

BIRMINGHAM CITY COUNCIL

LICENSING
SUB-COMMITTEE B
05 MAY 2026

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 05 MAY 2026 AT 1000 HOURS AS AN ON-LINE MEETING VIA MS TEAMS.

PRESENT: - Councillor Saddak Miah in the Chair;

Councillors Adam Higgs and Ray Goodwin

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampallai – Legal Services
Owen Roberts – Committee Services

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/050526 **NOTICE OF RECORDING/WEBCAST**

The Chair advised that the meeting was being 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 were confidential or exempt items.

2/050526 **DECLARATION OF INTERESTS**

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

If a disclosable pecuniary interest was declared a Member must not have participated in any discussion or have voted on the matter and must not have remained in the room unless they had been granted a dispensation.

If other registerable interests were declared a Member may have spoke on the matter only if members of the public were allowed to speak at the meeting but otherwise must not have taken part in any discussion or have voted on the matter and must not have remained in the room unless they had been granted a dispensation.

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

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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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/050526 No apologies were submitted.

MINUTES

4/050526 The minutes of the meeting on 14 April 2026 were agreed.

LICENSING ACT 2003 – PREMISES LICENCE – GRANT – ESCAPE HUNT, UNIT 8, 36 CANNON STREET BIRMINGHAM B25EE

On Behalf of the Applicant

Priyamvada Subhash - Legal Counsel, Escape Hunt
Joanne Briscoe Brown- Chief Legal Officer and Solicitor, Escape Hunt
Martyn Payne - Escape Hunt Head of Operations

On Behalf of Those Making Representations

Luisito Guanlao - Resident
Simon Everington
Luke Smith - Resident
Caroline Chadwick – Resident
Samuel Harris – Resident
James Spong - Managing Agent for Newton Chambers

* * *

The Chair introduced the Members and officers present and asked if there were any preliminary points for the Sub-Committee to consider.

No preliminary points were raised.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present their report. Bhapinder Nandhra, Licensing Section, outlined the report.

The Chair then invited the applicant to make their presentation, and Priyamvada Subhash made the following points:

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- a) Escape Hunt had conversed proactively with those who made representations and consequently, two objectors no longer fully objected to the granting of the licence.
- b) Escape Hunt had offered voluntary concessions to reassure objectors, which included having a sign asking customers to leave quietly, a contact number for residents should noise levels be too high, and a reduction in opening hours (to 23:30) and serving hours (to 23:00).
- c) Escape Hunt was not a bar, nightclub or pub, but a pre-booked venue. All customers had to pre-book their visit in advance. The premises did not have any anonymous footfall on the day. Bookings would also be spread throughout the day, and as such, there would not be an excess of customers outside the venue upon it closing.
- d) Customers did not primarily attend the premises to drink, but to play games, and a visit to Escape Hunt lasted approximately 90 minutes.
- e) Music would be played at a low level. This was for commercial reasons as loud music would detract from the game experience. There would be no outdoor queues, speakers or seating. Escape Hunt was also a smoke free business and thus would not operate a smoking area.
- f) The drinks menu at the premises would predominantly consist of soft drink options.
- g) Escape Hunt had invited objectors to attend the already operational Escape Hunt in resorts world at Birmingham Airport to alleviate their concerns.
- h) Noise emitted from the premises would be low and game rooms were built to be soundproof.
- i) The business had been operational for eight years, and now had 25 venues and had never received any concerns from a licensing authority.

At this point, the Chair invited questions from Members.

Members had no questions.

The Chair then invited those making representations to make their submission, and the following points were made by objectors:

- a) The main objection was to the anticipated level of noise from the premises.
- b) James Spong questioned whether it was necessary for the premises to sell alcohol.
- c) The opening hours of the premises and hours of permitted licensable activity could be further reduced.

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d) The premises would operate from, and nearby residents lived in old buildings that lacked noise insulation.

e) The unit from which the premises would operate was previously used as a hairdressers and a clothes shop, both of which naturally created less noise than what Escape Hunt would.

f) Residents living on the first floor could hear everything on the street below them as there was no sound proofing in the residential building.

g) Escape Hunt had invited objectors to the already operational venue in Resorts World, however this was not comparable as there was no residential housing near this venue.

h) As a licence, once granted, could be transferred to a new occupier of the premises in the future, residents were also concerned about the future use of the premises if the licence was granted by the Committee.

The Committee had no questions for those making representations.

Objectors were then invited to make a brief closing submission, and objectors reiterated the forementioned points, and added that if customers were having a cigarette or waiting for an uber this could increase noise levels at night, and questioned why work had already begun on the premises.

The applicant was then invited to make a brief closing submission and representatives of Escape Hunt outlined that Escape Hunt was an events business and thus the primary purpose of the venue was not to sell alcohol, with customers typically only purchasing a couple of drinks at most. Representatives of Escape Hunt further added that concerned residents had been invited to the venue at Resorts World as it was the closest venue geographically to them, that other Escape Hunt venues operated in residential areas without issue, that planning permission had been sought and approved by the local authority and that any new operators at the premises would require a variation to the license for additional licensable activity to take place, and residents would be given the opportunity to object should this happen.

The Members and Committee Lawyer conducted the deliberations in a separate private session and the decision of the Sub-Committee was sent to all parties as follows;

5/060126 **RESOLVED:** -

That the application by Escape Hunt Group Limited for a premises licence in respect of Escape Hunt, Unit 8, 36 – 38 Cannon Street, Birmingham B2 5EE, be granted together with those terms and conditions which were offered by the applicant company during the meeting, namely:

- the terminal hour for alcohol service is reduced to 23.00 hours
- the opening hours of the premises shall be 10.00 hours to 23.30 hours

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- the premises will install clear signage requiring patrons to leave quietly and to be respectful of neighbouring residents
- a dedicated venue contact number will be provided to the residents of Newton Chambers for any complaints

The Sub-Committee resolved to adopt the offered conditions in order to ensure the promotion of the licensing objectives. Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

Before the meeting began, the Sub-Committee noted from the Committee Report that nine written representations from local residents had been received. The Members considered all of these carefully.

The applicant company was represented by three of its officers in the meeting. The Sub-Committee noted all the company's documents in the Committee Report.

Five of the nine persons who had made written representations also attended in person. The remaining persons did not attend, but the Sub-Committee took their written representations into account carefully when making the determination.

The legal counsel from the company addressed the Sub-Committee to acknowledge the representations made by the residents of Newton Chambers, situated directly above the premises. She assured the Sub-Committee that all at the company understood the residents' concerns.

She reported that following proactive outreach to the objectors in advance of the hearing, the company had received constructive responses from two residents, both of whom had agreed that the concessions which the company was offering addressed a significant number of their concerns; as a result, neither of those two persons were seeking an outright refusal any more.

She went on to explain the proposed operating style in detail. The venue would be a "premium, pre-booked escape room experience venue". Every visit would be pre-booked in advance, so that the company knew exactly who was in the venue at any given time, how many patrons were there, and when they would be leaving. There was therefore no anonymous footfall at any point. Walk-in patrons would only be accepted to play a game - never to just drink.

Alcohol would never be served to anyone who was not participating in a booked session. Each session was time-limited to sixty minutes. Patrons arrived, they played, and then they left. The total time in the venue was approximately 90 minutes per visit. Departures would be staggered throughout the evening because bookings would be spread across the different time slots that the venue offered.

There was no single closing time which could create a rush of people onto Cannon Street at any point. There was no external area or external speakers, no outdoor seating, and no queuing outside the premises at any time – all of which had been raised as concerns in the representations made by residents.

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Music was played at a deliberately low level in the lounge, as music that was too loud would 'bleed' into the game rooms and ruin the experience for the patrons.

Regarding smoking, the legal counsel remarked that the venue was a completely smoke-free business, and vaping was not allowed either. There was therefore no smoking area. Regarding alcohol, she stated that sales of alcohol accounted for "approximately 5% to 7% of our venue. The majority of our drinks menu is pre-packaged product. It's an entertainment business, not a drinks business". She added that most patrons consumed a maximum of one or two drinks at most, due to the structured, time-limited nature of the experience, and the premium price point.

The company had been operating 25 venues across the UK for over eight years. No concerns had been raised in that time by any licensing authority, or local residents, about any of the company's venues regarding the promotion of the four licensing objectives. The company hoped that the Sub-Committee would consider the company's track record when assessing the representations.

The company's offer of conditions reflected its operations and practice. The last game session of the evening started no later than 22.00 hours. The session concluded by 23.00 hours at the latest, and no alcohol was served in that final slot in any event.

The legal counsel then addressed the specific points that had been made by residents in the representations. The first of these was the issue of noise nuisance. The company acknowledged the building's structural limitations, but stressed that the style of operation meant that the premises would be "a low-noise venue by design and commercial necessity". The Sub-Committee noted this.

She stated that the company already implemented reasonable measures and made sure that the rooms were noise-proof so as not to spoil the experience for patrons. Furthermore, the company did not think that noise creation would be louder than what had already been experienced with the previous commercial occupants of the site; she surmised that noise levels would probably be lower.

Regarding external dispersal and the potential for noise creation, the legal counsel repeated that the company's pre-booking policy, and the staggered model of booking and exit times, meant that patrons would depart in small groups at different times throughout the evening. There would not be any mass dispersal event at any point. The dispersal policy, and the exit signage offered in the conditions, would cover any concerns. The Sub-Committee agreed with this.

In terms of alcohol and antisocial behaviour, the legal counsel repeated that the premises would not be a drinks-led venue. The price point, the structured experience, and the '90 minute per visit' scheduled time slots were not at all likely to give rise to the type of alcohol-fuelled behaviour which the residents feared. The company's smoke-free policy meant that there was no reason for patrons to congregate outside.

One resident had asked about the planning use class; the legal counsel observed that the matter for consideration was not a planning application, but a new premises licence application which fell within the existing use class of the premises. The Sub-

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Committee agreed with this and was aware that planning and licensing were two separate regimes.

The legal counsel observed that the application had no bearing on any of the four licensing objectives. The company had invited the residents to come to visit its other venue in Birmingham, in an attempt to put a lot of the concerns to rest. The company believed that the worries raised by the residents, while entirely understandable, were based on a misunderstanding of what the business was and how it would operate.

The Sub-Committee found all to be in order in terms of the proposed operating style. The Members noted in particular that there had been no representations whatsoever from any of the responsible authorities. All of the responsible authorities had found the application satisfactory without even the need for additional conditions.

Fears about alcohol-related antisocial behaviour had been mentioned by the residents, but West Midlands Police, who were the experts in terms of the prevention of crime and disorder, had endorsed the application without amendments.

Whilst those making representations had mentioned public nuisance, there had been no objection from the Environmental Health department of the City Council.

Regardless of this, the company had offered its own conditions to help to ensure the promotion of the licensing objectives. This inspired confidence.

The Sub-Committee was aware that there was a presumption to grant such applications unless there was good evidence of a risk to the promotion of the licensing objectives. The Members were mindful that paragraph 9.43 – 9.43 of the Guidance issued by the Secretary of State under s182 of the Act required that any decision had to be proportionate and evidence-based.

The Sub-Committee was aware of the relevant caselaw, namely *R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)*, which emphasised the principles laid down by the Licensing Act 2003 and its accompanying Guidance – namely that there should be light touch bureaucracy applied to applications for licences, and that restrictions should only be attached to premises licences where they were necessary to promote the licensing objectives.

That case highlighted the fact that decisions on applications should be made on evidence, and not based on speculation. The Sub-Committee was aware that if the authority gave weight to speculative opinions, it would in fact fail to follow the Guidance, and its own Statement of Licensing Policy.

The Sub-Committee therefore looked carefully at whether there was evidence that the proposed operation would in fact have an adverse effect on the licensing objectives when considering the written submissions made against the application in the Report, and the submissions made in the meeting by those residents who had attended in person.

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The residents who had attended addressed the Sub-Committee and agreed that the main concern was noise, as Newton Chambers was a very old building, and not up to modern standards in terms of insulation and noise suppression.

The company had mentioned that it would take reasonable steps, but the residents wanted to know exactly what that would involve, whether the company had noise monitoring in its other venues, the number of rooms there were and at what levels. The Sub-Committee noted that if the residents had taken up the company's offer of a visit, it could have allayed these types of fears.

Those from the premises confirmed that there were going to be nine rooms within the venue, but not all would be open straight away. Some of them would 'go live' at the beginning and others would be staggered as the venue grew. The venue was arranged across three floors. Five of the games would be on the bottom floor, four would be on the top floor. The bar area for the sale of alcohol would be on the ground floor.

The patrons would be taken up to their rooms. The rooms were roughly 5 square metres. Once inside the room, the game would be to solve puzzles, rather to run around. It was not comparable to a 'Crystal Maze'-style entertainment which involved adrenaline and running about. The Sub-Committee noted this. The music played at the premises would be low level atmospheric music so that the patrons in the rooms would not be disturbed.

Regarding the booking schedule, it would only be four games that would be held on the top floor; bookings were staggered and the patrons would be in their room for around an hour. There would therefore be four games going throughout the day, at various points.

Residents asked whether it was completely necessary for the venue to serve alcohol given that the legal counsel had said that alcohol was a small part of the offer and patrons would not generally have that many drinks. The legal counsel said that the sale of alcohol was part of the offer to patrons visiting the venue, to add to the general experience. The Sub-Committee agreed with this.

Residents noted that the terminal hour for alcohol sales had been reduced, but remarked that this was still late to be serving alcohol and for people to be making noise in that sort of venues, particularly at weekends. They asked if there was any potential for further reduced hours. The Sub-Committee considered that the company had already offered generous concessions.

Regarding the premises' track record, one resident noted that the invitation which had been offered was to visit the site at Resorts World, which was not close to residential properties. The legal counsel explained that this venue had been chosen as it was the nearest for the residents to visit. The Sub-Committee found this satisfactory.

He was also worried that after patrons left, they might smoke or wait for taxis on the street, which could create noise. He observed that the windows at Newton

Chambers were single glazed. However, the Sub-Committee noted that Cannon Street was in a densely commercial area.

Concerns were also raised about other matters. These included the possibility of transfer of licences between owners. The company's legal counsel explained the procedures for licence transfer and variation applications to the resident, but in any event, the Sub-Committee was considering the instant application on its own merits.

One resident referred to the mention of the previous tenants (a clothes shop and a hairdressers), and the suggestion that the company would not create any additional noise compared to the previous commercial tenants. He felt that this was not likely to be correct. However, the Sub-Committee noted the description of the trading style which had been given by those from the company.

One resident noted that a Grade II listed building was not designed to support noisy activities; previously, the site had been a barristers' chambers. Another resident was worried that the grant of an alcohol licence would set a precedent for what the unit could be used for in future. She remarked that there was no soundproofing at all. She was 'seriously worried' about the effect on property prices. The Sub-Committee considered that the central issue was the promotion of the licensing objectives.

A further concern was raised about the works which had already begun in the venue, but those from the company confirmed that these works were pursuant to a lease that the company had signed. All of the relevant planning permissions had been arranged, and consent had been given by the local authority to start those works. The Sub-Committee accepted this.

When deliberating, the Members determined that the risks had been proportionately covered by the conditions that the company had offered. The proposed style of operation was not likely to create risks to the upholding of any of the licensing objectives.

The Members were aware that the decision should be based on the evidence before them, and found that no negative evidence had been provided by the residents. The evidence was that the licensing objectives would be promoted by an operating schedule which included conditions voluntarily suggested by the company. The company had considerable experience of running the style of venue proposed for the Cannon Street site.

The Members were aware of other relevant case law, namely *R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312*, which had confirmed that licensing decision making was a balancing exercise between the legitimate concerns of people in communities about the impact that licensed premises could have upon their lives, and the licensed premises themselves.

The Sub-Committee carefully considered the submissions from those making representations, but determined that the fears expressed were speculative. The company had proactively sought to engage with residents, and had even invited them to come and visit its nearest venue. This inspired confidence. The Members

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noted that the two residents who had accepted the offer of engagement had found the proposals satisfactory.

The Sub-Committee was reassured by the conditions offered by the company. The Sub-Committee did not see that any extra measures were required, as all potential risks to the upholding of the licensing objectives had already been satisfactorily addressed.

The applicant company had offered a carefully thought out operating schedule. None of the responsible authorities had objected; they were the Sub-Committee's source of expert advice on risks to the licensing objectives. No direct evidence had been produced by the objectors to support their comments. There was a community benefit in granting the application.

The Members found all to be in order in terms of the proposed operating style, and a responsible style of trading had been proposed via the conditions. The Members were therefore satisfied that any potential for issues had been sufficiently addressed in the application and offered conditions.

Accordingly, the Sub-Committee determined that the application could safely be granted together with the company's conditions as offered in the meeting. The Members considered that by granting the application, the licensing objectives in the Act would be properly promoted. The Sub-Committee was satisfied that trading would be safe, and considered that all areas of concern had been addressed.

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 meeting by the applicant company (via its staff) 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.

The meeting ended at 11:02 hours.

CHAIR.....