

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A 20 APRIL 2026
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 20 APRIL 2026 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Diane Donaldson in the Chair;

Councillors Maureen Cornish and Penny Wagg

ALSO PRESENT

Shaid Yasser – Licensing Section
Joanne Swampillai – Legal Services
Katy Poole – Committee Services
Bianca Chiarelli – Licensing Section (Observing)

(Other officers were also present for web streaming purposes but were not actively participating in the meeting)

1/200426 **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.

2/200426 **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.

APOLOGIES AND NOTIFICATION OF NOMINEE MEMBERS

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Apologies were submitted on behalf of Councillor Shehla Moledina and Councillor Penny Wagg was the nominated substitute member.

LICENSING ACT 2003 – PREMISES LICENCE – REVIEW – KING OF KINGS (T/A WANGEE AND IN TIME), UNIT 2, 38 UPPER DEAN STREET, BIRMINGHAM, B5 4SG

On Behalf of the Applicant

PC Ben Reader – WMP (West Midlands Police)
Shelley Benning - WMP

On Behalf of Those Making Representations

Raj Hundal – Home Office Immigration

No one attended on behalf of the Premises Licence Holder.

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The meeting had a delayed start due to Councillor Penny Wagg being held up. The meeting commenced at 1015 hours.

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

No preliminary points were raised.

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

The Chair then invited the applicant to make their presentation, and PC Ben Reader, on behalf of WMP made the following points: -

- a) The premises as subject to an intelligence led operation, whereby multiple premises were visited and inspections were carried out.
- b) This premises had already been found to have immigration issues.

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- c) WMP had submitted the application for Home Office Immigration due to capacity and timing.
- d) The premises was visited on 23 January 2026 and although the premises operated under one licence, there were two separate dining areas with a shared kitchen.
- e) Upon visiting the premises WMP spoke with a staff member, however there was a clear language barrier and WMP resorted to using a language translator app to communicate with the employee.
- f) Later, they spoke with the DPS (Designated Premises Supervisor). They asked why the alcohol was not stored behind the locked glass cabinet, which is a breach of the premises licence.
- g) Following the action of the Home Office Immigration Team four people were arrested, one of whom had been arrested on a previous visit and therefore the premises would have been aware that he had no right to work in the UK.
- h) The premises were not complying with their conditions of licence. The layout of the premises does not match the plans.
- i) The PLH had submitted a statement in their defence which had been emailed across. The PLH seemed to acknowledge that the premises was operating under one licence but with two separate businesses and therefore, one PLH is responsible for the entire venue – both businesses.
- j) The PLH stated she was taken ill on the day WMP inspected the premises and therefore the last alcohol sale was made before she left. However, PC Ben Reader disputed this as he had carried out more than one visit and found alcohol not locked away and displayed for sale.
- k) The PLH also suggested the premises had only been trading since 25 December 2025 and she was awaiting a carpenter to make cabinets for the alcohol. However, PC Ben Reader had spoken to her on multiple occasions and she had never mentioned the carpenter before despite alcohol being on display on numerous visits.
- l) There were more than two persons arrested due to immigration concerns.

At this point, the Chair asked WMP to outline what action they recommended the Committee consider when making their decision.

PC Ben Reader advised that due to the seriousness of the matters found at the premises, including employing illegal workers, the recommendation is that the licence be revoked.

The Chair then invited the Home Office Immigration Officer to make his submissions. Raj Hundal made the following points: -

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- a) Raj Hundal outlined the risks and impacts of illegal working in particular the risks people go to when entering the UK and the exploitation of illegal workers.
- b) The Immigration Team had already had issues at this premises regarding illegal workers back in July 2025.
- c) The visit on the 26 January 2026 resulted in four arrests. Two of which were known to the Immigration Team as had been found at the premises in July 2025. A civil penalty of £120,000 was issued last year for the employment of three illegal workers. The PLH clearly knew the two found at the previous visit did not have right to work in the UK, yet still continued to employ them – it is not a one off incident.
- d) In terms of civil penalties, certain evidential thresholds had to be met and if they are not then the penalty cannot go through.
- e) The illegal workers were being paid below minimum wage and payments were made in cash, suggesting that no income tax or National Insurance contributions were being made.
- f) The officer asked the Committee to consider the Home Office Section 182 guidance paragraphs 11.27 and 11.28 and advised the Committee that revocation of the licence is proportionate in this case in order to prevent further crime and disorder taking place.

Both parties made a brief closing submission, summarised the key points made. They both recommended that the Committee revoke the premises licence.

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;

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RESOLVED:-

That, having reviewed the premises licence held under the Licensing Act 2003 by Ms Tingting Cai, in respect of King of Kings (t/a Wangee and In Time), Unit 2, 38 Upper Dean Street, Birmingham B5 4SG, upon the application of a Superintendent of West Midlands Police, this Sub-Committee hereby determines that the licence be revoked, in order to promote the licensing objective of the prevention of crime and disorder in the Act.

The Sub-Committee's reasons for revoking the licence are due to concerns expressed principally by West Midlands Police, and also by the Home Office Immigration Enforcement Team. The two responsible authorities had both submitted written representations, which were in the Committee Report. Officers from both responsible authorities attended the meeting in person.

The Licensing department had been informed in advance that the licence holder would not attend the meeting in person, and would not be sending a

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representative either. The Sub-Committee therefore proceeded with the meeting in the absence of the licence holder.

West Midlands Police addressed the Sub-Committee as per their documents in the Committee Report, which included an additional statement from PC Reader. The Sub-Committee was told that in January 2026, West Midlands Police and the Home Office Immigration Enforcement Team had conducted a joint operation to visit multiple premises across the city. These had included the King of Kings premises, where previous immigration issues had been noted in 2025.

It was noted that although the premises was licensed as King of Kings, it was in fact trading as two separate units - 'In Time' and 'Wangee'. The Police reminded the Sub-Committee that the venue was one licensed premises under one licence with one licence holder, one designated premises supervisor and a shared kitchen. It had been split into two venues, each of which had a separate name, separate entrance and separate menu, and the two businesses appeared to operate independently of each other, despite the fact that the site had one licence and one kitchen.

Inside the 'In Time' premises, Police noted breaches of licence condition including alcohol not locked away, commercial fridges not locked and multiple bottles of spirits and wine on display on shelving. The designated premises supervisor was not on duty at the premises but spoke to the Police over the telephone.

Persons at the premises were then arrested for immigration offences. The Police had concerns that one of these persons had been arrested at the premises during a previous visit, and the management would therefore have been aware that that person did not have the correct authority to work.

The Police further observed that the layout of the premises did not match the plans submitted. Works had taken place, but the plans had not been updated. The venue was therefore not compliant with the conditions of its licence.

Regarding the statement of Wenqin Cai (designated premises supervisor), the Police noted the acknowledgement there that there were two separate businesses operating under one licence, and that therefore the premises licence holder was responsible for anyone working at the location.

Regarding the requirement to lock alcohol away, she stated that the premises had been trading since 25th December and a carpenter had been booked, but there had been delays. Regarding the immigration issues, she said that these had been 'resolved' in terms of two of the persons.

Due to the serious nature of the matters found, but in particular the employment of illegal workers, the recommendation of the Police was revocation of the premises licence in order to ensure the promotion of the crime prevention objective. The Sub-Committee noted this.

The officer from the Home Office Immigration Enforcement Team then addressed the Sub-Committee, and explained the impact of illegal working (as per his

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document in the Committee Report). A civil penalty had been issued in 2025, and a further civil penalty following the January 2026 visit.

Following the issue of the second civil penalty, further evidence had been provided by the premises and corroborated, and thereafter the Home Office had been satisfied that one person amongst the group of arrested persons had been working within the conditions of their skilled worker visa. The Sub-Committee noted this.

However, the officer pointed out that the immigration issue had to be looked at in its entirety – namely that the persons working there in July 2025 had been found at the premises again in January 2026. He remarked that this demonstrated that “nothing had been done in terms of preventing illegal work a second time”. He further observed that the rates of pay to the workers were below minimum wage, and were made in cash (suggesting that income tax and national insurance contributions were not being made).

He noted the breaches of condition which had been described by the Police, and directed the attention of the Members to the Guidance issued by the Secretary of State under s182 of the Act. He advised that paragraphs 11.27 and 11.28 of the Guidance classed immigration offences as a matter to be taken particularly seriously, and noted that the issue of the civil penalty in 2025 had not resulted in a change or a modification in the management practices.

He recommended revocation of the premises licence, and observed that this was a reasonable and proportionate course to prevent further crime and disorder from taking place at the premises.

When making its decision, the Sub-Committee considered the documents submitted by both of the responsible authorities very carefully. The Sub-Committee was aware that for any licensed premises to be involved in immigration offences was a very serious matter; as such, the Members took a very dim view of it. The employment of illegal workers indicated poor management, or lack of management.

In the case of the instant premises, there was a history of immigration offences, and furthermore there were also the various breaches of licence condition discovered during the inspection by the Police. The Sub-Committee looked askance at these.

The Sub-Committee looked at all options when making its decision, and placed particular emphasis on the need to ensure that it had confidence that the management of the premises would not engage in criminal activity.

After reviewing the evidence, the Members determined that they could have no such confidence. The employment of illegal workers was an overt risk to the promotion of the licensing objectives. The two responsible authorities who attended had been unanimous that the sanction should be revocation of the licence.

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The Sub-Committee agreed that the failings had been so serious that revocation was the correct way forward. The operation had been managed in a way that was not merely irresponsible, but also illegal. The findings had shown a lack of professional supervision and control, and consequently an inability to uphold the licensing objectives, particularly that of the prevention of crime and disorder.

After hearing all the evidence, the Sub-Committee determined that the failings discovered were indeed so serious that they could not be tolerated. The Sub-Committee therefore resolved to take the course which had recommended by the responsible authorities – namely to revoke the licence.

The Members gave consideration as to whether they could modify the conditions of the licence, or suspend the licence for a specified period, but were not at all satisfied, given the evidence submitted, that the licensing objectives would be properly promoted following any such determination, for the reasons set out above. The most sensible course was to follow the recommendation of the responsible authorities.

A determination to revoke would follow the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. Paragraph 11.27 recommended that the Sub-Committee should take immigration issues particularly seriously.

Paragraph 11.28 advised that where the crime prevention objective was being undermined through the premises being used to further crimes, it was expected that revocation of the licence – even in the first instance – should be seriously considered. There were no compelling reasons to depart from the Guidance on this occasion.

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 review, the written representations received and the submissions made at the hearing by the two responsible authorities.

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.

The determination of the Sub-Committee does not have effect until the end of the twenty-one day period for appealing against the decision or, if the decision is appealed against, until the determination of the Appeal.

The meeting ended at 10:53 hours.

CHAIR.....