on this matter from the Responsible Authorities and others.

In the current climate we consider it is in all parties interests to avoid the need for attendance at a hearing if possible. I am therefore instructed to write proposing the following as a means of resolution. For ease we are sending one e-mail to all the Authorities in the hope a measure of collective agreement can be reached.

If agreement can be reached with all the Responsible Authorities we would invite the Licensing Authority to contact the remaining individual respondents to see if they will, in the circumstances, agree to withdraw their representations so a hearing is not necessary. If this is not possible then we would invite the parties to see if a telephone conference can be organised as soon as possible.

With regards to the Representations I summarise these below with the Applicant's proposals :

1. Prior to the receipt of the hearing notification, we had mediated with and agreed certain conditions with the Police. I attach a copy of these and the Drugs Policy referred to. These deal with issues raised as to the Operating Schedule etc.
2. Area to be licensed. The plans accompanying the application do show an upstairs mezzanine level with dance floor / stage etc. Our client was to an extent 'future proofing' the application. He was aware that he would need to obtain changes to planning permissions for this and would not have traded in the Mezzanine level without both permissions. It is open to our client to have permission under the Licensing Act (but not trade the floor) and then apply to Planning.

However in order to resolve this matter, the Applicant is prepared to agree to remove the 2<sup>nd</sup> floor / mezzanine level from the application. The area covered will therefore be just the ground floor

3. The hours of the Premises opening. As will be seen the hours requested for Licensable activities are 11:00-23:00 on normal days. The extensions beyond the hours covered by the Planning permission were only for the normal times at Christmas / New Year.

There are requested Opening Hours from 07:00 to 24:00. This was intended to allow for the set up and dismantling following events.

To resolve the representation the Applicant is prepared to agree to restrict hours for permitted activities to 11:00-23:00 and opening to 10:00-23:00

4. Use for Boxing / Wrestling. We have taken advice from our Planning Team and whilst they were not involved in the original planning application, they consider that it may be arguable as to whether such use is permitted or not.

Again we would state that the Applicant accepts that permissions under both Planning and Licensing would be needed before he can operate. We are investigating this issue more closely. If changes to permissions are needed, then he accepts that he will need to contact Planning again.

In the meantime though we are instructed that the Applicant is prepared to remove the sought permission for Boxing/Wrestling under Section 9 of the Application.

In summary we are proposing

1. Conditions as agreed with the Police and attached
2. Removal of the 2<sup>nd</sup> floor / mezzanine level from the application. The area covered will therefore be just the ground floor
3. Restriction of hours for remaining permitted activities to 11:00-23:00
4. Changes to opening hours to 10:00-23:00
5. Removal of the application for Boxing/Wrestling under Section 9 of the Application.

I would be grateful if you could indicate whether these can be agreed and the representations withdrawn

I am happy to discuss these with any of those involved. As I am working remotely I would request you ring my mobile 0771 945 2090

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## DRUGS POLICY

### Rose Garden Banqueting Hall

1. The Venue will adopt a zero tolerance to the use or supply of illegal substances on its premises.
2. Anyone who is found to be in possession, supplying or under the influence of any illegal substance will be removed from the premises.
3. Members of staff shall be trained to identify illegal drugs.
4. All seizures of drugs shall be confiscated and stored in a secure container prior to being handed over to the Police. The Police are to be contacted as soon as practicable to arrange seizure.
5. Any seizures of drugs shall be recorded in a bound book or electronic record, together with details of how and where the article was seized, and, where practicable the name and address of the person found to be in possession of the drugs. Such records shall be kept and made available for inspection by the Police and all such records to be retained at the premises for at least 12 months.
6. If illegal drugs are found within the premises, a clear image of the person found in possession shall be captured on CCTV, wherever possible.
7. Any person found using or in possession of drugs shall be detained, if safe and practicable.
8. Regular toilet checks shall be carried out and records of such checks shall be retained at the premises for a period of at least 12 months.

Dated March 2020

## Rose Garden Banqueting Hall - Proposed Conditions

### **Doorstaff / Event Management**

1. The DPS or a member of senior management will consider the need for doorstaff for each event, by means of a risk assessment which will be documented and kept for a period of 12 months. This will also be made available to any responsible authority. The numbers of doorstaff to be used to be determined primarily on the type of event taking place. For wedding type events a minimum ratio of 1:125 will be adopted. For Boxing/wrestling and similar events a minimum ratio of 1:75.
2. A daily log of all SIA staff employed at the premises detailing time on/off duty, badge numbers, full names and expiry date of SIA accreditation will be maintained and made available for inspection
3. Any Boxing, martial arts or any form of indoor contact sports events will be notified to Police licensing no less than 14 days in advance. Details of the promoter and participants (full names, dates of birth and stage names) will be provided to Police for suitable risk assessments to be conducted.

### **Drugs Policy**

- 4.. The Premises will operate in accordance with a Drugs Policy deposited with the Police. No amendments to the Policy to be allowed except with the prior agreement of the Police.

### **CCTV**

5. CCTV coverage to be installed in and outside the premises to the reasonable requirements of the local police with a minimum 30 days recording kept
6. At least one member of staff who is fully trained to use and download the CCTV to be on the premises at all times when the premises are open and trading under the Premises Licence.

### **Challenge 25**

7. A Challenge 25 policy will be adopted for the sale of alcohol with signs placed in overt positions, with particular reference to the bar area.

### **Staff Training**

8. The DPS/PLH to ensure on-going training (minimum of an annual basis) of all staff (not being Personal Licence holders) involved in the sale of alcohol and responsibilities this entails as per the Licensing Act 2003. This training to be documented with employee's name, date and type of training in a paginated book or similar electronic record. These records to be made available upon request to any Responsibility Authority.

### **Registers**

9. A paginated refusals register will be kept in either paper or electronic form and will be made available upon request to any responsible authority.

10. An paginated incident log will be maintained at the premises and a written record of any relevant incident that occurs at the premises must be appropriately recorded. Where it is deemed appropriate by the DPS/PLH or senior management the incident must be immediately reported to West Midlands Police. Incident log book to be produced to a member of a responsible authority upon request

### **General**

11. There will be no strip tease/nudity or showing of adult films on the Premises.

12. Unaccompanied children will not be permitted on the Premises

13. Signs to be erected to request patrons to be considerate of neighbours when leaving the premises