

# Minutes of Licensing Sub Committee 1

**Monday 4 September 2023 at 10.25am  
in Committee Room 1, Sandwell Council House, Oldbury**

**Present:** Councillor Wilkes (Chair)  
Councillor Loan, N Singh and Tromans

**Officers:** Balbir Dhugga (Licensing Officer);  
Christian Attard (Senior Licensing Officer); David Elliott (Legal  
Advisor); Johane Gandiwa (Committee and Constitutional  
Services Lead Officer); and Connor Robinson (Democratic  
Services Officer).

46/23 **Election of Chair**

**Resolved** that Councillor Wilkes be elected as Chair.

47/23 **Apologies for Absence**

No apologies for absence were received.

48/23 **Declarations of Interest**

There were no interests declared.



49/23

## **Renewal of the Sex Shop Licence for Private Shop, 19 Bull Street, West Bromwich**

Consideration was given to the renewal of the Sex Shop Licence for Private Shop, 19 Bull Street, West Bromwich.

The premises had traded as a licensed sex shop at these premises since 2003 and the licence had been renewed each year.

The licence would run for a period of 12 months commencing 1 August 2023 and expiring on 31 July 2024.

No objections had been submitted by West Midlands Police or any other parties.

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

Having considered all the information before it, the Sub Committee was minded to renew the Sex Shop Licence for Private Shop, 19 Bull Street, West Bromwich.

**Resolved** that the Sex Shop Licence for Private Shop, 19 Bull Street, West Bromwich B70 6EU be renewed.

50/23

## **Exclusion of the Press and Public**

**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.



## Application for the Review of Private Hire Driver's Licence in respect of S M

Members considered the application the Review of Private Hire Driver's Licence in respect of S M.

Mr S M was in attendance and had not previously appeared before the Sub Committee, Mr S M was supported by his nephew and solicitor.

The Sub Committee was advised that Mr S M had failed to provide a specimen and had received 10 penalty points on his driving licence. He also had failed to notify the Council of an arrest for a driving offence within 48 hours as per conditions of licence.

Whilst Mr S M had not reported his initial arrest, he had informed the Council the day after his appearance at the Magistrates Court.

Mr S M outlined the events of the incident to the Sub Committee, whereby he had fallen asleep inside his stationary vehicle after visiting his friend's house and his refusal to comply with the Police at the time related to him not understanding the correct procedure for such incidents.

In addition, Mr S M informed the Sub Committee that he had no complaints either from passengers or other drivers. Not reporting the arrest had been an oversight on his part and once convicted, he had informed the Licensing Team.

Mr S M provided references and stated that he had given up alcohol and would never put himself in the same position in the future.

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

Having considered all the information before it, the Sub Committee was minded to issue a severe warning to Mr S M's future conduct. The Sub Committee considered that Mr S M was a fit and proper person to hold a licence considering his previous record and honest presentation to the Sub Committee.



**Resolved** that a severe warning be issued to Mr S M as to his future conduct.

52/23

**Application for the Review of a Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr O A M**

The Sub Committee was advised that Mr O A M was not available for the hearing and members were therefore minded to defer consideration of the matter to a future meeting.

**Resolved** that consideration of the review of the Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr O A M be deferred to a future meeting.

53/23

**Application for the Renewal of Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr M A R**

Members considered the application for the renewal of the Dual Private Hire and Hackney Carriage Driver's Licence in respect of Mr M A R.

Mr M A R was accompanied by his friend and had not previously appeared before the Sub Committee.

The Sub Committee was advised that Mr M A R had failed to declare driving offences and he had been refused a licence by Wolverhampton City Council due to speeding convictions.

Licensing records showed that on previous applications Mr M A R had declared both driving convictions.

Mr M A R apologised to the Sub Committee for the omissions in declarations. He stated that he did not understand the extent of the information he was required to include on his application.

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





Having considered all the information before it, the Sub Committee was minded to renew the Dual Driver's Licence in respect of M A R with a warning. The Sub Committee considered that Mr M A R was a fit and proper person to hold a licence owing to his previous reporting and honest presentation to the Sub Committee.

**Resolved** that the Dual Private Hire and Hackney Carriage Driver's Licence in respect of M A R be renewed with a warning.

Meeting ended at 1.48pm  
(meeting adjourned between 12.36pm and 1.12pm)

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