

Time commenced - 10.00 am
Time finished - 10.45 am

LICENSING SUB COMMITTEE B

10 JUNE 2003

Present: Councillor R Skelton (Chair),
Councillors Bolton, Brown, J Hickson, Jackson, Macdonald and
Redfern

01/03 Apologies

An apology for absence was received from Councillor Jones.

02/03 Late Items Introduced by the Chair

Councillor Skelton introduced a late item concerning a report on the outcome of Appeal – The Aston Court Hotel. Item 8, minute number 08/03. This item was considered urgent as the Committee had to consider the conditions applied by magistrates when determining future applications of a similar nature.

03/03 Declarations of Interest

There were no declarations of interest.

04/03 Minutes

The minutes of the meeting held on 29 April 2003 were approved as a correct record and signed by the Chair.

05/03 Application to Waive Condition 54 of the Public Entertainments Licence – The Pennine Hotel, Macklin Street, Derby

A report of the Director of Corporate Service was considered which gave details of an application to waive condition 54 of the Public Entertainments Licence at the Pennine Hotel, Macklin Street, Derby. The Sub- Committee was reminded that this application had been presented at the last meeting but had been deferred for a site visit on 15 May 2003. Mr Fletcher addressed the Sub- Committee.

Resolved to grant the application to waive Condition 54 of the Public Entertainments Licence for the Pennine Hotel, Macklin Street, Derby subject to compliance with the Council's Special Conditions and the following additional conditions:

- **Events to be limited to only 2 nights per Public Entertainments Licence year.**
- **The entertainment shall be between the hours of 8pm and midnight only.**
- **Female performers are prohibited.**
- **Male performers shall not strip beyond their underpants/briefs.**
- **No more than 200 customers are allowed in the Derwent Suite while this entertainment is taking place.**
- **The performance is to take place on the staged area only.**
- **The toilets near the kitchen are not to be used by customers while the entertainment is taking place.**
- **The performers are to be robed from the staged area to the dressing room.**
- **The glass in the windows to the entrance doors of the Derwent Suite must be covered while the entertainment is taking place.**
- **No tables for customers shall be positioned within 2 metres of the door used by performers to exit the Derwent Suite.**

In standard special condition 8 there shall be inserted the number 3 for the amount of door supervisors. The door supervisors are to be situated at the entrance door to the Derwent Suite, the exit door for performers and one to accompany the performers to and from the dressing room and staged area.

At this point Councillor J Hickson arrived.

06/03 Application for a Provisional Public Entertainment Licence - The Haymarket, 10 Wardwick, Derby

A report of the Director of Corporate Service was considered which gave details of an application for a Provisional Public Licence at the Haymarket, 10 Wardwick, Derby. The Sub-Committee was advised that the Police had requested that this item be adjourned until the 29 July to allow them to compile further evidence. This request had been agreed by the applicant's solicitor.

Resolved to adjourn the application until the next Licensing Sub B Committee meeting on 29 July 2003, to allow further evidence for the case to be compiled.

**07/03 Application for a New Public Entertainment
Licence – The Royal Banqueting Suite, Royal
Buildings, Victoria Street, Derby**

A report of the Director of Corporate Services was considered, which gave details of an application for a new Public Entertainment Licence – The Royal Banqueting Suite, Royal Buildings, Victoria Street, Derby. The Sub-Committee noted that the applicant had now moved away and the current occupiers did not wish to apply for a New Public Entertainment Licence.

Resolved to refuse the application on the basis that the applicant no longer wished to proceed.

08/03 Outcome of Appeal – The Aston Court Hotel

Helen Barrington, Solicitor, presented a report to the Committee, which notified Members of the outcome of an appeal by Mr Cant of the Aston Court Hotel, against the Committee's decision to refuse to grant his application to waive condition 54 of his Public Entertainments Licence.

Mr Cant appealed against this decision, arguing that the way in which the policy had been applied was inflexible.

The appeal was dealt with at Bold Lane Magistrates Court on 11 April 2003. The Magistrates considered and applied the Council's policy, but felt that there were exceptional circumstances in this case to justify granting the waiver. The Magistrates decided that it was appropriate that the Council's Special Conditions should apply and they also decided to apply a number of their own stringent conditions.

The Committee noted the conditions that the Magistrates applied, as these could be considered when determining future applications of this nature.

Helen Barrington also advised the Committee that an appeal lodged by Diva against the Council's decision to refuse to vary the opening hours on the Public Entertainments Licence to 6am had been withdrawn.

Resolved to note the report.

MINUTES END