

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE C

WEDNESDAY, 27 OCTOBER 2021 AT 10:00 HOURS
IN ON-LINE MEETING, MICROSOFT TEAMS

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

A G E N D A

1 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 **DECLARATIONS OF INTERESTS**

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

3 **APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS**

4 **MINUTES**

3 - 6

To confirm and sign the Minutes of the meeting held on 6 October 2021.

5 **LICENSING ACT 2003 PREMISES LICENCE – VARIATION OLD HARE AND HOUNDS, 426 LICKEY ROAD, REDNAL, BIRMINGHAM, B45 8UU**

7 - 38

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

6 **OTHER URGENT BUSINESS**

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

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE C
06 OCTOBER 2021**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE C HELD ON WEDNESDAY 06 OCTOBER 2021 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nicky Brennan in the Chair;

Councillors Diane Donaldson and Mike Leddy

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Mandeep Marwaha – Committee Services

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

1/061021 **NOTICE OF RECORDING/WEBCAST**

The Chairman advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

2/061021 Apologies were submitted on behalf of Councillor Mary Locke and Councillor Diane Donaldson was the nominated Member.

3/061021 **DECLARATION OF INTERESTS**

Members were reminded that they must declare all relevant and pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

4/061021

MINUTES

The Minutes of meeting held on 04 August 2021 were circulated and confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – GRANT
CHAI GARDEN, 57A ALFRED STREET, SPARKBROOK, BIRMINGHAM, B12 8JP

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

Duncan Craig – Citadel Chambers (Solicitor - representing on behalf of the applicant - Chai Revolution Limited)
Rajeeb Choudhury - Chai Revolution Limited

Those Making Representations

Huram Taj - WMP (West Midlands Police)
Martin Key – Environmental Health – Birmingham City Council

* * *

The Chair introduced the Members and officers present and explained the hearing procedure.

The Chair asked if there were any preliminary points for the Sub-Committee to consider.

Points made by Mr Craig:

- Some issues had been raised prior to the application being submitted and this would be ventilated in due course.
- Compliance Officers from Birmingham City Council's Licensing Section had visited the premises since the application was submitted.
- Concerns and issues were raised by local neighbours however, no representations had been made.
- Mr Craig had provided direction to the client which were now being adopted.
- WMP had queries around risk assessments - The premises had not undertaken these until Mr Craig's involvement.
- The risk assessment and matters were now completed however, he had not had the opportunity to review the detail with his client. The premises have not had the opportunity to implement this.
- Mr Craig thought the Sub-Committee would be better placed to evaluate the application once the measures were put into place. This would ensure the licensing objectives were better promoted.

- Following discussions with Mr Taj, WMP and Mr Key, Environmental Health, neither objected to an adjournment for their own reasons.
- Mr Craig noted the comment from Environmental Health around a planning matter that required more clarity.
- WMP would need to speak to the Community Officers on the ground. This would give an opportunity for a site meeting before a decision was made.
- Mr Craig apologised for any inconvenience caused to the Sub-Committee.

On this basis, Mr Craig requested for an adjournment for the hearing.

The Chair requested Mr Taj, WMP to share their views on the proposal for an adjournment.

Points made by Mr Taj, (WMP):

- Mr Taj agreed with Mr Craig's points for an adjournment.
- Several documents had been requested which had not been received therefore, more time would be required to make a fair assessment of the application.
- He noted the documents requested were now available however, going through the process of implementation.
- He had requested a site visit which would be arranged shortly.
- Mr Taj was awaiting additional detail from the Local Neighbourhood Police which would assist in assessing the application.

The Chair requested Mr Keys, Environmental Health to share their views on the proposal for an adjournment.

Points made by Mr Keys, (Environmental Health):

- Mr Key did not believe the risk assessment would change the position for Environmental Health however, he would review what would be submitted.
- He had no objection to an adjournment.

At 1016 hours, the meeting was adjourned in order for the Sub Committee to make a decision and all parties left the meeting. The Members, Committee Lawyer and Committee Manager conducted the deliberations in private.

At 1021 hours, the Members, Committee Lawyer and Committee Manager returned to the public session. The Sub-Committee agreed to adjourn the hearing and the decision was sent out to all parties as follows: -

5/061021

RESOLVED:-

That the application by Chaii Revolution Limited for a premises licence in respect of Chaii Garden, 57a Alfred Street, Sparkbrook, Birmingham B12 8JP, be adjourned.

Counsel for the applicant company asked for more time, in order that further discussions could be held with the other persons representing the responsible

Licensing Sub-Committee C – 06 October 2021

authorities. Neither representative from the responsible authorities objected to this application. It was therefore decided that the hearing shall be adjourned to:

- **Monday 18th October 2021, at 12 noon**

This will be an online meeting conducted via Microsoft Teams.

Please note, the meeting ended at 1022.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Licensing Sub Committee C
Report of:	Interim Assistant Director of Regulation & Enforcement
Date of Meeting:	Wednesday 27th October 2021
Subject:	Licensing Act 2003 Premises Licence – Variation
Premises:	Old Hare and Hounds, 426 Lickey Road, Rednal, Birmingham, B45 8UU
Ward affected:	Rubery and Rednal
Contact Officer:	Shaid Yasser, Senior Licensing Officer, licensing@birmingham.gov.uk

1. Purpose of report:

To consider relevant representations that have been made in respect of an application to vary the Premises Licence.

The application seeks to make the following amendments to the premises licence:

- Extend the terminal hour for the sale of alcohol to 00:00 midnight Sunday to Thursday and extend the terminal hour for films to 00:00 midnight on Sundays.
- Add the provision for Late Night Refreshment from 23:00 until 00:00 midnight Sunday to Thursday.
- To begin licensable activities (films and the sale of alcohol) from 10:00 on Sunday.
- To extend the terminal hour for opening hours to 00:30 the following day Sunday to Thursdays and, by an extra 10 minutes on Friday and Saturday, to 01:00 the following day.

The application also seeks to remove, amend and update several conditions on the premises licence. These conditions are detailed in the application form, which is attached to this report at Appendix 5.

2. Recommendation:

To consider the representations that have been made and to determine the application.

3. Brief Summary of Report:

Variation application received on 2nd September 2021 in respect of Old Hare and Hounds, 426 Lickey Road, Rednal, Birmingham, B45 8UU.

Representations have been received from other persons.

4. Compliance Issues:
4.1 Consistency with relevant Council Policies, Plans or Strategies:
<p>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.</p>
5. Relevant background/chronology of key events:
<p>Micthells & Butlers Leisure Retail Limited applied on 2nd September 2021 to vary the Premises Licence for Old Hare and Hounds, 426 Lickey Road, Rednal, Birmingham, B45 8UU.</p> <p>Representations have been received from other persons, which are attached at Appendices 1 – 4.</p> <p>The application is attached at Appendix 5.</p> <p>Conditions have been agreed with West Midlands Police and the applicant, which are attached at Appendix 6.</p> <p>The current premises licence is attached at Appendix 7.</p> <p>Site Location Plans at Appendix 8.</p> <p>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:-</p> <ul style="list-style-type: none"> 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:
<p>Copy of the representations as detailed in Appendices 1 – 4</p> <p>Application Form, Appendix 5</p> <p>Agreed conditions with West Midlands Police, Appendix 6</p> <p>Current Premises Licence, Appendix 7</p> <p>Site Location Plans, Appendix 8</p>
7. Options available
<p>To grant the variation application</p> <p>To refuse the whole or part of the application</p> <p>To modify the conditions of the Licence</p>

From: Councillor Adrian Delaney
Sent: 21 September 2021 16:34
To: Licensing
Cc: Licensing
Subject: Re: Licensing Act 2003 - List of Licensing Applications

Application ref 122502

Old Hare and Hounds, 426 Lickey Road, Rednal, B45 8UU

Hi,

I would like to object to this application because of the impact the increase in hours will have on some of the neighbouring properties near to this public house.

Over the road from The Old Hare and Hounds is Elliott Gardens. Elliott Gardens is home to many elderly residents who already are concerned by the noise and disturbance caused to them especially late at night by this public house. Any increase in opening hours especially late at night will have a considerable impact on their quality of life. Noise of people drinking outside the Old Hare and Hounds, car doors slamming and customers leaving after closing time has a negative impact on neighbours amenity and quality of life. For these reasons they should not be granted a later licence.

Kind regards,

Councillor Adrian Delaney
Rubery and Rednal Ward

From:

Sent: 21 September 2021 08:31

To: Licensing

Subject: Application 122502

Ward: Rubery & Rednal

Application ref: 122502

Type of application: Premises

Sub type of application: Variation

Trading name: Old Hare and Hounds

Trading address: 426 Lickey Road, Rednal, Birmingham, B45 8UU

Type of premises: PUB

Message:

Hello, I am writing in respect of the above application for extended licensable and trading times. I own a property that shares a border with the pub and am concerned about the volumes late at night, and a rise in other antisocial behaviour that might arise from extended trading hours. This is because I expect that anyone looking to be served beyond the current opening hours will already have had a substantial amount to drink. For this reason, I am opposed to the application to extend the opening hours.

From:

Sent: 21 September 2021 08:56

To: Licensing

Subject: Ref: 122502 - Increase in licensing hours at Old Hare & Hounds, 426 Lickey Road, Rednal, B45 8UU

Dear Sir,

As I live at Rowantrees which is behind the above pub, I object to this increase in hours. I am concerned about the increase in noise levels in the early hours of the morning, especially from customers returning to their cars. (being rowdy, banging doors & roaring off down the car park.)

Kind regards,

From:

Sent: 27 September 2021 12:22

To: Councillor Adrian Delaney

Subject: Licensing hours Old Hare and Hounds

I am writing on behalf of my husband and myself regarding the request for the application of the opening hours of the Old Hare and Hounds public house, Lickey Road, Rednal to be extended

We do not think it is appropriate to have the pub hours extended. It is bad enough having the noise from Joe Joe Jim's night club, which is next door to the Old Hare and Hounds, without having further noise from the pub at 12pm or later.

We live opposite both of them and feel it is very unfair to us on this estate to have to put up with the music and the noise from people drinking so late.

We also have problems with our parking on this estate from people using Joe Joe Jim's and other people parking here most weekends as Lai Lings restaurant now charge for their parking.

Thanking you in anticipation.

Yours faithfully

Birmingham City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.

We Mitchells & Butlers Leisure Retail Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

129 / 4

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Old Hare and Hounds
 426 Lickey Road

Rednal

Post town Birmingham

Post code B45 8UU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£110,000.00

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current residential address if different from premises address

27 Fleet Street

Post Town Birmingham

Postcode B3 1JP

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not, from what date do you want the variation to take effect?

Day	Month	Year

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

Please describe briefly the nature of the proposed variation (Please read guidance note 2)

The proposed variation is to:

1. Extend the terminal hour for the sale of alcohol to 00:00 midnight Sunday to Thursday and extend the terminal hour for films to 00:00 midnight on Sundays;
2. Add the provision for Late Night Refreshment from 23:00 until 00:00 midnight Sunday to Thursday;
3. To begin licensable activities (films and the sale of alcohol) from 10:00 on Sunday;
4. To extend the terminal hour for opening hours to 00:30 the following day Sunday to Thursdays and, by an extra 10 minutes on Friday and Saturday, to 01:00 the following day.
5. To remove the condition under annex 2 regarding irresponsible drinks promotions as this is now covered by the mandatory conditions;
6. To update the CCTV condition which currently reads "Existing CCTV system will continue to operate during the hours of operation" to read "A digital CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be kept for at least 28 days and shall be available to the Licensing Authority or Police on request."
7. To amend the condition which reads "No consumption of alcohol or other refreshments shall be allowed in any outside area after 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday" to read "No consumption of alcohol or other refreshments shall be allowed in any outside area after midnight".
8. To amend the condition which reads "The outside area at the front of the premises (patio area immediately outside the front lobby on Lickey Road) is permitted to be used exclusively for smokers after 23:20 hour Monday to Saturday (inclusive) and 22:50 hours on a Sunday" to read "The outside area at the front of the premises (patio area immediately outside the front lobby on Lickey Road) is permitted to be used exclusively for smokers after midnight".
9. To amend the condition which reads "The beer garden shall be cleared of all customers by 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday" to read "The beer garden shall be cleared of all customers by midnight".
10. To amend the condition which reads "The doors to the beer garden will be closed from 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday" to read "The doors to the beer garden will be closed from midnight".
11. To amend the condition which reads "Smokers can be readmitted to the premises after

23:00 hours on a Friday and Saturday" to read "Smokers can be readmitted to the premises after midnight".

12. To amend the condition which currently reads "The licensee will promote the protection of children from harm through an approach to managing the risk of under-age drinking." To read "The premises will adopt a "Challenge 21" policy and any person wishing to purchase alcohol who appears to be under 21 shall be asked to produce an acceptable form of identification such as photo-card driving licence, international passport, a PASS hologrammed/ultraviolet feature card, Military ID card or Biometric Residence Permit."

13. To change the phone number of the premises to 0121 457 9743.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please read guidance note 3)

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

Please tick all that apply

- ☐
- ☒
- ☐
- ☐
- ☐
- ☐
- ☐
- ☐

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

☒

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4) No change	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	10:00	00:30	Please give further details here (please read guidance note 5)		
Tue	10:00	00:30			
Wed	10:00	00:30	State any seasonal variations for the exhibition of films (please read guidance note 6) No change – as per the existing licence		
Thur	10:00	00:30			
Fri	10:00	00:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	10:00	00:30			
Sun	10:00	00:00			
			No change – as per the existing licence		

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:00	Please give further details here (please read guidance note 5) Hot food and hot drinks		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) No change – as per the existing licence		
Thur	23:00	00:00			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	00:30			
Sun	23:00	00:00	No change – as per the existing licence		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6) No change – as per the existing licence		
Tue	10:00	00:00			
Wed	10:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) No change – as per the existing licence		
Thur	10:00	00:00			
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8) None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
			No change – as per the existing licence
Day	Start	Finish	
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri	10:00	01:00	No change – as per the existing licence
Sat	10:00	01:00	
Sun	10:00	00:30	

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

1. The licensee will ensure that there will be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

The other conditions will be amended as mentioned in part 3.

Please tick yes

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

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

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

Not applicable. An electronic copy of the premises licence has been included with the online application and the original licence will follow the application via first class post.

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

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

The applicant has considered the impact of the application which seeks to extend licensable activities on certain days of the week, with an earlier starting time on Sundays and to amend certain conditions relating to the use of the external area, in line with these amendments. The opening hours have been extended slightly on a Friday and Saturday to provide an

additional 10 minutes drinking up time as the current timings only permit 20 minutes.

The existing measures will continue and the applicant feels that there will be no adverse impact upon the four licensing objectives.

b) The prevention of crime and disorder

1. A digital CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be kept for at least 28 days and shall be available to the Licensing Authority or Police on request.

c) Public safety

Existing measures will continue.

d) The prevention of public nuisance

1. No consumption of alcohol or other refreshments shall be allowed in any outside area after midnight.
2. The outside area at the front of the premises (patio area immediately outside the front lobby on Lickey Road) is permitted to be used exclusively for smokers after midnight.
3. The beer garden shall be cleared of all customers by midnight.
4. The doors to the beer garden will be closed from midnight.
5. Smokers can be readmitted to the premises after midnight.

e) The protection of children from harm

1. The premises will adopt a "Challenge 21" policy and any person wishing to purchase alcohol who appears to be under 21 shall be asked to produce an acceptable form of identification such as photo-card driving licence, international passport, a PASS hologrammed/ultraviolet feature card, Military ID card or Biometric Residence Permit.

Please tick yes

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	2 September 2021
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Poppleston Allen Solicitors
37 Stoney Street
The Lace Market

Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

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.

1. 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 for the late night levy
2. 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.

3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate.
Indoors may include a tent.
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give 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.
 9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
 10. Please give 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 or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

From: Sarah Taylor
Sent: 27 September 2021 09:33
To: Licensing
Cc: Mark Swallow
Subject: RE: [External]: RE: The Old Hare and Hounds. 426, Lickey Road, Rednal. B45 8UU.

Dear Licensing

Please see below regarding the variation application for the Old Hare & Hounds, Rednal.

The applicant has agreed with West Midlands Police that the following conditions will be applied to the premises licence upon grant of the variation:

1. There shall be no admission to the premises, save for customers who have left the premises to smoke, after 11.30pm Sunday to Thursday;
2. There will be no regulated entertainment outside the premises after 11.00pm on any day that the premises is trading.

Kind regards

Sarah

From: Sarah Taylor
Sent: 24 September 2021 09:32
To: Mark Swallow
Subject: [External]: RE: The Old Hare and Hounds. 426, Lickey Road, Rednal. B45 8UU.

CAUTION: This email originated from outside of West Midlands Police. Do not click links or open attachments unless you are sure the content is safe.

Hi Mark

Thank you for your patience on this.

I have discussed this further with the area manager and I wondered if you would be agreeable to the following amendment to the last admission condition:

3. There shall be no admission to the premises, save for customers who have left the premises to smoke, after 11.30pm Sunday to Thursday.

This will be much easier for staff to manage for the last half an hour of licensable activities. Would you be amendable to the amendment?

Kind regards

Sarah

From: Mark Swallow
Sent: 06 September 2021 11:25
To: Sarah Taylor
Subject: The Old Hare and Hounds. 426, Lickey Road, Rednal. B45 8UU.

Sarah,

Reference the above I am in receipt of the application.

In order to promote the licensing objectives can I ask that consideration be given to the adoption of the following two conditions please.

1. There shall be no admission to the premises after 11.00pm on any day that the premises are trading.
2. There will be no regulated entertainment outside the premises after 11.00pm on any day that the premises is trading.

Please inform me of you're your considerations re the above.

Mark.

LICENSING ACT 2003**PREMISES LICENCE****Premises Licence Number:****129 / 4****Part 1 - Premises details:**

Postal address of premises, or if none, ordnance survey map reference or description	
Old Hare and Hounds 426 Lickey Road Rednal	
Post town:	Post Code:
Birmingham	B45 8UU
Telephone Number:	

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

B	Films
F	Recorded music
L	Late night refreshment
M3	Sale of alcohol by retail (both on & off the premises)

The times the licence authorises the carrying out of licensable activities

Monday - Thursday	00:00 - 23:59	F
	10:00 - 00:30	B
	10:00 - 23:00	M3
Friday - Saturday	00:00 - 23:59	F
	10:00 - 00:30	B ,M3
	23:00 - 00:30	L
Sunday	00:00 - 23:59	F
	12:00 - 22:30	B ,M3
New Year's Eve – from end of permitted hours to commencement of permitted hours		B ,L ,M3
New Year's Day.		
A further 2 hours every Christmas Eve.		B ,L ,M3
A further hour every Halloween.		B ,L ,M3
A further additional hour every Boxing Day, 27th, 28th & 30th December.		B ,L ,M3
A further additional hour into the morning every New Year's day, Valentines Night, Burns Night, St David's Day, St Patrick's Day & every Friday, Saturday, Sunday & Monday for each May Bank Holiday, Spring/Whit Bank Holiday & August Bank Holiday weekend.		B ,L ,M3

A further additional hour into the morning following every Thursday, Friday, Saturday Sunday & Monday for the Easter Bank Holiday weekend.

B ,L ,M3

In the event of a transmission of any recognised international sporting event which falls outside the current permitted hours, to permit the activity commencing 1 hour before the start of the event and ending 1 hour after the event has ended. Details of the activity to be notified to the police 21 days beforehand. The event will not proceed if the police serve, 7 days prior to the event, written notification upon the designated premises supervisor. The event will not proceed after the 7 day period if the police have intelligence that disorder is likely to occur and they notify the designated premises supervisor.

B ,L ,M3

The opening hours of the premises

Sunday - Thursday	10:00	-	23:20
Friday - Saturday	10:00	-	00:50

N.B Opening hours may be extended to reflect any such extension of the permitted times for licensable activities as are detailed above.

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

On and Off Supplies

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence Mitchells and Butlers Leisure Retail Limited 27 Fleet Street	
Post town: Birmingham	Post Code: B3 1JP
Telephone Number:	
Email	

Registered number of holder for example company number or charity number (where applicable) 01001181
--

Name, address, telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol Jason Baynham	
Post town:	Post Code:
Telephone Number: Not specified	

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 09/PSL01122	Issuing Authority CHEREWELL COUNCIL

Dated 04/02/2015

David Kennedy
Principal Licensing Officer
For Director of Regulation and 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.

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.

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

Embedded Restrictions

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Annex 2 – Conditions consistent with operating schedule

2a) General conditions consistent with the operating schedule

Regulated entertainment is permitted to take place inside the premises only.

The licensee will ensure that staff are trained in the standards required by the relevant legislation and as required by company policy.

The voluntary closure policy for the operation of these premises is 30 minutes after the approved closure time for the supply of alcohol.

2b) Conditions consistent with, and to promote the prevention of crime and disorder

The pub manager is required to actively participate in and support the local Pubwatch scheme (where active).

The licensee will ensure that text and/or radio pagers, where already used will continue to be used on the premises during the hours of operation.

Existing CCTV system will continue to operate during the hours of operation.

The licensee will ensure that there will be no promotions that encourage illegal, irresponsible or immoderate consumption of alcohol.

2c) Conditions consistent with, and to promote, public safety

The licensee will extend existing policies to cover the increase in hours of operation.

The licensee will ensure internal health and safety due diligence and incident reporting system will continue to operate during the additional times.

2d) Conditions consistent with, and to promote the prevention of public nuisance

The licensee must where necessary implement reasonable steps to recognise the rights of local residents and encourage customers to leave the premises quietly.

The manager is required to liaise with local neighbours as part of their duties and resolve any reasonable concerns.

No consumption of alcohol or other refreshments shall be allowed in any outside area after 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday.

The outside area at the front of the premises (patio area immediately outside the front lobby on Lickey Road) is permitted to be used exclusively for smokers after 23:20 hour Monday to Saturday (inclusive) and 22:50 hours on a Sunday.

The beer garden shall be cleared of all customers by 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday.

The doors to the beer garden will be closed from 23:20 hours Monday to Saturday (inclusive) and 22:50 hours on a Sunday.

Smokers can be readmitted to the premises after 23:00 hours on a Friday and Saturday.

2e) Conditions consistent with, and to promote the protection of children from harm

The licensee will promote the protection of children from harm through a commitment to health and safety in the operation and maintenance of the premises.

The licensee will promote the protection of children from harm through an approach to managing the risk of under-age drinking.

No adult entertainment is permitted at the premises.

Staff are not allowed to be in sole supervision of children.

Annex 3 – Conditions attached after hearing by licensing authority

3a) General committee conditions

Conditions as stated below under the appropriate licensing objective.

3b) Committee conditions to promote the prevention of crime and disorder

N/A

3c) Committee conditions to promote public safety

N/A

3d) Committee conditions to promote the prevention of public nuisance

Drinking up time shall be limited to twenty minutes.

There shall be no admission to the premises after 11.00pm on Friday and Saturday.

The licensee shall ensure that car park gates are erected and locked securely at closing time.

3e) Committee conditions to promote the protection of children from harm

N/A

Annex 4 – Plans

The Plan of the premises with reference number **89644-129/4 (Drawing No 14-1545.101 Rev A effective 26/02/2015)** which is retained with the public register kept by Birmingham City Council and available free of charge for inspection by appointment only. Please ring the Licensing Section on 0121 303 9896 to book an appointment.



