

LICENSING SUB-COMMITTEE

Monday 2 November, 2015 at 10.30 am

In a Conference Room, Council House, Walsall

Present:-

Councillor Rochelle (Chairman)
Councillor Sears
Councillor Whyte

In Attendance:-

Hazel Powell – Senior Licensing Officer – Walsall M.B.C.
Mrs. Jackie Taylor – Principal Licensing Enforcement Officer – Walsall M.B.C.
Lorraine Boothman – Trading Standards & Licensing Manager – Walsall M.B.C.
Gemma Fisher – Trading Standards Officer – Walsall M.B.C.
Stephen Doyle – Trading Standards – Walsall M.B.C.
P.C. Gardiner – West Midlands Police
Paul Green – Legal Services – Walsall M.B.C.
Mr. Rebwar Mahmood – Premises Licence Holder and Designated Premises
Supervisor

Appointment of Chairman

Resolved

That Councillor Rochelle be appointed Chairman of the Licensing Sub-Committee for this meeting only.

Councillor Rochelle in the Chair

Welcome

The Chairman extended a welcome to all persons present at the Licensing Sub-Committee which had been established under the Licensing Act, 2003.

Declarations of Interest

There were no Declarations of Interest.

Licence Hearing

Application for a Premises Licence Review under Section 51 of the Licensing Act, 2003 – International Mini-Market, 246B, Wednesbury Road, Walsall, WS2 9QN

The report of the Head of Communities & Public Protection was submitted:-
(see annexed)

Councillor Rochelle explained the purpose of the meeting and requested the Senior Licensing Officer (Miss Powell) to explain the application.

The Senior Licensing Officer (Hazel Powell) enlarged upon the report for the benefit of the Sub-Committee. She informed the meeting that the premises licence holder and designated premises supervisor for international mini-market was Mr. Rebwar Mahmood, who had been in post since July 2010.

The review application had been made by the Chief Inspector of Weights & Measures (Trading Standards) on behalf of the Council on 7 September 2015 on the grounds that the premises licence holder was not promoting the statutory licensing objectives of the prevention of crime and disorder; public safety and the protection of children from harm.

A further representation had been received from the Director of Public Health on 1 October 2015 under the licensing objectives of public safety and protection of children from harm. She added that the Licensing Unit had now received an application to change the premises licence holder and designated premises supervisor to Mr. Dana Kamil Ali.

It quickly became clear to the meeting that Mr. Mahmood's command of English was poor and that he did not understand when questions were put to him. The Legal Representative (Paul Green) commented that in the interest of natural justice an interpreter should be found to try to assist Mr. Mahmood with his case.

The meeting was adjourned for 30 minutes to enable licensing officers to try to obtain an interpreter for Mr. Mahmood.

The meeting re-convened at 11.05 am and it was explained to the meeting that the cost of an interpreter via a speaker phone would be overly expensive and that the meeting should be adjourned to a date to be agreed so that Mr. Mahmood could obtain his own legal advice or interpreter. Should Mr. Mahmood be unable to obtain his own interpreter within 7 days, then the local authority would obtain one for him and Mr. Mahmood would be required to pay his costs.

Members agreed to this course of action and it was

Resolved

That the meeting be adjourned to a date to be agreed in order for Mr. Mahmood to obtain the services of an interpreter.

Termination of meeting:

The meeting terminated at 11.10 am

Chairman.....

Date.....