

LICENSING (GENERAL) SUB – COMMITTEE
MINUTES OF THE MEETING HELD ON WEDNESDAY, 7TH APRIL 2010

Present: Councillors Parnell (Chair), Cunio, Norris, Osmond and Willacy.

Apologies Councillors Mrs Blatchford, Fitzgerald and Galton

27. APOLOGIES/ CHANGES IN MEMBERSHIP

The Panel noted that Councillor Osmond was in attendance as a nominated substitute for Councillor Fitzgerald in accordance with Council Procedure Rule 4.3.

28. MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)

RESOLVED that the Minutes of the meeting held on 11th March 2010 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

29. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules be excluded from the meeting in respect of Minute No 30 and be invited to return immediately following private session at which time the matter be determined and the decision of the Panel be announced.

30. APPLICATION FOR A SEX SHOP LICENCE – HIDDEN DESIRES, 103 ST. MARY STREET

The Sub-Committee considered the report of the Solicitor to the Council detailing a request for the renewal of a sex shop licence together with a request to vary conditions 10 and 16(b) on the current licence in respect of Hidden Desires 103 St Mary Street. (Copy of report circulated with agenda and appended to signed minutes).

The Mr Smith (Applicant) was present and with the consent of the Chair addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with Category 4 of Paragraph 10.4 of the Council's Access to Information Procedure Rules.

RESOLVED

- (i) that the application for renewal of a sex shop licence in respect of Hidden Desires, 103 St Mary Street be granted subject to the continuance of all the standard conditions as set out in the report, subject to the variation of Condition 16(b) as requested allowing a change of colour of the frontage of the premises from brown to navy

blue with exact colour shades to be agreed with the Licensing Officer; and

- (ii) that the application for variation of Condition 10 regarding the placing of additional signage on the side window of the premises be refused and the applicant be advised to consult the Licensing Officer on other alternatives which would be in keeping with Condition 10.

REASON FOR THE DECISION

There was no compelling evidence presented to the Sub-Committee that would justify refusal of the application for renewal of the licence.

The Panel took the view that application for a variation of Condition 16(b) was within the terms of that standard condition while the application for a variation of Condition 10 was 'beyond' the scope of that condition.