



BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE C

WEDNESDAY 29 SEPTEMBER 2021

HOLLOWAY CLUB, 89 HOLLOWAY HEAD, BIRMINGHAM B1 1QP

That the application by Hoai Le for a premises licence in respect of Holloway Club, 89 Holloway Head, Birmingham B1 1QP, be granted subject to conditions.

The times for operation on Friday and Saturday shall be amended as follows:

- The sale of alcohol by retail to cease at 03.00 hours
- Late night refreshment to cease at 03.00 hours
- Regulated entertainment to cease at 04.30 hours
- The premises to close by 05.00 hours

The Sub-Committee determined that the following conditions suggested by the applicant are imposed:

1. The premises shall have a documented dispersal policy which shall be implemented for dispersal at all times the premises is open for licensable activity
2. All external windows and doors (other than as necessary for safe and effective access and egress) shall be closed whenever licensed activity is undertaken at the premises
3. There shall be no speakers used for amplified music, speech or sound outside the building
4. The Premises Licence Holder shall ensure notices are displayed at all entrances and exits of the premises advising customers to have respect for the nearby residents and keep noise levels to a minimum as they depart
5. To avoid nuisance being caused to neighbours the premises licence holder, or other nominated person/staff, shall monitor the external areas of the Premises after 00:00 hours. If necessary, they shall remind customers to be respectful of neighbours and where necessary they shall limit the number of customers going outside to use the smoking area and take appropriate steps to avoid customers who use the frontage of the premises causing a nuisance
6. No waste/recyclable glass material, including bottles, shall be moved, removed or placed in areas outside the premises building between the hours of 19.00 and 08.00
7. Patrons shall not remove from the premises late night refreshment provided at the premises
8. The licence holder shall not carry on any licensable activities from the premises concurrently with Birmingham City Council premises licence number 1952
9. The licence holder shall ensure that no waste shall be left outside except in the bin store to the rear of the premises
10. The premises shall clear the area immediately in front of the building of any waste before and after it operates
11. The premises shall restrict deliveries to the hours of 08.00 and 19.00

In addition, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of the licence issued.

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, including the agreed conditions, and concluded that by granting this application with the suggested conditions, the four licensing objectives contained in the Act will be properly promoted.

Members carefully considered the representations made by other persons – a representative of a local landlord company, who was also a resident himself. He made written representations (in the Report) and attended the meeting to express concerns about the potential for disturbance.

The Sub-Committee considered that the shortening of the hours for weekend operation, as offered by the applicant, would be sufficient to allay the fears of the person making representations. The applicant company had also offered conditions limiting other aspects of the running of the premises, such that their operating style would be restricted; most of those conditions related directly to the prevention of public nuisance. The Sub-Committee noted that there would be more direct accountability by the licence holder under these suggested conditions.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representations received and the submissions made at the hearing by the applicant via his counsel, and by those making representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.