

BIRMINGHAM CITY COUNCIL

LICENSING SUB-COMMITTEE A 26 JANUARY 2026
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MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE A HELD ON MONDAY 26 JANUARY 2026 AT 1000 HOURS AS AN ON-LINE MEETING.

PRESENT: - Councillor Diane Donaldson in the Chair;

Councillors Jilly Bermingham, Saddak Miah and Maureen Cornish

ALSO PRESENT

Bhapinder Nandhra – Licensing Section
Joanne Swampillai – Legal Services
Jaspreet Randhawa – Legal Services (Observing)
Katy Poole – Committee Services

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

1/260126 **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.

2/260126 **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

3/260126

Apologies were submitted on behalf of Councillor Shehla Moledina and Councillor Jilly Bermingham was the nominated substitute Member.

LICENSING ACT 2003 – PREMISES LICENCE – SUMMARY REVIEW – SHAMROCK (TRADING AS SAVANNA), 32 BRISOL STREET, BIRMINGHAM, B5 7AA

On Behalf of the Applicant

Mark Swallow – WMP (West Midlands Police)
Shelley Benning - WMP

On Behalf of Those Making Representations

Chris Baggot – Public Health

On Behalf of the Premises Licence Holder

Betty Kibrom – PLH (Premises Licence Holder)
Fortuna Debsay – Previous PLH
Duncan Craig – Barrister

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Prior to proceedings Duncan Craig advised that Fortuna Debsay had been unwell in hospital so would be attending the meeting, but would be late.

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

Mark Swallow on behalf of WMP raised as a preliminary matter that the meeting be held in private in order not to jeopardise any criminal proceedings as a person had been charged and was appearing in court later in the year.

There were no objection to the meeting being held in private from any of the participants in the hearing.

Duncan Craig, representing the PLH, requested to raise in a preliminary point in relation to the panel of Members participating in the hearing. He observed that

Licensing Sub-Committee A – 26 January 2026

Councillor Bermingham had indeed sat on the previous hearing in relation to this premises a few days prior and as such Mr Craig was concerned that the previous determination regarding Betty Kibrom's suitability to be a PLH would be difficult to change. He made it clear that he was not suggested that Cllr Birmingham was biased in anyway, but he felt in the interests of fairness that Cllr Bermingham should be replaced and this matter should be viewed with a fresh set of panel Members.

He wanted to ensure his client had the opportunity of a fair hearing and that the matters were approached in a completely impartial way.

Mark Swallow confirmed that it is important matters were approached in a fair way.

Following a short adjournment (1027 hours – 1043 hours) the Chair announced that the meeting would be adjourned in order to allow a substitute Member to stand in for Cllr Bermingham. It was confirmed that Cllr Miah would be taking Cllr Bermingham's place.

The meeting was subsequently adjourned until 1055 hours to allow Cllr Miah adequate time to prepare and attend the meeting.

At 1055 hours the meeting was reconvened and all parties re-joined the hearing.

At this stage, the Chair outlined the procedure to be followed at the hearing and invited the Licensing Officer to present his report. Bhapinder Nandhra, Licensing Section, outlined the report previously.

At this stage the Chair announced that the meeting would enter into a private session.

EXCLUSION OF THE PUBLIC

4/260126

RESOLVED:-

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Exempt Paragraph 3

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;

5/260126

RESOLVED:-

Licensing Sub-Committee A – 26 January 2026

That having reviewed the premises licence held under the Licensing Act 2003 by Betty Kibrom in respect of Shamrock (trading as Savanna), 32 Bristol Street, Birmingham B5 7AA, following an application for an expedited review made by a Superintendent on behalf of the Chief Officer of West Midlands Police, this Sub-Committee hereby determines that:

1. the interim step of suspension of the licence is lifted
2. the decision to remove Furtuna Debsay as designated premises supervisor is lifted
3. the interim steps imposed on the last occasion are modified to adopt all those terms and conditions which have been agreed between the licence holder and West Midlands Police in advance of the meeting (as per the statement of Police Licensing Officer Mark Swallow in the Committee Report) and are maintained pending any Appeal, and
4. those agreed terms and conditions shall thereafter be added to the existing Operating Schedule to form the final Summary Order

The conditions agreed between the licence holder and West Midlands Police in advance of the meeting are as per the statement of Police Licensing Officer Mark Swallow in the Committee Report (as amended by the Sub-Committee), namely:

- The premises will cease licensable activity at 03.00 hours each day
- The premises will be free of all customers by 03.30 hours each day
- The premises will have a last entry time each day of 02.00 hours save for persons returning to the premises having gone outside to smoke. All door staff and premises management will be equipped with bodycams. The bodycams will be recording all the time whilst the door staff and management using it are performing duty. Bodycam footage is to be retained for 28 days from the date that the footage is taken and made available to any of the responsible authorities on request. Each bodycam will be checked by the premises license holder or their nominee to ensure that it is working each day prior to licensable activity taking place. The result of the check, the time it took place and the identity of the checker are to be recorded in a log on the date that the check takes place. This log is to be made available to any of the responsible authorities on request and is to be retained for 3 months. All door staff will wear a fluorescent jacket or waistcoat whilst on duty
- A member of the management team from the premises will have control and direction of the security team at the premises when it is open for licensable activity. The CCTV will be checked to ensure that it is working each day that licensable activity takes place. This information will be stored for 12 weeks and made available to any of the responsible authorities on request. If the CCTV hard drive is replaced the old hard drive will be retained for at least 28 days after replacement and produced to any member of the responsible authorities on request
- If the premises is hired out or any promoted event which is risk assessed as medium or high risk with/by a third party the premises will notify West Midlands Police Central Licensing Team (by email) a minimum of 14 days prior to the event taking place. Any recommendations made by West Midlands Police will become operating conditions of the premises license for the duration of the event.

Licensing Sub-Committee A – 26 January 2026

All promoted or part promoted events will be risk assessed and West Midlands Police can request low risk assessed events risk assessments if required

- When bookings for the premises or part of the premises are made the premises will take details of persons booking the venue including the name, address telephone number of the person making the booking. Details are to be confirmed by photographic ID or in exceptional circumstances a utility bill no older than 3 months old. Booking details are to be kept on the premises for a minimum of 28 days after the event and made available to West Midlands Police on request. A deposit is to be taken for all bookings
- Staff are to be trained in their responsibilities under the Licensing Act 2003 prior to being allowed to carry out work in the premises. All training is to be documented and signed by the Premises Licence Holder or their representative and the trainee. All training records are to be made available to any of the responsible authorities on request. Staff are to receive documented refresher training every six months
- All staff will be trained in (crime) scene management. This training will be documented and signed by the trainer and trainee. These training records to be made immediately available to any of the responsible authorities on request. This training will be refreshed every 12 months
- Staff other than personal license holders involved in the sale/supply of alcohol are to receive documented refresher training every twelve months
- The premises will operate a dispersal policy. This policy will be made available to any of the responsible authorities on request
- The premises will operate a vulnerability policy. The policy will be available to any of the responsible authorities on request. The premises will operate contingency plans in relation to incidents of first aid and emergencies. Staff will be trained in these plans and will operate them should such incidents occur. These will be made available to any of the responsible authorities on request. The designated premises supervisor [DPS] or their nominated deputy will ensure that these policies are followed
- When the premises is trading at least one of the members of staff on duty will be first aid trained and they will take the lead in any medical incidents. The DPS or their nominated deputy will ensure that this policy is followed and all interventions will be recorded in the premises incident log by the DPS or their nominated deputy
- The premises will not re-open until all of the above are in place

The Sub-Committee's reasons for the decision were based on the recommendation from West Midlands Police following a serious crime incident, the details of which were in the Superintendent's certificate and application (in the Committee Report).

West Midlands Police attended the meeting. The new licence holder attended and was represented at the meeting by counsel. They were accompanied by Furtuna Debsay, who had been the designated premises supervisor at the time of the serious crime incident, but had been removed at the Interim Steps meeting held at the end of December 2025. An officer of the Public Health department of Birmingham City Council had submitted a written representation and also attended the meeting.

Licensing Sub-Committee A – 26 January 2026

The meeting was conducted in private session after the Sub-Committee considered an application made by West Midlands Police under regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005. The Police explained that the matter related to a serious criminal offence, and a person had been remanded in custody. It was important that the investigation and any forthcoming proceedings should not be prejudiced, and therefore the Police asked that the hearing be held in private.

Counsel for the licence holder did not object to this course and nor did the officer from Public Health. The Sub-Committee therefore resolved to conduct the meeting in private session.

Counsel for the licence holder made submissions relating to the composition of the panel, given that one of the Members had also been part of the panel for the very recent meeting to consider representations on the interim steps (the Sub-Committee meeting of Friday 23rd January 2026). Counsel requested a substitute for that Member.

Whilst there was nothing in the City Council's Constitution to say that the panel could not include a Member who had heard the matter in a previous meeting, on this particular occasion the Sub-Committee determined that, given that the previous meeting had been held on what was in effect the previous working day, the relevant Member would be substituted. This was purely because of the very short time between the previous meeting and the instant meeting.

Once the meeting went into private session, the Sub-Committee heard submissions from West Midlands Police. The Police advice to the Sub-Committee was that the suspension could be lifted, Ms Debsay could be reinstated as designated premises supervisor, and the agreed conditions should be imposed as modified interim steps (maintained pending any Appeal), and thereafter should form the final Summary Order.

The premises had been operating as usual since the Interim Steps meeting, save for the licensable activities, and in addition a licence transfer application had been processed, which meant that Ms Debsay's daughter Ms Betty Kibrom was now the licence holder for the premises.

The Police gave their strong recommendation that the adoption of the conditions would prevent any recurrence of serious crime at the premises, and would also ensue that the licensing objectives could be upheld. The Police advised the Sub-Committee that the adoption of the conditions was the proportionate response, remarking that "anything more than the proposed conditions would not be proportionate". The Sub-Committee noted all of this.

The Sub-Committee was aware that the Guidance issued by the Secretary of State under section 182 of the Act was that the Police were the experts in all aspects of the prevention of crime and disorder, including serious crime. The Police had found those at the premises to be satisfactory, such that the Police no longer had concerns about the likelihood of any further serious crime arising at the premises.

Licensing Sub-Committee A – 26 January 2026

The Sub-Committee heard submissions from Public Health, but as none of these related to the serious crime incident, or to the premises, the submissions were not relevant and the Sub-Committee disregarded them.

The Sub-Committee then heard submissions from counsel for the licence holder, who confirmed that the Superintendent's Certificate (in the Committee Report) contained an error, namely that the premises had not been trading or offering the sale of alcohol at the time of night of the serious crime incident; it was in fact closed, and those at the premises were not aware that the incident had happened. The Sub-Committee noted this.

He confirmed that the premises would not resume licensable activities until the CCTV arrangements were all in place as required by the Police. He assured the Sub-Committee that the new licence holder Ms Kibrom had been involved in the running of the premises for a number of years, and that following the Interim Steps meeting she had been very cooperative with the Police.

Regarding the difference of opinion at the previous meeting about the sequence of events on the night in question, counsel stated that interpretation of the CCTV was not a material consideration for the Summary Review hearing. He observed that there had been an "extensive dialogue with the Police", an agreed position had been reached, and the Police had accepted Ms Kibrom as a suitable person to run the premises.

In deliberating, the Sub-Committee determined that the Police and the licence holder had arrived at an agreed position which the Police believed addressed the risk of further serious crime adequately and proportionately. The Police had informed the Sub-Committee of their firm recommendation. Counsel for the licence holder had assured the Sub-Committee that the premises would not resume licensable activities until the CCTV requirements were in place.

It was for these reasons that the Sub-Committee resolved to adopt the course recommended by the Police, and to direct that the suite of new conditions should thereafter be added to the existing Operating Schedule as the final Summary Order.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the latest version of the Guidance issued under section 182 of the Licensing Act 2003 by the Secretary of State, the application and certificate issued by West Midlands Police under section 53A of the Licensing Act 2003, the written representations, and the submissions made at the hearing by West Midlands Police and by counsel for the premises.

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, save for the maintenance of the modified interim steps, does not have effect until the end of the twenty-one day

Licensing Sub-Committee A – 26 January 2026

period for appealing against the decision or, if the decision is appealed against, until the appeal is determined.

The meeting ended at 1220 hours.

CHAIR.....