

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.

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- 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: -

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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

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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.