

LICENSING PANEL (82)

22nd November 2012 at 10.00 a.m.

PRESENT: Councillors R. Davies, Hussain and Worthing

OFFICERS: C. Tobin – Clerk to the Panel (Solicitor)
L. Wright – Licensing Manager's Representative
A. Bacon – Licensing Manager's Representative
M. Robinson – Democracy & Scrutiny Officer

82 ELECTION OF CHAIR (REF: 1)

Resolved: That Councillor Hussain be elected Chair of Panel No. 82.

83 APPLICATION FOR GRANT OF PREMISES LICENCE: ISTANBUL GRILL, 5 NEW BEDFORD ROAD, LUTON (REF: 6)

PRESENT:

APPLICANT: Esa Gokce
Janghir Khan

OBJECTORS: Steve Farmer – Environmental Protection

All parties present introduced themselves.

Mr Khan was known to two members of the Panel through various community and business organisations. Following discussions and, with the agreement of Mr Farmer, it was agreed to continue with the hearing as it was considered unlikely that any Panel could be formed comprised of members who did not know Mr Khan.

The procedure at oral hearings before the Council's Licensing Panel was explained to those parties present.

The Licensing Manager's representative reported on an application received from Esa Gokce for the grant of a Premises Licence in respect of Istanbul Grill, 5 New Bedford Road, Luton to allow the supply of alcohol and late night refreshment to take place and to allow the performance of dancing and live and recorded music.

The Licensing Manager's Representative reported that an objection had been received from a responsible authority.

The Panel questioned the applicants and the objector and they responded in compliance with the approved Procedure.

The meeting was advised that the police had suggested to the applicant some additional conditions. However the police had not made a formal representation on this application. Mr Khan indicated that the applicant was willing to freely accept the conditions suggested by the police. . Having sought

confirmation from Mr Farmer that the document could be admitted, it was placed before members for their consideration.

84 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services as referred to at Minute No. 79/12 above.

85 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)

Resolved: That the public and press be no longer excluded from the meeting.

86 APPLICATION FOR GRANT OF PREMISES LICENCE: ISTANBUL GRILL, 5 NEW BEDFORD ROAD, LUTON (REF: 6)

The Panel had carefully considered the papers before it including the oral and written representations made by the Applicant and the responsible authority. The Panel had regard to the licensing objectives set out in the Licensing Act 2003 and to the Council's Statement of Licensing Policy..

Resolved: That the Application by Esa Gokce for the grant of a Premises Licence in respect of Istanbul Grill, 5 New Bedford Road, Luton to allow the supply of alcohol and late night refreshment to take place and to allow the performance of dancing and live and recorded music be **GRANTED** subject to compliance with the following conditions:

- Supply of alcohol between 12:00 and 01:00 the following morning.
- Live music and performance of dance between 21:00 and 01:00 the following morning.
- Late night refreshment between 23:00 and 01:00 the following morning.
- Conditions 1-5, 7 & 8 of the document submitted at the meeting by Mr Khan and which had been suggested by the police.
- Doors and windows are to be kept closed at all times when music is being played;
- Music (whether live or recorded) is only to be played in the upstairs part of the premises;
- Speakers are to be located away from the party wall with the adjoining premises at No. 7 New Bedford Road and the speakers are to be placed so that their direction faces away from those premises;
- The licensee is to take measures to ensure that music will not be audible at the nearest noise sensitive premises namely number 7 New Bedford Road, Luton.
- The mandatory conditions required by the Licensing Act 2003.

87 APPLICATION FOR VARIATION OF PREMISES LICENCE: V. S. FOOD AND WINE, 38 LINDEN ROAD, LUTON (REF: 7)

PRESENT:

APPLICANT: Vamadevan Subakaran
Champikka Subakaran

OBJECTORS: Miss L. Chenery
Mr & Mrs Verrell

All parties present introduced themselves.

The procedure at oral hearings before the Council's Licensing Panel was explained to those parties present.

The Licensing Manager's representative reported on an application received from Vamadevan Subakaran for a variation of the premises licence of V. S. Food and Drink, 38 Linden Road. Originally this application had been for a 24 hour licence. Subsequently Mr Subakaran had amended the application to extend the permitted hours for the sale of alcohol from 24:00 to 02:00 every day.

The Licensing Manager's Representative reported that objections had been received from five interested parties.

She also advised that, subsequent to the despatch of the agenda, the applicant had submitted a petition. As the petition referred to the original 24-hour opening and a number of the signatories lived a considerable distance from Linden Road, the Panel noted the petition.

The Panel questioned the applicants and the objectors and they responded in compliance with the approved Procedure.

88 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services as referred to at Minute No. 83/12 above.

89 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)

Resolved: That the public and press be no longer excluded from the meeting.

90 APPLICATION FOR VARIATION OF PREMISES LICENCE: V. S. FOOD AND WINE, 38 LINDEN ROAD, LUTON (REF: 7)

The Panel had carefully considered the papers before it including the oral and written representations made by the applicant and the objectors. The Panel had regard to the licensing objectives set out in the Licensing Act 2003 and to the Council's statement of Licensing Policy.

Resolved: That the Application by Vamadevan Subakaran for a variation of the premises licence for V. S. Food and Wine, 38 Linden Road, Luton be

GRANTED so as to allow the supply of alcohol for consumption off the premises until 02:00. each day, subject to the addition of the following condition:

- The lights at the licensed premises shall not give rise to a nuisance or cause light pollution to occupiers of neighbouring properties in particular those at No. 287 Beechwood Road, Luton, after 12 midnight.

(Note: The meeting ended at 12.45 p.m.)