

Time commenced - 10.00 am
Time finished - 12.45 pm

LICENSING SUB COMMITTEE B

20 OCTOBER 2004

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

38/04 Apologies

An apology for absence was received from Councillors Jones.

39/04 Late Items Introduced by the Chair

There were no late items.

The Chair introduced correspondence relating to Items 45/04 and 50/04

40/04 Declarations of Interest

Councillor Redfern declared a personal interest in Minute No 45/04, Application for a new Public Entertainment Licence – Blue Boy Hotel, Wiltshire Road, as she was a board member for New Deal.

41/04 Minutes

The Minutes of the meeting held on 8 September 2004 were approved as a correct record and signed by the Chair.

42/04 Application to Renew the Public Entertainment Licence – The Greyhound, Village Street, Derby

This item was withdrawn to allow Officers to investigate whether action needs to be taken outside of Committee.

The Committee noted the report.

43/04 Application to Vary the Public Entertainment Licence – Becketts, Becket Street, Derby

A report of the Director of Corporate Services was considered which gave details of an application to vary the Public Entertainment Licence for Becketts, Becket Street, Derby. Deborah Harpin – licensee and her Solicitor Mr A Cochrane, attended the meeting and addressed the Sub Committee. It was

noted that one objection had been received from the Police in respect of the likely impact and disruption to Policing at the terminal hour which would severely effect existing strategies to provide high visibility Policing to existing premises, and that there would likely be an increase in Public Disorder and noise nuisance in and around the premises.

Mr Cochrane advised that Derby City Centre is a very competitive market and most venues are open until 12am – 2am. The clientele for Becketts is older, but they have struggled to promote the food aspect, even though they have tried to encourage new customers to try the food through leaflets to promote the service. Deborah Harpin believed that by remaining open for 1 extra hour, this would make a significant difference.

Deborah Harpin argued that she had tried to make the business work on the current licence but that without the late licence it would not work.

Resolved to approve the application to vary the provisional public entertainment licence for the hours of Sunday to Saturday 6pm to Midnight, subject to the current terms and conditions

**44/04 Application to Renew and Vary the Public
Entertainments Licence – The Osmaston Park
Road Hotel, 187 Osmaston Park Road, Derby**

A report of the Director of Corporate Services was considered which gave details of an application to renew and vary the Public Entertainments Licence at The Osmaston Park Road Hotel. Adella Thomas and her mother attended the meeting and addressed the sub-committee. It was noted that one objection had been received from the Police in respect of the likely impact and disruption to Policing at the terminal hour which would severely effect existing strategies to provide high visibility Policing to existing premises, and that there would likely be an increase in Public Disorder and noise nuisance in and around the premises. There had been problems in the area that included six assaults in a year, although three were at the same incident.

The licensee wanted the voluntary 11.00pm restriction to be removed, and wanted to extend the hours to 1.00am

Resolved:

- 1. to approve the request to remove the condition on the Public Entertainment Licence restricting entry to the premises after 11.00pm.**
- 2. to refuse the application to vary the Public Entertainment Licence to extend the closing hours to 1.00am on Friday and Saturday on the grounds that being predominately within a residential area it was reasonable on the grounds of crime and disorder.**

- 3. The applicant was informed that she had the right to appeal to the Magistrates Court within 21 days.**

**45/04 Application for a New Public Entertainment
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 at the Blue Boy Hotel, Wiltshire Road, Chaddesden, Derby. Mr A Baines and Mrs Susan Bell attended the meeting and addressed the Sub Committee. No objections had been received.

The application was deferred from the last Licensing Sub Committee B hearing on 8 September 2004.

The licensee advised the Sub-Committee that all works would be completed by 5 November 2004.

Resolved to authorise the Director of Corporate Services to renew the Public Entertainment Licence subject to all necessary works being completed to the satisfaction of the Chief Environmental Health Officer within 6 weeks.

**46/04 Application to Renew the Public Entertainments
Licence – Santanda, 17 Market Place, Derby**

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainment Licence at Santanda, 17 Market Place, Derby. Mr D Bull – Licensee and Mr S Swain – Owner, attended the meeting and addressed the Sub-Committee. It was noted that one objection had been received from the Police in respect of the CCTV system. There were no other objections.

At the 28 July 2004 Licensing Sub Committee B hearing the sub-committee 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 produce images acceptable to the Crime Reduction Officer within 21 days. The required works had not yet been carried out.

Mr Swain argued that there had been a catalogue of misunderstandings. When the Police came initially, something was found to be faulty and they were given 21 days to rectify. A faulty lead was replaced and Mr Swain thought he had done enough, but the Police were still not satisfied with the quality of the picture.

The Police did give a more detailed specification of what needed doing at the time to the owner and it was more than a lead being replaced.

Mr Swain was expecting a quote within two days and the new system should be fitted within 21 days.

Resolve to authorise the Director of Corporate Services to renew the Public Entertainment Licence subject to the applicant first carrying out works to the CCTV system to the satisfaction of the Crime Reduction Officer, within 21 days.

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

Members expressed concern that this issue had not already been resolved.

47/04 Application to Renew the Public Entertainments Licence – Bar Vida, 53-55 Queen Street, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainment Licence at Bar Vida, 53-55 Queen Street, Derby. Mr A Gale attended the meeting and addressed the sub-committee. It was noted that one objection had been received from the Police in respect of the CCTV system.

The Police argued that the existing CCTV system was inadequate, for a bar with a late licence in the City Centre. The Police visited the premises, the owner had received quotes and the new CCTV system would be fitted by 26 October 2004.

Resolved to authorise the Director of Corporate Services to renew the Public Entertainment Licence 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.

48/04 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 Entertainment Licence at Eden, 6 Sadler Gate, Derby. Mr C. Mills 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.

The application was heard at the last Licensing Sub Committee B hearing on 8 September 2004. The Sub Committee resolved to give the applicant 14 days to complete the works to the CCTV system to the satisfaction of the Crime Reduction Officer. To date confirmation had not been received from the Crime Reduction Officer.

The Police had had no communication from the club. The Crime Reduction Officer went to the club on the morning of the sub committee meeting – 20 October, but there were still problems with the CCTV system. The digital equipment had been installed but could not tape from the system. The system could be reconfigured to enable pictures to be recorded from the system.

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.

49/04 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 Friary, Friar Gate, Derby. Mr M Boulter – Licensee and his Solicitor – Mr Townsend 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.

The application was heard at the last Licensing Sub Committee B hearing on 8 September 2004. The Sub Committee resolved to defer the application to the next Committee meeting to enable discussion to take place between the applicant and the Crime Reduction Officer.

The installers for fitting the new CCTV system have been agreed, meetings have happened between the installers and the Crime Reduction Officer to discuss requirements. Installation would take place within 28 days.

The Police stated that this application has been going on for some time and time constraints were needed to get this application completed.

Resolved to defer consideration of the application to the next meeting of the Committee to enable the applicant to carry out works to the CCTV system to the satisfaction of the Crime Reduction Officer.

The Committee expressed concern at the lack of progress over the last few months.

50/04 Application to Amend the Cinema Licence Conditions at Metro Cinema, Green Lane, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to amend the Cinema Licence Conditions at Metro Cinema, Green Lane, Derby. Mr A McIntyre – Director Metro Cinema and Dr P Marks – Director of Public Health, Central and Greater Derby PCT, attended the meeting and addressed the Sub Committee.

Email correspondence from the Council and a briefing document from the Cinema were distributed to the Committee.

It was noted that a reservation had been received from the Director of Public Health.

The Sub Committee asked whether there was any evidence of whether or not a child under the age of 12 months could absorb violence from films. Dr Marks replied that it was difficult to know what a child of 12 months or under would perceive. Small babies are very short sighted, but he was concerned about children at the older end of the age range.

Dr Marks advised the Sub Committee that he supported the social benefits of holding a parent and child movie club, but with reservations, as it was not understood what influences films had on children under the age of 12 months. Dr Marks was not aware of any institutions carrying out research into this area and the majority of previous research was mostly US research.

Mr McIntyre commented that the Metro Cinema would not be doing this for any cash benefit, but rather for the benefit of parents and babies. The Metro Cinema already worked with deaf and autistic children and sought advice when setting that scheme up, to ensure the wellbeing of the child. The Metro Cinema intended to do the same in this case. Dr Marks has offered to provide contacts for the Metro Cinema to speak to for advice.

The Metro Cinema will not show any films of a sexual, violent, horror or psychological nature.

The mothers would be able to breastfeed, and the children could make as much noise as they wish. Bottle warming facilities and baby changing facilities will be provided.

Dr Marks final comment was that he felt it would offer lots of social benefits and would be happy to help with any decision that need to be made.

Resolved to authorise the Director of Corporate Services to vary the current conditions of the cinema licence to allow films to be exhibited to children under the age of 12 months subject to additional conditions to be agreed by the Chief Environmental Health Officer in consultation with the Chair of this Committee meeting.

MINUTES END