

CITY OF NOTTINGHAM

LICENSING COMMITTEE

MINUTES

of meeting held on **16 SEPTEMBER 2002** at the

Council House from 2.03 pm to 3.59 pm

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

- indicates present at meeting

31 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Casson (on other City Council business), Greensmith and Grocock.

32 MINUTES

RESOLVED that the minutes of the meetings held on 24 June, 8, 19 and 26 July 2002, copies of which had been circulated, be confirmed and signed by the Chair.

33 APPLICATION TO VARY ENTERTAINMENTS LICENCE - COMFORT HOTEL, GEORGE STREET, NOTTINGHAM

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

The Committee met to determine whether the Standard Conditions attached to the Annual Entertainments Licence for the premise known as the Comfort Hotel, George Street should be amended by the deletion of Standard Conditions 24 and 25, to permit a wider variety of events to be held in the first floor ballroom of the hotel.

The applicant, Mr J Duque, Manager of the Comfort Hotel, George Street, accepted the Committee's invitation to attend the meeting and was represented by Mr D Morley, Solicitor, Messrs Sharp and Partners, Nottingham, who presented the case on his behalf. Mr T Coulson, Service Manager (Food and Licensing), Development and Environmental Services Department, presented the report.

Mr Duque, Mr Morley and Mr Coulson having made their submissions and been available for questioning, all parties withdrew.

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

- (a) the legislative framework and City Council's conditions for the granting of public entertainment 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 Duque and Mr Morley regarding the application, including an indication that full nudity would not take place during performances and that it was not proposed to repeat types of events within the proposed annual cycle of special events at the venue;
- (d) submissions by the Director of Development and Environmental Services regarding the application;
- (e) observations of the Chief Constable, Nottinghamshire Constabulary, the Chief Fire Officer and the Environmental Health Division of the Development and Environmental Services department.

RESOLVED

- (1) that the application to vary the Public Entertainments Licence in respect of the premises known as the Comfort Hotel, George Street, Nottingham be granted subject to the following matters:-**
 - (a) Condition 24 of the Standard Conditions attached to Public Entertainments Licences shall remain in effect;**
 - (b) Existing Condition 25 of the Standard Conditions attached to the Public Entertainments Licence for the premises be amended as follows:-**
 - "25. Table dancing, lap dancing, pole dancing and all forms of entertainment, dancing or displays which include nudity or sexual performances of any kind are prohibited with the exception of the permitted activities.**
 - 25.1 The permitted activities shall be the services of a comedian and music and dancing which involve the removal by performers of their clothing, in accordance with the conditions set out below.**
 - 25.2 Performers shall only be engaged through a theatrical agency.**
 - 25.3 The performers shall only perform on the stage area of the ballroom marked as such on the extract plan of the premises submitted to the Committee, and shall remain on stage at all times during the entertainment.**
 - 25.4 Performers shall use the dressing room immediately off of the stage, indicated "X" on the submitted plan.**

- 25.5** There shall be no full nudity. 'G' strings, thongs or similar apparel shall be worn by performers at all times during their performance and must be made of non-transparent materials.
- 25.6** The permitted activities shall only be carried out by the performers, and no audience participation shall be permitted. No stage properties (props) shall be used during the performance. The use of marital aids, or types of objects appearing to be such, is expressly prohibited.
- 25.7** Performers shall not be aged less than 18 years.
- 25.8** There shall be no physical contact between the performers and/or the customers, either before, during, or after the performance. The performance must be carried on in full view of the customers, but shall not be visible to any persons outside the ballroom.
- 25.9** Customers and guests shall be admitted to the performance by advanced ticket sales only, and shall be seated at dining tables no closer than six feet from the stage, throughout the entertainment.
- 25.10** Whilst the permitted activities are taking place, no person under the age of 18 shall be allowed in the ballroom and a clear notice shall be displayed at the entrance to the ballroom in a prominent position so that it can be easily read by persons entering the premises in the following terms:-

"NO PERSON UNDER 18 YEARS IS PERMITTED"

- 25.11** At least two security staff shall be present in the ballroom during the entertainment. The staff shall be positioned between the guests and the stage, in order to prevent any guests from reaching the stage.
- 25.12** The Licensee shall not permit photographs or other images which indicate that striptease or similar entertainment takes place on the premises to be displayed to the general public outside the premises."

(2) that future applications for renewal of the licence be reserved to this Committee.

34 APPLICATION TO VARY CERTIFICATE OF SUITABILITY
- AFRO-CARIBBEAN CLUB, 31 HUNGERHILL ROAD, ST ANNS

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

The Committee met to determine whether the existing condition applying to the annual Certificate of Suitability for the main hall, stage and cafeteria of the premises known as the Afro-Caribbean Club, 31 Hungerhill Road, St Anns, should be varied to state that they were now suitable to provide music and dancing at the following amended times:-

Mondays to Thursdays:	10.30 am to 11.30 pm
Fridays and Saturdays:	10.30 am to 3.00 am the following day
Sundays	10.30 am to 1.00 pm

The applicant, Mr A Campbell did not accept the Committee's invitation to attend the meeting and was not represented.

The Committee was satisfied however, that Mr Campbell had received sufficient notification of the hearing and determined to proceed in his absence. The report was presented by Mr T Coulson, Service Manager (Food and Licensing), Development and Environmental Services Department.

The objection of the Pollution Control Division to the application were presented by Mr R Digby-Taylor, Team Leader, Pollution Control Service, Development and Environmental Services Department.

Mr Digby-Taylor and Mr Coulson having made their submissions and been available for questioning, withdrew.

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

- (a) the legislative framework and City Council's conditions for the granting of public entertainment licences and certificates of suitability;
- (b) duties imposed on the Council by Section 17 of the Crime and Disorder Act 1998 and the Human Rights Act 1998
- (c) the application for variation by the organisation;
- (d) submissions by the Director of Development and Environmental Services regarding the application;
- (e) objections to the granting of the variation by the Pollution Control Division of the Development and Environmental Services department.

RESOLVED

- (1) that the premises were located in a predominantly residential area where patrons of the establishment tended, due to limited on-site parking, to park in adjacent streets. If the application as submitted were granted, this was likely to result in an increase in noise and disturbance to local residents;**
- (2) that the application for the existing condition applying to the annual Certificate of Suitability for the main hall, stage and cafeteria of the premises known as the Afro-Caribbean Club, 31 Hungerhill Road, St Anns, be varied to the following times only:-**

Mondays to Thursdays:	10.30 am to 11.30 pm
Fridays and Saturdays:	10.30 am to 1.30 am the following day
Sundays	10.30 am to 1.00 pm

**35 VEHICLES CRIME ACT 2001 - INTRODUCTION OF A
MOTOR SALVAGE OPERATORS REGISTRATION SCHEME**

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

RESOLVED

- (1) that, a scheme for the Registration of Motor Salvage Operators be introduced on implementation of the Vehicles (Crime) Act 2001 as detailed in the report;**
- (2) that the partnership arrangements for operation of such a scheme, involving the Police and other local authorities as outlined in the report, be supported;**
- (3) that the procedures and draft guidance notes and application form for the registration of persons covered by the Regulations, as detailed in the report, be approved;**
- (4) that the following fees and charges arising from the introduction of the Registration Scheme be approved, be subject to a regular revision process by the Director of Development and Environmental Services:-**

	£
Registration Fee (non-returnable)	70.00
Inspection of Register Fee (per inspection, non-refundable)	2.50
Certified Copy of Register Entry (per entry, non-refundable)	2.50
Additional Copies of Register Entry (per entry)	0.20

- (5) that responsibility for the determination of registrations, transfers, variations, renewals, cancellations and revocations under the Regulations and the consideration of representations from applicants as to their fitness to hold registration, be delegated to the Service Manager (Food and Licensing) and Team Leader (General Licensing) Development and Environmental Services department.**