

CITY OF NOTTINGHAM

LICENSING COMMITTEE

MINUTES

of meeting held on **17 MAY 2004** at the

Council House from 10.01am to 16.28pm

Councillor Cresswell (Chair)
Councillor Grocock
Councillor Clarke-Smith
Councillor Ibrahim
Councillor James
Councillor G Khan
Councillor Lee (substitute for Councillor Packer - minute 7 only)
Councillor Packer (minutes 1-6)
Councillor Smith
Councillor Stapleton
Councillor Wilson

indicates present at meeting

1 APPOINTMENT OF VICE-CHAIR

RESOLVED that Councillor Grocock be appointed Vice-Chair of the Committee for the municipal year 2004/05.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Grocock and Councillor Smith.

3 MINUTES

RESOLVED that the minutes of the last meeting held on 19 April 2004, copies of which had been circulated, be confirmed and signed by the Chair.

4 APPLICATION FOR VARIATION TO ENTERTAINMENTS LICENCE AND CONSENT TO STRUCTURAL ALTERATIONS – ISIS/SENORITA'S, REDFIELD WAY

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

The applicant, Mr Eftekhari, accepted the Committee's invitation to attend the meeting and was accompanied by Mr Kent, Solicitor, who presented the case on his behalf. Mr S Dowling, Assistant Director, City Development, presented the report.

Mr Eftekhari, Mr Kent and Mr Dowling, 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 legislative framework for 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 Eftakhari and Mr Kent regarding the application;
- (d) the comments of the Corporate Director of City Development regarding the application and contained in the report.

RESOLVED that, subject to final inspections by the Fire Officer, Environmental Health Officer and the Building Control Officer, the application to vary the Entertainments Licence and for consent to structural alterations in accordance with drawings numbered 001A and 002A dated 17 February 2004, for the premises known as Isis/Senorita's be granted as follows:-

(a) revised maximum occupancy figures for the building as follows:-

Ground Floor: 1,000 persons
First Floor: 900 persons when used as a night club in conjunction with the ground floor
First Floor: 600 persons when operated as Senorita's

(b) revised operational guidelines for the Senorita's table dancing venue as stated in the report be accepted, subject to incorporation of the following amendments:-

- (i) Code of Conduct for Dancers, Paragraph 11: delete "purposely";**
- (ii) Operating Policy – Gender Guidelines: amend to show that the Club shall not operate mixed gender sessions;**

(c) revised wordings of the Special Conditions attached to the license in accordance with those submitted by the applicant, together with an additional special condition requiring the license holder to grant the police vice squad access to the premises at all times.

5 APPLICATION TO RENEW ENTERTAINMENTS LICENCE – BAR SEVEN, 6 ILKESTON ROAD

Consideration was given to a report of the Corporate Director City Development, copies of which had been circulated, in respect of the renewal of the Entertainments Licence for Bar Seven, 6 Ilkeston Road.

The applicant, Ms D Cookson, accepted the Committee's invitation to attend the meeting, as did Mr D Hayes, a representative of the Canning Circus Residents Against Noise Group, named in the report as an objector to the renewal of the Licence. Mr S Dowling, Assistant Director, City Development, presented the report.

It was reported that, since Mr Hayes' objection had been lodged, he had had several meetings with applicant, as a result of which a number of positive actions had been taken by the applicant to address his Group's concerns. On that basis, it was confirmed Mr Hayes wished to withdraw his objection to the renewal of the Entertainments Licence.

Ms Cookson, Mr Hayes and Mr Dowling having made their submissions and been available for questioning, withdrew from the meeting during the Committee's deliberations.

RESOLVED

- (1) that the renewal of the Entertainments Licence for the premises known as Bar Seven be granted;**
- (2) that the responsible, pragmatic approach adopted by both the appellant and the objector to resolve their differences be commended.**

6 APPLICATION FOR LATE NIGHT REFRESHMENT HOUSE LICENCE – NEW SHABAZ RESTAURANT, 142 ALFRETON ROAD

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

The applicant, Mr Asghar Ali Khan, accepted the Committee's invitation to attend the meeting and was accompanied by a colleague, Mr Akhter, who presented the case on his behalf. Mr S Dowling, Assistant Director, City Development, presented the report. It was confirmed that Ms Pearce, who had objected to the application, had vacated the flat above the restaurant, and had withdrawn her objection to the application in writing.

Mr Khan, Mr Akhter and Mr Dowling, 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 for late night refreshment house 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 Akhter regarding the application;
- (d) the comments of the Corporate Director of City Development regarding the application and contained in the report;
- (e) the objection to the application from Councillor Stephenson.

RESOLVED

- (1) that the application for a Late Night Refreshment House Licence, for the premises at 142 Alfreton Road, be granted for Monday to Sunday;**
- (2) that in view of the potential for noise and disturbance to nearby residents, a condition be imposed on that licence restricting the hours of operation and requiring them to close no later than 3.00 am;**

- (3) that the applicant be reminded that the licence did not authorise the sale of alcohol.

7 APPLICATION FOR VARIATION TO ENTERTAINMENTS LICENCE – WALTON'S HOTEL, 2 NORTH ROAD, THE PARK

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, in respect of a proposed variation to the Entertainments Licence to extend the hours of operation on Mondays to Sundays for the premises known as Walton's Hotel, 2 North Road, the Park, and for consent to alter the premises to include further areas covered by the licence and to increase the maximum levels of occupancy.

The applicant, Mr Hancock, accepted the Committee's invitation to attend the meeting, and was accompanied by Mr D Lucas, Solicitor, who presented the case on his behalf. Mr S Dowling, Assistant Director, City Development, presented the report.

A group of objectors comprising Mr Hill, Mr Holland, Mr King and Mr Pearson attended the meeting on behalf of Nottingham Park Estate, and were accompanied by Mr Wilkinson, Solicitor, who presented the objections on their behalf. A second group of objectors comprising Mr Briant, Ms Grimshaw and Mr Powell also attended the meeting, and made individual representations to the Committee.

It was explained that the applicant wished to revise his application to vary the Entertainments Licence to remove the area closest to Western Terrace on the floor plan from the application, and extend the terminal hour to 1.00 am on Fridays and Saturdays only and 12.30 am on Sundays.

Following further discussion, the applicant indicated his willingness to restrict the maximum occupancy figure to 180 persons and to keep a terminal hour of 12 midnight on Sundays.

Mr Moss, Pollution Control, City Development, explained that his out-of-hours team had conducted eleven visits to the premises in the period 26 March 2004 to 3 May 2004, during which no audible noise from within the premises was detected. On one occasion, a taxi horn was sounded outside the premises.

Mr Lucas, Mr Hancock, Mr Wilkinson, Mr Dowling, Mr Moss and both groups of objectors, 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 for late night refreshment house 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 Lucas and Mr Hancock regarding the application;
- (d) the comments of the Corporate Director of City Development regarding the application and contained in the report;

- (e) the comments of Mr Moss, Pollution Control, City Development, regarding the application and made known at the meeting;
- (f) the objection to the application from Councillor Bull and contained in the report;
- (g) the objections contained in the report, objections presented by Mr Wilkinson and set out in additional photographic and documentary evidence tabled at the meeting together with those presented by Mr Briant, Ms Grimshaw and Mr Powell.

RESOLVED

- (1) that, subject to final inspections by the relevant officers, consent be given to extend the licensed area as identified in the amended application;
- (2) that the occupancy figure for the extended licence be limited to 180 persons;
- (3) that the hours of operation for the premises be:-

Monday - Thursday	-	10.00am - 12.30am
Friday and Saturday	-	10.00am - 1.00am
Sunday	-	12.00 noon - 12.00 midnight
- (4) that an additional special condition requiring the window between the bays at the front of the building be kept shut when live music is being performed be imposed;
- (5) that in making this decision, the Committee was satisfied that the variations to the licence would not result in significant additional noise and disturbance being caused to the residents of the area and, in respect of parking and traffic issues and was mindful that other regimes existed to address these issues.

8 DATES OF FUTURE MEETINGS

RESOLVED that the timetable for Committee meetings and reserve dates for meetings in the municipal year 2004/05 be approved as follows:-

Confirmed Meetings at 10.00 am
on the undermentioned
Mondays

2004

28 June
19 July
16 August
20 September
18 October
15 November
20 December

Reserve Meetings as required
at 10.00 am on the
undermentioned Thursdays

2004

3 June
8 July
5 August
9 September
7 October
4 November
6 December

Confirmed Meetings at 10.00 am
on the undermentioned
Mondays

2005

17 January
21 February
21 March
18 April

Reserved Meetings as required
at 10.00 am on the
undermentioned Thursdays

2005

7 February
10 March
4 April