

AGENDA ITEM

COMMITTEE: LICENSING PANEL

DATE: 21ST JUNE 2007

**SUBJECT: APPLICATION FOR GRANT OF
PREMISES LICENCE ST GEORGES
SQUARE, LUTON TOWN CENTRE**

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 application received from Andy Grays on behalf of Luton Borough Council of St Georges Square, Luton Town Centre for the grant of a Premises Licence.

RECOMMENDATION

That the Licensing Panel determine the application of Andy Graves on behalf of Luton Borough Council for the grant of a Premises Licence in respect of St Georges Square, Luton Town Centre

BACKGROUND

3. An application was received on 26th April 2007 for the grant of a Premises Licence that will allow regulated entertainment & supply of alcohol to take place.
4. The Applicant states that the premises is located at the junction of Manchester Street and Bridge Street it is a popular open area public space situated in the Luton Town Centre. A map showing the location of this Premises, along with an aerial image, and a plan of the premises submitted by the applicant, is attached at Appendix A (pages).

5. Details of the licensable activities requested are set out as follows:

Licensable Activity	Applied for	Licensable Activity	Applied for
<u>Regulated entertainment</u>		<u>Provision of facilities for entertainment</u>	
Plays	✓	Provision of entertainment facilities for making music	✓
Films	✓	Provision of entertainment facilities for dancing	✓
Indoor Sports Events		Provision of entertainment facilities for entertainment of a similar description to making music or dancing	✓
Boxing or Wrestling Entertainment		<u>Late night refreshment</u>	
Live Music	✓	Provision of late night refreshment	
Recorded Music	✓	<u>Supply of alcohol</u>	
Performances of Dance	✓	Supply of alcohol on the premises	✓
Anything of a similar description to live or recorded music or dance	✓		

DAYS	Times requested						
	Times premises will open to public	Supply of alcohol	Live music ¹ , recorded music ²	Entertainment of a similar nature ³	Provision of facilities for making music ⁴ , dancing ⁵	Provision of facilities for dancing, ⁵ entertainment of a similar nature	Plays, Films ⁶ , Performances of dance ⁷ ,
<u>Standard hours</u>							
Monday & Tuesday	00.00 –23.59	10.00 –22.00	10.00 – 21.30	10.00 – 21.30	10.00 –21.30	10.00 –21.30	10.00 –21.30
Wednesday & Thursday	00.00 –23.59	10.00 –22.00	10.00 – 22.00	10.00 – 21.30	10.00 –22.00	10.00 –21.30	10.00 –21.30
Friday – Saturday	00.00 –23.59	10.00 –22.00	10.00 – 22.00	10.00 – 22.00	10.00 –22.00	10.00 –22.00	10.00 –22.00
Sunday	00.00 –23.59	10.00 –22.00	10.00 – 22.00	10.00 – 22.00	10.00 –22.00	10.00 –22.00	10.00 –22.00

¹ Live acoustic and amplified music, and amplified voice.

² Including jukebox and karaoke, with or without DJ, during normal business and including audience participation.

³ Comperes for quiz and similar events, comedians and similar performance, in any case using amplified voice.

⁴ A stage area with lighting, microphone and amplifiers, and similar equipment.

⁵ Hard floored area which can be used for dancing by customers and performers.

⁶ Video entertainment on TV screens and amusement machines.

⁷ Dance facilities to be used for performances and competitions as well as by customers.

6. In addition to the above, the following non standard timings are sought by the applicant:

None

7. The Applicant has sought the following seasonal variation:

None

8. The following adult entertainment or activities that may give rise to concern in respect of children are detailed as follows:

None

9. The latest date for representations to be received was the 24th May 2007

PROMOTION OF LICENSING OBJECTIVES

10. The operating schedule submitted by the applicant describes the additional steps they intend to take in order to promote the licensing objectives. These are as follows:

General

Completed booking form accompanied by detailed risk assessment and site plan is compulsory for all event applicants/organisers. Large and/or potentially contentious events and/or any event with licensable activities are submitted to the Council's Safety Advisory Group for approval. All risk assessments are assessed and amended as required by LBC Health and Safety. Public Liability Insurance cover is compulsory.

The Prevention of Crime and Disorder

Sale of alcohol is prohibited unless expressly authorised under the terms of the license for the event, premises, or location and only within the area defined by the license. Adequate and visible stewarding is provided by the organiser- all stewards must be SIA registered door supervisors if there is potential for conflict.

Public Safety

Appointed Person for Health and Safety compulsory. Risk Assessment and site plan assessed and amended by LBC Health and Safety. Public Liability Insurance £5 million minimum compulsory. Dog faeces and litter/debris disposed of safely. Caterers registered/approved. Adequate toilets provided by event organiser. Adequate visible stewarding provided - SIA registered door supervisors if event entry contentious. Evacuation procedure in place. Entrances/exits clear. Adequate certificated First Aid provisions. Generators diesel-fuelled. Ride Health & Safety certificates provided. Fire precautions adhered to. Professional operators only for firework displays. Emergency access routes must be kept open and accessible.

The Prevention of Public Nuisance

The EPT (Environmental Protection Team) will be informed of details of an event within one working day of the licensee becoming aware of the confirmed event.

Any noise emanating from, or in association with the site, shall not cause a nuisance to residents inside their properties with windows open for normal ventilation.

The Organisers/Noise Consultants/Sound Engineers/Licensee shall comply with all event, pre-event and post-event requirements made by EPT.

All events must end no later than 9pm.

During the build up and break down of the event site, any activities that might cause noise to be audible to residents adjacent to St, Georges Square will be limited to the hours of 08.00 to 21.00 Mon-Sun.

When the EPT is of the opinion that a Noise Consultant is not required but an element of music exists, the following applies:

A responsible person should be appointed as the "noise control person" and assigned the responsibility of dealing with any noise complaints. The appointed person must be present throughout the duration of the event. Any noise complaints received shall be reported to the EPT the following working day.

When the EPT is of the opinion that a Noise Consultant is required, the following applies:

A minimum of two Noise Consultants (see EPT for definition) should be appointed to (a) undertake pre-event planning and (b) monitor/control noise levels throughout the duration of the event.

A complaints telephone hotline shall be operated throughout the duration of the event. The number shall be manned at all times by an appointed "hotline person". The hotline number should be adequately advertised prior to the event, and included within an information leaflet detailing the events start and finishing times, and sent to local residents 2 weeks prior to the event.

The following noise level will be complied with:

Music Noise Level (MNL) should not exceed the background noise level by more than 15dB(A) when measured over any 15minute period during both the sound checks, and the event, at 1 metre from the facade of any noise sensitive premises.

The Protection of Children from Harm

Sale of alcohol to children and young persons prohibited under the terms and conditions of the Licensing Act. Adequate visible stewarding provided - SIA registered door supervisors if there is potential for conflict. Clearly identified "Lost Children" point and public address system. Parents/guardians asked whether children have allergies before face painting. Children's entertainment supervised at all times.

A copy of the application form, including the operating schedule, is attached at Appendix B (pages).

RESPONSIBLE AUTHORITIES

11. Representations have been received from responsible authorities and are detailed as follows:

Police

None

Fire and Rescue Services

None

Environmental Health or Health and Safety Executive

None

Planning

None

Trading Standards

None

Child Protection

None

INTERESTED PARTIES

12. Representations have been received from the following interested parties, their representations are attached at Appendix C (pages) and made available to the applicant.

Ref. Letter	Name	Address	Relevance to which licensing objective
<u>Local resident(s)</u>			
A	NHS Trust - Paul Mullin	Charter House, Alma Street, Luton	<u>Public Safety</u> – safety of employees walking through square whilst event take place <u>Prevention of Public Nuisance</u> – noise from event

POLICY CONSIDERATIONS

14. The following provisions of the Licensing Act 2003 apply to this application:

Section 17 (application for premises licence)

OBSERVATIONS

14. In determining this application, the Licensing Panel must, having regard to the representations received, either grant the application in full or take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding to them
- (b) Reject the whole or part of the application

15. The licensing objectives are:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- The Protection of Children from Harm
- Public Safety

All the representations received in respect of this application relate to these licensing objectives.

16. The following paragraphs of the licensing authority's statement of licensing policy applies to this application

Section 8 (Public Safety)

Section 9 (Prevention of Public Nuisance)

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Maps and plans showing location of the premises (pages)

Appendix B: Application form including the operating schedule (pages).

Appendix C: Representation from Interested Parties (pages).

LIST OF BACKGROUND PAPERS **LICENSING ACT 2003**

Guidance issued S182 of the Licensing Act 2003

Luton Borough Council's Statement of Licensing Policy