

Time commenced - 10.05 am  
Time adjourned - 12.25 pm  
Time recommenced - 1.05 pm  
Time finished - 3.25 pm

## **LICENSING SUB COMMITTEE B 19 JULY 2004**

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

### **01/04 Apologies**

An apology for absence was received from Councillor Liversedge.

### **02/04 Late Items Introduced by the Chair**

There were no late items.

### **03/04 Declarations of Interest**

Councillor Redfern declared a personal interest in Item 7 – Blue Boy, as it was managed by Derwent Delivers, a subsidiary of the New Deal, of which she was a member of the Board. Councillor Jones declared a personal interest in Item 11 – The Adult Shop, as she knew one of the objectors who had submitted written representation.

### **04/04 Minutes**

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

### **05/04 Application to Renew the Public Entertainments Licence – Bell & Castle, 92-96 Burton Road, 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 Bell & Castle, 92-96 Burton Road, Derby. Although invited, the applicant did not attend the meeting to address the sub-committee.

It was reported that objections had been received from Environmental Health and Trading Standards due to outstanding safety certificates for emergency lighting and fire alarm installation. There were no other objections. The sub-committee was advised that the applicant had reported that the emergency lighting and fire alarm installations were due to be inspected on 22 July 2004.

**Resolved to authorise the Director of Corporate Services to renew the licence subject to current certificates for the emergency lighting and the fire alarm-installations being provided to the Chief Environmental Health Officer within seven days.**

## 06/04 Application for a New Public Entertainments Licence – Jonty Farmer, Kedleston Road, Derby

A report of the Director of Corporate Services was considered which gave details of an application for a new Public Entertainments Licence at the Jonty Farmer, Kedleston Road, Derby. Mr and Mrs Scholes, along with the Area Manager for the brewery, Mr Rob Clayton, attended the meeting and addressed the Sub Committee.

It was noted that one objection had been received from a member of the public when the original application had been submitted in May 2003. A letter was circulated, requesting that the objection was withdrawn. There had been a number of changes in management since May 2003, which had resulted in a long delay before being considered by the sub-committee and the issue had since been resolved. There were no other objections.

The sub-committee were concerned about where the public entertainment would take place inside the venue and asked that this be made clearer. There were also questions referring to the provision of public entertainment on Thursday nights. The applicants confirmed that they wished to apply for entertainment on Friday and Saturday nights only. It was considered to be in a residential area and the sub-committee wanted to protect the interests of neighbouring residents.

**Resolved to grant the Public Entertainments Licence subject to the Council's usual conditions for the following hours, to protect the interests of neighbouring residents. In addition, this is a new application for a premises which has not previously held a Public Entertainments Licence.**

<b>Sunday</b>	-	-
<b>Monday</b>	-	-
<b>Tuesday</b>	-	-
<b>Wednesday</b>	-	-
<b>Thursday</b>	-	-
<b>Friday</b>	<b>7.00 pm</b>	<b>11.00 pm</b>

Saturday

7.00 pm

11.00 pm

**The sub-committee also requested that the applicants provide a location plan to the Chief Environmental Health Officer identifying where the public entertainment will take place inside the premises within 21 days.**

07/04      Application for a New 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 Entertainments Licence at the Blue Boy Hotel, Wiltshire Road, Chaddesden, Derby. Although invited, the applicant did not attend to address the sub-committee, however, her colleague Mrs Irene Scott addressed the sub-committee on her behalf.

It was reported that objections had been received from Environmental Health and Trading Standards due to a substantial list of outstanding works outlined in a letter attached at Appendix B of the report.

It was noted that the works had been delayed, as part of a £300,000 project through 'Derwent Delivers', which were anticipated for completion in September 2004.

**Resolved to defer the application to allow the applicant to address the sub-committee in person to provide details of the progress of the works and proposed completion date. The Sub-Committee thanked Mrs Scott for attending.**

Councillor Brown left the meeting at this point.

08/04      Application for a Provisional Public  
Entertainment Licence – Masa Restaurant Wine  
Bar, Brook 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 Masa Restaurant Wine Bar, Brook Street, Derby. Mrs Dalkic, along with her Solicitor, Mr A Cochrane, attended the meeting and addressed the Sub Committee.

It was noted that several objections had been received from local residents who were concerned about the increase in noise levels and disruption in the area. The main area of concern was that the licence applied for was to run until 2.00 am every night. There were no other objections.

Mr Leese, Miss Raper and Mr Robinson, in objection to the application, also addressed the Sub Committee.

**Resolved to grant the application for a provisional Public Entertainments Licence for the hours set out below on the grounds that 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:**

<b>Sunday</b>	<b>6.00 pm</b>	<b>11.00 pm</b>
<b>Monday</b>	<b>6.00 pm</b>	<b>11.00 pm</b>
<b>Tuesday</b>	<b>6.00 pm</b>	<b>11.00 pm</b>
<b>Wednesday</b>	<b>6.00 pm</b>	<b>11.00 pm</b>
<b>Thursday</b>	<b>6.00 pm</b>	<b>12.00 am</b>
<b>Friday</b>	<b>6.00 pm</b>	<b>12.00 am</b>
<b>Saturday</b>	<b>6.00 pm</b>	<b>12.00 am</b>

**The licence was also subject to the Council's usual conditions and the following additional condition:**

- **The reasonable requirements of the Council's Pollution Control Officer with regard to noise must be complied with.**

#### **09/04 Application for a New Public Entertainments Licence – Dog & Partridge, 49-51 Bedford Street, Derby**

A report of the Director of Corporate Services was considered, which gave details of an application for a Public Entertainments Licence for the Dog & Partridge, 49-51 Bedford Street, Derby. applicant did not attend to address the sub-committee, having asked that the application be deferred pending the service on her of fresh information that she had neither seen nor been able to obtain advice upon prior to the meeting.

It was noted that objections had been received from members of the public, the Police Authority and the Pollution Control Team. Environmental Health and Trading Standards had also objected on the grounds that the Licensee was not a fit and proper person to hold a licence due to having been successfully prosecuted for holding unlicensed public entertainment.

The sub-committee was informed that the Licensee was currently being investigated for holding other unlicensed events, and that a summons to prosecute for these further offences had been requested from the magistrates'. It was advised that the application should not be considered until the service of the summonses had taken place and the applicant is aware of their contents, as the matters contained within them may be considered relevant to the application.

**Resolved to defer the application to a future meeting of the sub-committee following the service of summonses for further offences on the applicant.**

10/04      Application for a Provisional Public  
Entertainments Licence – Time Nightclub,  
Mansfield Road, Derby

A report of the Director of Corporate Services was considered, which gave details of an application for a provisional Public Entertainments Licence for Time Nightclub, Mansfield Road, Derby.

The sub-committee was informed that discussions were taking place between the applicant and the Police Authority and in view of the number of witnesses the application was likely to take at least half a day to deal with. Both parties therefore requested that the application be deferred to a future meeting.

**Resolved to defer the application to a future meeting of the sub-committee.**

Councillors Jackson, MacDonald and Redfern left the meeting at this point.

11/04      Application for a New Sex Establishment  
Licence – The Adult Shop, 2 Monk Street, Derby

A report of the Director of Corporate Services was considered which gave details of an application for a Sex Establishment Licence at The Adult Shop, 2 Monk Street, Derby. Mr Foster along with his Solicitor, Mr Barker, attended the meeting and addressed the Sub Committee.

It was noted that several objections had been received from members of the public. The main concern was that it was a residential area with local businesses and a school. There were no other objections.

Mrs Faith, Mr Miller, Mr Matamba, Mrs Gretton, Mrs Hodson and Miss Wilson, in objection to the application, also addressed the sub-committee.

A letter was circulated containing advice from the local Crime Reduction Officer, which the applicant was willing to undertake. It was confirmed that all other factors concerning the application had been complied with. Other letters were circulated from local businesses which were in support of the application and did not feel it would pose a threat to the community.

**Resolved to grant the application subject to the Council's usual licensing conditions.**

MINUTES END