

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 5<sup>th</sup> July 2023</b>
<b>Subject:</b>	<b>Licensing Act 2003 Premises Licence – Variation</b>
<b>Premises:</b>	<b>The Rhodehouse, 1<sup>st</sup> Floor, 123 The Parade, Sutton Coldfield, B72 1PU</b>
<b>Ward affected:</b>	<b>Sutton Trinity</b>
<b>Contact Officer:</b>	<b>Bhapinder Nandhra, Senior Licensing Officer, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### 1. Purpose of report:

To consider a relevant representation that has been made in respect of an application to vary the Premises Licence which seeks to extend the hours for the Sale of Alcohol (for consumption both on and off the premises), to operate from 09:00am until 01:00am (Friday and Saturday).

To extend the hours that the Premises are to remain open to the public from 08:00am until 01:30am (Friday and Saturday).

The application also seeks to vary the Premises Licence plan, which is attached to this report as an Appendix.

The applicant is not seeking to vary any of the other licensable activities or times under the scope of this application.

### 2. Recommendation:

To consider the representation that has 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 19<sup>th</sup> May 2023 in respect of The Rhodehouse, 1<sup>st</sup> Floor, 123 The Parade, Sutton Coldfield, B72 1PU.

A representation has been received 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:**

The Rhodehouse Limited applied on 19<sup>th</sup> May 2023 to vary the Premises Licence for The Rhodehouse, 1<sup>st</sup> Floor, 123 The Parade, Sutton Coldfield, B72 1PU.

A representation has been received from other persons, which is attached at Appendix 1.

The application is attached at Appendix 2.

The current Premises Licence is attached at Appendix 3.

Site Location Plans at Appendix 4.

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:**

Copy of the representation as detailed in Appendix 1.

Application Form, Appendix 2.

Current Premises Licence, Appendix 3.

Site Location Plans, Appendix 4.

**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:**

**Sent:** 16 June 2023 23:37

**To:** Licensing

**Subject:** Representations RE: The Rhodehouse application for license variation

To whom it may concern.

I would like to make representations regarding the application for license variation of:

The Rhodehouse, 1<sup>st</sup> floor 123 The Parade, Sutton Coldfield B72 1PU

It is important to record that the registered address appears misleading as sole entrance and exit to the business in question is on Holland Street, a predominantly residential street. The immediate neighbour is an assisted living accommodation for elderly people.

The club is already a disruptive force in the local area, with the current terms of the license having a direct impact residents including myself, for clarity these are broken down into 2 areas.

1. Direct impact from noise. My property is well insulated and double glazed, but the sound emitted from the club is easily audible within my home every Friday and Saturday night, and often on a Thursday. The club sometimes hosts live bands, and with all my doors and windows closed lying in bed attempting to sleep it has been possible to me to identify the songs. On a warm day with my windows open the noise of an evening is a constant distraction. To their credit the club is good at following the terms of their current license, making it very clear when midnight arrives as the music, typically thumping bass, ceases. The proposed change to the license would permit the expansion of this already disruptive noise to a significant public nuisance for all local residents.
2. Indirect impact from noise. At the end of the current license terms, when it closes the direct noise from the club may stop, but it is replaced by the noise of people leaving the club. It is fairly common for drunk people leaving the club to be singing, sometimes arguing loudly and occasionally fighting. This is already a public nuisance, however the proposed extension to the license would attract more people to the club after other establishments in the area close, resulting in later street noise from people traveling to and from the club, but risks a significant public nuisance to the local residents and after the club closes.

I ask that, for the local community, the application for license variation by The Rhodehouse be declined, without making any amendments to the current license terms to permit extended opening, thereby preventing further disruption to local residents.

Regards

Holland Street  
Sutton Coldfield  
B72



Birmingham

Application to vary a premises licence  
Licensing Act 2003

For help contact

[licensingonline@birmingham.gov.uk](mailto:licensingonline@birmingham.gov.uk)

Telephone: 0121 303 9896

\* required information

## Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

FULL VARIATION - The RHODEHOUSE

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?



Yes



No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

## Applicant Details

\* First name

THE RHODEHOUSE

\* Family name

LIMITED

\* E-mail

Main telephone number

Include country code.

Other telephone number



Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:



Applying as a business or organisation, including as a sole trader



Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

## Applicant Business

Is the applicant's business registered in the UK with Companies House?



Yes



No

Note: completing the Applicant Business section is optional in this form.

Registration number

13112890

Business name

THE RHODEHOUSE LIMITED

If the applicant's business is registered, use its registered name.

VAT number



Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

**Agent Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put 'none' if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business	CEO	
Home country	United Kingdom	The country where the headquarters of your business is located.
<b>Agent Registered Address</b>		Address registered with Companies House.
Building number or name	C.N.A. Risk Management Limited	
Street	P.O. Box 13293	
District	Great Barr	
City or town	Birmingham	
County or administrative area	West Midlands	
Postcode	B42 9BP	
Country	United Kingdom	

## Section 2 of 18

### APPLICATION DETAILS

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number 5296

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

#### Postal Address Of Premises

Building number or name	THE RHODEHOUSE
Street	1st Floor, 123 The Parade
District	
City or town	Sutton Coldfield
County or administrative area	West Midlands
Postcode	B72 1PU
Country	United Kingdom

#### Premises Contact Details

Telephone number	
Non-domestic rateable value of premises (£)	30,000

**Section 3 of 18****VARIATION**

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The applicant is seeking an extension of 1 hour for the supply of alcohol as follows.  
Friday to Saturday - 09:00hrs to 01:00hrs

Operating hours will be:  
Friday to Saturday - 08:00hrs to 01:30hrs

This extension will allow customers to finish the night off at the venue

The applicants agent has liaised with Chris Jones of West Midlands Police Licensing Unit.  
Attached also is an updated Plan of the premises.

**Section 4 of 18****PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 5 of 18****PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

**Section 6 of 18****PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

<b>Section 7 of 18</b>
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No

<b>Section 8 of 18</b>
<b>PROVISION OF LIVE MUSIC</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide live music be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No

<b>Section 9 of 18</b>
<b>PROVISION OF RECORDED MUSIC</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide recorded music be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No

<b>Section 10 of 18</b>
<b>PROVISION OF PERFORMANCES OF DANCE</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No

required information

<b>Section 11 of 18</b>
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No

<b>Section 12 of 18</b>
<b>PROVISION OF LATE NIGHT REFRESHMENT</b>
Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No



**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 18****ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Non

**Section 15 of 18****HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings****MONDAY**

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

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

Original Premises License has been lost

<b>Section 16 of 18</b>
<b>LICENSING OBJECTIVES</b>
Describe the steps you intend to take to promote the four licensing objectives:
<p>a) General – all four licensing objectives (b,c,d,e)</p> <p>List here steps you will take to promote all four licensing objectives together.</p> <ul style="list-style-type: none"> <li>• The premises licence holder shall put in place an experienced management team to ensure all staff receive adequate training on a regular basis, relating to the four Licensing objectives, general licensing regulations/Conditions including Fire regulations.</li> <li>• A record of the training will be kept by the management. The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Training will be refreshed and recorded every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request. Staff will be given on-going training including identification of anti-social or unusual behaviour.</li> <li>• The Designated Premises Supervisor will provide responsible management at all times.</li> </ul>
<p>b) The prevention of crime and disorder</p> <ul style="list-style-type: none"> <li>• Customers will not be permitted to carry open bottles or glasses beyond the licensed area. Exception is the outdoor smoking terrace on the 1st Floor.</li> <li>• No licensable activities are to be carried out on the 1st floor smoking terrace.</li> <li>• The premises will risk assess its standard operating procedures covering seven days a week, included in this risk assessment will be any security provisions.</li> <li>• A copy of risk assessment to be made available to West Midlands Police Licensing Department.</li> <li>• The premises shall risk assess the need for SIA registered door supervisors. This shall be documented and kept on the premises.</li> <li>• The premises shall maintain an incident register, with details of incidents that occur inside and immediately outside the premises. The incident book will be available for inspection at any time by any Responsible Authority.</li> <li>• CCTV system to be installed fit for the purpose and satisfaction of West Midlands Police. Images to be retained for at least 31 Days and shall be made available upon request to officers of the responsible authorities.</li> <li>• There will always be a staff member on site, fully trained in the operation of the CCTV who will be able to download selected footage onto a storage device to be readily available for the licensing authorities. In the event of the hard disk drive being replaced for any reason, the old hard drive must be kept at the premise for 31 days and readily available to the licensing authorities.</li> <li>• Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.</li> <li>• The premises license holder or DPS will carry out and document a regular risk assessment which will include the need for security provision and the implementation of a last entry time. This will be made available to any Responsible Authority on request.</li> <li>• Each individual assigned to carrying out a security activity must be licensed by the Security Industry Agency.</li> </ul>
<p>c) Public safety</p> <ul style="list-style-type: none"> <li>• Adequate Lighting will be provided in all public areas and outside The premises licence holder shall ensure that the external areas of the premises are monitored to prevent any anti-social behaviour and public nuisance caused by the premises is kept to a minimum. Electric, gas and relevant equipment are to be checked and maintained in working order and tested annually.</li> </ul>
<p>d) The prevention of public nuisance</p> <ul style="list-style-type: none"> <li>• External doors and windows shall be kept closed, other than for access and egress, whenever regulated entertainment</li> </ul>

*Continued from previous page...*

- is provided (i.e. music levels that require customers to raise voices).
- \* The outside terrace shall only be used for customers to smoke between 10am to 11.30pm Monday to Saturday and 10am to 10.30pm Sunday.
- \* The Designated Premises Supervisor shall be responsible for ensuring that the smoking terrace does not create a nuisance to neighbours at their property, and if necessary, restrict the number of people utilising the smoking areas at any one time.
- \* Notices shall be displayed near the entrances, exits and rear smoking area of the premises advising customers who wish to use the outside smoking facilities that they should do so with respect for the nearby residents and keep noise levels to a minimum.
- \* There shall be a lobbied area created at the ground floor entrance to the premises or alternatively the first floor entrance. This will ensure that whilst regulated entertainment is taking place one door will remain closed whilst persons are entering and exiting the site.
- \* All the windows of the premises (9 in total) overlooking the neighbouring residence will have vinyl screens placed on the inside so that there is no visibility of the neighbouring residence. When viewed from the outside, and from the neighbouring residence, the vinyl screens will be blank without any images.
- \* The Designated Premises Supervisor will provide responsible management at all times.
- \* The Noise from the premises will be monitored so as not to become a public nuisance.
- \* The disposal of empties and bottles will not be done after 23:00 Hours or before 07:00 Hours. Notices will be posted asking patrons to leave quietly.

e) The protection of children from harm

- \* 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 premises licence holder shall adopt the "Challenge 25" age policy. The premises licence holder shall ensure all employees are fully trained and aware of the challenge 25 rule.
- \* The premises licence holder shall ensure there will be a provision of sufficient staff to protect children from harm with training on appropriate behaviour.
- \* The premises license holder shall ensure that staff are fully conversant with the legal prohibitions in relation to the sale of alcohol to under 18s. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

## Section 17 of 18

### NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

#### *Continued from previous page...*

- Dance: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08:00 and 23:00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.



**Section 18 of 18****PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at <https://www.tax.service.gov.uk/business-rates-find/search>

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

**DECLARATION**

I/WE UNDERSTAND THAT 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.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Carl Moore

\* Capacity

Authorised Agent

*Continued from previous page...*

\* Date

19 / 05 / 2023  
dd mm yyyy

Add another signatory

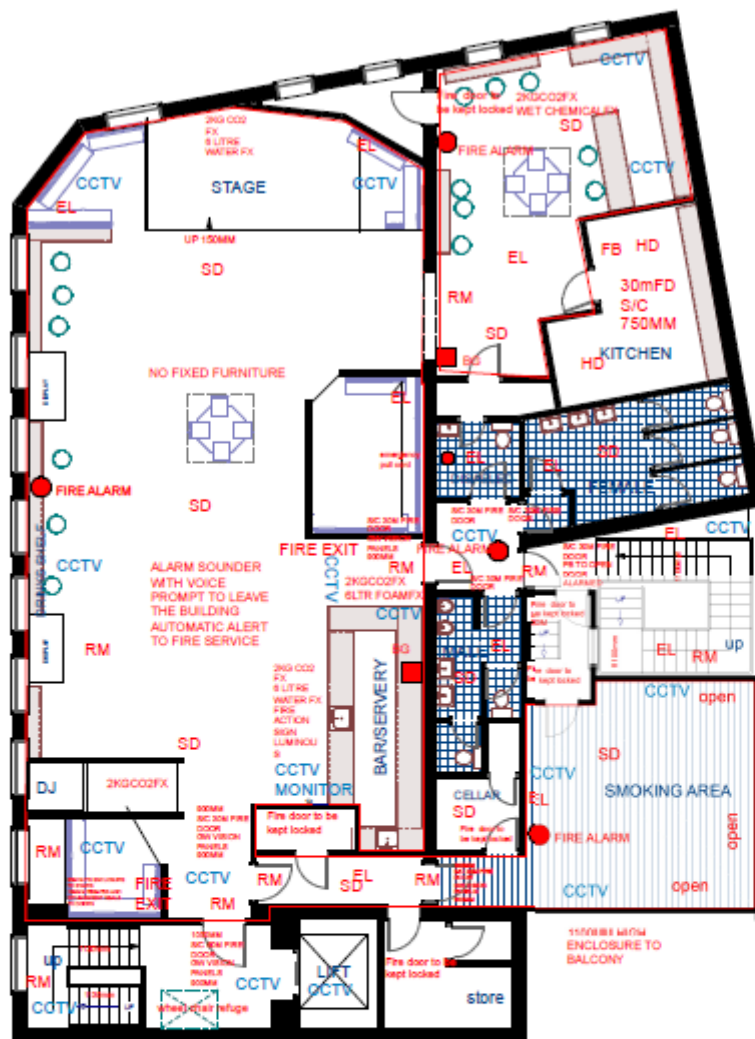
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/birmingham/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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.**



Area for the sale and consumption of alcohol the provision of regulated entertainment and late night refreshment.

stairs to ground floor

SF single boarding  
FB fire blanket  
SD smoke detector  
FR30M structural integrity  
FR30 fire door 30 minutes resistance  
HD heat detector  
VA visual alarm sounder  
EL emergency lighting  
RM running man illuminated mains maintained fire exit sign  
GW gaseous wired glass vision panel  
VP vision panel FR glass  
FX fire extinguisher  
1200mm clear escape width - doors stairs etc. S/C self closing  
H/F fire one hour fire resisting door  
SD smoke detector  
CCTV provision to satisfaction of statutory authorities

**LICENSING  
FIRST FLOOR  
123 PARADE  
SUTTON COLDFIELD  
B72 1PU  
SCALE 1 100  
FEBRUARY 2020**



GROUND FLOOR AND ENTRANCE

email: plansurvey@nbn.com

#### FIRE SAFETY STANDARDS

Doors and partitions required to be fire resisting are to be in accordance with British Standard 476, 1972 as amended.

Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, when tested in accordance with BS476, section 31.1, 1983 be fitted with a smoke seal and in addition a strip plus a positive self-closing device.

The fire alarm system where installed is to comply with the British Standard 5839, part 1-302. The attention of the Design/Installing Engineer should be drawn to paragraph 3.3.2 of the Code of Practice for the Design/Installing Engineer, Part 1, 2002. All Magnetic and magnetic door hold open devices will be connected to the fire alarm system so that on any activation of the fire alarm the devices will fail safe.

The emergency lighting installation is to comply with British Standard 5266, part 1, 1988. The attention of the Design/Installing Engineer should be drawn to paragraph 3.1 (consultation and records) of British Standard 5266, part 1, 1988 as amended.

Certificate of installation test will be required.

Door panic furniture must comply with British Standard EN 1125 panic exit devices operated by a horizontal bar. And be marked above with a signifying "Push Bar To Open".

Updatelater seating furniture must satisfy as a minimum standard. Ignition source 0 (cigarette test) and C15 Ignition Source 5 as specified in British Standard 1832, 1998. Methods of test for Assessment of the Ignitability of Upholstered Seating by Smouldering with Flaming Ignition Sources. If in order to secure compliance with the above standards the fabric submitted for test has been tested beforehand with a fire resistant product, the testing laboratory must be instructed to subject the samples to treated to a water soak test, in accordance with British Standard 5831, 1989, paragraph 3, before the BS5832 tests are carried out. A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furnishing composite with the above mentioned British Standards must be forwarded to this authority before installation and confirmation that the furnishings specified in this certificate have been installed in the premises.

A fire risk assessment in accordance with Regulatory Reform (Fire Safety) Order 2005 will be completed prior to the Premises opening to the public.

**5C**



Licensing Act 2003Premises Licence

<b>Premises Licence Number</b>	5296
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**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>  The Rhodehouse, First Floor, 123 The Parade, Sutton Coldfield, B72 1PU
<b>Telephone Number</b>  Not Specified

<b>Where the licence is time limited the dates</b>  N/A
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<b>Licensable activities authorised by the licence</b>  Sale of Alcohol by Retail Performance of a Play Exhibition of a Film Indoor Sporting Events Performance of Live Music Playing of Recorded Music Performance of Dance Anything of a similar description to that falling within Live Music, Recorded Music or Dancing
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**Times the licence authorises the carrying out of licensable activities**

<b><u>Sale of Alcohol by retail:</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	09:00	23:30
Tuesday	09:00	23:30
Wednesday	09:00	23:30
Thursday	09:00	23:30
Friday	09:00	23:30
Saturday	09:00	00:00
Sunday	09:00	23:30
<b>Place:</b>		
<b>Seasonal Variations:</b>		
<b>Non-Standard Times:</b>		

<b><u>Performance of a Play:</u></b>		
<b><u>Day</u></b>	<b><u>Start Time</u></b>	<b><u>End Time</u></b>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00
<b>Further Details:</b>		
<b>Place:</b>		
<b>Seasonal Variations:</b>		

**Non-Standard Times:****Exhibition of a Film:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:****Place:****Seasonal Variations:****Non-Standard Times:****Indoor Sporting Event:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:****Place:****Seasonal Variations:****Non-Standard Times:****Performance of Live Music:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:****Place:****Seasonal Variations:****Non-Standard Times:****Playing of Recorded Music:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:****Place:****Seasonal Variations:****Non-Standard Times:****Performance of Dance:**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
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Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:**

**Place:**

**Seasonal Variations:**

**Non-Standard Times:**

**Anything of a similar description to that falling within Recorded Music, Live Music or Dancing**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:30
Sunday	11:00	23:00

**Further Details:**

**Place:**

**Seasonal Variations:**

**Non-Standard Times:**

**The opening hours of the premises**

<u>Day</u>	<u>Start Time</u>	<u>End Time</u>
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	00:00
Saturday	08:00	00:30
Sunday	08:00	00:00

**Seasonal Variations:**

**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

## Part 2

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

The Rhodehouse Limited

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

Company Number:13112890

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

Mr Luke Martyn Raymond Townsend

**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:** 159901

**Issuing Authority:** Birmingham City Council

Dated 19-05-2023

Mr. Shaïd Yasser  
Senior Licensing Officer  
**For Director of Regulation & Enforcement**

## 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: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

(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 were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (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 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.

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendation made: (a) By the British Board of Film Classification (BBFC), where the film has been classified by that Board, or (b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3)(b) (s74(3)(b) for clubs) of the Licensing Act 2003 applies to the film.

## **Annex 2 – Conditions consistent with the Operating Schedule**

CCTV system to be installed fit for the purpose and satisfaction of West Midlands Police.

Images to be retained for at least 31 Days and shall be made available upon request to officers of the responsible authorities.

The premises license holder or DPS will carry out and document a regular risk assessment which will include the need for security provision and the implementation of a last entry time. This will be made available to any Responsible Authority on request.

Customers will not be permitted to carry open bottles or glasses beyond the licensed area.

The premises licence holder shall put in place an experienced management team to ensure all staff receive adequate training on a regular basis, relating to the four Licensing objectives, general licencing regulations/Conditions including Fire regulations. A record of the training will be kept by the management.

The training provided to staff will be recorded and each member of staff will sign and date their training records to confirm they have received and understood the training provided. Training will be refreshed and recorded every 6 months. The staff training records will be kept at the premises and made available to any Responsible Authority upon request.

Staff will be given on-going training including identification of anti-social or unusual behaviour.

The Designated Premises Supervisor will provide responsible management at all times.

The Noise from the premises will be monitored so as not to become a public nuisance.

The disposal of empties and bottles will not be done after 23:00 Hours or before 07:00 Hours.

Notices will be posted asking patrons to leave quietly.

Adequate Lighting will be provided in all public areas and outside

The premises licence holder shall ensure that the external areas of the premises are monitored to prevent any anti-social behaviour and public nuisance caused by the premises is kept to a minimum.

Electric, gas and relevant equipment are to be checked and maintained in working order and tested annually.

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

On 9 March 2021, Licensing Sub Committee B resolved to GRANT the licence subject to the conditions below:

External doors and windows shall be kept closed, other than for access and egress, whenever regulated entertainment is provided (i.e. music levels that require customers to raise voices).

Customers will not be permitted to carry open bottles or glasses beyond the licensed area. Exception is the outdoor smoking terrace on the 1st Floor.

No licensable activities are to be carried out on the 1st floor smoking terrace.

The premises will risk assess its standard operating procedures covering seven days a week, included in this risk assessment will be any security provisions. A copy of risk assessment to be made available to West Midlands Police Licensing Department.

The premises shall risk assess the need for SIA registered door supervisors. This shall be documented and kept on the premises.

The premises shall maintain an incident register, with details of incidents that occur inside and immediately outside the premises. The incident book will be available for inspection at any time by any Responsible Authority.

There will always be a staff member on site, fully trained in the operation of the CCTV who will be able to download selected footage onto a storage device to be readily available for the licensing authorities.

In the event of the hard disk drive being replaced for any reason, the old hard drive must be kept at the premise for 31 days and readily available to the licensing authorities.

The outside terrace shall only be used for customers to smoke between 10am to 11.30pm Monday to Saturday and 10am to 10.30pm Sunday.

The Designated Premises Supervisor shall be responsible for ensuring that the smoking terrace does not create a nuisance to neighbours at their property, and if necessary, restrict the number of people utilising the smoking areas at any one time.

Notices shall be displayed near the entrances, exits and rear smoking area of the premises advising customers who wish to use the outside smoking facilities that they should do so with respect for the nearby residents and keep noise levels to a minimum.

There shall be a lobbied area created at the ground floor entrance to the premises or alternatively the first floor entrance. This will ensure that whilst regulated entertainment is taking place one door will remain closed whilst persons are entering and exiting the site.

All the windows of the premises (9 in total) overlooking the neighbouring residence will have vinyl screens placed on the inside so that there is no visibility of the neighbouring residence. When viewed from the outside, and from the neighbouring residence, the vinyl screens will be blank without any images.



#### **Annex 4 – Plans**

The plan of the premises with reference number 162430 which is retained from the public register kept by Birmingham City Council available free of charge for inspection . Please contact: Licensing PO BOX 17831 Birmingham B2 2HJ or email [Licensing@birmingham.gov.uk](mailto:Licensing@birmingham.gov.uk)

