

CITY OF NOTTINGHAM

LICENSING COMMITTEE

MINUTES

of meeting held on **15 DECEMBER 2003** at the

Council House from 10.00 am to 3.08 pm and 4.05 pm to 6.10 pm

Councillor Cresswell	(Chair)
Councillor Grocock	(Vice-Chair)
Councillor Clarke-Smith	
Councillor Ibrahim	
Councillor Packer	(except for items 52 and 53)
Councillor Smith	
Councillor Wilson	

indicates present at meeting

45 CHAIR

In the absence of Councillor Cresswell, the Chair was taken by Councillor Grocock.

46 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clarke-Smith and Cresswell.

Councillor Ibrahim gave his apologies for the items under minutes 54 and 55 as he would be on other City Council business.

47 MINUTES

RESOLVED that the minutes of the last meeting held on 17 November 2003, copies of which had been circulated, be confirmed and signed by the Chair presiding at the meeting.

48 INCREASE IN HACKNEY CARRIAGE TARIFF

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated.

The Committee met to determine an application by Nottingham Licensed Taxi Owners and Drivers Association to vary the fares charged in hackney carriages licensed in the City.

RESOLVED that the increase in hackney carriage tariff, as detailed below, be approved with an implementation date of 5 April 2004:-

6.00am to 10.00pm

Initial hiring increases from £1.40 to £1.60. An increase of 12.5%.

Fares for distance travelled are as currently set.

Charges for waiting time increase from 20p for 60 seconds (£12.00 per hour) to 20p for 57 seconds (£12.60 per hour). An increase of 4.75%.

10.00pm to 6.00am

Initial hiring increases from £1.40 to £1.60. An increase of 12.5%.

Fares for the distance travelled are also increased (see below).

Charges for waiting time increase from 20p for 60 seconds (£12.00 per hour) to 20p for 52 seconds (£13.80 per hour). An increase of 13%.

The above fares would be the maximum that can be charged. This is current practise and is also in line with the recommendations contained in the recent report issued by the Office of Fair Trading.

Hackney Carriage Tariff Increase

<u>Distance Travelled</u>	<u>Daytime</u>	<u>Evening</u>
1 mile	£3.20	£3.20
2 miles	£4.60	£4.80
3 miles	£5.80	£6.20
4 miles	£7.20	£7.80
5 miles	£8.60	£9.20
6 miles	£9.80	£10.80
7 miles	£11.20	£12.20
8 miles	£12.60	£13.80
9 miles	£14.00	£15.20
10 miles	£15.20	£16.80
11 Miles	£16.60	£18.20

49 B BAR, 34A/B HEATHCOTE STREET

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, regarding an application to vary the existing entertainments licence to allow for the extension of the terminal hour on Monday to Saturday to 2.00 am.

The applicant, Mr J Benton, accepted the Committee's invitation to attend the meeting and was accompanied by Mr J Pearce, Solicitor, who presented the case on his behalf.

Mr Pearce stated that the applicant would like to amend the application to allow for the terminal hour to be 1.30 am on Friday and Saturday only.

Mr T Coulson, Service Manager (Food and Licensing), City Development Department, presented the report. Mr D Moss, Pollution Control Section, City Development Department, reported that the applicant had completed satisfactory noise reduction works at the premises and withdrew his objection to the application. An objection to the application was presented by Ms L Teenby, on behalf of Mr Brewster, a local resident.

Mr Benton, Mr Pearce, Mr Coulson, Mr Moss and Ms Teenby, having made their submissions and been available for questioning, withdrew from the meeting during the committee's deliberations.

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

- (a) the legislative framework and City Council's Policy and conditions for 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 Benton and Mr Pearce regarding the application;
- (d) comments of the Corporate Director of City Development regarding the application contained in the report;
- (e) the objection to the application by Ms Teenby.

RESOLVED that the application to vary the Public Entertainments Licence, for the premises known as 'B Bar', be granted in the following terms:-

Monday-Thursday	10.30 am to 1.00 am
Friday and Saturday	10.30 am to 1.30 am
Sunday	Noon to Midnight

50 EXCLUSION OF PUBLIC

RESOLVED that, pursuant to Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item as it involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of schedule 12(A) to the Act.

51 APPEAL AGAINST DOOR SUPERVISOR REGISTRATION REFUSAL - MR M

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated.

The appellant, Mr M, accepted the Committee's invitation to attend the meeting and was accompanied by Mr T Symonds, Solicitor, who presented the case on his behalf. Mr T Coulson, Service Manager (Food and Licensing), City Development Department, presented the report. The objections of the Chief Constable of Nottinghamshire Police were presented by Mr I Seeley, Force Solicitor.

Mr Coulson, Mr M, Mr Symonds and Mr Seeley, having made their submissions and been available for questioning, withdrew from the meeting during the committee's deliberations.

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

- (a) the City Council's policies, practices and guidelines in relation to the registration of door supervisors;
- (b) details of the conviction as outlined in the report and the appellant's failure to meet the 5 year conviction free guideline;
- (c) submissions by the Corporate Director of City Development and Mr Seeley, on behalf of the Police, regarding the incident and Mr M's failure to meet the 5 year conviction free guideline.

RESOLVED that the appeal by Mr M, against the decision of the Corporate Director of City Development to refuse door supervisor registration, be allowed.

The public were readmitted to the meeting at this point.

52 RUNNING HORSE, 16 ALFRETON ROAD - APPLICATION TO VARY PUBLIC ENTERTAINMENTS LICENCE

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, regarding an application to vary the existing entertainments licence to allow for the removal of special condition 2, 'No entry to the premises after 10.30 pm' and amendment of special condition 3 to read, 'No live music after 12.00 midnight'.

The applicant, Ms S Clark, did not attend the meeting but was represented by Mr B Middleton, premise Liquor Licence holder, Mr I Prettie, Tenant and Mr J Anderson, Solicitor, who presented the case on her behalf. Mr T Coulson, Service Manager (Food and Licensing), City Development Department, presented the report. Mr D Moss, Pollution Control Section, City Development Department, reported that the applicant had completed satisfactory noise reduction works at the premises and withdrew their objection to the application. The objections of the Chief Constable of Nottinghamshire Police were presented by Mr I Seeley, Force Solicitor.

Mr Middleton, Mr Prettie, Mr Anderson, Mr Coulson, Mr Moss and Mr Seeley, having made their submissions and been available for questioning, withdrew from the meeting during the committee's deliberations.

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

- (a) the legislative framework and City Council's Policy and conditions for 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 Middleton, Mr Prettie and Mr Anderson regarding the application;
- (d) comments of the Corporate Director of City Development regarding the application and contained in the report;
- (e) the objections to the application by the Chief constable of Nottingham Police and the Pollution Control Section.

RESOLVED that the application to vary the Public Entertainments Licence, for the premises known as 'Running Horse', be granted in the following terms:-

- (1) **removal of special condition 2 'There shall be no entry to the premises after 10.30 pm';**
- (2) **amendment of special condition 3 to read 'There shall be no live music after 11.30 pm'.**

53 ADJOURNMENT

The meeting, having become inquorate, was adjourned at 3.08 pm and reconvened at 4.05 pm

54 EXCLUSION OF PUBLIC

RESOLVED that, pursuant to Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the remaining item as it involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of schedule 12(A) to the Act.

55 APPEAL AGAINST REVOCATION OF DOOR SUPERVISOR REGISTRATION - MR G

Councillor Grocock declared a personal and prejudicial interest in this item, insofar as he knew the appellant, and left the room during consideration of this item.

In the absence of the Chair and Vice-Chair, Councillor Packer took the Chair for the remainder of the meeting.

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated.

The applicant, Mr G, accepted the Committee's invitation to attend the meeting and was accompanied by Mr J Pearce, Solicitor, who presented the case on his behalf. Mr T

Coulson, Service Manager (Food and Licensing), City Development Department, presented the report. The objections of the Chief Constable of Nottinghamshire Police were presented by Mr I Seeley, Force Solicitor.

Mr G, Mr Pearce, Mr Coulson and Mr Seeley, having made their submissions and been available for questioning, withdrew from the meeting during the committee's deliberations.

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

- (a) the City Council's policies, practices and guidelines in relation to the registration of door supervisors;
- (b) details of the incident as outlined in the report and shown on CCTV video footage;
- (c) submissions by the Corporate Director of City Development and Mr Seeley, on behalf of the Police, regarding the incident.

RESOLVED that the appeal against the decision of the Corporate Director of City Development to revoke Mr G's door supervisor registration be allowed.