

SECTION THREE



Walsall Council

Community Protection



Our Ref: **WS/PRL/1037**

Date: 23 August 2021

Officer: J Mellor/S Heath-Marshall

Email: [REDACTED]@west-midlands.pnn.police.uk

[REDACTED]@walsall.gov.uk

Dear Melanie

Lezz Bar and Grill Bridge Street, Walsall Licence Number WS/PRL/1037

Further to our meeting last Monday to discuss operating concerns at the bar and the application to vary the DPS, Sarah and I believe we had a positive and productive meeting.

West Midlands Police still have concerns with you being the DPS based on past performance as a Premise License Holder however, as promise, I have informed the council West Midlands Police will not be making any representations at this point. I have however informed the council that should the incidents/breaches continue or the venue decides not to continue to work with the Police/Council, it would be at that point enforcement would be considered by way of a formal Review of the licence. The email to the council accepting you as DPS would be produced as evidence together with this letter with our agreed actions.

On viewing the CCTV it was very disappointing to evidence that during the time you have been the Premise Licence Holder, breaching of the current trading hours have been allowed to happen. Derek, myself and Sarah viewed 28th July, 1st, 8th and 15th August. Unfortunately it was in a room with no lights so it was very difficult to make clear notes in the dark. However, on the 1st August customers were seen in the outside area holding drinks and food until 04.49 with the last ones being ushered out by door staff at 04:59. The premises should have been closed to the public at 04:30. On the 8th people inside at 04:46. Again during the dates viewed, the door to the premises was opened on a number of occasions to let people in outside of their normal trading hours and some of the staff including door staff with their guests/partners were allowed to remain on the premises to continue drinking. At these times the blind to the front door has remained open.

In addition to these breaches West Midlands Police also have concerns with Derek being associated and playing a part running this business. It has been evidenced his poor management at a recent hearing in Wolverhampton where he was the DPS. During a Licensing Subcommittee hearing on 25th April 2018 the committee was satisfied on the evidence that:

1. There had been significant breaches of the licence conditions and failure to comply with provisions of the Licensing Act.
2. Search procedures were inadequate.
3. There had been serious crime on the premises (wounding) and it was likely other criminal activity had occurred on the premises to include allowing patrons to smoke and use drugs.

With all of the above noted, both Sarah and I are willing to work with you and Derek and a number of measures were agreed

The town safe radio will be provided for 6 months and the payment details after this time provided.

Further licensing checks will be made and their CCTV checked to ensure no further breaches are evidenced. The first one being in one months' time.

Melanie has agreed to ensure the premise will be closed on time with security staff being employed to ensure customers leave on time.

Late night refreshment will cease at 04:00 as per the licence.

As the door staff have changed, the serving to staff and their quests will cease after hours. It was emphasised to them, door staff are employed to work for them at quite a cost, and it's not a social occasion for them to bring their partners at the end of their shift.

The CCTV in the outside area needs attention/adjustment. When the marquee/covering is up, the camera records only the top of the covering and not the area where customers are.

In regards to the complaints that we have received in regards to the noise nuisance from the premises it was agreed during the meeting that the speakers for the premises would be turned down to a more acceptable level. As Sarah advised the best way to measure the level of the noise/music is to monitor the levels that staff are having use their voice to be heard or customers if they have to shout at each other to be heard then it would be too loud. Although we would not give a decibel level to work towards in monitoring I am aware that this was requested. In light of that request, the government deemed 85dcb to be an acceptable level of noise/music for ambient level during the Covid restrictions however, as I advised we would monitor the situation and where necessary carry out checks to ensure that the noise is emanating from the property to cause issues to those who live nearby.

Walsall Council have received further complaints from this weekend 21/22 August and the noise appears to be coming from the front of the property the music from the front area of the shop is too loud and needs to be lowered to ensure that it is not emanating from the property and cause further complaints. As agreed please ensure that the music is lowered, base is turned down to ensure that the noise is at a more reasonable level.

Should you have concerns regarding the content of this letter our contact numbers are above.

Yours sincerely

Jennifer Mellor

Jennifer Mellor
Walsall Licensing and Reg Services Office
West Midlands Police

Sarah Heath-Marshall

Sarah Heath-Marshall
Community Protection Officer
Community Protection Team
Walsall Council



Walsall Council

Community Protection



Our Ref: **WS/PRL/1037**
Date: 14th October 2021
Officer: J Mellor/S Heath-Marshall
Email: [REDACTED]@west-
midlands.pnn.police.uk
[REDACTED]@walsall.gov.uk

Dear Melanie

Lezz Bar and Grill Bridge Street, Walsall Licence Number WS/PRL/1037

Further to our visit to Lexx Bar on 28th September where we met yourself, Derek and the Fire Service, we confirm the following points raised and discussed.

It was evident that the rear fire exit had been covered up seriously undermining the Public Safety licensing objective and putting your customers at serious risk if a fire had started. This could have resulted in fatalities and or life changing injuries. The risk was so severe West Midlands Fire Service served a Restriction notice on yourselves limiting the area of use by your customers. We are aware this notice has been modified but the notice is still in force. Interestingly the Fire Service had limited the numbers in your venue to 120 persons yet Derrick informed police on 25th September your capacity was 180 therefore adding greater risk to those inside your venue.

Walsall Council have continued to receive noise complaints. Your Premise Licence states "The DPS will provide responsible management at all times" in relation to the prevention of public nuisance and all windows and doors to be kept closed after 23:00. On the evening of Saturday 25th September your front door was open as where the double doors to the outside area after 23:00 which conflicts with your Premise Licence conditions.

On our last visit it was evidenced you were open beyond the hours on your licence and again on 26th September we evidenced people being allowed into your venue past the allowed hours. Customers where sat in the front bar with a bottle, food and glassware in front of them. Derek confirmed these persons were not staff and apologised.

We spoke about your new door staff refusing to give their names to police officers on request on 24th September and also the smell of cannabis within your premise evidenced by Sgt Upton on 25th September. During the police visit, Derrick confirmed he is the manager at your venue which given his reported poor management at a previous venue and the continued concerns we have at Lexx, is a matter which needs addressing by yourself. Although the Licensing Act does not require the Premise Licence Holder or the Designated Premise Supervisor to be present at the venue during trading hours, I have noted I have not seen you at the venue on

watching your CCTV footage. This could be something you wish to consider given the breaches occurring at your venue.

Due to the concerns of disorder in Bridge Street we did ask you to consider at 3am closure but due to you supporting other venues in Dudley and Wolverhampton which close earlier this is not possible. As stated, we have asked a number of venues in Bridge Street to consider the same, one of which has confirmed a last entry policy and another is considering this but generally closes early at present.

We also spoke about a dress code which again was initially not something you wanted to consider at the time, however further to by email on 29th September when I confirmed all the members of Pub Watch have all voluntarily agreed to a dress code, you confirmed you would consider this for our next meeting.

Due to the pavement being blocked by your barrier system and the two vehicles you park on the pavement, one of which you use for payment into your venue from the passenger window, we thank you for removing both vehicles and reducing the barrier to only taking up half of the pavement.

Thank you also for providing details of your door supervisor details and staffing and as of the 6th October, your training records albeit this was very delayed.

Given our concerns I suggest a further meeting next week and formally confirm these meetings will form part of a three month Action Plan. This Action Plan would form part of any potential Licensing Review and would not prohibit a Review being submitted during this 3 month period.

Should you have concerns regarding the content of this letter our contact numbers are above.

Yours sincerely

Jennifer Mellor

Sarah Heath-Marshall

Jennifer Mellor
Walsall Licensing and Reg Services Office
West Midlands Police

Sarah Heath-Marshall
Community Protection Officer
Community Protection Team
Walsall Council

Jennifer Mellor

From: mel [REDACTED]
Sent: 25 October 2021 14:54
To: Jennifer Mellor
Cc: [REDACTED]@thelicensingguys.com; 'Sarah Heath'
Subject: [External]: RE: Lexx Bar and Grill, Bridge Street, Walsall
Attachments: Fwd: Fire Service Representation; 71405- Lexx (Risk Assessment).pdf; Rear Garden Pics 1.jpeg; Rear Garden Pics 2.jpeg; [Lexx Jerkz] Incident Report Log - new submission; barrier images.pdf

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Hello Jennifer

CC: Sarah Heath & Nick Semper

I am in receipt of your email below in regards to our meeting on 28th September 2021 and would like to know is this letter a personal attack on myself, as this is how it feels and if so, I would rather you approach the situation directly rather than under the guise of wanting to help, when it appears you are looking for reasons to tear down our business, I would also like to rebut a few findings that I have identified in your letter.

These are as follows:

"It was evident that the rear fire exit had been covered up seriously undermining the Public Safety licensing objective and putting your customers at serious risk if a fire had started. This could have resulted in fatalities and or life changing injuries. The risk was so severe West Midlands Fire Service served a Restriction notice on yourselves limiting the area of use by your customers. We are aware this notice has been modified but the notice is still in force. Interestingly the Fire Service had limited the numbers in your venue to 120 persons yet Derrick informed police on 25th September your capacity was 180 therefore adding greater risk to those inside your venue."

May I ask you the following:

- Are you insinuating that I covered up the rear fire exit?
- Who is seriously undermining the Public Safety licensing objective and putting our customers at serious risk if a fire had started?

As mentioned above is this personal? because I'm unsure why you would mention an action plan to me at this stage without trying to ascertain liabilities or is this a case of being guilty before proven innocent?

There has been NO ALTERATIONS OR COVER - UPS to the rear fire exit since the last meeting with Neil Aston Baugh (Fire Officer) with the Ms McLaren (previous premises license holder & DPS) along with Derrick back in 2019. Since then, prior to me becoming the DPS of Lexx Jerkz on the 5th August 2021 there was also another DPS so again who is responsible for this alleged cover up?

The premises plan drawing did indicate that there was a fire door there and was blocked off by our next-door neighbour's shed, but as the CCTV show prior to me becoming the DPS that exit was blocked off. Please see CCTV still attached - Rear Garden Pics 1 & 2

May I also remind you that on your request for Neil Aston Baugh to visit the site, Neil Aston Baugh was so concerned about the public safety he requested for a senior fire officer to visit the site to serve me a Prohibition Notice on 28th September 2021, restricting the use of the rear garden and reapplying a capacity restriction of 120 that WAS lifted to 170 on the 19th September 2019, between Ms McLaren and Neil Aston Baugh. Please see email & Risk Assessment attached – Fwd: Fire Service Representation & 71405 – Lexx (Risk Assessment)

Exact Wording below

No. 1

To be subjected to risk assessment as agreed – Proof provided in attached docs

Interestingly Sarah Heath-Marshall was also copied into this those correspondence on the 23rd September 2019 with Ms McLaren, when asked about the granting of the licensing variation. Please see email attached – Fwd: Fire Service Representation

Derrick has acted upon Neil Aston Baugh recommendations as a matter of urgency and installed a fire door along with the emergency lighting and signage on 30th September 2021, Neil Aston Baugh returned to the site on 1st October 2021 and the restrictions were modified after inspection of the newly installed fire door, allowing us to use the rear garden, however the capacity remained at 120, which is causing concerns, and I would really like to know is this personal? Does this warrant an action plan?

“Walsall Council have continued to receive noise complaints. Your Premise Licence states” The DPS will provide responsible management at all times” in relation to the prevention of public nuisance and all windows and doors to be kept closed after 23:00. On the evening of Saturday 25th September your front door was open as where the double doors to the outside area after 23:00 which conflicts with your Premise Licence conditions.”

As per our onsite meeting with yourself, Sarah Heath Marshall, Nick Semper, Derrick and myself where we've discussed about air ventilation (passive airflow) to help stop the spread of the corona virus via aerosol transmission, just to reiterate that this was suggested to us by yourself and CAN NOT be used against us as a breach of the prevention of public nuisance when we are simply following what was discussed and the government guidelines. Please also see the HSE guidance the matter above:

<https://www.hse.gov.uk/coronavirus/equipment-and-machinery/air-conditioning-and-ventilation/index.htm>

Please advise us of what are YOUR requirements, should we keep the doors open or closed?

Again does this warrant an action plan?

“On our last visit it was evidenced you were open beyond the hours on your licence and again on 26th September we evidenced people being allowed into your venue past the allowed hours. Customers where sat in the front bar with a bottle, food and glassware in front of them. Derek confirmed these persons were not staff and apologised.”

On the above date stated, Derrick had also stated that there was a failure on the security part for allowing the customers to finish their food, Derrick also pointed out to both yourself and Sarah that he himself nor was I downstairs when that incident took place and we have addressed the above

issue in the form of an induction, which has been carried out. Which was sufficient for yourself and Sarah Heath Marshall at the time.

"We spoke about your new door staff refusing to give their names to police officers on request on 24th September"

As mentioned at the meeting this was the first time, we heard of that and asked why the officer in question didn't notify management so that action could be taken immediately.

Please could you provide us with the name and badge number of the officer that the door staff refused to give details to so that we conduct our investigation as a matter of urgency to avoid any further reoccurrence.

"and also the smell of cannabis within your premise evidence by Sgt Upton on 25th September."

During that visit Derrick suggested to the officer when he mentioned the smell of cannabis to go back to area where the smell was, to locate the person or persons responsible as the officers has the right to conduct a search under section 23 of the misuse of drugs act, the officer and Derrick returned to the area where he stated that he smelt cannabis there was only 3 people there and may I add none of which was smoking, the officers did not see it necessary to evoke a search under section 23 of the misuse of drugs act, and choose to leave the premises without a search or an arrest.

During the police visit, Derrick confirmed he is the manager at your venue which given his reported poor management at a previous venue and the continued concerns we have at Lexx, is a matter which needs addressing by yourself.

Derrick has been managing Lexx Jerkz Bar and Grill since 2019 and has even been to your licensing committee with your predecessor PC Tolley, Sarah Heath and others, way before my time at Lexx Jerkz

Although the Licensing Act does not require the Premise Licence Holder or the Designated Premise Supervisor to be present at the venue during trading hours, I have noted I have not seen you at the venue on watching your CCTV footage. This could be something you wish to consider given the breaches occurring at your venue."

For my own personal health reasons I will consider the above once we get the all clear for the covid 19 pandemic.

"Due to the concerns of disorder in Bridge Street we did ask you to consider at 3am closure but due to you supporting other venues in Dudley and Wolverhampton which close earlier this is not possible. As stated, we have asked a number of venues in Bridge Street to consider the same, one of which has confirmed a last entry policy and another is considering this but generally closes early at present."

Due to the Prohibition Notice that was served upon us by the fire service, we have also adopted a 3am closure if capacity is reached, then a one in one out procedure thereafter is put in place to stay within the capacity as per the Prohibition Notice.

"We also spoke about a dress code which again was initially not something you wanted to consider at the time, however further to by email on 29th September when I confirmed all the members of Pub Watch have all voluntary agreed to a dress code, you confirmed you would consider this for our next meeting."

Whilst other members of the pub watch can adopt a dress code we are unable to do so, our premises is a completely different, due to being a predominantly outdoor space, other premises on Bridge Street are indoor and has the capability of climate control.

"Due to the pavement being blocked by your barrier system and the two vehicles you park on the pavement, one of which you use for payment into your venue from the passenger window, we thank you for removing both vehicles and reducing the barrier to only taking up half of the pavement."

You are welcome anything to help, whilst doing the above we have noted that cars are still being parked on bridge street, that are NOT being asked to NOT parked on the double yellow line except for those parked up close to our premises even though most of the car parked up on our side of Bridge street is for other businesses please see attached [Lexx Jerkz] Incident Report Log.

Also in regards to reducing the barriers we also noted that other venues are still being allowed to block off an entire pavement with their barriers. Please see - attached barriers images

With that being said, it seems like double standards, and I would like to know what makes other premises different from others?

"Thank you also for providing details of your door supervisor details and staffing and as of the 6th October, your training records albeit this was very delayed."

As always anything to help, and with regards to the delay we did say at the meeting that it is from the web server and unfortunately, we are not computer savvy when it comes to retrieving the data.

"Given our concerns I suggest a further meeting next week and formally confirm these meetings will form part of a three month Action Plan. This Action Plan would form part of any potential Licensing Review and would not prohibit a Review being submitted during this 3 month period."

Given the reason for our actions, and action taken by us to rectify and concerns you may have had and all the evidence provided, please can you state in writing what concerns that you have that warrant a formal action plan?

With regards to meeting on Tuesday 26th October 2021, unfortunately I'm not feeling any better so it will have to be postponed.

Also, can all future correspondence in regard to this and any further matters be in writing to eliminate any further misunderstanding

I trust that the above is to your satisfaction, however, should you have any further queries please do not hesitate to contact me.

Regards
Melanie Jordan

From: Jennifer Mellor
Sent: 14 October 2021 20:12
To: Melanie Jordan <mel.jordan@walsall.gov.uk>
Cc: @thelicensingguys.com; Sarah Heath @walsall.gov.uk
Subject: Lexx Bar and Grill, Bridge Street, Walsall

Good evening Melanie

As promised please find attached our letter confirming our recent visit. Should you have any concerns, please contact either Sarah or myself. If you can let me know your availability next week for a further meeting I would be most grateful.

Kind regards

Jennifer

Jennifer Mellor
Walsall Licensing and Regulatory Services Officer
Walsall Partnership Team
Walsall Police
Civic Centre, Walsall

Tel: 101 ext [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@west-midlands.pnn.police.uk

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Walsall Council



Community Protection

Melanie Jordan
Lexx Bar and Grill
75 Bridge Street
Walsall
West Midlands
WS1 1JQ

Your Ref:

Our Ref:

Date: 22/6/2022

Please ask for: J Mellor/S Heath-
Marshall

Direct Line:

E-mail:

Dear Ms Jordan

Licensing Act 2003 Premises Licence WS/PRL/1037

Following on from our increased patrols in the town centre, our officers completed a walkthrough of your venue on the evening of Saturday 4th June. Your door staff initially informed the Sergeant there were 60 customers inside the bar, however following the walkthrough and headcount revealed there were between 110-120 persons inside, as you are aware your maximum capacity at the moment is 120. When challenged, they could not provide a reasonable excuse for the misrepresentation of their numbers and were advised not to allow any more customers inside. Jennifer Mellor the Police Licensing Officer spoke with Derrick who provided stills of your CCTV stating there was only 65 persons inside, this differs from our own bodycam footage of the walkthrough. We would like to draw to your attention, the maximum capacity also includes any staff or hired persons. At the time of the visit, there was no monitoring of the two areas where the capacity is 60 in each area. The Fire Service have issued the capacity restriction due to their concerns, being over capacity holds potentially fatal risks as in the case of a fire, this would slow the pace of exit. Immediate action is required, such as training of your door staff to monitor and control the numbers in your venue. Due to our concerns, police officers will be making increased visits to your venue.

We have also been informed our officers smelt and witnessed cannabis being smoked. This was brought to the attention of door staff and Derrick as he can be seen on the police bodycam footage. It is your responsibility to uphold all four of the licensing objectives and by allowing this type of behaviour undermines these objectives. We would be grateful of a copy of your drugs and search policy so this can be viewed by the Partnership as it is our belief this is either not suitable, or not being adhered to or monitored. The smell of cannabis has been persistently present in your venue for a number of months, dating back to last year and this is continuing despite it being raised with yourself or your colleagues on numerous occasions. Police Officers regularly make comment and have provided statements for the police licensing department. This has also been brought to the attention of Derrick whilst on

duty at the bar, and on a visit into Walsall police station at the request of Insp Hobday.

At the request of Insp Hobday and both the senior police and council management teams we cannot stress enough how important it is that you curtail the smoking/use of cannabis inside your premises (or any other controlled drugs) with immediate effect. This is the final warning that will be given before formal action is taken.

Officers have been instructed to check for the smell/use of cannabis regularly throughout your opening hours, and you should expect this to occur and facilitate it. Police officers will rarely make arrests for cannabis possession offences inside busy venues late at night for operational reasons. This should **not** be misunderstood as a lack of concern – the licensing framework is designed and will be used to ensure premises management teams are always accountable for criminal behaviour on their premises.

We would also take this opportunity of informing you police officers have the Power of Entry into a licensed premise under Section 179 and Section 180 of the Licensing Act, they also have the power to seize under the Police and Criminal Evidence Act 1984 (PACE) amongst other powers. We are aware staff have begun presenting a clipboard with a form attached to officers for completion prior to entry. Whilst the reason for increased visits is clear above and officers will always be polite and explain this to staff, but officers are being asked to decline the completion of paperwork you present. It is also vital that your staff do not frustrate or slow down the entry of officers onto your premises whilst they are open. This is not in the spirit of the Licensing Act nor in actively working together to improve the relationships between your door staff and our police officers.

We would be grateful of your written response to our concerns by return so the partnership can decide on an appropriate course of action.

Yours sincerely



David Elrington
Head of Community Safety
and Enforcement



Insp Jamie Hobday |
Partnerships Team Manager
Walsall NPU
West Midlands Police

Jennifer Mellor

From: Melanie Jordan [REDACTED]
Sent: 24 June 2022 19:08
To: Jennifer Mellor
Subject: [External]: Re: Partnership Letter
Attachments: Drugs Policy JAN 21.pdf

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Dear Sirs

Thank you for your letter of 22nd June 2022.

We note that the Police Sergeant who attended on 4th June 2022 continues to maintain that there were 110-120 persons inside our premises. We on the other hand have produced CCTV which we maintain demonstrates that there were around 65 persons on the premises. Both accounts cannot be right, so we have reserved our copies of the CCTV footage from that night. It appears that until we can see the CCTV footage recorded on the officer's bodycam, we will remain at variance on these numbers. Can we therefore request copies of the bodycam footage that shows 120 persons on our premises? Please treat this as a Freedom of Information request. Thank you.

We note that your officers maintain that they have witnessed cannabis use on our premises. We are sorry that this is their perception. We maintain a zero tolerance to any form of drugs misuse on our premises, and welcome the officers efforts to assist us to enforce our outright ban. Please find attached a copy of our Drugs policy as requested.

We understand the officer's reluctance to complete a form on a clipboard prior to entering our premises. We welcome their occasional visits, and have no intention to impede their entry and progress. In future, any notes of their visits, including their identities, actions, observations and advice will be recorded by our own staff using our usual forms.

As ever, we wish to continue to work with you and the Community Safety Partnerships Team to improve relationships and keep Walsall safe.

Kind regards,

Melanie JORDAN

On Wed, 22 Jun 2022, 16:53 Jennifer Mellor, <[REDACTED]@westmidlands.police.uk> wrote:

Melanie

Please find attached a letter sent from the Partnership which is made up of West Midlands Police and Walsall Council which needs your prompt action. I have spoken to Derrick the week before last advising this letter would be issued to you. A hard copy will be hand delivered to Lexx Bar, Bridge Street for reference

In the interests of working together, we would appreciate your response so that matter can be discussed and any decisions moving forward made.

Kind regards

Jennifer

Jennifer Mellor

Walsall Licensing and Regulatory Services Officer

Walsall Partnership Team

Walsall Police

Civic Centre, Walsall

Tel: 101 ext [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]@west-midlands.pnn.police.uk

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Jennifer Mellor

From: Jennifer Mellor
Sent: 27 June 2022 14:33
To: mel [REDACTED]
Subject: RE: [External]: Re: Partnership Letter

Good morning Melanie and thank you for your response. I will advise the Partnership you have replied at our next Op Argonite meeting which is weekly on a Wednesday and I'm sure a Partnership response will be sent out to you including the disappointing seizure of drugs at the weekend. We all also have a look at your drug policy which unfortunately has not been effective.

With regards to your Freedom of Information request, there is a process in place for such requests. The link below will supply you with information for Freedom of Information and how to apply:

<https://foi.west-midlands.police.uk/>

On speaking with Insp Hobday, I believe as you are the Premise Licence Holder and DPS we would be happy to show you this information at Walsall Police Station. If you wished to bring your licensing consultation with you, that would be fine also. Please let me know if you wish me to set this up for you.

Has Derrick made you aware of one of your singers caught in possession and using openly in your premise on Saturday. Again I would be grateful of your thoughts on this further drug use at your venue so this can be discussed on Wednesday at our Partnership meeting. Officers again, have highlighted the continued smell of cannabis this weekend which has been stated.

Also a female member of your staff came out with the clipboard asking for completion by officers, from watching the police bodycam footage, I don't believe she had been advised the police would not be completing your forms as this is not a condition of entry for police officers. When the police officer later mentioned your name she stated "who's Melanie". Can I please remind you of 4.31 of the Revised Guidance under Section 182 of the Licensing Act 2003, The DPS has the day to day responsibility for the running of the premises.

I look forward to seeing with you

Kind regards

Jennifer

Jennifer Mellor
Walsall Licensing and Regulatory Services Officer
Walsall Partnership Team
Walsall Police
Civic Centre, Walsall

Tel: 101 [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@west-midlands.pnn.police.uk

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From: Melanie Jordan <[REDACTED]>
Sent: 24 June 2022 19:08
To: Jennifer Mellor <jennifer.mellor@walsall.gov.uk>
Subject: [External]: Re: Partnership Letter

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Dear Sirs

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As ever, we wish to continue to work with you and the Community Safety Partnerships Team to improve relationships and keep Walsall safe.

Kind regards,

Melanie JORDAN

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Melanie

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Kind regards

Jennifer



Walsall Council



Community Protection

Melanie Jordan
Lexx Bar and Grill
75 Bridge Street
Walsall
West Midlands
WS1 1JQ

Your Ref:

Our Ref:

Date: 15/07/2022

Please ask for: J Mellor/S Heath-
Marshall

Direct Line:

E-mail:

Dear Ms Jordan

Licensing Act 2003 Premises Licence WS/PRL/1037

I refer to the letter dated 22 June 2022 from Walsall Council and Walsall Police, which drew to your attention incidents that had occurred at Lexx Bar and Grill.

It is disappointing to learn that despite you receiving the above-mentioned letter on the 22nd June via email and the letter being hand delivered to Derrick Minnot on the 26th June that further incidents have been experienced at the premises.

These incidents include

1. During a visit to the premises at 02:40 on the 26th June Police staff witnessed an employee of yours, a singer openly using and in possession of a controlled drug namely Class B, Cannabis in the DJ area of your venue.
2. Police Officers reported that last weekend that yet again they could smell cannabis emanating from your premises, at a much higher level than any other entertainment venue.
3. Noise nuisance complaints continue to be received and Sarah Heath-Marshall, Community Protection Officer has had to speak with Derrick Minnot with regard to this matter also.

Taking our previous letter into account and also the incidents referred to above we have serious concerns with regard to the ability of Derrick Minnot to effectively manage the premises, and from yourself the DPS, to fulfil their responsibilities.

Despite providing us with a copy of your drugs policy it is clear staff and customers are not abiding by it and Derricks ability to control drug use on the premises and to control the level of music and noise that is disturbing local residents is inadequate.

We believe our concerns are justified and proportionate given his performance here and at a venue he worked at previously.

In our previous letter we advised this was a final warning before formal action would be taken. We therefore have to ask you to implement the following measures with immediate effect to ensure this unlawful activity ceases and for you, as the sole director of Lexx Jerkz Limited and DPS to take responsibility for the actions of the bar.

1. Your presence and management at the bar to deter this unlawful activity on Friday and Saturday evenings
2. Removal of Derrick Minnot as Manager of the bar
3. Replacement of the existing Security company supplying your SIA door staff together with those members of the team.
4. Last entry policy of 2am
6. Refresh all staff training, especially relating to your drugs policy by end July
7. Adopt LSAVI and complete self-assessment by end July
8. Complete WAVE training – all staff by end July

Please contact Jennifer Mellor to make arrangements for you and if required, your agent to come into the police station next week to discuss these formal measures further.

Walsall Police and Walsall Council will continue to monitor and review the activities reported to us from this premises and it is vital that you work with us to ensure incidents reduce and the bar is effectively managed. The only other option open to Regulatory Authorities is to seek formal action.

Yours sincerely



David Elrington
Head of Community Safety
and Enforcement



Insp Jamie Hobday |
Partnerships Team Manager
Walsall NPU
West Midlands Police



Walsall Council



Community Protection

Melanie Jordan
Lexx Bar and Grill
75 Bridge Street
Walsall
West Midlands
WS1 1JQ

Your Ref:

Our Ref:

Date: 25/07/2022

Please ask for: J Mellor/S Heath-
Marshall

Direct Line:

E-mail:

Dear Ms Jordan

Licensing Act 2003 Premises Licence WS/PRL/1037

I refer to the letter dated 15th July 2022 from Walsall Council and Walsall Police, which drew your attention to incidents that had occurred at Lexx Bar and Grill. The letter invited you and a representative into the police station the following week giving you the opportunity to advise what measures you were putting in place to deter the unlawful behaviour and to discuss the management of the bar. The Partnership are disappointed to learn, that although your legal representation is not available until the 1st or 2nd of August you are not prepared to meet earlier.

We believe the lack of contact, as our Police Licensing Officer had to further email you for a response to our letter as an indication of your lack of responsibility for our concerns. It is therefore the Partnerships decision to instigate a full Licensing Review based on the incidents and information gained over the previous 12 months.

Inspector Hobday and I are withdrawing the opportunity of a meeting but suggest you work with the Police Licensing Officer and Community Protection Officers to ensure improvements and measures are put in place during the Review process. As you have advised you are available on the 1st or 2nd August, we strongly suggest you contact our officers and arrange a time on one of these dates for further discussion.

Walsall Police and Walsall Council will continue to monitor and review the activities from your premise which would be included in the Review.

Yours sincerely



David Elrington
Head of Community Safety
and Enforcement



Insp Jamie Hobday |
Partnerships Team Manager
Walsall NPU
West Midlands Police

Jennifer Mellor

From: Jennifer Mellor
Sent: 05 August 2022 08:51
To: Melanie Jordan
Subject: Lexx Bar and Grill

Melanie

Further to the meeting I had arranged with Derrick on Wednesday of this week, unfortunately he did not arrive at the club for me to view your internal CCTV as arranged. I left voice messages on both of your phones but I have not heard back from either of you.

I would be most grateful if you or Derrick could contact me to rearrange this meeting. Next Tuesday would be a good day for me, so if you could let me know a time or an alternative date if Tuesday is not convenient.

Kind regards

Jennifer

Jennifer Mellor
Walsall Licensing and Regulatory Services Officer
Walsall Partnership Team
Walsall Police
Civic Centre, Walsall

Tel: 101 ext [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@westmidlands.police.uk

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