

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE A 21 MAY 2018
--

**MINUTES OF A MEETING OF
LICENSING SUB COMMITTEE A
HELD ON MONDAY 21 MAY 2018
AT 0930 HOURS IN ELLEN PINSENT ROOM,
COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Councillor Barbara Dring in the Chair

Councillors Bob Beauchamp and Nagina Kauser

ALSO PRESENT

Bhapinder Nandra, Licensing Section
Joanne Swampillai, Committee Lawyer
Katy Poole, Committee Manager

NOTICE OF RECORDING

- 1/210518 The Chairman advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.
-

DECLARATIONS OF INTERESTS

- 2/210518 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 to be recorded in the minutes of meeting.
-

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

- 3/210518 There were no Nominee members.
-

**LICENSING ACT 2003 PREMISES LICENCE – SANTRA, 2ND FLOOR,
KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT**

Licensing Sub Committee A – 21 May 2018

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See document No. 1)

The following persons attended the meeting.

On behalf of the applicant

Desmond Murphy – Applicant
Tom Moore - DPS

Those making representations

PC Abdool Rohomon – West Midlands Police

* * *

Following introductions by the Chairman, Bhapinder Nandra, Licensing Section, made introductory comments relating to the report.

The Chairman addressed all parties requesting if they had any preliminary points.

Mr Tom Moore, on behalf of the applicant requested an adjournment due to their counsel being unavailable to attend the hearing and therefore, he advised that they had not been able to seek legal advice in preparation for the hearing. The solicitors they instructed were unavailable.

PC Abdool Rohomon made no objections and suggested that it would be acceptable to adjourn, as without a solicitor they would be unable to make any negotiations.

At 0952 the meeting was adjourned and all parties with the exception of the Members, Committee Lawyer and Committee Manager left the meeting.

At 0954 hours the Chairman requested all present, with the exception of Members, the Committee Lawyer and the Committee Manager to withdraw from the meeting.

4/210518

RESOLVED:-

That the application by Desmond Murphy for a premises licence in respect of SANTRA, 2ND FLOOR KOTWALL HOUSE, WROTTESLEY STREET, BIRMINGHAM, B5 4RT

BE ADJOURNED TO 18th JUNE 2018 in order that the applicant can instruct legal representation for the hearing.

The Sub Committee was advised by the Committee Lawyer as to their discretionary powers to adjourn the matter under

Licensing Sub Committee A – 21 May 2018

Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

Members considered that an adjournment was necessary in the public interest. Given the principles of natural justice, the Members had a duty as decision-makers to conduct a proper examination of submissions, arguments and evidence adduced by both parties in order to reach a proper determination. This would require the grant of an adjournment so the applicant could arrange for legal representation. The Sub-Committee will then be able to properly and fully consider the application.

OTHER URGENT BUSINESS

5/210518 There was no urgent business.

The meeting ended 0958 hours.

.....

CHAIRPERSON