

NOTTINGHAM CITY COUNCIL

REGULATORY AND APPEALS COMMITTEE

MINUTES

of meeting held on **5 JUNE 2009** at the

Council House from 10.00 am to 10.54 am

- ✓ Councillor Cresswell (Chair)
 - Councillor Clarke-Smith
 - ✓ Councillor Davie
 - ✓ Councillor Foster
 - ✓ Councillor Grocock
 - ✓ Councillor Ibrahim
 - ✓ Councillor James
 - ✓ Councillor Liversidge
 - ✓ Councillor Munir
 - Councillor Packer
 - ✓ Councillor Smith
 - Councillor Wildgust
- ✓ Indicates present at meeting

Officers in attendance

Ms M Bird)	Assistant Licensing Officer)	Environment and Regeneration
Ms S Bowler))	
Mr M Leavesley	-	Committee Administrator)	Resources
Ms J Irwin	-	Senior Solicitor)	

Others in attendance

Ms B Francis	-	Licensing Administrator)	
Mr C Mason	-	Managing Director)	Darker Enterprises Limited
Mr C Sullivan	-	Management Consultant)	

1 APPOINTMENT OF VICE-CHAIR

RESOLVED that Councillor Grocock be appointed Vice-Chair for the municipal year 2009/10.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Packer and Wildgust (on other Council business).

3 DECLARATIONS OF INTERESTS

No declarations of interests were made.

4 MINUTES

RESOLVED that the minutes of the last meeting held on 16 April 2009, copies of which had been circulated, be confirmed and signed by the Chair.

5 APPLICATION FOR RENEWAL OF SEX ESTABLISHMENT LICENCE: PRIVATE SHOP, 81-85 UPPER PARLIAMENT STREET, NOTTINGHAM

Consideration was given to a report of the Corporate Director of Community and Culture, copies of which had been circulated, regarding an application for renewal of a sex establishment licence for 81-85 Upper Parliament Street, Nottingham and removal of special condition 1 from the licence. Consideration was also given TO an e-mail from Councillor Bull, dated 9 April 2009, copies of which had been circulated, objecting to the renewal of the licence.

Ms Francis, Mr Mason and Mr Sullivan, on behalf of the applicant, Darker Enterprises Limited, accepted the Committee's invitation to attend the meeting, with Mr Sullivan presenting their case.

Ms Bowler and Mr Sullivan, having made their submissions and been available for questioning, along with Ms Bird, Ms Francis and Mr Mason, 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 the granting of Sex Establishment Licenses and the City Council Standard Conditions to be attached to such licenses;
- (b) duties imposed on the Council by Section 17 of the Crime and Disorder Act 1998 and the Human Rights Act 1998;
- (c) submissions made by Ms Bowler and Mr Sullivan regarding the application;
- (d) the correspondence from Councillor Bull.

RESOLVED

- (1) that the application to renew the Sex Establishment Licence issued to Darker Enterprises Limited, trading at Private Shop, 81-85 Upper Parliament Street, Nottingham, be granted;**
- (2) that special condition 1, which required that at least two members of staff were on the shop floor while the premises were open to the public, be removed from the renewed licence.**

6 DATES OF FUTURE MEETINGS

RESOLVED that meetings of the Committee be held at 10.00am on Monday 6 July and Thursday 6 August 2009.