

## **CITY OF NOTTINGHAM**

### **LICENSING COMMITTEE**

#### **MINUTES**

of meeting held on **28 JUNE 2004** at the

Council House from 10.01 am to 12.43 pm

Councillor Cresswell	(Chair)
Councillor Grocock	(Vice-Chair)
Councillor Clarke-Smith	
Councillor Ibrahim	
Councillor James	
Councillor G Khan	
Councillor Packer	
Councillor Smith	
Councillor Stapleton	
Councillor Wilson	

indicates present at meeting

#### **9 APOLOGY FOR ABSENCE**

An apology for absence was received from Councillor Grocock, (on other Council business).

#### **10 MINUTES**

**RESOLVED** that, subject to recording Councillor Ibrahim's apology for absence, the minutes of the last meeting held on 17 May 2004, copies of which had been circulated, be confirmed and signed by the Chair.

#### **11 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 items as they involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of schedule 12(A) to the Act.

#### **12 APPEAL AGAINST DOOR SUPERVISOR REGISTRATION REFUSAL - MR J**

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

The appellant, Mr J, 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 represented by Mr M Turner, solicitor.

Mr J, Mr Coulson and Mr Turner, 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 guidelines relating to convictions;
- (b) submissions by the Corporate Director of City Development, the appellant, and the Chief Constable of Nottinghamshire regarding the conviction;

**RESOLVED that the appeal by Mr J against the decision of the Corporate Director of City Development to revoke door supervisor registration be dismissed on the basis of:-**

- (1) the nature of Mr J's criminal convictions;**
- (2) his failure to disclose certain of those convictions; and**
- (3) the Committee saw no reason to depart from the Guidelines for registration which indicated that Mr J should have 3 years free of convictions before he would normally be considered suitable for registration.**

### **13 APPEAL AGAINST REVOCATION OF DOOR SUPERVISOR REGISTRATION - MR T**

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

The appellant, Mr T, 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 represented by Mr M Turner, solicitor.

Mr T, Mr Coulson and Mr Turner, 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 guidelines relating to convictions, which stated that registered door supervisors must inform the City Council of all convictions and that failure to do so might lead to the registration being revoked;
- (b) submissions by the Corporate Director of City Development, the appellant, and the Chief Constable of Nottinghamshire regarding the conviction;

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

**14 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, and to a written submission from the appellant, copies of which were placed round the table.

The appellant, Mr D, accepted the Committee's invitation to attend the meeting, and was accompanied by Mrs D. Mr T Coulson, Service Manager, (Food and Licensing), City Development, presented the report. The Chief Constable of Nottinghamshire Police was represented by Mr M Turner, solicitor. During the submissions the applicant chose to disclose to the committee the full extent of his criminal record, including certain convictions which were spent for the purposes of the Rehabilitation of Offenders Act.

Mr D, Mr Coulson and Mr Turner, 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 guidelines relating to convictions;
- (b) legal advice relating to the application of the Rehabilitation of Offenders Act;
- (b) submissions by the Corporate Director of City Development, the appellant, and the Chief Constable of Nottinghamshire regarding the appellant's criminal record;

**RESOLVED**

- (1) that all of Mr D's convictions (including those which were spent) were relevant to the issue as to whether he was a suitable person to be registered as a door supervisor and should therefore be taken into consideration;**
- (2) that, whilst the Committee was mindful that the applicant had a number of years free of conviction, it still had some doubts about the applicant's suitability to be a registered door supervisor; and**
- (3) that Mr D's appeal against the decision of the Corporate Director of City Development to refuse to register him as a door supervisor be dismissed on the basis of the nature of Mr D's criminal convictions and his failure to disclose any of those convictions at the time of his application.**