

# BIRMINGHAM CITY COUNCIL

<b>LICENSING SUB-COMMITTEE B 9 MAY 2023</b>
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## **MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE B HELD ON TUESDAY 9 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)

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1/090523

### **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.

2/090523

### **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**

3/090523 No apologies were submitted.

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**LICENSING ACT 2003 PREMISES LICENCE – GRANT – L.M STORE, 25-27 BARR STREET, NEWTOWN, BIRMINGHAM, B19 3EH.**

**On Behalf of the Applicant**

Duncan Craig – Barrister, Citadel Chambers  
Eden Tekle – Applicant

**On behalf of the Making Representation**

Ben Reader – WMP (West Midlands Police)  
Martin Key – EH (Environmental Health)

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The Chair apologised for the delay in starting the meeting due to technical difficulties. Then introduced the Members and officers present and the Chair asked if there were any preliminary points for the Sub-Committee to consider.

Duncan Craig requested an adjournment for the following reasons: -

1. He was instructed late last week and was unable to visit the premises until late Friday and had only entered discussions with Martin Key this morning.
2. They had amended the hours and that had only been submitted this morning.
3. Due to the delay and amendments, he requested an adjournment to allow all parties to enter dialog about the amendments and try and resolve the issues.

All parties were content for the hearing to be adjourned.

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;

4/090523 **RESOLVED:-**

That the application by Eden Tekle for a premises licence in respect of L.M Store, 25-27 Barr Street, Newtown, Birmingham B19 3EH, 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 from counsel for the applicant that he

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wished to discuss his proposed amendments with those making representations. Both of those making representations agreed that some further time would be useful. The meeting was therefore adjourned.

The rescheduled hearing date will be announced to all parties as soon as practicable. It will be an online meeting conducted via Microsoft Teams.

The re-scheduled hearing date is 7 June 2023.

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**The meeting ended at 1045 hours.**

CHAIR.....