

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 4 MAY 2021

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 4 MAY 2021 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nagina Kauser in the Chair;

Councillors Mary Locke and Adam Higgs.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Townshend – Committee Services

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

NOTICE OF RECORDING/WEBCAST

- 1/040521 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

2/040521 **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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/040521 Apologies were submitted on behalf of Councillor Nicky Brennan and Councillor Mary Locke was the nominated substitute Member.
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MINUTES

4/040521

The minutes of meeting held on the 9 March, 30 March and 9 April 2021 were circulated and confirmed and signed by the Chairperson.

LICENSING ACT 2003 PREMISES LICENCE – GRANT – EUROPEAN AND ASIAN MINI MARKET, 290 ALUM ROCK ROAD, ALUM ROCK, BIRMINGHAM, B8 3DD

On Behalf of the Applicant

Nabaz Ali-Pour – applicant
June Clarke – licensing consultant
Tony Clarke – licensing consultant

Those Making Representations

Cllr Mohammed Idrees – Local Ward Councillor
Azher Hussain – resident

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The Chairman introduced the Members and officers present and before she could read through the procedure and protocols in relation to the hearing Councillor Idrees interjected and raised a preliminary point, namely that the new supporting documents submitted by the applicant were late, and therefore he had not had chance to read or respond to them. He further stated that it was a serious matter and there were allegations made that needed investigating.

Mr Hussain also voiced similar concerns.

In response the applicant's agent, June Clarke, informed all parties that the documents were submitted on Friday due to more evidence being sought on Thursday. The supporting document is a letter in response to Councillor Idrees and the representations received. The information in that email is true, factual and supported by evidence. The applicant does have audio and visual footage to support the allegations. However she did think it was only fair that all parties had time to read the supporting documents.

Subsequently the Chairman asked Councillor Idrees how long he required to read the additional documents.

Councillor Idrees advised that he needed at least a week. At which point June Clarke interjected and advised that it would take around 20 minutes to read the documents.

In response Councillor Idrees advised that there were serious allegations made and therefore they would need sufficient time to address these concerns.

Licensing Sub-Committee B – 4 May 2021

The Chairman took a short adjournment to seek legal advice at 1018. The Members, Committee Lawyer and the Committee Manager left the public meeting and conducted a separate private Teams meeting to seek legal advice.

At 1025 the hearing was reconvened and the Chairman advised that the meeting would be adjourned until 11am in order to give sufficient time to read the additional documents.

Cllr Idrees objected to the short adjournment and advised that they needed sufficient time to investigate the allegations made and submit evidence.

June Clarke advised that the letter they submitted was in response to the false allegations made about her client. It was simply a response to the objection at appendix 5. She confirmed that they also had a TEN in place.

Mr Hussain advised that people had been at the Mosque and they needed to take statements from them.

The Chairman again adjourned to take legal advice. The Members, Committee Lawyer and the Committee Manager left the public meeting and conducted a separate private Teams meeting to seek legal advice.

At 1105 and the chairman announced that the meeting would be adjourned and the decision of the Sub-Committee was sent out to all parties as follows;

5/040521

RESOLVED:-

That the application by Nabaz Ali-Pour for a premises licence in respect of European and Asian Mini Market, 290 Alum Rock Road, Alum Rock, Birmingham B8 3DD, be adjourned.

A Ward Councillor asked for more time to consider the applicant's additional documents, which had been served after close of business on the Friday before a Bank Holiday weekend. It was therefore decided that the hearing shall be adjourned to:

Wednesday 5th May 2021, at 11.30 hours.

This will be an online meeting conducted via Microsoft Teams.