

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 10 OCTOBER 2023
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 10 OCTOBER 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Sam Forsyth in the Chair;

Councillors Saddak Miah (Councillor Penny Wagg took over) and
Julien Pritchard.

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)

1/101023 **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.

2/101023 **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.

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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/101023 Apologies were submitted on behalf of CouncillorS Diane Donaldson and Saddak Miah and Councillor Sam Forsyth and Penny Wagg was the nominated substitute Members.

MINUTES

4/101023 The Public section of the minutes of the meetings held on 26 August 2023 at 1000 hours were noted.

LICENSING ACT 2003 PREMISES LICENCE – VARIATION – O BAR, 265 BROAD STREET, LADYWOOD, BIRMINGHAM, B1 2DS.

On Behalf of the Applicant

Duncan Craig – Barrister
Kerry Cox – Associate of Duncan Craig
Mike Olley – Westwide Bid
Abdul Muhit – Director
Klaudian Lekstaki – Director
Sophie Walker – Designated Premises Supervisor (DPS)

On Behalf of The Premises Licence Holder

Chris Jones – West Midlands Police (WMP)
Ben Reader - WMP

* * *

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

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

The Chair reminded Mr Craig that he must make his presentation and that on behalf of Mike Olley within the 20 minutes.

At this stage the chair invited the applicant/their representative to make their presentation and Duncan Craig, Barrister made the following points: -

a) That he was contacted in August 2023 regarding the application.

- b) He was aware of the Expedited Review in relation to the premises in May and the conditions that were added to the licence following those proceedings.
- c) He put the application in and then had a discussion with the applicant following that.
- d) The issue with the condition added at the review hearing is that it was affecting the amount of people able to enter the premises. Lots of groups did not take ID out with them. There was a group of teachers – eight of them had ID and two didn't so the whole group left the premises.
- e) That the body cam footage showed people attempting to get into the premises and being turned away. It would give the Committee an idea of what the premises were having to deal with in reality.

At this stage the Chair asked if Mr Craig was content for the footage to be screened in public as it was a public hearing, or whether he felt it necessary for it to be screened in private.

Mr Craig said he had no intention of making an application to screen the footage in private, but that he had no problem with it being held in private.

Due to technical difficulties the footage was played but without sound.

At 1055 the meeting was adjourned to allow Mr Craig an opportunity to resolve the technical issues.

The meeting was reconvened at 1112 hours and Councillor Wagg was invited as a substitute for Councillor Miah who sent apologies.

The Chair then asked Mr Craig again whether the footage should be shown in private due to members of the public being recorded without knowledge that they may end up livestreamed on Public-L microsite.

Mr Craig agreed that the footage should be screened in private. West Midlands Police also agreed that it should be held in private and believed that Mr Craig should have requested that as a preliminary matter.

At this stage all parties went into the private session in order that Mr Craig could share the footage.

EXCLUSION OF THE PUBLIC

5/101023

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 information under Schedule 12A of the Local Government Act 1972.

Following the submissions made in private the public were re-admitted to the meeting.

Duncan Craig on behalf of the PLH continued with his submissions and made the following points: -

- a) That the representations from WMP is that the premises agreed to the condition in June 2023 and did not appeal that decision. It was an agreed position, however the PLH was allowed to change his mind. The premises were not looking to remove the condition entirely, they were requesting to modify it.
- b) The premises had tested the condition and experiencing problems with it so had applied to vary it.
- c) That business was down 75%.
- d) On page 74 of the agenda he had produced a spreadsheet, it outlined the numbers and ages of people entering the premises. Thursday & Friday the average age was 25. Then Saturday and Sunday the ages were 30/31/32. The age range had reduced significantly since the condition was put on the licence, mainly because older people don't tend to carry ID with them.
- e) The Duncan Craig's son was 24 years old and carried his ID with him all the time. The older generation didn't tend to carry it.
- f) The premises used to open Monday, Tuesday and Wednesday and used to have many patrons who had visited the Symphony Hall. The majority of those people didn't carry ID so they don't open those days anymore.
- g) The condition shouldn't act as a punishment.
- h) The condition was crippling and destroying the business after trying and testing it.
- i) The conditions should balance out legitimate business interests against their duty to promote the licensing objectives in a proportionate way.
- j) There are many other premises operating without ID scanners, all nearby.
- k) The premises weren't asking for the ID scanner to not be used, they were asking for the Committee to take a balanced and proportionate decision.
- l) The licence was granted in 2012, operated without issues for 11 years. Then there were two incidents earlier in the year. The decision notice from the review comments on how well operated the premises was and that it was just an isolated incident.

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- m) They were just asking for some leniency to allow the premises to operate without having to turn so many people away.
- n) The matter which resulted in the review earlier this year was unforeseeable by the premises.
- o) The DPS was Sophie Walker who was experienced and a personal licence holder.
- p) That the Council had to have regard for their own statement of licensing policy. The decisions made had to consider the Equality Act.
- q) That older people tended not to go with ID, yet younger people did. They were two different groups of people.

At this stage the Chair then invited WMP to make their case. Ben Reader, on behalf of WMP made the following points: -

- a) That he had listened to the submissions made by the PLH. However the ID scanner was not used a purpose of verifying age, it was to record who was inside the premises, which helped WMP with the detection of crime or acts as a deterrent.
- b) They were a well-used resource in the night time economy.
- c) That WMP would not support the removal of anything that the Committee had put in place.
- d) There were two Section 18 woundings in May where door staff received injuries and people received stab wounds after a disorder broke out inside the premises. As a result of the review proceedings and consultation with the premises the Committee added conditions to the licence in order to secure the front door and make sure there was a process in place.
- e) The DPS variation had been submitted and WMP did not object to that application.
- f) If an ID scanner had been in place when the disorder and subsequent Section 18 woundings occurred then WMP would have been able to identify to offender, thus the incident may not have occurred at all.
- g) That during the footage shown in private, the door staff handled the challenges very well, no confrontation broke out and a number of time the door man stated that the ID requirement was not about age. Therefore, it was no discriminatory under the Equalities Act as it was not about age.

No Members had any questions.

The Chair invited closing submissions and Ben Reader, WMP made the following statements: -

- That what the PLH was asking for could have significant repercussions on the night time economy.
- The conditions the PLH had suggested would undermine the effectiveness of the scanner.
- WMP offered a resolution – that discretion could be given to the duty manager or head door person who could allow persons in if the group had ID but a few people in the group didn't. The condition needed to be worded to ensure that any patrons without ID were still recorded in another way to ensure there was some kind of audit trail.
- He wasn't sure how it could be worded, but he had explained as best as he could.

Then Duncan Craig was invited to make a closing submission on behalf of the PLH, he made the following closing statements: -

- That WMP had presented a curveball and he wanted to take instruction. He suggested that an adjournment may be suitable in order to allow the PLH and WMP to enter into discussions.

The Chair advised that much time had been spent on the hearing and that Duncan Craig should address the submissions from WMP as the Committee would be considering the application and not be adjourning.

Duncan Craig continued: -

- That the condition should be well worded and concise.
- That his client did not have any problems with using an ID scanner.
- It was impossible to disorder the age verification.
- What was the benefit of requesting ID from someone at midday?
- They were asking the Committee to allow them to operate effectively and to grant the application.

The Members, Committee Lawyer and Committee Manager conducted the deliberations in a separate private session and the short decision of the Sub-Committee was announced in public, then a full written decision was sent to all parties as follows;

6/101023 **RESOLVED:-**

That the application by City Leisure Entertainment Limited to vary the premises licence in respect of O Bar, 265 Broad Street, Ladywood, Birmingham B1 2DS,

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under section 34 of the Licensing Act 2003, be granted subject to the conditions proposed by counsel for the licence holder, namely:

- From 21.00hrs premises to operate an ID scanner. All customers who appear to be under 25 will be required to provide ID to satisfy the scanning requirement. In relation to these customers, no ID, or ID not accepted, then no entry
- Persons who appear to be under the age of 25 should be required to provide proof of age by way of passport, photo driving licence or PASS accredited proof of age scheme

Those other matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will continue to form part of the licence issued.

The company which held the premises licence wished to vary the licence, following a determination by the Sub-Committee regarding an Expedited Review application in June 2023. The Review had been brought as a result of a double stabbing at the premises, in which two members of the premises' security staff had been injured whilst encouraging boisterous patrons to leave. The Sub-Committee noted at the start of the meeting that the conditions which had been imposed at the Summary Review hearing had been expressly agreed between the licence holder and West Midlands Police.

The licence holder company was represented by counsel, who attended the meeting together with various members of the premises' management team, and was also accompanied by the director of the WestSide Business Improvement District; the latter had submitted a written representation of his own. Also in attendance were two officers from West Midlands Police, who had submitted a representation opposing the application to vary the licence.

Part of the meeting, namely the playing of the licence holder company's door staff bodycam footage, was conducted in private session after the Sub-Committee considered an application made by counsel under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, as members of the public were shown on the footage. The police endorsed this course. The meeting therefore went into private session so that the Sub-Committee could view the footage recorded by the door staff.

The Sub-Committee then heard detailed submissions from counsel, who explained that the premises had been trading with the ID scanner condition in place, but had been finding the condition to be placing an unreasonable burden on the operation. He estimated that approximately 75% of the premises' trade was being lost due to the requirement to turn away older patrons who had not brought ID with them. He was aware that the Police did not agree that the ID scanner condition should be removed, and accordingly he had sought to redraft the condition - in a manner which was, in effect, more onerous to the licence holder than the removal which had initially been proposed. However, he was aware that after consideration the Police had found the redrafted proposal to be equally unacceptable.

Counsel considered that the Police representation made much of the fact that the licence holder had agreed to the ID scanner condition (amongst numerous other conditions) in June 2023. He confirmed that it was correct that the company had agreed, and moreover had not appealed against the decision, because those at the premises accepted that it “would have been wrong for them to appeal at that time because it was an agreed position between them and the Police”.

However, he asked the Sub-Committee to reflect on the premises’ experience after implementing the condition, and to revisit the decision made in June 2023, given the negative effect on the business. The Sub-Committee agreed that to do so would follow the guidance of its own Statement of Licensing Policy.

Counsel stressed to the Sub-Committee that all the premises was seeking to do was to modify the ID scanner condition, not to remove it, and asked the Members not to forget that there were 39 non-mandatory conditions on the licence, twelve of which had been imposed at the Summary Review hearing. The licence holder had no desire to evade its responsibilities to promote the licensing objectives; instead, now that the company had had the opportunity of testing the new procedure, problems had arisen, and therefore the company now asked for it to be modified.

The premises attracted a significant number of older patrons, as evidenced by the documents in the Committee Report and the door staff bodycam which had been played to the Sub-Committee. Counsel observed that it was only younger persons, aged in their twenties, who would routinely carry ID when going out for the evening. He said that this was particularly the case for patrons of the O Bar, many of whom were older persons who would come to the premises after a show at the Royal Symphony Hall, after 21:00 hours, only to find that one in their group did not have ID, and therefore the whole group would turn away and proceed elsewhere. This was creating a significant loss of trade which the premises was worried would cause the business to become unviable.

Counsel reminded the Sub-Committee that any condition on a licence had to be proportionate, and should not act as a punishment. The premises had been trading under the ID scanner condition for a few months, but had found it necessary to return to the Sub-Committee to say that whilst it accepted eleven of the conditions that had been imposed at the Summary Review hearing, the ID scanner condition was placing a burden on the business which was “crippling and destroying the business”.

Counsel accepted the Police’s point that the variation application was being made for commercial reasons, but remarked that the reason that premises held licences was for the commercial benefit, and the real issue was that any condition on a licence should balance the legitimate business interests of a licence holder against the duty to promote the licensing objectives, in a proportionate and fair way. The Sub-Committee agreed with this.

Counsel noted that none of the nearby premises which offered a similar style to the O Bar were trading under an ID scanning condition. Notwithstanding this, the premises did not deny that such a condition was a benefit to the premises; the issue was that the premises was having to turn away significant numbers of

potential patrons, to an extent that it was threatening to cripple the business. Counsel asked the Sub-Committee to consider the age profile of the persons shown arriving at the door on the bodycam footage, and also to reflect on how likely it was that such persons would be undertaking activities which could undermine the licensing objectives. The Sub-Committee agreed that the persons shown were of an older age group.

Counsel urged the Members to take a balanced and proportionate decision, asking them to bear in mind that the licence had been granted in 2012, yet since then, it had not been subject to any Review proceedings. Whilst the Police had focused on the two serious assaults which had happened recently, the fact was that the O Bar premises had operated for eleven years without creating any concerns that it was any kind of 'problem premises'.

Counsel further observed that the Decision Notice published after the Summary Review hearing had commented on how proactive the premises had been, and how the incident had been a one-off. It was therefore entirely proportionate that the licence holder should simply ask that patrons of the older demographic, who did not carry their passports on nights out, should be permitted to enter the premises. The Sub-Committee noted this.

Counsel confirmed that the premises would continue to undertake all the searches required, and would continue to responsibly decline to admit persons if they were intoxicated, so that they would not be able to enter the premises. He remarked that there was no suggestion that the premises had not been compliant at any time, and reiterated that the incident earlier in the year had not been foreseeable by the premises. He asked that the Sub-Committee consider the satisfactory past trading history of the premises, and to reflect on the fact that the premises had made the instant request in order to ensure that the business remained viable.

Written submissions had been made by the director of the WestSide Business Improvement District, relating to the public sector equality duty. Counsel explained that section 43A of the Licensing Act 2003 was clear that the licensing authority must have regard to its own Statement of Licensing Policy; other City Council documents were also referenced within the representation. The Sub-Committee noted its responsibilities under the public sector equality duty.

The Sub-Committee then heard from the Police, who said that the issue was the need to make a distinction between age verification and the use of an ID scanner. The Police had noted that on the bodycam clips played in the private session, people had been saying that they were clearly over 25 to the door staff. The purpose of the condition was not to verify age; it was an ID scanner machine which took the identities of patrons, such that there would be a record of patrons, which could assist in the prevention and detection of crime.

The system had been noted to work at other venues, who had noted a significant reduction in the numbers of incidents/reported crimes. This was because it acted as a deterrent (as some persons might decide not to enter if they knew they would have to give their ID), and secondly, it ensured that persons were traceable at a later date.

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The Police reminded the Sub-Committee that the new conditions were imposed following two stabbing incidents at the premises in May 2023, and after the premises had been happy to accept the condition and to cooperate with the Police, and also observed that the premises had confirmed to the Sub-Committee at the previous meeting that an ID scanner and bodycam equipment had been ordered. The Police had noted that at the last meeting the Members had been reassured that the designated premises supervisor understood her responsibilities and could be trusted to take proper management control of the premises in implementing the new measures, as she was a very capable and experienced person.

The Police considered that the new designated premises supervisor was an “unknown quantity”; although the Police had been sent her CV and had not objected to her, the Police asked the Sub-Committee to note that they had been asked to take on trust that the person was as experienced as the previous person.

The Police considered that had an ID scanner been in place on the evening of the incident, it was possible that the offender could have been positively identified and brought to justice, and moreover that it might even have prevented the whole incident happening, given that the offender would have been through an ID scanner and thus their identification would have been captured.

For these reasons, the Police view was that the inclusion of ID scanners as a condition of premises licences was an effective and efficient tool to promote the licensing objectives, as ID scanning dramatically reduced the number of incidents in such venues; this made operation safer for both patrons and staff.

However, the Police acknowledged that the door staff seen on the bodycam footage dealt with some of the challenges very well and in a manner which did not lead to any conflict at the door. The Sub-Committee agreed with this.

The Police also observed that the suggestion from the WestSide BID director that the use of ID scanners was discriminatory under the Equality Act 2010 was not correct as the intention was not to check the age of patrons, but to ensure that they provided identification. The Sub-Committee noted this.

The Police advice was that if the application to vary were to be granted, it would negate the effectiveness of the ID scanner. The purpose of the ID scanner was to flag up that a person had been barred on a previous occasion, or had been involved in some incident elsewhere; this would give the door staff an alert as to the risks.

The Police observed that the decision made in regard to the instant application would have significant repercussions for the night-time economy of Birmingham, as a number of licensed premises had ID scanners in place; what the Police wanted was safeguarding of those measures which were working effectively. The condition suggested by counsel, in the opinion of the Police, would undermine the effectiveness of the ID scanner system not only at the O Bar, but at premises across the city centre. The Police therefore asked the Sub-Committee to carefully

consider what the outcome might be in terms of the knock on effect on other premises.

However, the Police then suggested that a satisfactory way forward would be to permit an element of discretion to be exercised by the premises, to make decisions that were based on the situation at any given time. The Police recommended that the Sub-Committee could impose an alternative condition, which would allow a manager or head doorman to take it upon themselves to make a decision to allow certain persons into the premises even though those persons did not have ID, provided the premises documented it and based it on a particular rationale.

The Police considered that this would be a resolution to the problem of whole groups turning away when one or two did not have ID. Those with ID would pass through the ID scanner, and thereafter a discretion to allow those without ID to enter would be exercised (by either the duty manager or the head doorman), and they would record this via bodycam, so that there would be some sort of control measure in place.

The Police invited the Sub-Committee to word a condition to allow the duty manager or head doorman to make the assessment, and to document that those persons were appropriate customers for that premises, and that they were not intoxicated. Groups would therefore not necessarily be turned away, and there would be identification available via the scanner machine of some of the group, which would be a form of control measure on the group members who did not have ID on them. In the event of any crime and/or disorder, the Police felt that this would be satisfactory in terms of contacting or working out who the relevant people were, whilst also allowing the venue to have flexibility.

The Police repeated their concern that the ID scanner issue might potentially impact on other venues that had similar conditions in place after a Review process. They asked that the Sub-Committee should make sure that that it was a workable condition which would give the Police confidence that the licensing objectives would be promoted.

Upon hearing this, counsel expressed surprise at this change of stance by the Police; the Sub-Committee agreed with him. Counsel observed that conditions should be precise, enforceable and capable of being clearly understood by all parties; he considered that it was his proposed conditions which met this standard. The Challenge 25 system was enshrined as an overarching principle in most licences nowadays, and it would be very straightforward for any responsible authority to enforce.

Regarding proportionality, counsel asked the Sub-Committee to reflect on the 21.00 start time for the use of the ID scanner; he noted that a start time for the scanner made it a qualified condition, not an absolute condition. The start time for its use was for proportionality, and he therefore invited the Sub-Committee to apply common sense and take a proportionate approach. The O Bar was the only licensed premises in the immediate vicinity operating under an ID scanner condition and was facing a hugely negative effect on business as a result.

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Counsel therefore invited the Sub-Committee to grant the variation application in the terms requested.

When deliberating, the Sub-Committee carefully considered the proposal put forward by the licence holder, and the likely impact of the application. The Members bore in mind paragraph 9.12 of the Guidance issued under s182 of the Act, namely the need for robust evidence in decision making.

The representations which had been received from the Police had been concerned with the impact on the prevention of crime and disorder if the variation were to be granted, and on that basis the Police (in their documents in the Committee Report) had said that they were not prepared to endorse any departure at all from the existing ID scanner condition - yet during the meeting the Police had said that the issue could be left to the discretion of the duty manager or even the head doorman. The Sub-Committee therefore noted that the mandatory use of the ID scanner was clearly not as important to the upholding of the prevention of crime and disorder objective as had been suggested in the Police documents.

After viewing the bodycam footage, the Sub-Committee agreed that the ID scanner requirement was creating an undue burden on the premises, such that it was putting the viability of the business in jeopardy. This had not been the intention behind the adoption of the ID scanner condition at the Summary Review hearing. The intention had been to adopt a condition which had been agreed between the parties. However, the premises had found it to have exerted an unreasonably negative effect on trading, and therefore the premises had instead offered an alternative which would adequately cover the risks.

Whilst the Police had raised doubts about aspects of the operating style, especially given that there was a new designated premises supervisor, they had not in fact maintained their advice that the ID scanner condition should remain exactly as it was. Instead they had advised, at a very late stage of the meeting, that the Sub-Committee should draft a condition which would give the staff a discretion to admit persons without the use of the ID scanner.

The Sub-Committee found this unsatisfactory, and considered that this type of proposal was something that the Police should have discussed with counsel for the premises in advance of the meeting.

The Sub-Committee carefully examined the submission from the director of the WestSide BID, and was aware of its responsibilities under the public sector equality duty.

Age was a protected characteristic under the legislation and the BID had asked whether, in making the original determination, an equalities impact assessment had been made. The Members were aware that the City Council was committed to seeking and eliminating unlawful discrimination, harassment and victimisation, to advancing equality of opportunity between people who shared protected characteristics and those who did not, and to fostering good relations between people who shared protected characteristics and those who did not.

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However, the Members did not accept that the requirement for an ID scanner, which had been imposed as an agreed condition at the Summary Review meeting, discriminated against or disadvantaged persons on the grounds of their age. The Members considered that the adoption of an agreed ID scanner condition had been the correct course at the Summary Review hearing; it had been agreed between the parties on the basis that both sides were of a shared view that it was necessary to ensure that the prevention of crime and disorder objective would be upheld. In the instant matter however, counsel had asked the Sub-Committee to note that a significant number of the premises' clientele were of the older age groups, and this had been evidenced by bodycam footage showing such persons arriving at the door.

The Sub-Committee had been taken aback by the change of position announced by the Police at a very late stage of the meeting; it had been something of an ambush of both the Sub-Committee and those representing the licence holder. The Members hoped that in future the Police would discuss such issues with applicants before a meeting, in order that an agreed position might be presented.

Leaving that issue aside, the Sub-Committee wanted well-run businesses to thrive in Birmingham, and had been worried at talk of the premises losing 75% of its custom due to the requirements of the ID scanner condition. The proposal put forward by the premises was precise and enforceable, and would cover any risk adequately. The Sub-Committee therefore resolved to vary the licence in the terms proposed by counsel for the licence holder.

The Sub-Committee determined that the applicant's responsible style of management, and the proposed variation, would enable the premises to uphold the licensing objective relating to crime and disorder, and therefore granted the application. The Sub-Committee noted in particular the professionalism shown by the door staff who had dealt politely and respectfully with persons approaching the door; the Members had confidence that the premises would operate responsibly under the varied condition.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under s182 of the Licensing Act 2003 by the Home Office, the application for the variation of the premises licence, the written representations received and the submissions made at the hearing by the applicant company via its counsel, and by the Police.

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.

Please note the meeting ended at 1218 hours.

Chair.....