

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

11TH JANUARY 2012

AN EXTRAORDINARY MEETING of the LICENSING COMMITTEE was held at the MANSION HOUSE, DONCASTER on WEDNESDAY 11TH JANUARY 2012 at 2.00 P.M.

PRESENT :

Vice-Chair – Councillor David Nevett (In the Chair)

Councillors Linda Curran, Eddie Dobbs, Barbara Hedley, Glyn Jones, Pat Knight and Pat Porritt.

Also in Attendance :

Mr. P. Whurr, Solicitor
Mr. R. Taylor, Solicitor
Mr. A. Riley, Trainee Solicitor
Mr. T. Roidl, Applicant – Players
Mr. and Mrs. Georgiou – Four Seasons Café
Reverend Stephen Clark, Minister – Priory Place Methodist Church

APOLOGIES :

Apologies for absence were received from the Chair, Councillor Patricia Bartlett and Councillors Elsie Butler, Barry Johnson J.P., Ken Keegan, Margaret Pinkney and Austen White.

11. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST

Councillor Glyn Jones declared an interest by virtue of being a Ward Member for the Ward within which the premises identified at Agenda Item 5 – Application for Sex Establishment Licence – Players, 54 Printing Office Street, Doncaster were located and stated that he would leave the meeting when the Committee went into its deliberations.

12. VARIATION OF ORDER OF BUSINESS

In accordance with Council Procedure Rule 4, the Committee agreed to the variation of the order of business to allow Agenda Item 5 (Application for Sex Establishment Licence – Players, 54 Printing Office Street, Doncaster) to be considered before Agenda Item 4 (Taxi Policy) as all parties in relation to the application were in attendance at the start of the meeting.

13. APPLICATION FOR SEX ESTABLISHMENT LICENCE – PLAYERS,
54 PRINTING OFFICE STREET, DONCASTER

The Committee received a report containing an application for a Sex Entertainment Venue Licence in respect of Players, 54 Printing Office Street, Doncaster.

Before hearing the application, the Chair made introductions and outlined the procedure to be followed.

Mr. R. Taylor, Solicitor introduced the application on behalf of the Applicant.

The Committee received a detailed overview of the application which covered the following issues:-

- Applicant's experience
- Advertising
- Company policies and house rules
- Details of the current licence

The Committee was informed that the business had been in operation for 6 years, the last 5 of which had been under the management of the Applicant, during which time no issues or complaints had been brought to his attention by neighbouring businesses, authorities or the Police.

In referring to the site plan of the premises, Members were advised that rooms identified as 'bedrooms' were used as offices and/or for the purposes of storage. The Licensing Officer had recently visited the premises who was able to confirm that this was the position.

To close his presentation and referring to the Council's Sexual Entertainment Venue Policy, Mr. Taylor referred to the Draft Standard Conditions and made the following representations:-

General Condition 3 – The Committee was asked to consider the advertisements currently displayed to the exterior of the premises and it was suggested that should it feel these were unacceptable, the Applicant was agreeable to making whatever changes the Committee deemed necessary.

Furthermore, Mr. Taylor stated that the Applicant was currently in receipt of a relevant Council permit to allow the distribution of flyers promoting the premises, although should the Committee be of the view that this was inappropriate, he would be willing to cease such activity.

The Protection of Performers/Prevention of Crime and Disorder, Condition 3 – The Committee was asked to consider not imposing the condition as it was felt this would be difficult to manage in practical terms.

The Chair thanked Mr. Taylor for his detailed presentation and the Committee sought clarification on a number of issues around the following:-

- Opening hours of the premises
- Advertising material
- Capacity of the premises
- Complaints

The Council's Licensing Officer was invited to clarify whether any complaints had been received, to which he stated that since 2005, a total of 6 complaints had been received by the Council, 5 of which were in relation to refuse/waste and 1 relating to an alleged assault which had subsequently been referred to the Police. The Licensing Officer also confirmed that no complaints had been received directly relating to the use of the premises.

Mr. Whurr, Solicitor made representations on behalf of Mr. and Mrs. Georgiou in their objection to the application and asked the Committee to consider refusing the application on the discretionary grounds that the premises are situated in an unsuitable location, together with the negative impact which they believed it was having upon the town. In addition, Mr. Whurr also stated that the premises are located within close proximity to a place of worship, by which an objection had also been made.

The Chair thanked Mr. Whurr for his presentation and the Committee sought clarification on a number of issues, particularly around the location of fire exits to neighbouring businesses.

Mr. Clark, Minister at the Priory Place Methodist Church, Doncaster made representations in support of his objection to the application and asked the Committee to consider refusing the application on the basis of its unsuitable location near to a place of worship. The Committee was also provided with details of the church's opening times.

The Committee noted the issues which had been raised and sought clarification with regard to the current position in relation to Planning Consent and whether this had been obtained. The Council's Senior Legal Officer stated that the Council's Policy was clear that licences would not be granted unless such permissions were in place. With this in mind, the Committee agreed that further enquiries should be made with the Planning Department to ascertain the position.

14. ADJOURNMENT OF MEETING

In accordance with Council Procedure Rule 16(I), the Chair adjourned consideration of the application for a Sex Entertainment Venue Licence for Players, 54 Printing Office Street, Doncaster at 3.30pm to allow further enquiries to be made in relation to Planning Consent for the premises, to reconvene at 4.30pm.

15. TAXI POLICY

The Regulation and Enforcement Manager introduced a report containing a proposed Taxi Policy which the Committee was asked to consider, endorse and recommend to full Council for adoption.

Members were informed that the Policy had been developed following a series of conditions which had been placed upon taxi licences by the Council over a number of years, together with a petition which had been received asking the Council to consider setting a limit to the number of hackney carriages in Doncaster. In light of this, although there was no legal requirement for the Council to produce such a Policy, it was felt this would be best practice and would include the issues outlined.

The Committee was advised of revised practices contained within the Policy, as follows:-

- Taxi licences will be granted for a period of 3 years where a driver has previously held a licence for 2 years.
- The minimum age for taxi drivers will be removed.
- All drivers will be asked to complete a knowledge test before submitting a licence application.
- CRB checks will be carried out annually in light of taxis carrying children and/or vulnerable people.
- Drivers will be required to undergo a Class 2 medical (annually if over 65 years of age).
- Changes to the vehicle testing regime.
- Introduction of a voluntary dress code.

The Committee sought further information in relation to a number of issues which was provided by the Regulation and Enforcement Manager relating to the following issues:-

- Shared ownership of taxi vehicles.
- Whether the voluntary dress code would apply to private hire taxis.
- Potential financial implications to the Council in light of the changes in the vehicle testing regime.

Some concern was expressed with regard to drivers' ability to sufficiently secure wheelchairs and confirmation was sought as to whether the Council provided disability awareness training. The Licensing Manager gave assurance that the Council required all drivers to undertake disability awareness training and confirmed that all vehicles were fitted with the correct restraints. Furthermore, where complaints were received about incorrect use, these were acted upon by officers whereby drivers are recalled to remind them of the Council's requirements.

Members were pleased to note the introduction of a dress code, although acknowledged that this would be a voluntary arrangement as it could not be enforced by the Council. It was hoped that this would create a more professional image for Doncaster to visitors to the town.

RESOLVED that the Licensing Committee endorse the Taxi Policy and recommend to Council that:-

- (1) the Taxi Policy be approved and implemented; and
- (2) the Licensing Committee be given delegated authority to determine future revisions to the Taxi Policy.

16. APPLICATION FOR SEX ESTABLISHMENT LICENCE – PLAYERS, 54 PRINTING OFFICE STREET, DONCASTER

Consideration of the application reconvened at 4.30pm.

The Council's Senior Legal Officer advised the Committee that confirmation of the position with regard to Planning Consent for the premises could not be obtained at that time and further enquiries would need to be carried out.

In light of the legal advice received, the Committee was of the view that in order for it to consider the application in line with the Council's Policy, the meeting should be adjourned to allow further enquiries to be made.

RESOLVED that consideration of the application for a Sex Entertainment Venue Licence in respect of Players, 54 Printing Office Street, Doncaster, be adjourned to allow further information to be obtained in relation to the status of Planning Consent for the premises, to a date to be arranged.