

COMMITTEE REF:

LP/08B/14



COMMITTEE : LICENSING PANEL (238-B)

DATE : WEDNESDAY 6TH AUGUST 2014

TIME : 10.30 AM

PLACE : COMMITTEE ROOM 4

**COUNCILLORS: GARRETT
MEAD
WORLDING**


QUORUM : 3 MEMBERS

PLEASE NOTE THE TIME OF THE PANEL MEETING IS 10.30 AM

INFORMATION FOR THE PUBLIC


PURPOSE: To exercise the Council's functions under the Licensing Act 2003.


For further information, or to see the papers, please contact us at the Town Hall:

 **IN PERSON**, 9am to 5pm, Monday to Friday, or

 **CALL** Democratic and Member Services on 01582 547149

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at agendas.luton.gov.uk/cmiswebpublic/

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AGENDA

*Agenda
Item*

Subject

Page Nos

EMERGENCY EVACUATION COMMITTEE ROOM 4

Turn left, follow the green emergency exit signs to the main town hall entrance and proceed to the assembly point at St George's Square.

1. ELECTION OF CHAIR

2. MINUTES

1. None this time

3. SECTION 106, LOCAL GOVERNMENT FINANCE ACT 1992

Those item(s) on the Agenda affected by Section 106 of the Local Government Finance Act 1992 will be identified at the meeting. Any Member so affected is reminded that (s)he should disclose the fact and refrain from voting on those item(s).

4. DISCLOSURES OF PECUNIARY AND NON PECUNIARY INTERESTS

Members are reminded that they must disclose both the existence and nature of any disclosable pecuniary interest and any personal interest that they have in any matter to be considered at the meeting unless the interest is a sensitive interest in which event they need not disclose the nature of the interest.

A member with a disclosable pecuniary interest must not further participate in any discussion of, vote on, or take any executive steps in relation to the item of business.

A member with a personal interest, which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest, must similarly not participate in any discussion of, vote on, or take any executive steps in relation to the item of business.

Disclosable pecuniary interests and Personal Interests are defined in the Council's Code of Conduct for Members and Co-opted members."

5. URGENT BUSINESS

The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.

REPORTS

6. **OBJECTION TO TEMPORARY EVENT NOTICE (TEN) FOR OLIVER'S 89
CASTLE STREET – LUTON** 6/12
Report of the Head of Environmental and Consumer Services
7. **LICENSING ACT 2003 (HEARINGS) REGULATIONS
2005**

To consider whether the Panel should exclude the public from all or part of the hearing during consideration of any item listed above if the Panel believe that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public, in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 (It should be noted that under this provision the public may be excluded from any part of the meeting, not only the Panel's deliberations).

Note:

The procedure for oral hearings is attached to this Agenda Page.

AGENDA ITEM

6

COMMITTEE: LICENSING PANEL

DATE: 06/08/2014

**SUBJECT: OBJECTION TO TEMPORARY EVENT NOTICE FOR OLIVERS 89
CASTLE STREET LUTON**

REPORT BY: HEAD OF ENVIRONMENTAL AND CONSUMER SERVICES

CONTACT OFFICER: TONY IRELAND

TEL: 546040

IMPLICATIONS:

LEGAL ☐

COMMUNITY SAFETY ☐

EQUALITIES ☐

ENVIRONMENT ☐

FINANCIAL ☐

OTHER ☐

STAFFING ☐

WARDS AFFECTED: SOUTH

PURPOSE

1. The purpose of this report is to enable the Licensing Panel to consider the Objection Notice received from Environmental Health in response to a Temporary Event Notice from Mr Sean Griffith of Oliver's 89 Castle Street for an event on 16/08/2014 to 17/08/2014

RECOMMENDATION

That the Licensing Panel considers the Objection Notice received from Environmental Health in response to a Temporary Event Notice from Mr Sean Griffith of Oliver's 89 Castle Street.

BACKGROUND

2. The premises is a Public House located in the South Ward. A map showing the location of this Premises, is attached at Appendix A.
3. A copy of the Premises Licence for the premises is attached at Appendix B
4. On 25th July 2014 Mr Sean Griffith gave a Temporary Event Notice for the provision of regulated entertainment for a party at 89 Castle Street for a maximum of 120 people on 16/08/2014 to 17/08/2014 from 22:00 to 04:30. A copy of the Temporary Event Notice is attached as Appendix C
5. Environmental Health made a representation opposing the Temporary Event Notice on the grounds of the Prevention of Public Nuisance. A copy of that representation is at Appendix D.

OBSERVATIONS

6. The Licensing Panel must, having regard to the objection notice, give the premises user a counter – notice if it considers it appropriate for the promotion of a licensing objective to do so. If the Panel does not decide to serve a counter notice then it may impose one or more conditions on the temporary event notice if:
 - (a) the panel consider it appropriate for the promotion of the licensing objectives to do so,
 - (b) the conditions are also imposed on the premises licence for the premises, and
 - (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
7. If the panel decide to serve a counter notice then the event referred to in the notice may not be held at the premises. If the Panel decide to attach conditions then the event may only go ahead if those conditions are complied with. Failure to comply with the conditions is a criminal offence.

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Map showing location of the premises

Appendix B: Premises Licence

Appendix C: Temporary Event Notice

Appendix D: Representation from Environmental Health

LIST OF BACKGROUND PAPERS

ss 98 – 110 Licensing Act 2003

Guidance issued under s182 of the Licensing Act 2003



Part A Premises Licence



Premises Licence Number

052309

This revision (reference number):

127902

Effective from:

01/03/2013

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Olivers
89 Castle Street

Post town

Luton

Post code

LU1 3AJ

Telephone number:

01582 721759

Where the licence is time limited the dates

Start Date

24/11/2005

End Date

Licensable activities authorised by the licence

Indoor Sporting Events
Live Music (indoors)
Recorded Music (indoors)
Provision of Facilities for Entertainment of a Similar Description (indoors) [karaoke]
Late Night Refreshment (indoors)
Supply of Alcohol (for consumption both on and off the premises)

The times the licence authorises the carrying out of licensable activities

Indoor Sporting Events

Monday to Wednesday 11.00 to 01.00 (the following day)
Thursday to Saturday 11.00 to 02.00 (the following day)
Sunday 10.00 to 00.30 (the following day)

Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:
A further additional hour into the morning following

Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:
A further additional hour into the morning following

Christmas Eve, Boxing Day A further additional hour

New Years Eve From the end of permitted hours to the start of permitted hours the following day

Live Music

Monday to Wednesday 11.00 to 01.00 (the following day)
Thursday to Saturday 11.00 to 02.00 (the following day)
Sunday 10.00 to 00.30 (the following day)

Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:
A further additional hour into the morning following

Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:
A further additional hour into the morning following

Live Music (cont.)

Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Recorded Music

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Provision of facilities for entertainment of a similar description to music or dancing

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Late Night Refreshment

Monday to Wednesday	23.00 to 01.00 (the following day)
Thursday to Saturday	23.00 to 02.00 (the following day)
Sunday	23.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Supply of Alcohol

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	

	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

The opening hours of the premises

Monday	11.00 to 01.30 (the following day)
Tuesday	11.00 to 01.30 (the following day)
Wednesday	11.00 to 01.30 (the following day)
Thursday	11.00 to 02.30 (the following day)
Friday	11.00 to 02.30 (the following day)
Saturday	11.00 to 02.30 (the following day)
Sunday	10.00 to 01.00 (the following day)
Seasonal Variations:	None
Non-Standard timings:	
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Supply of Alcohol for consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

John Francis McGonagle
4 Fairford Avenue
Luton
Beds
LU2 7ER

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Gerard Martin Doherty
173 Hart Lane
Luton
LU2 0JH

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Luton Borough Council

126679

Annex 1 - Mandatory conditions

1. Where a premises licence authorises the supply of alcohol:
 - a) No supply of alcohol may be made under the premises licence-
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
2. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

This condition is not imposed:

- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
- b) in respect of premises in relation to-
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- c) For the purposes of this section-
 - i. "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - ii. paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the Operating Schedule

Embedded restrictions applied on conversion of Justices licence as attached

1. Where the term beer garden/external seating/outside area is used on the plan at Annex 4, that area will only be used for the consumption of alcohol and food.
2. Condition 2 revoked by licensing panel 26 May 2006
3. Amplified recorded music is to be ancillary to the sale of alcohol.
4. Illumination to be provided to all exterior areas of the premises.
5. CCTV system to monitor car park, garden, exterior and interior of bar.
6. Alarm system to operate at the premises, with doors and windows alarmed.
7. Minimum of two staff to be on duty from 19.00 hours daily.
8. All interior trading areas to be visible to staff from behind the bar server.
9. Premises to be equipped with emergency lighting, illuminated exit signs and a fire detection system throughout the entire building.
10. All fire fighting equipment to be serviced annually.
11. Electrical and Gas Safety certificates to be kept current.
12. Condition 12 removed at licensing panel 28 January 2009
13. Licensed taxi/private hire vehicle service to be promoted for customers use.
14. No opening windows to be in the bar area.
15. All entrance doors to have internal lobbies.
16. Where required, staff to organise taxis/private hire vehicles for customer use.
17. Staff to encourage dispersal of customers at closing time.
18. Accompanied children to be on the premises until 22.00 hours only, except for private functions where they may be permitted on the premise until the end of the function when accompanied by an adult.
19. AWP/Cigarette machines to remain in close proximity to the bar counter in order that they can be easily observed.

Conditions agreed with Environmental Health Officer

1. Music and amplified speech emanating from the premises shall be inaudible at the boundary of all noise sensitive premises.
2. The external door onto Kelvin Close will be used as an emergency fire exit only. The door will be fitted with a device to prevent its use for normal entrance or egress. All alterations and devices used are to meet the requirements of the Fire Authority.

3. All doors to the internal lobby shall be kept closed, except for normal entrances and egress, during periods of regulated entertainment (Hooks on the doors to be removed to prevent the doors from being held open)

Conditions agreed with Police Licensing Officer

1. The premises to adopt Challenge 21 Policy whereby persons purchasing alcoholic drinks or who are having such drinks purchased for them who appear to be under the age of 21 will be asked to prove that they are over the age of 18. The only acceptable forms of identification will be a bona fide passport, a photo-style driving licence or an ID card displaying the PASS hologram logo, or approved by Bedfordshire Police and Luton Borough Council.
2. All staff serving alcohol who are not a personal licence holder must have written authority by the DPS to sell alcohol on their behalf. This must be available for prosecution to the Police or Licensing Authority on request.
3. All door staff must be SIA registered and wear a yellow jacket supporting the Lutonsafe Logo. These jackets to be purchased by the venue, clean and in a smart condition.
4. The DPS must be a member of Lutonsafe attending at least four meetings a year.
5. CCTV must be fitted, recording in real time, maintained and in good working order. The images must be retained for 30 days and produced for the emergency services if necessary.
6. To abide by the Lutonsafe Drugs Policy supplied to venue on 10/12/08.

Embedded Restrictions applied on conversion of Justices On-licence

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a) The times shown on the Premises licence, plus;
- b) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- a) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises;
- b) during the first thirty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there, if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there; or

- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- a. He is the child of the holder of the premises licence.
 - a. He resides in the premises, but is not employed there.
 - b. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - c. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals

Annex 3 - Conditions attached after a hearing by the licensing authority

1. Self closures to be fitted to external doors, subject to Fire Authority approval.
2. All doors and windows to be kept closed at all times.
3. No children to be permitted in the garden after 21.00 hours.
4. No loudspeakers to be placed outside.
5. No amplified music to be played outside. *(Amended by licensing panel 26 May 2006)*
6. The Applicant is to commission an acoustic report to assess the appropriate volume of music that can be performed without causing a nuisance.
7. The Applicant is to install signage and make announcements asking customers to leave quietly.
8. All music, whether live or recorded, including that emanating from all music systems, amplifiers, live music equipment, karaoke machines juke boxes and any other musical and/or microphone device used on the premises must go through a noise limiter, the setting of which must be agreed with an Environmental Health Officer (Noise Pollution Control).
9. There shall be no consumption of alcohol in the outside areas on St Patrick's day, except for in the seating area as shown on the plan
10. *Condition 10 removed at licensing panel on 28 January 2009*

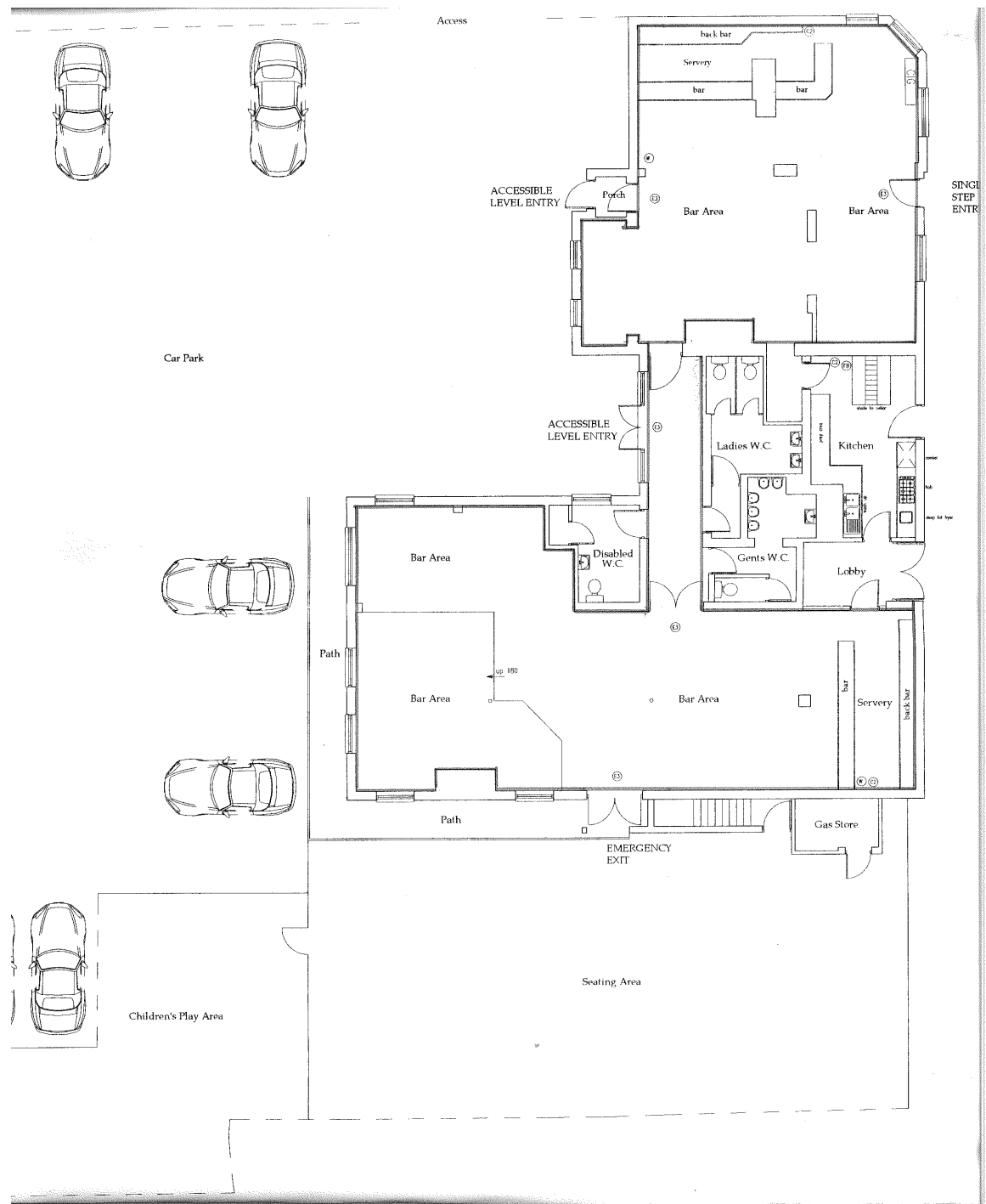
Conditions attached by committee at Licensing Panel on 28th January 2009

- a) a minimum of two SIA registered door staff will be on duty on St. Patrick's Day from 19.00 hours until closing time.
- b) In addition to paragraph (a) there shall also be such number of SIA registered door staff for such hours on St. Patrick's Day as the Police may require by notice, such notice to be given at least seven days in advance.
- c) For any other significant event notified by the Police at least seven days in advance the number of door supervisors and their hours of operation are to be agreed between the Police, the premises licence holder and the designated premises supervisor.

Variation application refused at Licensing Panel on 2nd July 2012

Annex 4 - Plans

Note: Plans may not be shown to any scale that may be specified in the drawing.



Part B Premises Licence Summary

Appendix B2

Premises Licence Number

This revision (reference number):

052309

Effective from:

127902

01/03/2013

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Olivers 89 Castle Street	
Post town Luton	Post code LU1 3AJ
Telephone number: 01582 721759	

Where the licence is time limited the dates		
Start Date	24/11/2005	End Date

Licensable activities authorised by the licence
Indoor Sporting Events Live Music (indoors) Recorded Music (indoors) Provision of Facilities for Entertainment of a Similar Description (indoors) [karaoke] Late Night Refreshment (indoors) Supply of Alcohol (for consumption both on and off the premises)

The times the licence authorises the carrying out of licensable activities	
<u>Indoor Sporting Events, Live Music, Recorded Music,</u> <u>Provision of facilities for entertainment of a similar description to music or dancing,</u> <u>Supply of Alcohol</u>	
Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend: A further additional hour into the morning following	
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend: A further additional hour into the morning following	
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day
<u>Late Night Refreshment</u>	
Monday to Wednesday	23.00 to 01.00 (the following day)

Thursday to Saturday	23.00 to 02.00 (the following day)
Sunday	23.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend: A further additional hour into the morning following	
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend: A further additional hour into the morning following	
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

The opening hours of the premises

Monday	11.00 to 01.30 (the following day)
Tuesday	11.00 to 01.30 (the following day)
Wednesday	11.00 to 01.30 (the following day)
Thursday	11.00 to 02.30 (the following day)
Friday	11.00 to 02.30 (the following day)
Saturday	11.00 to 02.30 (the following day)
Sunday	10.00 to 01.00 (the following day)
Seasonal Variations:	None
Non-Standard timings:	
Friday/Saturday/Sunday/Monday of May/Spring/August Bank Holiday Weekend: A further additional hour into the morning following	
Thursday/Friday/Saturday/Sunday/Monday of Easter Bank Holiday Weekend: A further additional hour into the morning following	
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol – For consumption on and off the premises

Name, (registered) address of holder of premises licence

John Francis McGonagle
4 Fairford Avenue
Luton
Beds
LU2 7ER

Registered number of holder, for example company number, charity number (where applicable)

Not Applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Gerard Martin Doherty

State whether access to the premises by children is restricted or prohibited

- Accompanied children to be on the premises until 22.00 hours only, except for private functions where they may be permitted on the premise until the end of the function when accompanied by an adult.
- No children to be permitted in the garden after 21.00

137940

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1 The personal details of premises user (Please read note 1)			
1 Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	GRIFFITH		
Forenames	SEAN		
2 Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	N/A		
Forenames			
3 Your date of birth		Day 12	Month 07 Year 1968
4 Your place of birth		WEMBLY - UK	
5 National Insurance Number		NR028452A	
6 Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
24 HASKETON DRIVE, LUTON, BEDS			
Post town		Post code	
LUTON		LU4 9EZ	
7 Other contact details			
Telephone numbers	[REDACTED]		
Daytime	[REDACTED]		
Evening (optional)	[REDACTED]		
Mobile (optional)	[REDACTED]		
Fax number (optional)	[REDACTED]		
E-Mail Address (if available)	[REDACTED]		
8 Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
[REDACTED]			

Post town	Post code
9 Alternative contact details (if applicable)	
Telephone numbers Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2 The premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)
(Please read note 2)

Olivers
89, Castle Street, Luton,
LU1 3AJ

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below (Please read note 3)

Function Hall and bar only

Please describe the nature of the premises below (Please read note 4)

Bar / function hall.

Please describe the nature of the event below (Please read note 5)

Party

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on) (Please read note 6)

The sale by retail of alcohol

☐

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

☐

The provision of regulated entertainment

☒

The provision of late night refreshment

☐

Are you giving a late temporary event notice? (Please read note 7)

☒

Please state the dates on which you intend to use these premises for licensable activities (Please read note 8)

10pm 16-08-14 to 4:30am 17-08-14

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock) (Please read note 9)

10pm - 4:30am
(22.00 - 04.30)

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (Please read note 10)

120

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box) (Please read note 11)

On the premises only

☒

Off the premises only

☐

Both

☐

4. Personal licence holders (Please read note 12)

Do you currently hold a valid personal licence?
(Please mark an "X" in the box that applies to you)

Yes

No

☐
☒

If "Yes" please provide the details of your personal licence below

Issuing licensing authority

Licence number

Date of issue

Date of expiry

Any further relevant details

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period a) ends 24 hours or less before, or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period a) ends 24 hours or less before, or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period a) ends 24 hours or less before, or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I shall: (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>

If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input type="checkbox"/>
Sign the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 1.6)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user


9. Declarations (Please read note 1.7)

The information contained in this form is correct to the best of my knowledge and belief

I understand that it is an offence

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale, and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Signature	
Date	20-07-14
Name of Person signing	Sean Griffith

Completion by the licensing authority

10. Acknowledgement (Please read note 1.8)

I acknowledge receipt of this temporary event notice

Signature	
Date	On behalf of the licensing authority
Name of Officer signing	

From: Nelson, Joanne
Sent: 28 July 2014 16:24
To: Wright, Lisa
Subject: RE: Temporary Event Notice Olivers 16 - 17 August

Hi Lisa

I wish to object to the above TEN application

This premises is currently under investigation for statutory noise nuisance.

In May 2014, after obtaining recorded evidence of nuisance, I intended to serve a noise abatement notice on the DPS of Olivers. However, I was informed that the DPS was now Mr Gerard Doherty. As I had previously sent a warning letter to Mr John Francis McGonagle, I decided it was appropriate to send a warning letter to Mr Doherty. A warning letter was sent to Mr Doherty on 8 May 2014 and then a copy hand delivered on 13 May 2014.

The complainant told me that the noise had ceased for a while. However on 21/ 7/2014 the complainant called to say that on Fri night music was on loud from 9pm – 2 am and then again on Saturday they had music and microphones in the garden from 2 pm til 2 am.

A further warning letter sent and sent 21.7.14

Today I have received another complaint that there was loud music from Olivers on Friday night till 2 am
Saturday morning.

They have clearly demonstrated that they are regularly disturbing their neighbours.

I am in the process of obtaining evidence to serve a noise abatement notice on Mr Doherty.

If you need this in another format, please let me know

Joanne Nelson AMIOA
Technical Officer (Environmental Protection)
Business and Consumer Services
Luton Borough Council
01582 394181 mob: 07796 610 443
joanne.nelson@luton.gov.uk

From: LBC Environmental Protection
Sent: 28 July 2014 09:32
To: Nelson, Joanne; Burke, Alan
Subject: FW: Temporary Event Notice

Hi

Another one for information

Pat

From: LBC Environmental Health
Sent: 25 July 2014 16:04
To: LBC Environmental Protection
Subject: FW: Temporary Event Notice

From: Wright, Lisa
Sent: 25 July 2014 14:27
To: LBC Environmental Health; Wiltshire, Aaron; Ireland, Tony (GCSx); Miller, Julia (Licensing); Bacon, Amy; Vippond, Sarah; Mernagh, Holly; White, Rebecca; 'Licensingluton@bedfordshire.pnn.police.uk'; Cllr (Lab) Gale, Keir (Luton); Cllr (Lab) O'Callaghan, Amy (Luton); Cllr (Lab) Taylor, Dave (Luton); 'READ, Esther 5850'; Merricks, Colin; Corbett, John
Subject: Temporary Event Notice

All,

An application has been received for a Temporary Event Notice as follows:

Premises: Olivers
Address: 89 Castle Street
Event: Party
Date(s): 16th – 17th August 2014
Time(s): 22:00 to 04:30
Activity requested:
Provision of regulated entertainment

The police and Environmental Health Officer may submit an objection to this notice within 3 working days of receiving the documentation, if they feel that the event may undermine any of the crime prevention licensing objective. No other bodies or individuals have the power to object to a Temporary Event Notice application.

Kind Regards

Lisa Wright

Licensing Officer

Tel: 01582 546635

Email: lisa.wright@luton.gov.uk