

Time commenced	:	9.40 am
Time adjourned	:	10.00 am
Time reconvened	:	10.20 am
Time finished	:	10.25 am
Time commenced	:	11.10 am
Time adjourned	:	12:10 pm
Time reconvened	:	13:00 pm
Time finished	:	13:05 pm

**GENERAL LICENSING SUB COMMITTEE
22 DECEMBER 2005**

Present: Councillors Allen, Baxter, Leeming

203/05 Appointment of Chair

Resolved to appoint Councillor Leeming Chair of the Sub-Committee.

204/05 Apologies for Absence

There were no apologies for absence.

205/05 Late Items Introduced by the Chair

There were no late items.

206/05 Declarations of Interest

There were no declarations of interest.

**207/05 To receive the minutes of the General Licensing
Sub Committees held on 28 November and 6
December 2005**

**Agreed to note the minutes of the General Licensing Sub Committee
meetings held on 28 November and 6 December 2005.**

**208/05 Application for a for a New Premises Licence at Mr
Chippy, 360 Normanton Road, Derby**

The Sub Committee considered a report from the Director of Corporate Services that detailed an application for a new premises licence at Mr Chippy, 360 Normanton Road, Derby.

The application was received on 3 November 2005 from Nasir Hussain. Mr Hussain attended and addressed the Sub-Committee.

The relevant licensable activity was for late night refreshment.

It was reported that representations had been received from members of the public.

The Sub-Committee resolved to grant the premises licence at Mr Chippy in the following way:

- To provide late night refreshment for the following hours;

Activity	Hours
Late night refreshment	Monday –Sunday 23:00 – 01:00

In order to promote the 4 Licensing Objectives, the following conditions were attached to the Licence:

1. You must display prominent, clear and legible notices at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

**209/05 Application for a Variation of Premises Licence at
The Kingsway, Brackensdale Avenue, Mackworth,
Derby**

The Sub Committee considered a report from the Director of Corporate Services that detailed an application for a variation of premises licence at The Kingsway, Brackensdale Avenue, Mackworth, Derby.

The application was received on 4 November 2005 from Robert and Anthony Fox. Mr A Fox attended and addressed the Sub Committee. Mr Bowler addressed the Sub Committee as a witness for Mr Fox.

The proposed variations were for additional provisions for entertainment and longer hours for retail sales of alcohol.

It was reported that representations had been received from members of the public. Mr Porter and Mr Thompson attended and addressed the Sub Committee. It was noted that Pollution Control had withdrawn their objections.

The Sub-Committee resolved to grant the variation of premises licence at The Kingsway in the following way:

- to provide the following entertainment to include; indoor sporting events, live music and recorded music and;
- to supply alcohol for the hours listed below:

Activity	Hours
Indoor Sporting Events	Sunday – Thursday 11:00 – 11:00 Friday – Saturday 11:00 – 00:00
Live Music	Sunday – Thursday 21:00 – 23:00 Friday - Saturday 21:00 – 00:00 Karaoke events are permitted to start at 19:00
Recorded music	Sunday – Thursday 11:00 – 23:00 Friday – Saturday 11:00 – 00:00
Supply of alcohol	Sunday – Thursday 11:00 – 23:30 Friday – Saturday 11:00 – 00:30
Times that the premises will be open to the public	Sunday – Thursday 11:00 - 00:00 Friday – Saturday 11:00 – 01:00
New Years Eve	The terminal hour for indoor sporting events, live music, recorded music and supply of alcohol shall be 01:00.

In order to promote the 4 Licensing Objectives, the following conditions were attached to the Licence:

MANDATORY CONDITIONS – SUPPLY OF ALCOHOL

1. No supply of alcohol may be made under the premises licence-
 - a. at any time when there is no designated premises supervisor in respect of the premises licence; or
 - b. at any time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

CONDITIONS RELATING TO CRIME AND DISORDER

3. CCTV

- 3.1 You must maintain the CCTV system in good working order on the premises.
- 3.2 The system must be operated at all times when the premises is open to the public and recordings made available to the police if requested.
4. Pubwatch
You will participate in the Pubwatch scheme whilst such a scheme exists.

5. Proof of age cards

You must apply a policy requiring the production of “proof of age” from any person appearing to those selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol. “Proof of age” should not be limited to recognised “PASS proof of age cards”, but you should allow for the production of other proof, such as photo-driving licences, student cards and passports.

CONDITIONS RELATING TO PUBLIC SAFETY

6. The premises will operate in accordance with all the relevant legislation including but not limited to, The Health and Safety At Work Act 1974, and association regulations, the Food Safety Act 1990, the Fire Protection Act (Workplace) 1997 and Disability Discrimination Act 1975.
7. Any drinks promotions will not adversely affect the promotion of responsible drinking
8. The existing fire safety precautions will be retained and maintained
9. The premises will liaise and cooperate with the responsible authorities.

CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

10. The premises must operate in accordance with all relevant legislation which promotes the public nuisance objectives including, but not limited to the Environmental Protection Act 1990 and the Noise Act 1996.
11. All regulated entertainment involving amplified speech or music, with the exception of background music, shall cease at midnight. For the purpose of this condition background music is defined as music that is not a focus of entertainment and is inaudible outside of the room in which it is played. This condition shall not apply on New Years Eve, when regulated entertainment involving live or recorded music shall cease no later than 01.00.
12. Regulated entertainment involving amplified speech or music shall only be provided in the rear room (which has been fitted with secondary double glazing)

13. During regulated entertainment involving amplified music or speech, all windows to rooms in which the music or speech is taking place shall be kept closed and alternative acoustically attenuated ventilation shall be provided where necessary.
14. During events involving amplified music or speech, all doors to rooms in which the music or speech is taking place shall be kept closed other than for access and egress.
15. The fire door must be kept closed at all times unless required for use in an emergency.
16. No amplified music or speech shall be relayed via external loudspeaker.
17. You must nominate a representative to receive and respond to complaints throughout the duration of all noise generating events.
18. The licensee or nominated representative shall monitor the noise from time to time outside the premises at its boundary during every event involving amplified music or speech. At least one such period of monitoring shall be undertaken after 11pm if regulated entertainment is taking place after that time. If, as a result of such monitoring, it is considered that the noise levels are excessive, i.e. audible at the boundary of the licensed premises immediate steps should be taken to reduce levels to an inaudible level at the boundary. The licensee's attention is drawn in particular to the effect of the low frequency bass notes which readily pass through doors and windows and are often the principal reason for complaining of entertainment noise. The aim should be for noise to be inaudible outside noise sensitive premises after 11pm. A record of these checks and of any action taken as a result shall be maintained in a log book kept specifically for that purpose. The log book shall be made available for inspection by an authorised officer of the licensing authority on request.
19. There shall be displayed at all exits, prominent, clear notices requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
20. Disposal of waste bottles into external receptacles where noise will be audible to residents in neighbouring properties must not take place between 2300 hrs and 0700 hrs the following day.

CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

21. You will not allow children under the age of 14 to remain on the premises after 7pm.
22. Staff will be trained to observe the measures necessary to promote the protection of children policy.

23. Only suitable entertainment will be provided when children are present on the premises
24. Only non alcoholic drinks will made available to children.
25. Signs will be displayed on the premises advising management, staff and patrons of the offences of serving or buying alcohol for under age persons.

MINUTES END