

Minutes of Licensing Sub Committee 1

**Monday 24 April 2023 at 10.00am
Sandwell Council House, Oldbury**

Present: Councillor Allen (Chair);
Councillors Fenton, M Gill, and N Singh.

Officers: Balbir Dhugga (Licensing Officer);
Usha Devi (Senior Licensing Officer);
Pam Kaur (Licensing Officer);
David Elliott (Legal Advisor);
Connor Robinson (Democratic Services Officer).

17/23 **Apologies for Absence**

Apologies for absence were received from Councillor Wilkes.

18/23 **Declarations of Interest**

There were no interests declared.

19/23 **Renewal of Sexual Entertainment Venue Licence for Angels
Gentlemen's Club, 303 High Street, West Bromwich**

The Sub Committee considered an application for renewal of the Sexual Entertainment Venue Licence in respect of the Angels Gentlemen's Club, 303 High Street, West Bromwich.



The Licensing Officer advised that the premises had traded as a licenced sex establishment since April 2012. The current applicant had been transferred to the premises in 2017.

The Committee took advice from its Legal Advisor before adjourning to make a decision on the application.

Having considered all the information before them, members were minded to renew the sexual entertainment venue licence in respect of Angels Gentlemen's Club, 303 High Street, West Bromwich for a period of 12 months, with effect from 1 April 2023.

Resolved that the sexual entertainment venue licence in respect of Angels Gentlemen's Club, 303 High Street, West Bromwich be renewed for a period of 12 months with effect from 1 April 2023.

20/23 **Exclusion of the Public and Press**

Resolved that the public and press be excluded from the rest of the meeting. This is to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006 relating to any individual.

21/23 **Application for a Private Hire Driver's Licence in respect of Mr A M B**

Members considered the application for a Private Hire Driver's Licence in respect of Mr A M B.

Mr A M B was in attendance.

The Sub Committee was advised that Mr A M B had been unable to obtain Certificate of Good Conduct from his country of origin.



Mr A M B had arrived in the UK from Eritrea in October 2015 as an asylum seeker and had been granted indefinite leave to remain in 2017. Mr A M B had a valid Biometric Residence Permit which would expire at the end of 2024.

In the absence of a Certificate of Good Conduct from his country of origin Mr A M B had provided a Statutory Declaration of Good Character and a character reference.

The Sub Committee noted that Mr A M B had failed to register on the DBS update service, while a new DBS application form had been completed and sent in early April, subject to the Sub Committee's decision and awaiting further confirmation from the DBS update service Mr A M B's application would remain pending.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

Having considered all the information before it, the Sub Committee was minded to grant the Private Hire Driver's Licence in respect of Mr A M B. The Sub Committee considered that he was a fit and proper person, subject to registering with the DBS update service in line with policy.

Resolved that, subject to registering with the DBS update service, the Private Hire Driver's Licence in respect of Mr A M B be granted.

22/23

Application for a Private Hire Driver's Licence in respect of Mr A R

Members considered the application for a Private Hire Driver's Licence in respect of Mr A R.

Mr A R was in attendance and had not previously appeared before the Sub Committee.

The Sub Committee was advised that Mr A R had been unable to obtain Certificate of Good Conduct from his country of origin of Iraq.



Mr A R had resided in the UK since 2003 where he entered as an asylum seeker which was granted in 2010. The political situation in Iraq meant that Mr A R was unable to obtain Certificate of Good Conduct and had been refused his request.

In place of the Certificate of Good Conduct, Mr A R had provided a Statutory Declaration.

Mr A R advised that he had acquired his British driving licence in 2006 and had held a number of jobs and obtaining a licence would allow him to work flexible hours and support his family.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

Having considered all the information before it, the Sub Committee was minded to grant the Private Hire Driver's Licence in respect of Mr A R. The Sub Committee considered that he was a fit and proper person to hold a licence.

Resolved that the Private Hire Driver's Licence in respect of Mr A M B be granted.

23/23

Application for a Private Hire Driver's Licence in respect of Mr R H

Members considered the application for a New Private Hire Driver's Licence in respect of Mr R H.

Mr R H was in attendance and had not previously appeared before the Sub Committee.

Mr R H had a previous conviction dated August 2022 for exceeding the speed limit on a motorway for which he was issued 3 penalty points.

The Sub Committee was advised that Wolverhampton City Council had provided details of inappropriate behaviour whilst holding a licence and failing to declare a speeding offence on his application.



Wolverhampton City Council Licensing had advised Licensing of a number of incidents that had occurred in July 2022 which involved inappropriate behaviour and Mr R H had been warned that any other allegations and complaints were to be referred to the Sub Committee. No further action was taken by Wolverhampton City Council. Mr R H disputed the allegations and stated that a dash camera was now present in his vehicle to provide evidence of all interactions. There had been no further reports of complaints or allegations.

Mr R H advised the Sub Committee that an email had been sent to Licensing notifying them of the speeding conviction, however, this had not been noted on the application. A review of the licensing records determined that Licensing had been notified of the conviction.

Mr R H presented a character reference from a taxi operator and stated that he wished to hold a licence in Sandwell as he thought it would offer better work opportunities.

The Sub Committee took advice from its legal advisor before adjourning to make a decision on the application.

Having considered all the information before it, the Sub Committee was minded to grant the Private Hire Driver's Licence in respect of Mr R H. The Sub Committee considered that he was a fit and proper person to hold a licence, but issued a warning as to not to place himself in a position where he might be accused of inappropriate behaviour by passengers in the future.

Resolved that the Private Hire Driver's Licence in respect of Mr R H be granted with a warning as to future conduct.



24/23 **Application of a New Private Hire Driver Licence in respect of Mr A H**

The Sub Committee was advised that Mr A H was unable to attend as his legal representative was unavailable. The application would be deferred to a future meeting.

25/23 **Review of a Private Hire Driver Licence in respect of Mr M Z B**

The Sub Committee was advised that Mr M Z B was unable to attend due to transport difficulties. The review would be deferred to a future meeting.

Meeting ended at 2.07pm
(meeting adjourned between 10.09am to 10.20am, 11.00am to 11.14am and 11.35am to 1.02pm)

Contact: democratic_services@sandwell.gov.uk

