

ITEM 7



DERBY CITY COUNCIL

LICENSING SUB COMMITTEE B 8 DECEMBER 2004

Report of the Director of Corporate Services

REQUEST TO VARY CONDITIONS OF SUNDAY OPENING FOR A SEX ESTABLISHMENT LICENCE: THE PRIVATE SHOP, 61 OSMASTON ROAD, DERBY.

RECOMMENDATION

- 1.1 To consider the request
- 1.2 To decide whether to grant or refuse the application.

SUPPORTING INFORMATION

Matters for Consideration

- 2.1 A request was received on 13 October 2004, from Mr R G Darker in respect of, The Private Shop, 61 Osmaston Road, Derby.
The request is to vary the standard conditions to allow the premises to open for business on two Sundays (12 and 19 December 2004).
A copy of the request is attached at **Appendix 2**.
- 2.2 A copy of the standard Sex Establishment conditions is attached at **Appendix 3**.
- 2.3 A location map is attached at **Appendix 4**.

Premises History

3. The premises have held a Sex Establishment Licence for in excess of 10 years and was renewed on 12 November 2004.

For more information contact: Mr Michael Kay 01332 716340 E-mail michael.kay@derby.gov.uk

Background papers: None

List of appendices:

Appendix 1 – Implications

Appendix 2 – Copy of request letter

Appendix 3 – Copy of standard conditions

Appendix 4 – Location Map

Appendix 1

IMPLICATIONS

Financial

1. None directly arising from this report .

Legal

- 2.1 Sex Establishments are required to be licensed under the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
- 2.2 In considering an application to vary the standard conditions of a Sex Establishment Licence the Council is not required to consult with any other Authority.
- 2.3 The applicant must be informed of objections and given the opportunity to comment on them.
- 2.4 The Council does have the power to refuse the application.
- 2.5 A right of appeal to the Magistrates' Court exists for any applicant who is aggrieved by the refusal of an application.

Personnel

3. None directly arising from this report.

Environmental

4. None directly arising from this report.

Equalities Impact

5. None directly arising from this report.