

# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB-COMMITTEE B 5 MAY 2026</b>
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**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 5 MAY 2026 AT 1200 HOURS AS AN ON-LINE MEETING.**

**PRESENT:** - Councillor Saddak Miah in the Chair;

Councillors Ray Goodwin and Adam Higgs

**ALSO PRESENT**

Bhapinder 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)

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1/050526 **NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

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2/050526 **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.

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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.

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### APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/050526 No apologies were submitted.

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### LICENSING ACT 2003 – PREMISES LICENCE – APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR – NUMBER 1 PUBLIC HOUSE, 641 COLLEGE ROAD, KINGSTANDING, BIRMINGHAM, B44 0AT

#### On Behalf of the Applicant

June Large – Applicant  
Duncan Craig – Barrister

#### On Behalf of Those Making Representations

Mark Swallow – WMP (West Midlands Police)  
Sam Huntbach - WMP

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

As a preliminary point, Mark Swallow on behalf of WMP requested that the meeting be held in private as he intended to make reference to two incidents which were subject to criminal proceedings and therefore, he did not wish to prejudice any investigations or forthcoming criminal trials. He also stated he would show body camera footage.

No one raised any objections to the meeting being held in private and following a short adjournment the Committee resolved to accept WMP's request to hold the meeting in private.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present their report. Bhapinder Nandhra, Licensing Section, outlined the report.

### EXCLUSION OF THE PUBLIC

4/050526 **RESOLVED:-**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3.

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The Members and Committee Lawyer conducted the deliberations in a separate private session and the decision of the Sub-Committee was sent to all parties as follows;

5/050526 **RESOLVED:-**

That the application by Roshan Food and Wine Limited for a premises licence in respect of Roshan Superstore, 92 Queens Head Road, Handsworth, Birmingham B21 0QJ, be granted in accordance with the application. Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

At the start of the meeting the Senior Licensing Officer confirmed to the Chair that the name of the premises was Roshan Superstore.

The director of the applicant company attended the meeting to address the Sub-Committee. The Sub-Committee noted that a written representation had been received; this was in the Committee Report. The person who had made the written representation did not attend the meeting in person to address the Sub-Committee. However, the Sub-Committee took the written representation carefully into consideration when making the determination.

The director of the applicant company explained that the application was for a convenience store at 92 Queens Head Road. The shop would primarily sell groceries and everyday household items, with alcohol being a small but essential part of the offer.

The alcohol was for consumption off the premises only; there would be no drinking on the premises. The director understood the concerns which had been raised in the written representation, and confirmed that he took them very seriously. He stated that he intended to operate in a manner which would “prevent crime, disorder, public nuisance and ensure the protection of vulnerable people”. The Members found this reassuring.

The director had over three years’ experience in running off-licence premises and had not faced any issues or complaints. He also had further experience in the sale of age-restricted products such as vapes, as he had been conducting such sales for over eight years. The Sub-Committee noted this.

He confirmed that, in order to ensure that the premises operated in a responsible manner, he would be implementing a strict Challenge 25 policy and a refusals

register. There would be CCTV covering both inside and outside the shop; it would be retained for 28 days, and would be made available upon request to the responsible authorities. The premises would not serve intoxicated individuals or those suspected of street drinking. Clear signage would be displayed. The Sub-Committee found all of this to be satisfactory.

The director reminded the Sub-Committee that there had been no objection from any of the responsible authorities, including either the Police or Environmental Health, and only one written representation against the application had been received. The director remarked that he had received support from the garage next door and the barber shop.

The director emphasised that the premises would be a low-risk style of operation, namely a retail shop selling alcohol for consumption off the premises, similar to many other convenience stores nearby. The Sub-Committee found this reassuring.

The Sub-Committee was aware that, under paragraph 9.43 – 9.44 of the Guidance issued by the Secretary of State under s182 of the Act, there was a presumption to grant such applications unless there was good evidence of a risk to the promotion of the licensing objectives.

The Sub-Committee therefore looked carefully at whether there was evidence that the proposed operation would in fact have an adverse effect on the licensing objectives when considering the representation made against the application (in the Committee Report).

However, the Members accepted the director's submissions that, whilst the objector had expressed fears about the undermining of the licensing objectives, the premises was planning to open as a convenience store - selling alcohol alongside general grocery products, for customers to take home. The Sub-Committee accepted the director's submission that this was a low-risk style of operation.

The Members were aware of the relevant caselaw, namely *R (on the application of Daniel Thwaites plc) v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin)*, which emphasised the principles laid down by the Licensing Act 2003 and its accompanying Guidance – namely that there should be light touch bureaucracy applied to applications for licences, and that restrictions should only be attached to premises licences where they were necessary to promote the licensing objectives.

The case highlighted the fact that decisions on applications should be made on evidence, and not based on speculation. The Sub-Committee was aware that if the authority gave weight to speculative opinions, it would in fact fail to follow the Guidance issued under s182 of the Act, and its own Statement of Licensing Policy.

When deliberating, the Sub-Committee noted that the operating schedule had been drafted with consideration of the licensing objectives, and had been approved by the responsible authorities, who were the experts in the upholding of

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the licensing objectives. This was reassuring. The applicant was experienced in licensed retailing.

The person who had made representations did not attend the meeting, and the Sub-Committee therefore did not have an opportunity to ask questions. The Members could see no evidence-based reason not to grant the application.

The concerns raised by the person making written representations had been rather speculative; the applicant had taken a responsible and robust approach to address concerns. The Sub-Committee considered the operating schedule to be satisfactory to deal with any potential for risks to the licensing objectives. There was no reason to suppose that a carefully-managed off licence shop premises would create risks to the licensing objectives.

Moreover, having examined the operating schedule, all potential risks to the upholding of the licensing objectives had already been satisfactorily addressed, such that the Police and the other responsible authorities had found all to be in order. There was therefore no need to add conditions.

After careful consideration, the Sub-Committee determined that the application could safely be granted as requested. The Members considered that by granting the application, the licensing objectives in the Act would be properly promoted. The Sub-Committee was satisfied that trading would be safe, and considered that all areas of concern had been satisfactorily addressed.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representation received, and the submissions made at the hearing by the director of the applicant company.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.

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**The meeting ended at 1306 hours.**

CHAIR.....