

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE A
MONDAY 3 JULY 2023**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 3 JULY 2023 AT 1000 HOURS AS AN ON- LINE MEETING.

PRESENT: - Councillor Phil Davis in the Chair;

Councillors Diane Donaldson and Julien Pritchard.

ALSO PRESENT

Bhupinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services

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

1/060723 **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.

2/060723 **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.

LICENSING SUB COMMITTEE A – 3 JULY 2023

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.

3/060723

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

Apologies were submitted by Councillors Locke and Morrall and Councillors Donaldson and Pritchard were the nominated substitute Members respectively.

4/060723

GAMBLING ACT 2005 – LICENSING PREMISES GAMING MACHINE PERMIT – THE BILLESLEY, BROOK LANE, KINGS HEATH, BIRMINGHAM, B13 0AB

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 Regal Gaming & Leisure on behalf of Greene King Brewing & Retailing Ltd for the variation of a Licensed Premises Gaming Machine Permit in respect of The Billesley, Brook Lane, Kings Heath, Birmingham B13 0AB, 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 premises has the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits 4 Category C machines and 1 Category D machine. The application was to operate a total of 5 Category C Gaming Machines and 1 Category D Gaming Machine, 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.

LICENSING SUB COMMITTEE A – 3 JULY 2023

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.

5/060723

GAMBLING ACT 2005 – LICENSING PREMISES GAMING MACHINE PERMIT – BLACK HORSE, BRISTOL ROAD SOUTH, NORTHFIELD, BIRMINGHAM, B31 2QT.

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 the Black Horse, Bristol Road South, Northfield, Birmingham B31 2QT, 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 premises has the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits 6 Category C machines. The application was to operate a total of 7 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.

6/060723

GAMBLING ACT 2005 – LICENSING PREMISES GAMING MACHINE PERMIT – THE SPREAD EAGLE, 1146 WARWICK ROAD, BIRMINGHAM, B27 6BL.

LICENSING SUB COMMITTEE A – 3 JULY 2023

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 The Spread Eagle, 1146 Warwick Road, Birmingham B27 6BL, 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 premises has the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits 5 Category C machines. The application was to operate a total of 6 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.

The meeting ended at 1016 hours.

Chair.....