

Minutes of Licensing Sub Committee 2

23 January 2024 at 11.20am
in Committee Room 1, Sandwell Council House, Oldbury

Present: Councillor Fenton (Chair);
Councillors Khan and Loan.

In attendance: Van Dong Nguyen (Applicant);
Arsalan Alikomak (Proposed Designated Premises
Supervisor);
Neil Aston- Bough (Fire Safety Officer, West Midlands Fire
Service);
David Elliott (Legal Adviser);
Makhan Singh Gosal (Senior Licensing Officer);
Kiran Dhesi (Licensing Officer);
Connor Robinson (Democratic Services Officer);
John Swann (Democratic Services Officer).

1/24 **Apologies**

There were no apologies for absence.

2/24 **Declarations of Interest**

There were no declarations of interest.



Application for the grant of a new Premises License at Oak Cha Phe, 614 Bearwood Road, Smethwick, B66 4BW

The Sub Committee considered an application for the grant of a new premises licence in respect of Oak Cha Phe, 614 Bearwood Road, Smethwick, B66 4BW.

A representation had been received from West Midlands Fire Service on the grounds of the Public Safety licensing objective.

The Fire Safety Officer addressed the Sub Committee and advised that premises had undergone substantial change and had been subdivided into a commercial premises and residential properties.

Concerns related to the fire alarm system having been deemed insufficient as it was not solely for the establishment. In addition, the requirement for the premises to have 60- minutes of fire separation had not been met.

The applicant acknowledged that some elements of the establishment were not suitable and explained to the Sub Committee that works were being undertaken to ensure the premises were fire safety compliant.

The proposed Designated Premises Supervisor outlined that the programme of building works was expected to take approximately ten weeks.

The Sub Committee acknowledged that the business had not set an opening date.

Members acknowledged that the applicant had engaged positively with responsible authorities to better improve the fire safety measures at the premises.

The Fire Safety Officer confirmed that the representation would be removed when West Midlands Fire Service was satisfied that the works were completed in accordance with building regulations which would ensure adequate fire- safety measures.



The Sub Committee was minded to defer consideration of the matter to allow the applicant time to complete the necessary works to the property to enable it to be fire- safety compliant and to address the concerns raised by West Midlands Fire Service in their representation.

Following consultation with all concerned parties, the matter was deferred to 10.00am on 23 April 2024, subject to the representations from West Midlands Fire Service not being withdrawn.

Resolved that subject to the Fire Authority not withdrawing its representation, the application for a new premises licence at Oak Che Phe, 614 Bearwood Road, Smethwick, B66 4BW be deferred to 23 April 2024.

In making its decision the Sub Committee took into account the Licensing Act itself, the Section 182 Guidance and noted that it must carry out all its functions under the Act with a view to promoting the licensing objectives. It also took into account the Human Rights Act 1998.

Meeting ended at 12.02pm

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