

DISCLOSURE DOCUMENTS BUNDLE FOR THE RHODEHOUSE

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From: Suttonclaims
Sent: 22 February 2021 16:26
To: [REDACTED]
Cc: Holly [REDACTED]
Subject: RE: Terry from PJ Rhodes ref planning application

Hi [REDACTED], final word from me, promise.
I'm sorry, thanks so much for trying to meet in the middle but it's too onerous.
I am a very sincere person, I know the below would worry me too much that I didn't ask, didn't keep my word. The long and short is, I will and always will keep my word.
Don't forget the bands, across the board, do 2 sets of 45 mins, so 90 mins, that's it. Before and after this is just background music that you definitely won't hear.
It seems I can offer no more to put your mind at rest and reluctantly will wait until the hearing.
I really do understand your concerns [REDACTED] and am fairly philosophical about the situation.
Cheers
Terry

From: [REDACTED]
Sent: 22 February 2021 16:16
To: Suttonclaims [REDACTED]
Cc: Holly [REDACTED]
Subject: Re: Terry from PJ Rhodes ref planning application

Dear Terry,

Thank you for responding so quickly.

Your original licensing application contains the hours you applied for. When compared with the amended hours which you say you have agreed with the authorities, there is no difference.

Are you now saying that you would settle on the following (note the changes being to special occasions which may fall on a weekday, and the Sunday activity)?

Monday-Thursday 11.00-23.00 - no live or recorded music (except on the odd special occasion, such as St Patrick's Day, which may fall on a weekday, and not without prior warning being given)
Friday 18.00-23.00 - live or recorded music possible
Saturday 18.00-23.30 - live or recorded music possible
Sunday 12.00-17.00 - live or recorded music possible

I look forward to hearing from you.

Sincerely,

[REDACTED]

On 22 Feb 2021, at 15:31, [REDACTED] wrote:

Hi [REDACTED]

Our discussions ref live music centred around 'the Lounge Bar in Boldmere' They had live music Friday's, Saturdays and most important for me, Sunday afternoons but I see below you have put 'no live recorded music' on Sunday afternoon, typo maybe ?

Again, I stress, I have no desire to have live music in the week apart from the odd special occasions what we talked about, St Patricks day etc etc and certainly no DJ's but temp permits for these events are limited and take time to apply for and given 11pm is closing time anyway my licencing chap Carl said we cannot limit the times any further.

The times have been cut [REDACTED] I think we wanted 11.30 on the Friday too originally and I read 2am close on the original licence for Art house, no thank you.

I can't say anymore other than that we will always do what we say we will do and will limit any inconvenience to you and our other neighbours.

Cheers

Terry

From: [REDACTED]
Sent: 22 February 2021 15:07
To: Suttonclaims [REDACTED]
Cc: Holly [REDACTED]
Subject: Re: Terry from PJ Rhodes ref planning application

Dear Terry,

Thank you for your email, and for taking the time to respond.

Given the proximity of your premises to my residence, noise and nuisance are key considerations. At our meeting we discussed the reduced hours for live and recorded music in order to reduce noise and nuisance, and you agreed to limit these as follows:

Monday-Thursday 11.00-23.00 - no live or recorded music
Friday 18.00-23.00 - live or recorded music possible
Saturday 18.00-23.30 - live or recorded music possible
Sunday 12.00-17.00 - no live or recorded music

However, I note that this is not represented in your response below. I think these are reasonable limited hours for certain activities, given your intended purpose for the premises to be a meeting/social venue rather than a music venue, with the occasional band playing late afternoon and into the evening on Fridays and Saturdays. It also offers a reasonable compromise in terms of my objection to the licensing application based on the noise and nuisance the premises will cause. Otherwise, having 7 days a week, all-day live and recorded music, playing throughout the day, afternoon, and late into the night would make it unbearable to live in the vicinity. Please consider that my residence (and that of my neighbour's) is [REDACTED] premises. Noise is of serious concern here.

You state that you have agreed amended hours with the authorities which you regard as "reduced significantly", but this is not the case because you have not reduced any hours relating to certain activities which are the cause of noise and nuisance. In fact, the hours are identical to the ones contained in your licensing application - see below.

The original licensing application hours:

Sunday-Friday 09.00 - 23.30 - sale of alcohol

Sunday-Friday 11.00-23.00 - plays; indoor sporting events; films; live music; recorded music; performance of dance; and a combination of these (live music, recorded music, performance of dance)

Saturday 09.00-00.00 - sale of alcohol

Saturday 11.00-23.30 - activities as above

Amended hours which you state you have agreed with the authorities:

Sunday to Friday 11.00-23.00 - plays; indoor sporting events; films; live music; recorded music; performance of dance

Saturday 11.00-23.30 - plays; indoor sporting events; films; live music; recorded music; performance of dance

Sunday to Friday 09.00-23.30 - Supply alcohol

Saturday 09.00-00.00 - Supply alcohol

I believe what we discussed and agreed for reduced hours for live and recorded music, as stated above, represents a reasonable compromise to enable you to make use of the premises and for me to have peaceful enjoyment of my home without noise and nuisance. I hope you will see the merit in this compromise and that we can reach an agreement, otherwise my objection remains in place.

Sincerely,

[REDACTED]

On 22 Feb 2021, at 12:20, Suttonclaims [REDACTED] wrote:

Good Morning [REDACTED]

Thank you for your last e-mail which refers to various issues we spoke about during your visit to the premises the other day.

We have gone through your e-mail and have commented on each of them (See below).

Amended hours already reduced significantly and agreed with the authorities

Sunday to Friday 11.00-23.00 - plays; indoor sporting events; films; live music; recorded music; performance of dance.

Saturday 11.00-23.30 - plays; indoor sporting events; films; live music; recorded music; performance of dance.

Sunday to Friday 09.00-23.30 - Supply alcohol.

Saturday 09.00-00.00 - Supply alcohol.

As you can see highlighted above in bold, the hours have already been reduced to fall in line with recent planning decisions, and of course the responsible authorities.

Therefore, these are regrettably not negotiable.

2. Protection of privacy

- All the windows of the premises (9 in total) overlooking my residence will have vinyl screens placed on the inside so that there is no visibility of my residence.
- We agree for this to be carried out

- When viewed from the outside, and from my residence, the vinyl screens will be blank without any images.
 - **We agree to this.**
 - Windows to the premises will be kept shut at all times during activities.
 - **This is a condition on the license which we agreed with Environmental Health.**
- 3. Noise reduction**
- Reduced times for certain activities as outlined above.
 - **Not negotiable**
 - Windows to the premises will be kept shut at all times during activities.
 - **Already agreed with the responsible authorities and conditioned**
 - You will install a set of noise insulation doors at the entrance to the premises.
 - **This has been agreed with the authorities and is conditioned.**
 - Inside, at the top of the stairs, just at the start of the "hall" area, you will install another set of noise insulation doors, wall to wall, under the arch.
 - **This has been agreed with West Midlands Fire**
 - You will look into any other noise reduction mechanisms as necessary.
 - **This is always ongoing**
- 4. Prevention of nuisance, loitering, and littering**
- There will be no smoking or drinking allowed outside the premises on Holland Street or in the car park adjacent to the premises.
 - **A smoking terrace is in situ on the 1st floor. No persons will be allowed to leave premises with drinks, this has been conditioned**
 - The designated smoking area will be the terrace area inside the premises.
 - **Already in place**
 - The smoke litter-box attached to the outside wall of the premises, on the side and facing the car park, will be removed in order not to encourage smoking and loitering outside.
 - **This will be investigated to see if they belong to the venue, if they do they will be removed.**
 - There will be no smoke litter-boxes attached to the outside walls to the premises.
 - **Already addressed as above**
 - In maintaining the outside of the premises clean and tidy, you will also maintain the same for my residence.
 - **Yes, we will keep area clean and tidy**
 - There will be no outside signage at the entrance to the premises on Holland Street (i.e. the part of the premises directly facing my residence). The existing signage will be removed and painted over in the existing alabaster/cream wall colour, in keeping with the lower part of the premises.
 - **Any signage on the outside will have the necessary planning permissions but will be sympathetic and low key**
 - Regarding the 4 vertical pole signages attached to the upper outside wall of the premises on Holland Street, you said you would like to make use of these. We discussed the possibility of not making these garish signages, and as subdued as possible, bearing in mind that your main business logo is black and yellow. We did not reach a conclusion on this point.
 - **Again this may require planning permission.**

As you can see most of the concerns above had already been addressed by ourselves with the authorities, including a great reduction of hours from the original ones.

Whilst I have explained in great detail my hopes and plans and the fact that we want to be great neighbours and not cause anybody, including yourself, any anguish, to agree to your hours is commercially unacceptable.

With regards to reducing any potential noise pollution we will monitor this at all times and deal with it appropriately.

The smoking terrace is being refurbished. There will be no one leaving the premises to smoke. Alcohol is not allowed off the premises, it is a condition.

Any signage that warrants planning permission will be sought, and other signage will be appropriate for the area.

We will be responsible for rubbish and keeping the area around the premises clean and tidy. We will be discouraging individuals who use the rear car park at the rear for less than proper reasons to move onto somewhere else.

I hope you can see, having met me and Holly, who will be your contact, that we wish to work with you in an attempt to allay any concerns you have.

If you are acceptable to our comments above, you may consider withdrawing your objection, you were the only objection so hopefully then I can get moving.

Best Regards

Terry

From: [REDACTED]
Sent: 19 February 2021 12:46
To: Suttonclaims [REDACTED]
Subject: Re: Terry from PJ Rhodes ref planning application

Dear Terry,

Thank you to you and Holly for our meeting today. It was very helpful to discuss the issues arising from the licensing application, and to be able to consider possible solutions.

By way of summary of what we discussed and agreed, please see below.

1. Times for activities

Currently the licensing application states the following:

Sunday-Friday 09.00 - 23.30 - sale of alcohol

Sunday-Friday 11.00-23.00 - plays; indoor sporting events; films; live music; recorded music; performance of dance; and a combination of these (live music, recorded music, performance of dance)

Saturday 09.00-12.00 - sale of alcohol

Saturday 11.00-23.30 - activities as above

We agreed that you will reduce the hours for activities as follows:

Monday-Thursday 11.00-23.00 - no live or recorded music

Friday 18.00-23.00 - live or recorded music possible

Saturday 18.00-23.30 - live or recorded music possible

Sunday 12.00-17.00 - no live or recorded music

2. Protection of privacy

- All the windows of the premises (9 in total) overlooking my residence will have vinyl screens placed on the inside so that there is no visibility of my residence.
- When viewed from the outside, and from my residence, the vinyl screens will be blank without any images.
- Windows to the premises will be kept shut at all times during activities.

3. Noise reduction

- Reduced times for certain activities as outlined above.
- Windows to the premises will be kept shut at all times during activities.
- You will install a set of noise insulation doors at the entrance to the premises.
- Inside, at the top of the stairs, just at the start of the "hall" area, you will install another set of noise insulation doors, wall to wall, under the arch.
- You will look into any other noise reduction mechanisms as necessary.

4. Prevention of nuisance, loitering, and littering

- There will be no smoking or drinking allowed outside the premises on Holland Street or in the car park adjacent to the premises.
- The designated smoking area will be the terrace area inside the premises.
- The smoke litter-box attached to the outside wall of the premises, on the side and facing the car park, will be removed in order not to encourage smoking and loitering outside.
- There will be no smoke litter-boxes attached to the outside walls to the premises.
- In maintaining the outside of the premises clean and tidy, you will also maintain the same for my residence.
- There will be no outside signage at the entrance to the premises on Holland Street (i.e. the part of the premises directly facing my residence). The existing signage will be removed and painted over in the existing alabaster/cream wall colour, in keeping with the lower part of the premises.
- Regarding the 4 vertical pole signages attached to the upper outside wall of the premises on Holland Street, you said you would like to make use of these. We discussed the possibility of not making these garish signages, and as subdued as possible, bearing in mind that your main business logo is black and yellow. We did not reach a conclusion on this point.

I'd be grateful if you could review the above and confirm your agreement. If we are able to agree, then please explain the next steps to notify the licensing committee in order to make these conditions of the licence and avoid going to the hearing stage.

I look forward to hearing from you.

Sincerely,

██████████

On 18 Feb 2021, at 16:46, Suttonclaims ██████████ wrote:

Perfect, myself and Holly will meet you outside.

From: [REDACTED]
Sent: 18 February 2021 15:54
To: Suttonclaims [REDACTED]
Subject: Re: Terry from PJ Rhodes ref planning application

Thank you for responding so quickly. Would tomorrow at 10am be possible?

Sincerely,

[REDACTED]

On 18 Feb 2021, at 15:44, Suttonclaims [REDACTED] wrote:

Of course [REDACTED], what time would suit you and I'll arrange to grab the keys.
Regards
Terry

From: [REDACTED]
Sent: 18 February 2021 15:42
To: Suttonclaims [REDACTED]
Subject: Re: Terry from PJ Rhodes ref planning application

Dear Terry (if I may),

Thank you for getting in touch and explaining what you are trying to achieve. Would it be possible to meet at the premises, The Arts House, so that I can explain my concerns and reasons for the objection? I think it would be easier rather than speaking over the phone, so that you can clearly see the implications and whether there could be any possibilities to alleviate these. Tomorrow (Friday 18 February) or Saturday 19 February anytime during the day would be suitable for me, if that is also convenient for you. Would it also be possible to enter the premises so that we can clearly see what the issues will be from that perspective?

Many thanks in advance and look forward to hearing from you.

Sincerely,

[REDACTED]

On 18 Feb 2021, at 15:05, Suttonclaims [REDACTED] wrote:

Hi again [REDACTED]
Just wondering if you've read the below and are happy to discuss.
You were the only person to object, not that that makes any difference, I do understand your concerns but hope we can come to a mutual understanding.
Privacy is easy, I'll put vinyl's on any windows overlooking your home.
The noise and nuisance, I'm hoping it won't affect you and will do my utmost to keep everything in order. I don't think, given the age group, it will be a problem.
Cheers
Terry

From: Suttonclaims
Sent: 17 February 2021 12:55
To: [REDACTED]
Subject: Terry from PJ Rhodes ref planning application

Dear [REDACTED]

I have been informed this morning about your concerns ref our application and am just sending you a quick mail to see if we could perhaps meet and I can allay your concerns. I did, with Holly my daughter, put a few notices through some of the houses that were close by however I didn't even know there were any residential properties opposite the entrance so alas you won't have seen the attached.

The long and short is I want to be a good neighbour. The opening times were the same as the previously agreed planning permission from 2019 but having spotted it, have since pulled it right back because I have no intention of being out at those times of night, I'm 55 years old.

The car park is horrendous, totally agree and my first priority will be to clean it all up. The landlord who owns the Arthouse also owns all of the car park and I have been in discussion with his agent to see if we can grab hold and keep it nice.

I am a stickler for detail, inside and outside will be kept immaculate. I do not want a late night rowdy pub. My target audience is middle aged folk who enjoy 'decent' music. You will see in the attached that I am using this venue to market my main business's and am concerned that society seems to be getting much worse and want to put something back into the local community.

Below is my contact number.

Best Regards

Terry Monaghan
Managing Director
[REDACTED]

E. [REDACTED]

W. [REDACTED]

[REDACTED]

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HOLLAND STREET

 Cynergy Bank

THE ARTS HOUSE



View of the 1st Floor of The RHODEHOUSE



The Royal Town of Sutton Coldfield, England

View of the Rear of The RHODEHOUSE and Carpark



The Royal Town of Sutton Coldfield, England

View of THE BOTTLE OF SACK opposite THE RHODEHOUSE



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The Royal Town of Sutton Coldfield, England