

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE A
MONDAY 12 JUNE 2023**

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE
A HELD ON MONDAY 12 JUNE 2023 AT 1000 HOURS AS AN ON-
LINE MEETING.**

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Mary Locke and Saddak Miah.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Ed Brown – Committee Services

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

1/120623 **NOTICE OF RECORDING/WEBCAST**

The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/120623 **DECLARATION OF INTERESTS**

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

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

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

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.

3/120623

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

Apologies were submitted by Councillor Higgs. Councillor Miah attended as a substitute.

4/120623

LICENSING ACT 2003 PREMISES LICENCE – VARIATION JUNGLE LOUNGE, 215 – 218 MONUMENT ROAD, LADYWOOD, BIRMINGHAM, B16 8UU

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

The Licensing officer, David Kennedy, explained that the agent was no longer being instructed to represent the applicant.

RESOLVED:-

That the application by Jungle Shisha Lounge Ltd to vary the premises licence in respect of Jungle Lounge, 215-218 Monument Road, Ladywood, Birmingham B16 8UU, under section 34 of the Licensing Act 2003, be adjourned to a date outside the statutory hearing window, in accordance with regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

The Sub-Committee heard from the Principal Licensing Officer that there was uncertainty over the arrangements for representation for the premises. The meeting was therefore adjourned so that further enquiries could be made.

The rescheduled hearing date will be announced to all parties as soon as practicable. It will be an online meeting conducted via Microsoft Teams.

4/120623

GAMBLING ACT 2005 LICENSED PREMISES GAMING MACHINE PERMIT ELIZABETH OF YORK, 12A ST MARY'S ROW, MOSELEY,

BIRMINGHAM, B13 8JG

The Chair explained the hearing procedure prior to inviting the Licensing Officer, David Kennedy, to outline the report.

RESOLVED:-

That the application by JD Wetherspoon Plc for the variation of a Licensed Premises Gaming Machine Permit in respect of Elizabeth of York, 12A St Mary's Row, Moseley, Birmingham, B13 8JG be granted.

The Sub-Committee deliberated the application put forward by the applicant company. The Sub-Committee considered the likely impact of the application, and concluded that by granting this application, the three licensing objectives contained in the Act will be properly promoted.

The application was to operate a total of five Category C Gaming Machines within an alcohol licensed premises. Licensing Enforcement had confirmed that everything was in order after carrying out a site visit. The Sub-Committee therefore granted the variation as requested.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Principles, the Guidance issued under section 25 of the Gambling Act 2005 by the Commission, the application for a Licensed Premises Gaming Machine Permit, and the written representations received.