

BIRMINGHAM CITY COUNCIL

**LICENSING
SUB-COMMITTEE B
TUESDAY 24 JANUARY
2023**

MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 24 JANUARY 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Diane Donaldson in the Chair;

Councillors Saddak Miah and Adam Higgs.

ALSO PRESENT

David Kennedy – Licensing Section
Joanne Swampillai – Legal Services
Katy Townshend – Committee Services

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

1/240123 **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.

2/240123 **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

3/240123 No apologies were submitted.

MINUTES

4/240123 The public section of the Minutes of the meeting held on 20 October 2022 at 1000 hours were noted.

The Minutes of the meeting held on 15 November 2022 at 1200 hours were circulated, and confirmed and signed by the Chair.

LICENSING ACT 2003 PREMISES LICENCE – REVIEW – PREMIER, 393 SUMMER LANE, NEWTOWN, BIRMINGHAM, B19 3PL.

On Behalf of the Applicant

Chris Jones – (WMP) West Midlands Police

On Behalf of the Premises Licence Holder

Duncan Craig – Barrister, Citadel Chambers

* * *

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

Opening for the (PLH) Premises Licence Holder, Duncan Craig of counsel, confirmed to the Committee that WMP and the PLH were in an agreed position to adjourn the hearing to a further date due to The Crane hearing being scheduled later that day. Furthermore, there were also additional instructions he needed to take from his client in respect of the additional documentation submitted by WMP. He suggested that the hearing be scheduled a week later.

Chris Jones, on behalf of WMP, agreed with the submissions made by Duncan Craig.

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

5/240123 **RESOLVED:-**

Licensing Sub-Committee B - 24 January 2023

That the meeting to consider the application in respect of Premier, 393 Summer Lane, Newtown, Birmingham, B19 3PL, be adjourned to a date outside the statutory hearing window, in accordance with regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

The Sub-Committee heard that counsel for the premises, together with West Midlands Police, requested that the matter be adjourned for a week. The meeting was therefore adjourned.

The rescheduled hearing date is Tuesday 31st January 2023. This will be an online meeting conducted via Microsoft Teams.

EXCLUSION OF THE PUBLIC

6/240123

RESOLVED:-

That in accordance with Regulation 14 of the Licensing Act 2003 (Hearing) Regulations 2005, the public be excluded from the hearing due to the sensitive nature of the evidence to be presented.

CHAIR.....