

# Minutes of Licensing Sub Committee 2

**Monday 18 October at 10.00am**  
**in the Council Chamber at Sandwell Council House, Oldbury**

**Present:** Councillor Allen (Chair)  
Councillors Chidley and Z Hussain.

**Officers:** Usha Devi (Licensing Enforcement Officer);  
Christian Attard (Licensing Enforcement Officer);  
Balbir Dhugga (Licensing Enforcement Officer);  
David Elliott (Solicitor);  
Trisha Newton (Senior Democratic Services Officer);  
Connor Robinson (Democratic Services Officer);  
Amundeeep Johal (Democratic Services Officer);  
Gabrielle Evans (Democratic Services Officer).

16/21 **Apologies for Absence**

Apologies were received from Councillors S Gill and S Singh.

17/21 **Declarations of Interest**

No interests were declared at the meeting.

18/21 **Minutes**

**Resolved** that the minutes of the meeting held on 19 July 2021 were confirmed as a correct record.



19/21

## **New Premises Application - The Shed Barber Shop, 115 Manor House Road, Wednesbury**

The Sub Committee considered an application for a new premises licence in respect of The Shed Barber Shop, 115 Manor House Road, Wednesbury, following receipt of representations from the Fire Authority.

An application had been made by The Shed Barbershop Limited for the grant of a new premises licence. The applicant stated the premises' primary purpose was that it would be a Barber shop. The premises offered all aspects of barbering, shoeshine and drinks, giving customers a place to relax and enjoy their experience. The bar and seating area were where drinks, including alcohol soft drinks, tea and coffee could be brought and consumed. The sale of alcohol would be for the barber's customers or the people who would be waiting with them, it would be a barbershop with a bar not a stand-alone bar.

The Fire Authority representative present outlined the concerns regarding fire safety. The issues identified were in relation to the fire alarm system, emergency lighting and the fire resisting construction between the ground and first floor being inadequate. It was submitted that unless remedial action was carried out to mitigate the risk of fire, the premise licence should not be granted.

The applicant agreed that the work would be carried out and would discuss the issue with the landlord. The Fire Authority representative stated he would be happy to check the necessary work once completed.

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

The Committee gave full consideration to the representation made by the Fire Authority and were satisfied that the applicant would undertake to implement the required measures in order to mitigate any fire safety risks.



The decision was made to adjourn the matter to a hearing on 13 December 2021. In the meantime, if all required works were completed and the fire authority was satisfied with the work done, the objection would be withdrawn and the application would be processed. However, if progress was not made with the required works, the licence would be rejected.

**Resolved** that consideration of the premises application in relation to The Shed Barber Shop, 115 Manor House Road, Wednesbury be deferred to 13 December 2021.

20/21 **Exclusion of the Public**

**Resolved** that the public and press be excluded from the rest of the meeting 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 and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Matter Delegated to the Sub Committee to consider Local Government (Miscellaneous Provisions) Act 1976 – Private Hire Driver’s/Vehicles/Operators Licensing related matters**

21/21 **Application for a new Private Hire Drivers Licence in respect of Mr S B**

Members considered an application for the review of a Private Hire Driver’s Licence in respect of Mr S B.

Mr S B was in attendance, accompanied by his representative, Mr M.



The Sub Committee was advised that Mr S B had breached the conditions of his licence after it was found to be transporting a fare-paying passenger without displaying his Dual Licence badges.

It was confirmed that the licence holder must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council on a prominent visible place on the outer clothing. An additional badge was also issued which must be displayed in the vehicle at all times when acting as a Private Hire Driver.

Mr S B had been stopped during a multi-agency operation and explained that he believed the badges had been stolen from his vehicle.

Whilst Mr S B understood the importance of displaying the driver badges, he had stated that he had not read the licensing conditions.

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

The Sub Committee decided on the balance of probabilities Mr S B was a fit and proper person to hold a licence having met all other requirements.

Having considered all the information before them, the decision was made to depart from the policy on this occasion and issue a written warning to Mr S B with regard to the wearing of his badge and to read the conditions of his licence. Members were of the view this was appropriate given the nature of the issue before it and the driver's longstanding clean record.

**Resolved** that Mr S B be issued with a warning with regard to displaying a driver's badge at all times and being aware of, and adhering to, the conditions of his licence.



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In making the decision the Committee had regard to the Local Government (Miscellaneous Provisions) Act 1976, Council Policy and Guidelines, relevant case law and the Human Rights Act 1998.

Meeting ended at 12:18pm  
(with an adjournment between 10.33 and 11.27am)

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