

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE B
27 OCTOBER 2020**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 27 OCTOBER 2020 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Nicky Brennan in the Chair;

Councillors Mary Locke and Adam Higgs

ALSO PRESENT

Bhapinder Nandhra – 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)

ELECTION OF CHAIR

It was-

1/271020 **RESOLVED:-**

In the absence of the Chair, Councillor Nagina Kauser, it was agreed that Councillor Nicky Brennan Chair the Meeting.

2/271020 **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 (www.civico.net/birmingham) and that members of the press/public would record and take photographs except where there are confidential or exempt items.

3/271020 **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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

3/271020 Apologies were submitted on behalf of Councillor Nagina Kauser and Councillor Mary Locke was the nominated Member.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT
MCDONALDS, PARSONS HILL, KINGS NORTON, BIRMINGHAM, B30 3PN**

Report of the Interim Assistant Director of Regulation and Enforcement was submitted:-

(See document No. 1)

On Behalf of the Applicant

Mrs Katrina Kimberley - Cocks Lloyd Solicitors
(representing on behalf of the applicant - McClean Restaurants Ltd)

Those Making Representations

Christopher Jones - West Midlands Police (WMP)
Abdool Rohomon - West Midlands Police (WMP)
Councillor Julien Pritchard – Local Ward Councillor
Harminder Randhawa – Resident
Mr and Mrs Nash – Resident
Alison and Stephen Cloonan – Resident
Mr A Newman-Smith and Miss A Fletcher – Resident

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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.

PC Rohomon (WMP) informed Members the Local Neighbourhood Officer was unable to attend the hearing due to unforeseen circumstances. He had provided evidence objecting to the proposals therefore he would be the person to respond to any questions raised at the Committee as he had the operational knowledge of the area.

On this basis, PC Rohomon requested for an adjournment for the hearing.

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At 1034 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 1039 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: -

4/271020

RESOLVED:-

That the application by McLean Restaurants Ltd for a premises licence in respect of McDonalds, Parsons Hill, Kings Norton, Birmingham B30 3PN, be adjourned.

The Sub-Committee decided, having heard carefully the request for an adjournment from West Midlands Police, that the hearing shall be adjourned to:

Tuesday 17th November 2020, at 10.00 hours. This will be an online meeting conducted via Microsoft Teams.

The solicitor for the applicant did not object to the application for an adjournment. The Sub-Committee was advised by the Committee Lawyer of its discretionary powers to adjourn the matter under Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

Members determined that an adjournment was necessary in the public interest, and in view of the principles of natural justice. As decision-makers, the Sub-Committee had a duty to conduct a proper examination of the submissions, arguments and evidence adduced by both the applicant and West Midlands Police in order to reach a proper determination.

Please note, the meeting ended at 1040.