

ITEM 4

Time commenced - 10.03 am
Time finished - 11.55 pm

LICENSING SUB COMMITTEE B 8 SEPTEMBER 2004

Present: Councillor Jones (Chair)
Councillors Bolton, Brown, MacDonald, Redfern, Richards

25/04 Apologies

Apologies for absence were received from Councillors Jackson and Liversedge.

26/04 Late Items Introduced by the Chair

There were no late items.

27/04 Declarations of Interest

Councillor Redfern declared a personal interest in Minute No 34/04, Application for a new Public Entertainment Licence – Blue Boy Hotel, Wiltshire Road, as she was a board member for new deal.

28/04 Minutes

The minutes of the meeting held on 28 July 2004 were approved as a correct record and signed by the Chair.

29/04 Application to Renew the Public Entertainments Licence – Neptune, 10/12 Osmaston Road, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainments Licence at the Neptune, 10/12 Osmaston Road, Derby. Mr Kirk and Mr Hann, joint Licencees attended the meeting and addressed the sub-committee. It was noted that one objection had been received from environmental health and trading standards in respect of there having to be sufficient first aid trained staff on the premises during times when open for public entertainment. There were no other objections.

It was noted that the first aid trained staff must be in addition to the door supervisors on duty. At the time of the meeting no one had been booked onto a first aid training course.

Resolved to refuse to renew the Public Entertainments Licence on the grounds that the applicant had not ensured there were sufficient first aid trained staff on the premises during times when open for public entertainment.

The applicant was informed that he had the right to appeal to the Magistrates Court within 21 days.

30/04 Application to Renew the Public Entertainments Licence – Eden, 6 Sadler Gate, Derby

A report of the Director of Corporate Services was considered which gave details of an application to renew the Public Entertainments Licence for Eden, 6 Sadler Gate, Derby. Mr N McDonald – owner and Mr C Mills – Licensee, along with their Solicitor Mr Vinecombe, attended the meeting and addressed the sub-committee.

At the meeting of 28 July 2004, the sub-committee decided to defer consideration of the renewal of the licence until the next meeting to enable discussions to take place between Mr Mills and the Crime Reduction Officer in relation to CCTV requirements. This had been required following objections being received from the Police authority.

It was noted that the premises had a waiver of condition 54 of the Public entertainments licence.

Mr Vinecombe advised the committee that Mr McDonald was aware of the issues regarding the security and has installed some digital camera equipment, the remainder would be fitted the following week. He assured the committee that the work would be completed in 14 days. It was reported that the work completed so far was reaching the standards set by the Crime Reduction Officer and was achievable to be completed in 14 days.

Resolved to authorise the Director of Corporate Services to renew the public entertainment licence subject to the current terms and conditions and subject to the applicant first carrying out works to the CCTV system to the satisfaction of the Crime Reduction Officer within 14 days. The Crime Reduction Officer was asked to report to the Chief Environmental Health Officer on completion of the works.

Resolved to defer the application for transfer of the licence pending further enquiries.

31/04 Application to Renew the Public Entertainments Licence – Friary, Friar Gate, Derby

A report of the Director of Corporate Services was considered which gave details of an application to renew the Public Entertainments Licence at the

Friary, Friar Gate, Derby. Mr Townsend and Mr Boulter attended the meeting and addressed the sub-committee.

The application was heard at the last licencing sub-committee B meeting on 28 July 2004. The sub-committee resolved to defer the application to the next committee meeting to enable discussions to take place between the applicant and the Crime Reduction Officer regarding the CCTV systems.

It was noted that the public entertainment licence related to the rear late night venue.

Mr Townsend apologised for his client not getting in touch with the Police, but this task had now been taken in hand and he asked for an adjournment until the 20th October. The Police agreed to this adjournment.

Resolved to defer the application to the next meeting to enable discussions to take place between the applicant and the Crime Reduction Officer in relation to CCV requirements. The Chair expressed the committee's disappointment that the matter had not been resolved.

32/04 Application to Renew the Public Entertainment Licence – McClusky's, Babington Lane, Derby

A report of the Director of Corporate Services was considered which gave details of an application to renew the Public Entertainment Licence at McClusky's, Babington Lane, Derby. Mr B Blanc attended the meeting and addressed the sub-committee.

The application was heard that the last licencing sub-committee B hearing on 28 July 2004. The Sub-committee resolved to defer the application to the next committee meeting to enable further information to be presented to the committee. The sub-committee required the applicant to provide written details, the proposed sale of the business and two written quotations detailing the cost to upgrade the CCTV system to the specification of the Crime Reduction Officer in order to determine what was reasonable and proportionate in the circumstances of this case.

It was noted that a transfer application had been received and was being processed.

It was reported that the CCTV system had been examined and was 80% there, although some works still needed to be carried out. It was reasonable to adhere to a request from the applicant for an extra 21 days.

Resolved to authorise the Director of Corporate Services to renew the licence subject to the applicant first carrying out the following works to the CCTV system to the satisfaction of the Crime Reduction Officer within 21 days:

- The repositioning of two CCTV cameras.
- Modifying the light control system to ensure that the maximum levels of interior lighting were maintained at all times.
- Swapping the 360° Dome cameras between the first floor and ground floor trading areas.

33/04 Application to Renew the Public Entertainments Licence – Flares, Beckett Street, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainments Licence at Flares, Beckett Street, Derby. Mr T Gray attended the meeting and addressed the sub-committee. It was noted that one objection had been received from environmental health and trading standards as the following had not been provided:

- The certification for the mains electrical installation.
- The certification for the emergency lighting inspection.
- The certification for the fire alarm inspection.
- The certification for the gas appliances inspection.

There were no other objections.

It was reported that since the application was made a transfer request had been made to transfer the public entertainment licence into Mr Gray's name. This has not yet been processed. It was reported that since the application was made all certificates have now been received, as a result the objection from environmental health and trading standards was withdrawn.

Resolve to approve the renewal of the public entertainments licence subject to the existing licencing conditions.

34/04 Application to Renew the Public Entertainments Licence – Blue Boy Hotel, Wiltshire Road, Chaddesden, Derby.

A report of the Director of Corporate Services was considered, which gave details of an application for a new public entertainment licence for the Blue Boy Hotel, Wiltshire Road, Chaddesden, Derby. Mr A Baines – Derwent Delivers and Miss L Lothian – Under Manager attended the meeting and addressed the sub-committee.

The application was heard at the sub-committee B meeting on 19 July 2004. The sub-committee resolved to defer the application to the next committee meeting to enable the licensee to address the sub-committee in person with regards to outstanding works required to fully comply with the licensing conditions.

Mr Baines advised the committee that with hindsight they shouldn't have applied for a Public Entertainments licence so early in the refurbishment programme. It was envisaged that the works will be completed in early November 2004 and then all certificates required would be available at that time.

It was noted that before the Blue Boy Hotel opened Environmental Health would visit to ensure everything had been complied with.

Members of the sub-committee asked that a copy of an internal location plan of the venue be included with the report for the next meeting.

Resolved to defer consideration of the application to the next meeting of the committee. The Applicant to attend the meeting and provide an update on the progress of the works.

35/04 Application to Renew the Public Entertainments Licence – The Blue Note, 14a Sadler Gate, Derby.

A report of the Director of Corporate Services was considered which gave details of an application to renew the Public Entertainment Licence – The Blue Note, 14a Sadler Gate, Derby. Mr Shapcott attended the meeting and addressed the sub-committee. It was noted that one objection had been received from the Police Authority in respect of the CCTV and the quality of images. There were no other objections.

It was reported that a letter had been received from the Police Authority in relation to the works needed to upgrade the CCTV system.

Resolved to authorise the Director of Corporate Services to renew the licence subject to the applicant first carrying out works to the CCTV system to the satisfaction of the Crime Reduction Officer before 20 October 2004.

The Crime Reduction Officer was asked to report his findings to the Chief Environmental Health Officer upon completion of the works.

36/04 Exclusion of the Press and Public

A resolution was passed under section 100a (4) of the local Government Act 1972 to exclude the press and public from the meeting during consideration of the following item of business on the grounds that it involved the lightly disclosure of exempt information as defined in paragraph 7 of part 1 of schedule 12a of the act.

37/04 Application to Renew the Public Entertainments
Licence – The Blue Note, 14a Sadler Gate,
Derby.

A report of the Director of Corporate Services was considered which gave details of an application to renew the Public Entertainments Licence – The Blue Note, 14a Sadler Gate, Derby.

The Committee discussed a letter from the Police Authority to the applicant, which contained confidential information.

Resolved to note the report.

MINUTES END