

## **CITY OF NOTTINGHAM**

### **LICENSING COMMITTEE**

#### **MINUTES**

of meeting held on **27 MAY 2002** at the

Council House from 2.00 pm to 5.47 pm

Councillor Cresswell (Chair)  
Councillor Casson  
Councillor Greensmith  
Councillor Grocock  
Councillor Jackson  
Councillor Mittenshaw-Hodge

( indicates present)

#### **1 APOLOGY FOR ABSENCE**

An apology for absence was received from Councillor Greensmith.

#### **2 APPOINTMENT OF VICE-CHAIR**

RESOLVED that Councillor Grocock be appointed Vice-Chair of the Committee for the Municipal Year 2002/03.

#### **3 MINUTES**

RESOLVED that the minutes of the meetings held on 8 and 11 April 2002, copies of which had been circulated, be confirmed and signed by the Chair.

#### **4 STREET TRADING - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - PROHIBITED STREETS LACE MARKET AND ICE CENTRE AREA**

Further to minutes 51, 71, and 80, dated 30 November 2001, 6 March and 8 April 2002 respectively, consideration was given to a report of the Director of Design and Property Services, copies of which had been circulated, together with a map indicating those streets which were currently prohibited streets or licensed streets, those streets which would become prohibited streets with effect from 10 July 2002, together with those streets proposed to be prohibited streets in the future, copies of which were placed around the table.

The Director was represented by Mr R Noble, Team Leader (Markets and Fairs), who presented the report and was available for questioning. Mr Noble reported that no objections to the proposed designation of the named areas as prohibited streets had been received and that, due to its unintentional omission from the relevant procedures, Pennyfoot Street could not be designated a prohibited street at this time but necessary

procedures were currently being actioned and a further report would be submitted to the Committee in due course. Mr Noble confirmed that, following consultations with the Chair and Vice-Chair of the Committee, it was intended to make High Pavement a consent street for the purposes of trading and that the appropriate steps required by paragraph 2(3) of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 had been complied with.

## RESOLVED

- (1) that the following areas, together with all adjoining car parks and other areas to which the public have access to without payment, be designated as prohibited streets for the purposes of street trading with effect from 10 July 2002:-

Carter Gate, Chardlace Walk, City Link, Cliff Road, Dean Street, Fisher Gate, Garners Hill, Harnett Close, London Road (between its junction with Lower Parliament Street and Queen's Road and between its junction with Canal Street and Plumtre Square), Long Stairs, Malin Hill, Maltmill Lane, Pemberton Street, Pinder Street, Plough Lane, Popham Court, Popham Street, Poplar Street, Short Stairs, Shortwood Close, Sussex Street, Trent Street, and Trivett Square;

- (2) that High Pavement in the City of Nottingham, together with all adjoining car parks and other areas to which the public have access to without payment, be designated as a consent street for the purposes of street trading with effect from 10 July 2002;
- (3) that the Deputy Chief Executive and City Secretary be authorised to advertise the above resolutions in accordance with paragraph 2 of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982;
- (4) that the present position with regard to Pennyfoot Street be noted and the Director of Design and Property Services submit a further report to the Committee in due course.

## **5 APPLICATION FOR OCCASIONAL ENTERTAINMENTS LICENCE - CITY IN THE PARK, WOLLATON PARK 20/21 JULY 2002**

Councillor Mittenshaw-Hodge declared a personal interest in this item which did not preclude him from speaking or voting.

Consideration was given to a report of the Director of Development and Environmental Services, copies of which had been circulated.

The applicants, Mr G Akins Jnr and Mr A MacDonald, Directors of Daybrook House Promotions representing Rock City, accepted the Sub-Committee's invitation to attend the meeting and were accompanied by Ms L Doyle. Also present was Mr R Chaffin, Service Manager, (Arts, Events and Heritage Sites) of the Leisure and Community Services Department, which was acting as the production company for the event.

The report was presented by Mr T Coulson Service Manager (Food and Licensing), Development and Environmental Services Department, who presented the observations of the Director with regard to noise control measures.

Mr G Akins amended the application to provide music and dancing in the grounds of Wollaton Park on Saturday 20 July 2002 from 11.00 am to 11.00pm and Sunday 21 July 2002 from 11.00 am to 10.00 pm, with the gates being opened at 11.00 am on 20 July and 1.00 pm on 21 July.

Mr Coulson, Mr Akins, Mr MacDonald and Mr Chaffin made their submissions, and, having been available for questioning, withdrew.

In reaching its decision, the Committee had regard to the following:-

- (a) the legislative framework for the granting of Public Entertainments Licences and the City Council Standard Conditions to be attached to such licences;
- (b) duties imposed on the Council by section 17 of the Crime and Disorder Act 1998 and the Human Rights Act 1998;
- (c) submissions by Mr Akins, Mr MacDonald and Mr Chaffin regarding the application and, in particular that artists would not appear on stage before 12 noon on 20 July and 2.00 pm on 21 July 2002;
- (d) submissions by the Director of Development and Environmental Services regarding the application;
- (e) objections to the applications by Councillors Cobb and Poole

RESOLVED that, subject to satisfactory final inspections by the Chief Fire Officer and Director of Development and Environmental Services and the submission to and approval by the Director of Development and Environmental Services, after consulting the Chair, Vice-Chair and opposition spokesperson, of a satisfactory scheme for supervision of vehicular egress from the venue at the conclusion of the event on each day, an occasional entertainment licence be granted to Mr G Akins of Daybrook House Promotions Limited to provide music and dancing in the grounds of Wollaton Park on Saturday, 20 July 2002 from 11.00 am to 11.00pm and Sunday 21 July 2002 from 11.00am to 10.00 pm subject to the Council's standard conditions and the following special conditions:-

- (1) the applicant shall:-
  - (a) nominate and identify to the Nottingham City Council a competent person who will monitor the Desk Level. The competent person shall be authorised by the applicant to direct the Sound Engineer/Person in Control of the PA system to adjust the amplification to ensure the Desk Level specified by an officer of the Nottingham City Council is not exceeded.

The Desk Level shall be determined by an officer of the Nottingham City Council following measurement of the sound pressure levels at a location near the site boundary with Cambridge Road, perpendicular to the main speaker axis.

- (b) measure and record the  $L_{Aeq, 15 \text{ minutes}}$  at the mixing desk throughout the period of the event. The measurement shall be made using a Sound Level Meter complying with the BS 6698 : 1986 Type 1 or 2 specification and be capable of automatically logging the period  $L_{Aeq}$ .

- (c) Within 30 days of the event, supply a record of the noise measurements to the Nottingham City Council.
- (2) the applicant shall install a dedicated, local rate charged, land telephone line within the event site office for the purpose of reporting traffic, parking or other problems concerning the event. The telephone line shall be attended at all times during the event by a member of the event organisation team and the applicants shall publicise widely the availability and telephone number of the facility before the event in the local media, to local residents' groups and Ward Councillors.
- (3) There shall be a maximum limit of 25,000 persons attending the event on either day.

The Committee requested, and the applicants agreed, that passes be supplied to Committee Members and the Director of Development and Environmental Services for the purpose of monitoring the event.

## **6 EXCLUSION OF PUBLIC**

RESOLVED that the public be excluded from the meeting during consideration of the following item only because it involved the likely disclosure of exempt information as defined in paragraph 7 of part 1 of Schedule 12(A) to the Act.

## **7 DOOR SUPERVISOR REGISTRATION SCHEME - APPEAL AGAINST REFUSAL TO REGISTER - MR W**

Consideration was given to a report of the Director of Development and Environmental Services, copies of which had been circulated.

The appellant, Mr W, did not accept the Committee's invitation to attend the meeting and was not represented. Mr T Coulson, Service Manager (Food and Licensing), Development and Environmental Services department, presented the report. The objections of the Chief Constable, Nottinghamshire Police were presented by Mr I Seeley, Force Solicitor.

The Committee decided that Mr W had received sufficient notice of the hearing either to enable him to attend in person, to arrange for a third party to represent him, or to have made written submissions, and that the hearing should proceed in his absence.

Mr Coulson and Mr Seeley made their submissions and, having been available for questioning, withdrew.

In reaching its decision, the Committee had regard to the following:-

- (a) the legislative framework and City Council's policies, practices and guidelines in relation to the registration of door supervisors;
- (b) the report of the Director of Development and Environmental Services on the individual circumstances relating to the application by Mr W for registration, together with an oral resume of the notes of an interview between Mr W and a member of staff of the Licensing Division regarding the circumstances of his

failure to declare, in his application, details of convictions summarised in the report;

- (c) submissions by Mr Seeley to the Committee, regarding the results of enquiries concerning the appellant made at the request of the City Council;
- (d) the absence of submissions by Mr W to the Committee regarding his appeal against the Director's decision to refuse registration or of special mitigating circumstances concerning his case.

RESOLVED that, by reason of Mr W's failure to disclose the details of previous convictions on his application form as detailed in the report, the refusal of the Director of Development and Environmental Services to grant registration as a door supervisor to the appellant be confirmed and the appeal be dismissed.

The public were readmitted to the meeting.

## **8 APPLICATION TO RENEW ENTERTAINMENTS LICENCE** **TEMPLAR'S BAR, 23A GOLDSMITH STREET**

Further to minute 24 dated 3 September 2001 consideration was given to a report of the Director of Development and Environmental Services, copies of which had been circulated.

The applicant, Ms D Mason accepted the Committee's invitation to attend the meeting and was represented by Mr P Crier, of Messrs Blake Laphorn, Solicitors, Fareham, Hampshire, who presented the application on her behalf. Mr T Coulson, Service Manager, (Food and Licensing), Development and Environmental Services Department, presented the report.

The Committee met to determine whether the Public Entertainments Licence to provide music and dancing on the first and second floors of the premises known as Templars Bar, 23a Goldsmith Street at the following times should be renewed:-

Mondays to Saturdays:	11.00 am to 2.00 am the following day
Sundays:	3.00 am to 8.00 am and
Sundays preceding Bank Holidays (excluding Easter Day):	noon to 2.00 am the following day

RESOLVED that determination of the application be adjourned to enable the applicants to consider the detail of objections to the renewal of the License raised by the Pollution Control Division of the Development and Environmental Services Department and for representatives of that Division to be invited to present their objections in person to the Committee.

## **9 FUTURE MEETING ARRANGEMENTS**

### RESOLVED

- (1) that, subject to there being sufficient business, the Committee meet at 2.00 pm on the undermentioned dates :-

<u>2002</u>	<u>2003</u>
10 June	20 January
8 July	17 February
16 September	17 March
21 October	14 April
18 November	
16 December	

- (2) that the meeting of the Committee on 8 July 2002 be preceded by a morning visit of the Committee to Harvey Hadden Sports Ground, Nottingham Racecourse and Notts County FC;
- (3) that the meeting on 16 September 2002 be preceded by a training seminar for the Committee on aspects of its role in the licensing function of the Authority.