

CITY OF NOTTINGHAM

LICENSING COMMITTEE

MINUTES

of meeting held on **19 APRIL 2004** at the

Council House from 10.04 am to 1.16 pm

Councillor Cresswell	(Chair)
Councillor Grocock	(Vice-Chair)
Councillor Clarke-Smith	
Councillor Ibrahim	
Councillor Packer	
Councillor Smith	
Councillor Wilson	(except items 91 and 92)

indicates present at meeting

85 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Grocock.

86 MINUTES

RESOLVED that the minutes of the last meeting held on 15 March 2004, copies of which had been circulated, be confirmed and signed by the Chair.

87 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.

88 APPEAL AGAINST DOOR SUPERVISOR REGISTRATION REFUSAL - MR D

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

The appellant, Mr D, accepted the Committee's invitation to attend the meeting. Mr T Coulson, Service Manager, (Food and Licensing) City Development, presented the report. The Chief Constable of Nottinghamshire Police was not represented.

The Committee also considered videotape evidence in respect of the alleged incident which had led to the revocation of Mr D's door supervisor registration.

Mr D, and Mr Coulson, 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, in particular the Nottingham City Council door supervisor registration scheme guidance note No. 7, which states that if a registered door supervisor engages in any other conduct considered inappropriate by the City Council, the City Council may revoke the current registration;
- (b) submissions by the Corporate Director of City Development, the appellant, and the Chief Constable of Nottingham regarding the alleged incident;
- (c) videotape evidence regarding the alleged incident.

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

89 CHESTNUT TREE, 480 MANSFIELD ROAD

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 Thursday to Sunday from 11.00 pm to midnight, and not from Wednesday to Sunday as stated in the report.

The applicants, Ms J Chadwick and Mr P Russell, accepted the Committee's invitation to attend the meeting and were accompanied by Mr J Marsh and Mr P Conway of Licensing Direct, who presented the case on their behalf.

Mr T Coulson, Service Manager (Food and Licensing), City Development Department, presented the report. He confirmed there were no Police or Pollution Control objections to the application, and that none of the objectors to the application had accepted the Committee's invitation to attend. Ms Chadwick, Mr Russell, Mr Marsh and Mr Conway, 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 Ms Chadwick, Mr Russell, Mr Marsh and Mr Conway regarding the application;
- (d) comments of the Corporate Director of City Development regarding the application contained in the report;
- (e) comments of Mr Jacoby, Chair of Sherwood Neighbourhood Watch regarding the application contained in the report;

- (f) objections to the application and petition of support from Miss L Baker contained in the report;
- (g) objections to the application from Councillor Munir and contained in the report;
- (h) a petition of support for the application submitted by Licensing Direct and tabled at the meeting.

RESOLVED

- (1) that the application to vary the Public Entertainments Licence, for the premises known as 'Chestnut Tree', be granted in the following terms:-**

Monday - Wednesday	10.30 am to 11.00 pm
Thursday - Saturday	10.30 am to midnight
Sunday	noon to 10.30 pm

- (2) that the Service Manager (Food and Licensing) be requested to write to Nottinghamshire Police to seek clarification of the Police position in respect of entertainments licence extensions.**

90 MAN OF TRENT, CLIFTON LANE

Mr Coulson, Service Manager (Food & Licensing), informed the Committee that Councillor Malcolm had indicated by telephone that he may withdraw his objection to the application on the basis that the application was to be amended, but that Licensing Section had yet to receive confirmation of this in writing.

RESOLVED

- (1) that consideration of the application be remitted to the Licensing Section pending receipt of written confirmation that Councillor Malcolm had withdrawn his objections to the application;**
- (2) that once received, the licence be considered under officer delegation;**
- (3) that Licensing Section was to write to the Chair, Vice-Chair and Councillor Clarke-Smith, informing them of the outcome of the application.**

91 DOOR SUPERVISOR REGISTRATION SCHEME

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, advising the Committee on developments resulting from the implementation of the Private Security Industry Act 2001. In particular, the report highlighted the impact on the City's Door Supervisor Registration Scheme, and made recommendations on transition arrangements.

RESOLVED

- (1) that the report be noted;**
- (2) that the Council accept any of the courses constituting full or partial exemption for the SIA scheme as appropriate qualification for registration under the Authority's scheme;**
- (3) that with immediate effect no further provisional badges be issued but that those currently operating under them be permitted to do so in accordance with the Authority's scheme;**
- (4) that renewal applications and criminal record checks still be required, but that additional or refresher training no longer be required.**

92 SEX ESTABLISHMENT LICENCE - INCREASE IN FEE

Consideration was given to a report of the Corporate Director City Development, copies of which had been circulated, proposing an increase to the cost of obtaining a Sex Establishment Licence to cover costs incurred in respect of the process of licence determination.

RESOLVED

- (1) that the fee payable by an applicant for the grant or renewal of a Sex Establishment Licence be made up of two parts, the 'application fee' (non-returnable) and the 'licence fee' as outlined in the report;**
- (2) that the fee be increased to £5,845 (comprising £2,070 'application fee' and £3,775 'licence fee') with immediate effect.**