

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 24 JANUARY 2024 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

Please note a short break will be taken approximately 90 minutes from the start of the meeting and a 30 minute break will be taken at 1300 hours.

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 DECLARATIONS OF INTERESTS

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

3 - 38

4 **LICENSING ACT 2003 PREMISES LICENCE – VARIATION
GREYHOUND, COURT LANE, ERDINGTON, BIRMINGHAM, B23 5JX**

Report of the Director of Regulation and Enforcement.
N.B. Application scheduled to be heard at 10:00am.

5 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Director of Regulation & Enforcement
Date of Meeting:	Wednesday 24th January 2024
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Greyhound, Court Lane, Erdington, Birmingham, B23 5JX
Ward affected:	Erdington
Contact Officer:	Bhupinder Nandhra, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application to vary the Premises Licence which seeks to extend the hours for Live and Recorded Music to operate from 11:00pm until 12:00midnight (Friday and Saturday).

The application also seeks to remove the conditions under Annex 2 of the premises licence and replaced with the conditions contained within the application form. The application is attached to this report at Appendix 3.

Premises to remain open to the public from 10:00am until 11:00pm (Sunday), 10:00am until 11:30pm (Monday to Wednesday), 10:00am until 12:00midnight (Thursday) and 10:00am until 12:30am (Friday and Saturday).

2. Recommendation:

To consider the representations that have been made and to determine the application, having regard to:

- The submissions made by all parties
- The Statement of Licensing Policy
- The Public Sector Equality Duty
- The s182 Guidance

3. Brief Summary of Report:

Variation application received on 8th December 2023 in respect of the Greyhound, Court Lane, Erdington, Birmingham, B23 5JX.

Representations have been received from Environmental Health as a responsible authority and from other persons.

4. Compliance Issues:**4.1 Consistency with relevant Council Policies, Plans or Strategies:**

The report complies with the City Council's Statement of Licensing Policy and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

5. Relevant background/chronology of key events:

E Wall Enterprise Limited applied on 8th December 2023 to vary the Premises Licence for the Greyhound, Court Lane, Erdington, Birmingham, B23 5JX.

A representation has been received from Environmental Health as a responsible authority, which is attached at Appendix 1.

A representation has been received from other persons, which is attached at Appendix 2.

The application is attached at Appendix 3.

Conditions have been agreed with West Midlands Police and Birmingham City Council Licensing Enforcement and the applicant, which are attached at Appendices 4 and 5 respectively.

The current Premises Licence is attached at Appendix 6.

Site Location Plans at Appendix 7.

When carrying out its licensing functions, a licensing authority must have regard to Birmingham City Council's Statement of Licensing Policy and the Guidance issued by the Secretary of State under s182 of the Licensing Act 2003. The Licensing Authority is also required to take such steps as it considers appropriate for the promotion of the licensing objectives, which are:-

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of public nuisance; and
- d. The protection of children from harm.

6. List of background documents:

Copies of the representations as detailed in Appendices 1 & 2.

Application Form, Appendix 3.

Conditions agreed with West Midlands Police, Appendix 4.

Conditions agreed with Birmingham City Council Licensing Enforcement, Appendix 5.

Current Premises Licence, Appendix 6.

Site Location Plans, Appendix 7.

7. Options available

To grant the variation application

To refuse the whole or part of the application

To modify the conditions of the Licence

From: Peter R Brown
Sent: 27 December 2023 14:20
To: Licensing
Cc: bw licensing
Subject: Variation - The Greyhound, Erdington

Good afternoon

I refer to the variation application by the Greyhound to extend their live music hours by one hour to midnight on Fridays and Saturdays only.

After careful consideration, it is the view of Environmental Health that the change in hours is likely to result in the public nuisance objective not being met. The premises is in a residential area, with a significant number of houses being very close. Although there is no significant history of noise complaints at the premises, a complaint of late amplified music noise has been recently received and is currently undergoing investigation. The building has substantial windows and an entrance door on one façade and breakout noise is likely to be extensive, especially through the door, which would presumably be in frequent use.

As close neighbours of a local pub, it is reasonable that residents should expect some entertainment related disturbance, but the forward creep of hours is not considered to be reasonable in this location.

Regards

Peter Brown
Environmental Health Officer

Page 1 of 4

Dear Licensing Department,

Application Number: 173622 - License Number: 2392

It has been brought to our attention that the license owner of The Greyhound Inn (Court Lane, Erdington, Birmingham, B23 5JX) have applied for a change to their licencing hours to play live and recorded music from 23:00 to Midnight on a Friday and Saturday.

This application has been poorly advertised and all of us who live adjacent to the Greyhound Inn were unaware that this application even existed. This is due to the notice being displayed out of sight.

The only reason this was brought to our attention is that the Greyhound Inn was playing music up to midnight on 16/12/2023 which was 60 minutes past their current licencing hours of 23:00 and resident of 370 Court Lane checked the license online to find a new application had been submitted.

As residents of Court Lane, we strongly object to this proposal for the following reasons which are relevant even now and will be exacerbated if the license is granted past 23:00:

- Currently when the Greyhound Inn have evening events the noise levels can be quite excessive with the volume of the recorded music and especially the constant thudding of the base from the recorded music being played which always disturbs residents sleep which includes 5 young children from the age of 5 and residents who are elderly.

This is amplified when the customers enter and exit the building on a constant basis as the music is playing next to the entrance/exit of the building.

When the music is played on a Friday, Saturday and Sunday the families with young children have to do different things to help their children sleep. These can be:

1. Moving the child/children from their bedrooms at the front of the property to the back of the property so they hear less noise.
2. Play music in the child/children's bedroom to cover over the music and base coming from the Greyhound Inn.
3. Have the TV on in the bedroom for the child/children to fall asleep to.

Also the residents who have no children must adapt their living and sleeping arrangements when the music is played.

This is something which the families should not have to do in a residential area.

- The noise levels over the summer months can be unbearable as the second front door is always wedged open and cannot close.

Due to the music being set up to the left of the entrance/exit the music is blaring into the street which makes it impossible for families to sleep even at the back of their property.

- This building is wholly inappropriate for the use of amplified music at the front of the property. The windows are single pane glazing to the front and with the music being set up next to the left side bay window which is a few steps from the front door, the music and base is very very loud.
- No thought has been paid towards the affect this will have on nearby families, especially the ones with young children who have their bedrooms at the front of the property.
- Anti-social behaviour has happened on a few occasions but extending the music time will only make this worse.
- When the new license owners reopened the Greyhound Inn the first few weeks, they were playing music to 23:30 which is 30 minutes past the current licencing times. Birmingham City Council was made aware of this and they have spoken to the license holders many times.
- Even after the Greyhound was reminded of their licensing times, every Friday and Saturday the music is being played up to 23:15 so if the license is granted to midnight the music will not be turned off until possibly 12:15am.
- There is a current **high court order/injunction** in place with regards to the music being played from the Greyhound Inn. The below requirements are **NOT** being adhered to:
 1. The second front door is to always remain closed (Not adhered but even more so in the warmer months).
 2. The toilet windows are to be always closed when music is played.
 3. The amplified music is to be set up at the back of the property.
- Constant noise of car's doors banging shut with customers arriving and leaving the Greyhound Inn.
- Customers drinking, smoking and being very loud with singing and shouting outside the front of the Greyhound Inn. This has reduced since the new license owners have taken over but with the license time being extended more people will visit and the 'beer garden' can only hold so many customers so they will go outside the front.
- During the summer months the Greyhound Inn have repeatedly played loud music throughout the early afternoon into the late evenings. Music loud enough that it is impossible for residents to sit outside in their own back gardens. This again is made worse with the front door being wedged open and the music being played from the front of the property.

- Very loud noise from the customers when they are leaving the Greyhound Inn. This constantly wakes up residents who are sleeping.

If the families of Court Lane are already experiencing all the above issues in relation to the current situation of music being played, it will only exacerbate matters if the licensing time is changed to midnight.

We are really concerned that there is a high court order/injunction in place which is not being followed by the new license owners.

The high court order is in place to reduce the impact on residents caused by the playing of amplified music, but it is being completely ignored.

We appreciate you taking this information into consideration to make the right choice for the local community.

Please feel free to contact any of the below residents if you require any further information.

Regards

1 Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

1 Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

[Redacted]

Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

[Redacted]

Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

Court Lane

Signature: [Redacted]

Print Name: [Redacted]

Email address / Contact Number: [Redacted]

[Redacted]

[Redacted]

[Redacted]

Application to vary a premises licence under the Licensing Act 2003

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 this 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.
 You may wish to keep a copy of the completed form for your records.

WE E Wall Enterprise Ltd

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number 2392

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Greyhound Court Lane Erdington
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Post Town	Birmingham	Postcode	B23 5JX
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Telephone number at premises	
Non-domestic rateable value of premises	£9,600

Part 2 - Applicant Details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 1)

- Extend the hours permitted for Live and Recorded music from 23:00 until 00:00hrs Friday and Saturday only.

- To remove all conditions under Annex 2 and replace with the following more up to date and relevant conditions:

1. An incident and refusals log shall be kept at the premises for at least 12 months, and made available on request to a Police officer or an authorised officer of the licensing authority, which will record the following:

- All crimes reported to or by the premises to the Police.
- All ejections of patrons
- Any incidents of crime and disorder
- Seizures of drugs, offensive weapons, fraudulent ID, or other items
- Any refusal of the sale of alcohol

2. The Premises Licence Holder or nominated person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.

3. A record of refusals shall be maintained which documents every instance that a sale of alcohol (and any other age restricted product) is refused on the premises, indicating the date and time the refusal was made, and the member of staff making the refusal. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the police.

4. A Challenge policy shall be adopted, implemented, and maintained ensuring that all members of staff are trained to refuse supply to anyone who appears to be under the age of 21 and who is seeking to obtain any age restricted product unless that person provides credible photographic proof of age evidence. Such credible evidence shall include a photograph of the customer and acceptable form of ID. Examples of acceptable ID are limited to photo card driving licence, passports, military identification, or proof of age cards bearing the 'PASS' hologram. No other evidence of age and identity may be accepted.

5. Children shall not be permitted on the premises after 21:00, unless attending a private function or event.

6. The Premises shall maintain the 24-hour recording CCTV system, operating on 2 external and 3 internal cameras.

- To change the address of the premises licence holder from _____ Road Erdington Birmingham B23 _____ to The Greyhound Pub 361 Court Lane Birmingham B23 5JX.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events			Please give further details (please read guidance note 5)
Standard days and timings (please read guidance note 8)			
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon	No change	No change						
Tue	No change	No change						
Wed	No change	No change				State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	No change	No change						
Fri	10:00	00:00				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) NO CHANGE		
Sat	10:00	00:00						
Sun	No change	No change						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon	No change	No change						
Tue	No change	No change						
Wed	No change	No change				State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	No change	No change						
Fri	10:00	00:00				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) NO CHANGE		
Sat	10:00	00:00						
Sun	No change	No change						

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

J- NO CHANGE

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	No change	No change			
Tue	No change	No change	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) NO CHANGE		
Wed	No change	No change			
Thur	No change	No change			
Fri	No change	No change			
Sat	No change	No change			
Sun	No change	No change			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

NONE

L – NO CHANGE

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	No change	No change	
Tue	No change	No change	
Wed	No change	No change	
Thur	No change	No change	
Fri	No change	No change	
Sat	No change	No change	
Sun	No change	No change	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) NO CHANGE

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M- Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

We have considered the impact of the proposed changes taking into account the licensing objectives and the council's licensing policy. We do not feel that there will be any adverse impact caused and the premises will continue to operate as per their operating schedule. The licence currently has relevant and sufficient measures in place to ensure that no public nuisance is caused from the additional hour of music we are requesting on a Friday and Saturday night.

The premises is looking for this extension to allow customers to enjoy their night in one place without migrating to another venue due to the early finish of the music, the extension will allow the premises to evolve in line with the ever-changing needs of the consumer.

b) The prevention of crime and disorder

See box A) above.

c) Public safety

See box A) above.

d) The prevention of public nuisance

See box A) above.

e) The protection of children from harm

See box A) above.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee ; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	08/12/2023
Capacity	Solicitors for and on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Savannah Courtenay Flint Bishop LLP Pinnacle House 2 Prospect Place Derby DE24 8HG	
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

From: bw licensing
Sent: 14 December 2023 11:16
To: Licensing
Cc: Savannah Courtenay
Subject: FW: Variation for Greyhound REF 1457312

Good Morning Licensing,

With regard to the premises licence variation for Greyhound, Court Lane, Erdington. B23 5JX

West Midlands Police have reviewed this application and are happy that if the below conditions are added / amended on the licence, then the licensing objectives will be met and promoted.

The below conditions / amendments have been agreed with the applicant, via their solicitor, as per below email chain who is copied into this.

Conditions 5&6 have been amended from the original application. Condition 7 is new.

5. Children, under 18 years old shall not be permitted on the premises after 21:00, unless attending a private function or event which is either ticketed or not open to the general public. No children, under 18 years old allowed on the premises unless accompanied by a responsible adult.

6. The Premises shall maintain the 24-hour recording CCTV system, operating as a minimum on 2 external and 3 internal cameras. CCTV images will be held for a minimum of 28 days and may available to West Midlands on request.

7. When the premises are providing regulated entertainment, all windows and doors within the licensable area will be closed, save for access and egress.

If the above conditions are imposed onto the licence then West Midlands Police have no objection to this licence variation.

Regards and thanks

Chris Jones 55410
Central Licensing Team West Midlands Police

From: Savannah Courtenay
Sent: 14 December 2023 10:56
To: bw licensing
Subject: RE: [External]: FW: Variation for Greyhound REF 1457312

Good morning,

I can confirm that my client is happy with the below amended conditions and addition of one.

Kind regards,

Savannah Courtenay
Legal Assistant
Licensing



From: Christina McCullough
Sent: 22 December 2023 15:56
To: Licensing
Subject: FW: Application to vary premises licence 2392 - Greyhound, Court Lane, Erdington

Hi,

Please find attached a revised condition to one that has already been agreed with WMP. The agent has agreed to this slight amendment.

Can this condition be attached to the licence if it is granted please.

Regards

Chris

Christina McCullough
Licensing Enforcement Officer

From: George Domleo
Sent: 22 December 2023 08:45
To: Christina McCullough
Subject: RE: Application to vary premises licence 2392 - Greyhound, Court Lane, Erdington

Good morning Christina

Hope you're well.

Your requested amendment to the proposed condition is accepted.

Regards

George
Senior Associate
Licensing

From: Christina McCullough
Sent: 22 December 2023 01:36
To: savannah.courtenay
Subject: Application to vary premises licence 2392 - Greyhound, Court Lane, Erdington

Dear Savannah,

I am in receipt of the application submitted in respect of the above premises.

You will appreciate it is important that any conditions attached to a premises licence are clear, precise and enforceable in order to effectively promote the four licensing objectives.

I am aware that the following condition regarding CCTV has already been agreed with Chris Jones – WMP.

6. The Premises shall maintain the 24-hour recording CCTV system, operating as a minimum on 2 external and 3 internal cameras. CCTV images will be held for a minimum of 28 days and may available to West Midlands on request.

Can I ask that you agree to this condition to be amended to read,
"6. The Premises shall maintain the 24-hour recording CCTV system, operating as a minimum on 2 external and 3 internal cameras. CCTV images will be held for a minimum of 28 days and may available to *any responsible authority* on request.

I would be grateful if you could confirm, by email, whether or not your client is prepared to accept this amendment.

Regards

Christina McCullough
Licensing Enforcement Officer



Licensing Act 2003

Premises Licence

Premises Licence Number	2392
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description
Greyhound, Court Lane, Erdington, Birmingham, B23 5JX
Telephone Number
Not specified

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale of Alcohol by Retail Performance of Live Music Playing of Recorded Music

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol by retail:		
Day	Start Time	End Time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:30
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	12:00	22:30
Place:		
Seasonal Variations: 10:00 - 00:00 Every Friday, Saturday, Sunday and Monday of Each Bank Holiday / Christmas Eve / Boxing Day / New Years Eve		
Non-Standard Times:		

Performance of Live Music:		
Day	Start Time	End Time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00

Reference: 166675

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Sunday	10:00	22:30
Further Details:		
Place:		
Seasonal Variations: 10:00 - 00:00 Every Friday, Saturday, Sunday and Monday of Each Bank Holiday / Christmas Eve / Boxing Day / New Years Eve		
Non-Standard Times:		

Playing of Recorded Music:

Day	Start Time	End Time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Sunday	10:00	22:30

Further Details:

Place:

Seasonal Variations: 10:00 - 00:00 Every Friday, Saturday, Sunday and Monday of Each Bank Holiday / Christmas Eve / Boxing Day / New Years Eve

Non-Standard Times:

The opening hours of the premises

Day	Start Time	End Time
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	00:00
Friday	10:00	00:30
Saturday	10:00	00:30
Sunday	10:00	23:00

Seasonal Variations: 10:00 - 00:30 Every Friday, Saturday, Sunday and Monday of Each Bank Holiday / Christmas Eve / Boxing Day / New Years Eve

Non-Standard Times:

Where the licence authorises supplies of alcohol whether these are on and /or off supplies

For consumption on and off the premises

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

E Wall Enterprise Ltd
54 Station Road, Erdington , Birmingham , B23 8UE

Registered number of holder, for example company number, charity number (where applicable)

Company Number:14688007

Name and address of designated premises supervisor where the premises licence authorises the supply of alcohol

Mrs Emma Louise Wall

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: 159215
Issuing Authority: BIRMINGHAM

Dated 30-06-2023

Shaid Yasser
Senior Licensing Officer
For Director of Regulation & Enforcement

Reference: 166675

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Annex 1 – Mandatory Conditions

No supply of alcohol may be made under the premises licence (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

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. 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).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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. 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. 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 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: 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.

(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) In this condition:- (a) '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 amount of duty chargeable in relation to the alcohol as if the duty 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; (b) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (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. (3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. (4) Where the permitted price 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, the permitted price which would apply on the first day applies to sales or supplies of alcohol which

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take place before the expiry of the period of 14 days beginning on the second day.

Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

a. On weekdays, other than Christmas Day, Good Friday or New Years Eve, 11 a.m. to 11 p.m. b. On Sundays, other than Christmas Day or New Years Eve, 12 noon to 10.30 p.m. c. On Good Friday, 12 noon to 10.30 p.m. d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m. e. On New Years Eve, except on a Sunday, 11 a.m. to 11 p.m. f. On New Years Eve on a Sunday, 12 noon to 10.30 p.m. g. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day, which would be 11.00 a.m. if New Years Day falls on a weekday or 12 noon if a Sunday. The above restrictions do not prohibit: (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; (b) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises; (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (d) the sale of alcohol to a trader or club for the purposes of the trade or club; (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majestys naval, military or air forces; (f) the taking of alcohol from the premises by a person residing there; or (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

There was no application to remove any of the embedded restrictions applicable to this licence under the old licensing regime. Those embedded restrictions are detailed below. Licensable activities may continue beyond the times specified in the embedded restrictions up to the times the premises licence authorises the carrying out of licensable activities.

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Annex 2 – Conditions consistent with the Operating Schedule

No adult entertainment or services are permitted on the premises with the exception of 2 AWP machines.

All regulated entertainment is permitted to take place inside the premises only.

The Premises shall maintain the 24 hour recording CCTV system, operating on 2 external and 3 internal cameras.

The Licence Holder shall ensure that the exterior of the building, car park and outside drinking areas are well lit.

All recorded and/or live music will cease at the end of permitted hours for the sale of alcohol. Therefore no music will be played during drinking up time.

Fire extinguishers are available at the designated positions on the premises.

Illuminated exit and emergency exit signs for both the main entrance and fire escape, with three additional emergency lights within the trading space.

The Premises is signed to the smoking charter with the policy displayed at the point of entry. Two air cleaners will continue to operate within the trading space.

No unaccompanied children are permitted on the premises at any time.

Cigarettes will only be dispensed over the counter.

No children are permitted on the premises after 21:00 hours.

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Annex 3 – Conditions attached after a hearing by the Licensing Authority

Drinking up time will be limited to 30 minutes.

Noise - toilet windows, front door and rear door to be closed at all times when regulated entertainment is taking place, save for entry and egress.

OUTSIDE the premises:- i) requesting patrons be considerate of local residents when leaving the premises. To be x2 the size of the present sign which is A4; ii) requesting private hire and taxi drivers do not sound your horns To be 3 foot x 2 foot.

Signage INSIDE the premises on noticeboard opposite front door:- i) requesting patrons to be considerate of local residents when leaving the premises; ii) no bottles/glasses to be removed off the premises. No drinking outside the front of the premises

CCTV - a camera to cover the front entrance to the car park. The CCTV system to be recordable and tables retained for 30 days.

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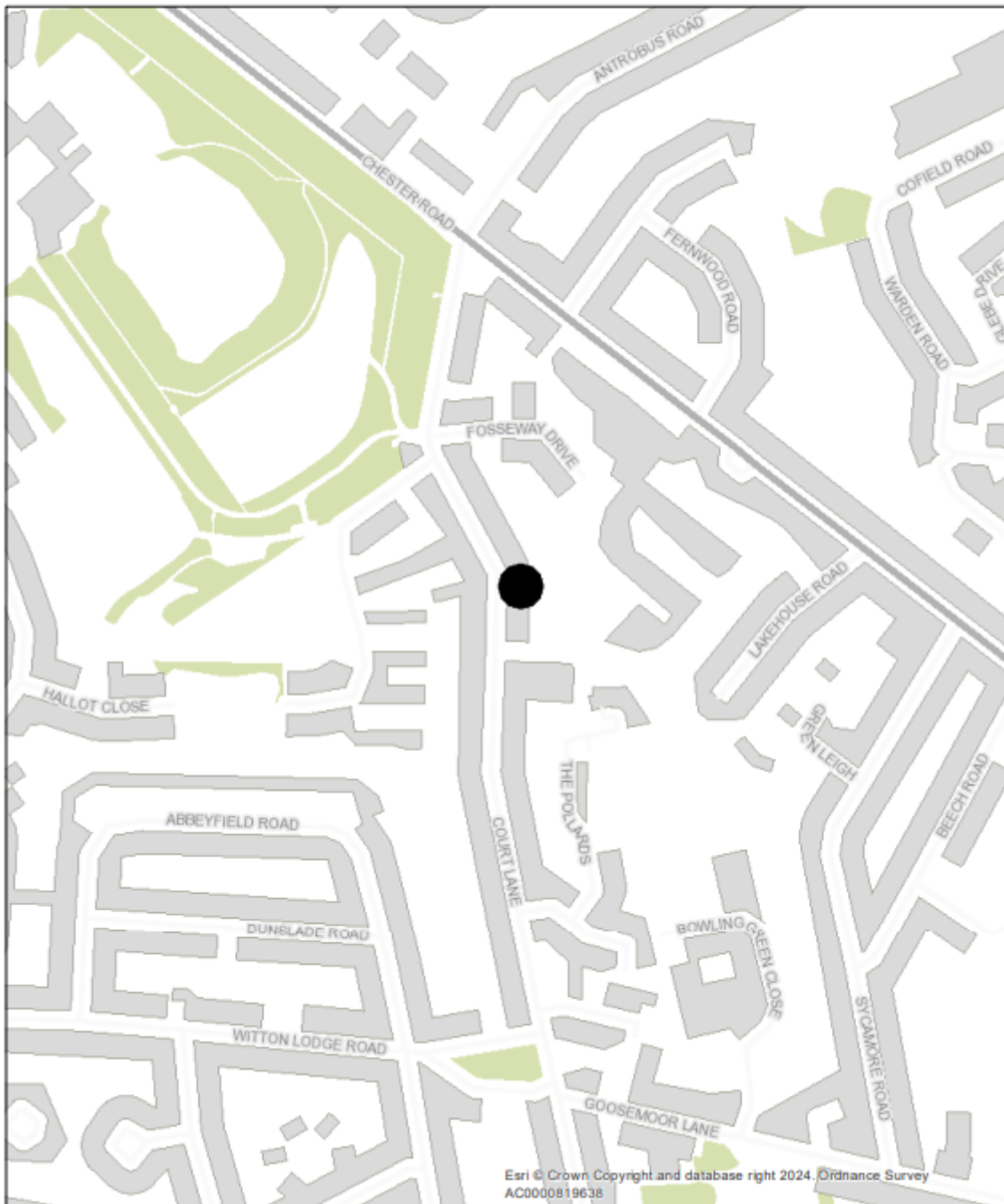
Annex 4 – Plans

The Plan of the premises with reference number 166675 which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.

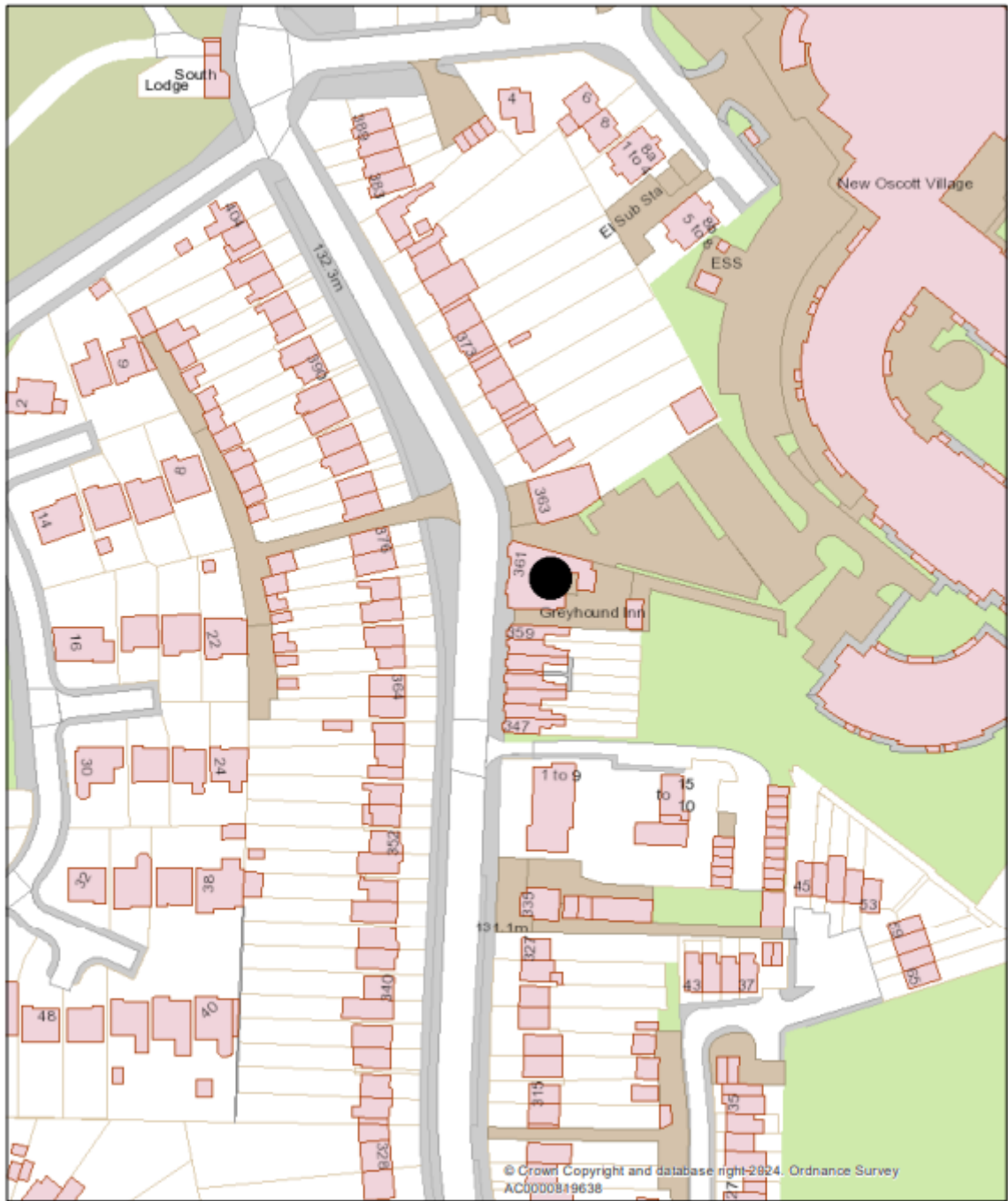
Reference: 166675

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From: George Domleo <George.Domleo@flintbishop.co.uk>
Sent: Monday, January 22, 2024 10:07 AM
To: David Kennedy <David.Kennedy@birmingham.gov.uk>; Bhapinder Nandhra <Bhapinder.Nandhra@birmingham.gov.uk>
Cc: emma greene; Licensing <licensing@birmingham.gov.uk>
Subject: RE: Licensing Act 2003 (Variation) RE: Greyhound, Court Lane, Erdington, Birmingham, B23 5JX

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Good morning Bhapinder and David

I hope you're both well.

Our client wishes to put forward the following additional conditions as part of the variation in response to the remaining objection –

1. Staff shall monitor the customers in the external area of the premises on a regular basis and ensure customers do not cause a public nuisance.
2. When regulated entertainment, including live and recorded music, is taking place, regular boundary noise checks shall be conducted, and any required action shall be taken. Records detailing the sound checks and any required action shall be recorded. All records must be written and shall be retained on the premises for a minimum of 12 months.
3. A direct telephone number for the manager of the premises shall be made available to residents in the vicinity upon request; to call all times the premises are open.
4. A complaints log shall be maintained.
5. Customers will not be permitted to drink and/or smoke outside to the front. They will be directed to use the rear beer garden.

I shall circulate these additional conditions to Mr Glover, and I would be grateful if these too could be shared with the committee in advance of Wednesday's hearing.

Thanks

George

George Domleo
Senior Associate
Licensing

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From: George Domleo <George.Domleo@flintbishop.co.uk>
Sent: Monday, January 22, 2024 10:56 AM
To: David Kennedy <David.Kennedy@birmingham.gov.uk>; Bhapinder Nandhra <Bhapinder.Nandhra@birmingham.gov.uk>
Cc: emma greene; Licensing <licensing@birmingham.gov.uk>
Subject: RE: Licensing Act 2003 (Variation) RE: Greyhound, Court Lane, Erdington, Birmingham, B23 5JX

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Attached photo as well please.

Thanks

George

George Domleo
Senior Associate
Licensing

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