

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE B 30 MAY 2023
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 30 MAY 2023 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Diane Donaldson in the Chair;

Councillors Saddak Miah and Adam Higgs

ALSO PRESENT

Bhapinder Nandhra – 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)

1/300523

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.

2/300523

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

3/300523 No apologies were submitted.

MINUTES

4/300523 That the Minutes of the meeting held on 9 May 2023 were circulated, confirmed and signed by the Chair.

**LICENSING ACT 2003 PREMISES LICENCE – GRANT – THE KINGS HEAD,
HAGLEY ROAD, HARBORNE, BIRMINGHAM, B17 8BJ.**

On Behalf of the Applicant

Dharminder Badhan - Applicant

On Behalf of Those Making Representations

No one attended.

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

Bhapinder Nandhra, Licensing Section advised that he had attempted to liaise with the applicant to ascertain if he had advertised the application in line with the legal requirements. However, he had failed to receive any response from him.

Mr Badhan advised that he had advertised the application but when asked to provide proof, he said he didn't have his laptop with him so couldn't provide the evidence.

At this stage, the Chair requested an adjournment to seek legal advice. All members and the Legal officer, and Committee Manager withdrew into a separate MS Team meeting.

After 5 minutes all parties returned and the Chair announced that due to the failure to provide evidence that the application had been advertised in line with requirements the application is deemed invalid and the hearing would be dispensed with.

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;

5/300523

RESOLVED:-

The matter was before the Sub-Committee to consider an application by Mr Dharminder Kumar Badhan for a premises licence in respect of The Kings Head, Hagley Road, Harborne, Birmingham B17 8BJ.

At the start of the meeting the Chair asked the applicant to provide confirmation that he had met the requirements of s17 of the Licensing Act 2003, namely the requirement to advertise his application in the prescribed manner. The applicant did not do so, and the application was therefore invalid.

CHAIR.....