

CITY OF NOTTINGHAM

LICENSING COMMITTEE

MINUTES

of meeting held on **20 SEPTEMBER 2004** at the

Council House from 10.07 am to 12 noon

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

25 CHAIR

In the absence of Councillor Cresswell, Councillor Grocock took the Chair.

26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cresswell (on other City Council business) and Wilson.

27 MINUTES

RESOLVED that, subject to it being recorded in minute 23 that Councillor Clarke-Smith had requested that his vote in favour of granting the Public Entertainments Licence be recorded, the minutes of the meeting held on 16 August 2004, copies of which had been circulated, be confirmed and signed by the Chair presiding at the meeting.

28 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 12A of the Act.

29 APPEAL AGAINST REVOCATION OF REGISTRATION - DOOR SUPERVISOR REGISTRATION SCHEME - MR N

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, together with a letter from Young and Pearce Solicitors dated 8 September 2004, copies of which were placed around the table.

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

- (a) a letter dated 8 September 2004 from Young and Pearce Solicitors;
- (b) consultations with the Police;
- (c) submissions by the Acting City Secretary, Corporate Services and the Corporate Director of City Development.

RESOLVED that the appeal against revocation be allowed and that the applicant's registration be reinstated with immediate effect.

30 THE NEWCASTLE, 68 NORTH SHERWOOD STREET - APPLICATION FOR NEW ANNUAL ENTERTAINMENTS LICENCE

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

The Committee met to determine whether an application for a new annual entertainments licence should be granted in respect of the premises known as The Newcastle, North Sherwood Street, Nottingham to provide music and dancing on the ground floor from noon to 10.30 pm on Sunday, from 11.00 am to 11.00 pm on Mondays to Wednesdays and until midnight on Thursdays to Saturdays.

The applicant, Mr H Van Zyl, accepted the Committee's invitation to attend the meeting and was accompanied by Mr T Wilkinson of Young and Pearce Solicitors. Mr T Coulson, Service Manager (Food and Licensing), presented the report. Mr R Digby-Taylor, Team Leader (Pollution Control), City Development, was available at the meeting to advise on matters relating to nuisance from noise emanating from the premises.

Mr Wilkinson confirmed that the applicant wished to revise the application to allow for the terminal hour to be 11.00 pm on Thursdays to Saturdays in compliance with the Council's Public Entertainment Licensing Policy.

A number of objectors to the application attended the meeting. Mr Van Zyl responded to questions put to him by Members, by Mr Coulson and by objectors Mr Wetton, Mrs P Matthews and Mrs E Millard.

Mr Van Zyl, Mr Wilkinson, Mr Coulson and Mr Digby-Taylor having made their submissions and having 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 the granting of Public Entertainments Licences and the City Council's licensing policy and conditions for public entertainment licenses;
- (b) submissions by Mr Wilkinson and Mr Van Zyl regarding the application;
- (c) submissions (including a petition) by a number of local residents regarding the application;
- (d) objections from ward councillors;
- (e) comments of the Corporate Director of City Development regarding the application contained in the report;
- (f) future possible residential development of the area.

RESOLVED that the application for the Annual Entertainments Licence to provide music and dancing on the ground floor of 68 North Sherwood Street from noon to 10.30 pm on Sundays and from 11.00 am to 11.00 pm on Mondays to Saturdays inclusive, be granted, subject to a satisfactory final inspection by the Environmental Health Officer (FOOD), a maximum occupancy of 220 persons and to the following conditions:-

- (a) that there be a minimum of two door supervisors in attendance on the premises on Friday and Saturday nights between 8.00 pm and 11.30 pm;**
- (b) that CCTV be maintained at the premises and all tapes be retained by the applicant for a minimum of 30 days;**
- (c) that music noise levels emanating from the premises must not exceed a specified level at a specified location; both to be determined by the Corporate Director of City Development;**
- (d) that a record of the level of noise emanating from the premises on each occasion when entertainment is provided be compiled and retained by the applicant and made available for inspection by the Council on request.**

31 DELTA LOVE PRODUCTIONS, 147 RADFORD ROAD - APPLICATION TO RENEW SEX ESTABLISHMENT LICENCE

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, concerning an application to renew a sex establishment licence in respect of the premises known as Delta Productions, 147 Radford Road, Nottingham.

The applicant, Mr F Turner, accepted the Committee's invitation to attend the meeting and was accompanied by Mr Stanley and Mr T Coulson, Service Manager (Food and Licensing), City Development, presented the report.

Mr Turner and Mr Coulson having made their submissions and being available for questioning withdrew from the meeting together with Mr Stanley during the Committee's deliberations.

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

- (a) the legislative framework and the City Council's conditions for sex establishment 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 Turner regarding the application;
- (d) comments of the Corporate Director of City Development regarding the application and contained in the report.

RESOLVED that the application to renew the sex establishment licence for the premises known as Delta Love Productions, be granted.

32 OFFICE OF FAIR TRADING REPORT - REGULATION OF LICENSED TAXI AND PRIVATE HIRE VEHICLE SERVICES IN THE UK AND THE GOVERNMENT'S RESPONSE

Consideration was given to a report of the Corporate Director of City Development, copies of which had been circulated, concerning a report from the Office of Fair Trading on the impact of existing regulations on the market for licensed taxis and the Government's response to that report.

Mr T Coulson, Service Manager (Food and Licensing) and Mr J Mortell, Team Leader (Taxi Licensing) presented the report and Mr Mortell provided additional information regarding the options outlined in the report.

RESOLVED

- (1) that, in order to maintain quality and safety standards supported by the Office of Fair Trading, approval be given to the establishment of an additional post of enforcement officer in the Taxi Licensing Service, it being noted that the cost for the current financial year would be met from within existing budget provision;**
- (2) that the Committee would await the Government's best practice guidance due to be issued for consultation later this year before committing to any of the remaining options listed in the report;**
- (3) that the Chair and Vice-Chair and opposition spokesperson shall, after consultation with the Corporate Director of City Development, regarding the availability of information currently in the Council's possession and the likely cost of a survey of unmet demand, determine whether such a survey should be commissioned.**

33 DATE OF NEXT MEETING

Noted that the next meeting of the Committee be held at 10.00 am on Thursday 7 October 2004.