

Birmingham City Council

Licensing Sub-Committee C

3 November 2021



Subject: Variation Application Submitted by Kathleen Westwood in respect of 23a St Marys Row, Moseley, Birmingham B13 8HW

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Does the report contain confidential or exempt information? ☐ Yes ☒ No

If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:

1 Executive Summary

- 1.1 To regulate the reporting to Committee on 29 September 2021 of the status of the variation application submitted by Kathleen Westwood in respect of 23a St Marys Row, Moseley, Birmingham B13 8HW which was originally considered by Licensing Sub Committee C on Wednesday 15th September 2021.

2 Recommendations

- 2.1 To rescind the decision made in Resolution No. 5/290921 of this Sub-Committee dated 29 September 2021.
- 2.2 To note the status of the application which is deemed to be invalid due to the applicant's failure to comply with the statutory advertisement requirements and rescind the decision made in Resolution No. 05/150921 of this Sub-Committee dated 15 September 2021.

3 Background

- 3.1 At its meeting on 29 September 2021 it was the intention to submit the public report attached at appendix 1 which was seeking to update the Committee on the status of the variation application submitted by Kathleen Westwood in respect of 23a St

Marys Row, Moseley, Birmingham B13 8HW which was considered by Licensing Sub Committee C on Wednesday 15th September 2021.

- 3.2 Whilst the Licensing Officer was beginning his introduction to the report at the end of the meeting on 29 September the web-streaming of the meeting was stopped. When the Licensing Officer sought clarification if he should continue, he was incorrectly advised by the Committee Manager to continue so consideration of the report was done in private and not in public.
- 3.3 In addition, it has been established that the report did not get uploaded to the Committee Management Information System (CMIS) so members of the public would not be aware of the report and the decision recommended the Sub-Committee and the Members did not have sight of the report.

4 Recommended Proposal

- 4.1 In order to provide the correct transparency about this decision the Sub-Committee is recommended to rescind the decision made in Resolution No. 5/290921 of this Sub-Committee dated 29 September 2021 and note the status of the application which is deemed to be invalid due to the applicant's failure to comply with the statutory advertisement requirements and rescind the decision made in Resolution No. 05/150921 of this Sub-Committee dated 15 September 2021.

5 Appendices

- 5.1 The report of the Interim Assistant Director of Regulation & Enforcement entitled 'Licensing Act 2003 Premises Licence – Variation (Update Report)' at appendix 1.