

Meeting Commenced: 10.20am
Meeting Adjourned: 10.35am
Meeting Reconvened: 10.45am
Meeting Concluded: 10.50am

GENERAL LICENSING SUB-COMMITTEE
30 March 2015

Present: Councillors Pegg, Barker and Poulter

36/14 Appointment of Chair

Resolved to appoint Councillor Barker as Chair of the General Licensing Sub Committee.

37/14 Apologies

No apologies were received.

38/14 Late Items to be Introduced by the Chair

There were no late items.

39/14 Declarations of Interest

There were no declarations of interest.

**40/14 Receipt of an Objection Notice in respect of to a
Temporary Event Notice at the Warehouse at the
Rear of the Hairy Dog, Becket Street Derby DE1 1HT.**

A Temporary Event Notice was been received by Derby City Council's Licensing Team from the applicant, Mr Angus Carrington in respect of the warehouse attached to the rear of The Hairy Dog, Becket Street, Derby DE1 1HT.

On 30 March 2015, Derby City Council ("the licensing authority") considered the notice dated 16 March 2015, namely, a temporary event notice ("the notice") in respect of proposed temporary licensable activities for:

- (a) the provision of regulated entertainment;
- (b) the sale by retail of alcohol;
- (c) the supply of alcohol by or on behalf of the club to, or to the order of, a member of the club

due to take place between 14:00 hours and 22:00 hours on Sunday, 5 April 2015 at the warehouse attached to the Hairy Dog PH, Becket Street, Derby DE1 1HT.

The Licensing Team received an objection notice from Derbyshire Constabulary on 18 March 2015 in respect of the Temporary Event Notice received from Mr Angus Carrington. The objection letter raised intent for Derbyshire Constabulary to make representation against the application on the grounds that the application undermines two of the four key Licensing Objectives namely:

- (a) Prevention of crime and disorder;
- (b) Public Safety;

The Sub-Committee was duly informed that Mr Carrington had withdrawn the application by email notification at 05:03 on Monday 30 March 2015, but that this was received at too short notice to cancel the hearing.

The Sub-Committee heard evidence from: Sandra Mansell, (Licensing Team) and Police Constable Dunn (Derbyshire Police). Mr Carrington did not attend the hearing.

The Sub-Committee heard from evidence given by Police Constable Dunn that the Crime Prevention and Public Safety objectives were likely to be undermined if the notice is permitted due to the absence and suppression of any conditions normally associated with a fully licensed premises and with the inability of the applicant to deal effectively with the promotion of the licensing objectives during the period requested. Derbyshire Constabulary also expressed serious concerns around the high likelihood of oversubscription to the event caused by irresponsible advertising.

Police Constable Dunn also informed the Sub-Committee that following the application submission Derbyshire Fire and Rescue Service has served a prohibition order on the venue, prohibiting use of the premises until the matters referred to have been put right. These matters related to materials/space in the venue not being fire retardant. The Chair raised concerns that the application submission made reference to the venue having "been fully signed off by fire marshal/health and safety officer" and states "all material inside the venue is fire retardant and poses no threat to personal safety", which were seemingly false statements.

Decision

In making its decision, the Sub-Committee had regard to the Derby City Council Licensing Policy and considered all the evidence presented to it.

The licensing authority is satisfied that, if the licensable activities were to take place, the licensing objectives relating to:

- (i) crime prevention; and
- (ii) public nuisance

would be undermined, and accordingly upholds the objections by the Derbyshire Constabulary in respect of the notice.

The Sub-Committee made the decision to issue a counter notice to the applicant on the grounds that it is necessary to do so to promote the crime prevention and public nuisance objectives.

MINUTES END