

Time commenced - 10.00 am
Time adjourned - 1.35 pm
Time recommenced - 2.00 pm
Time finished - 4.20 pm

LICENSING SUB COMMITTEE B 28 APRIL 2004

Present: Councillor Skelton (Chair)
Councillors Bolton, Brown, Jackson, Jones, MacDonald and Redfern

49/03 Apologies

An apology for absence was received from Councillor J Hickson.

50/03 Late Items Introduced by the Chair

There were no late items.

51/03 Declarations of Interest

Councillor Bolton declared a personal prejudicial interest in Item 5 – St Mary's Catholic School, as she was a member of the school's governing body.
Councillor Jackson declared a personal interest in Item 9 – The Roundhouse, as the licensee was a member of the Boulton Ward.

52/03 Minutes

The minutes of the meeting held on 17 March 2004 were approved as a correct record and signed by the Chair, subject to the following amendment:

Minute no. 47/03

Sentence amended to read:

"The applicants to carry out all outstanding works as outlined in Appendix B of the report."

Councillor Bolton having declared a personal prejudicial interest in the following item left the meeting during the discussion and voting thereon.

53/03 Application to Renew the Public Entertainments
Licence – St Mary’s Catholic School, Broadway,
Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainments Licence for St Mary’s Catholic School, Broadway, Derby. Mr R Smith attended the meeting and addressed the Sub-Committee.

It was reported that no objections had been received but the certificates for main electrical installation, emergency lighting inspection and fire alarm inspection were still outstanding due to problems with contractors at the school.

Resolved to authorise the Director of Corporate Services to renew the licence subject to current certificates for the mains electrical installation, emergency lighting inspection and the fire alarm inspection being provided to the Chief Environmental Health Officer within twenty-eight days.

At this point, Councillor Brown arrived.

54/03 Application to Vary the Public Entertainments
Licence – Blue Peter, Harvey Road, Alvaston,
Derby

A report of the Director of Corporate Services was considered which gave details of an application to vary the Public Entertainments Licence at The Blue Peter, Harvey Road, Derby. Mr L Kemish, along with his Solicitor, Mr Townsend, attended the meeting and addressed the Sub Committee.

It was noted that a letter from the Chief Fire Officer had been received which raised concerns about a condition imposed by the Sub-Committee requiring a break glass opening system to be fitted at the fire exit doors. It was requested that it be removed as a condition of the licence.

There were also works outstanding as required by the Crime Reduction Officer concerning the installation of CCTV, which the applicant had been given three months to carry out. It was reported that there had been numerous problems with the brewery who had not been aware of the timescales involved.

Resolved:

- 1 To amend the additional condition five, imposed at the last meeting of the Sub-Committee to read:**

- **The two fire exits at the back of the premises to be guarded by a Door Supervisor to prevent persons entering the premises.**
- 2 To recommend that the outstanding works outlined by the Crime Reduction Officer be completed within fourteen days. The CRO should report their findings to the Chief Environmental Health Officer within twenty-one days. If the works have not been completed to the satisfaction of the CRO within fourteen days, then the application should be referred back to the Sub-Committee at the next available meeting.**

Councillor Brown left the meeting at this point.

55/03 Application for a Provisional Public Entertainments Licence – Reflections, Becket Street, Derby

A report of the Director of Corporate Services was considered which gave details of an application for a provisional Public Entertainments Licence at Reflections, Becket Street, Derby. Miss D Harpin along with her Solicitor, Mr A Cochrane, attended the meeting and addressed the Sub Committee.

It was noted that two objections had been received from local businesses with concerns about daytime noise and increasing disturbance in the area. An objection had been received from the Police Authority. PC Needham, on behalf of the Police Authority, addressed the Sub Committee, stating that the objection was made because of the potential adverse impact and disruption to Policing in the area at the hours requested. However, negotiations had been made and it was agreed to withdraw the objection if the undertakings offered by the applicant were accepted.

Mr Ling, in objection to the application, also addressed the Sub Committee.

It was noted that the applicant wished to alter the hours requested on the original application to reduce the risk of anti-social behaviour and disruption to local businesses. It was also requested that the undertakings as outlined by the Crime Reduction Officer be imposed as a condition on the licence.

Resolved to grant the application for a provisional Public Entertainments Licence subject to the following conditions:

- **The reasonable recommendations of the Crime Reduction Officer must be complied with.**
- **A CCTV system with recording equipment to be installed, operated and maintained to the satisfaction of the Crime Reduction Officer.**
- **All Door Supervisors must be registered with the appropriate authority.**

- **The Licensee must ensure that all Door Supervisors wear and visibly display their registration badge at all times whilst on duty except when this requirement is waived or varied by the appropriate authority.**
- **The Sub-Committee also notes the undertakings given by the applicant to the Police Authority.**

The hours of public entertainment would be as follows:

Sunday	6.00 pm	10.30 pm
Monday	6.00 pm	11.00 pm
Tuesday	6.00 pm	11.00 pm
Wednesday	6.00 pm	11.00 pm
Thursday	6.00 pm	11.00 pm
Friday	6.00 pm	11.00 pm
Saturday	6.00 pm	11.00 pm

56/03 Application to Renew the Public Entertainments Licence – The Greyhound, Village Street, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainments Licence for The Greyhound, Village Street, Derby. Mrs J Rigby and Mr A Holland attended the meeting and addressed the Sub-Committee.

It was noted that objections had been received from local residents who were concerned about the increase in noise levels and disruption in the area. The objection from Pollution Control was upheld. Julian de Mowbray, Group Leader - Pollution Control, addressed the Sub-Committee and stated that members of his team had not been able to take any readings due to weather conditions, but an Officer had identified the level of noise as a statutory nuisance.

It was reported that a Noise Abatement Notice had been served on the premises since the last meeting of the Sub-Committee, which would result in prosecution if breached. It was noted that noise levels had reduced since the notice was served.

Mr S Younis and Mr M Groff, in objection to the application, also addressed the Sub Committee.

Resolved to grant the application to renew the Public Entertainments Licence subject to the following conditions:

- **Public entertainment must only be held in the function room.**
- **All windows and doors must remain closed during the hours of public entertainment.**

- **A noise limiting device must be fitted in the premises within a period of two months. The level of calibration should be set by a Pollution Control Officer from the Environmental Health Division. All entertainment at the premises must be passed through the noise limiter.**

The hours of public entertainment would be as follows:

Sunday	-	-
Monday	-	-
Tuesday	-	-
Wednesday	-	-
Thursday	-	-
Friday	11.00 am	11.00 pm
Saturday	11.00 am	11.00 pm

Councillor Bolton left the meeting at this point.

57/03 Application to Vary the Public Entertainments Licence – The Roundhouse, 1196 London Road, Alvaston, Derby

A report of the Director of Corporate Services was considered, which gave details of an application to renew the Public Entertainments Licence for The Roundhouse, 1196 London Road, Derby. Mr S Foster attended the meeting and addressed the Sub-Committee.

It was noted that objections had been received from local residents and Alvaston Ward Councillors who were concerned about the considerable increase in noise levels and disruption in the area. Objections had also been received from Pollution Control and Derbyshire Constabulary. Concerns were raised in relation to existing anti-social behaviour issues in addition to the potential adverse impact and disruption to Policing in the area at the hours requested.

Councillor Graves, Dr M Stemerick and Mr and Mrs Clarke, in objection to the application, also addressed the Sub Committee.

Resolved:

- 1 To approve the application to vary the Public Entertainments Licence as set out below on the grounds that being predominantly within a residential area, it is reasonable to protect the interests of neighbouring residents by ensuring that the closing hours are suitably restricted to prevent these residents from being unreasonably disturbed by noise:**

Sunday	11.00 am	11.15 pm
Monday	11.00 am	11.15 pm
Tuesday	11.00 am	11.15 pm
Wednesday	11.00 am	11.15 pm
Thursday	11.00 am	11.15 pm
Friday	11.00 am	12.15 pm
Saturday	11.00 am	12.15 pm

- 2 To increase the capacity from 174 to 254 subject to all the necessary works being carried out to the satisfaction of the Fire Officer and Chief Environmental Health Officer for such a capacity.**

MINUTES END