

COMMITTEE: LICENSING PANEL

DATE: 13TH FEBRUARY 2014

SUBJECT: APPLICATION FOR GRANT OF PREMISES LICENCE THE EXCHANGE 19 KING STREET

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 Stewart Curry of The Exchange, 19 King Street Luton for the grant of a Premises Licence.

RECOMMENDATION

2. That the Licensing Panel determine the application of Stewart Curry for the grant of a Premises Licence in respect of The Exchange, 19 King Street Luton.

BACKGROUND

3. An application was received on 20th December for the grant of a Premises Licence that will allow regulated entertainment, supply of alcohol and late night refreshment to take place.
4. The Applicant states that the premises is a public house, with two entrances, one from King Street and an entrance on George Street West. 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 (page 6/7).

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

Licensable Activity	Applied for	Licensable Activity	Applied for
<u>Regulated entertainment</u>			
Plays	✓		
Films	✓		
Indoor Sports Events	✓		
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 both on and off 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 , or entertainment of a similar nature ³	Plays, Films ⁶ , Performances of dance ⁷ Indoor sporting events	Late night refreshment	
<u>Standard hours</u>						
Monday – Thursday	08.00-06.30	08.00-06.00	08.00-06.00	08.00-06.00	23.00-05.00	
Friday – Saturday	08.00-06.00	08.00-06.00	08.00-06.00	08.00-06.00	23.00-05.00	
Sunday	08.00-04.30	08.00-04.00	08.00-04.00	08.00-04.00	23.00-05.00	

An additional hour into the morning following any day of the week that preceeds a public or bank holiday. A further additional hour into the morning following Thursday, Friday, Saturday and Sunday for the Easter bank holiday weekend. A further additional hour every Christmas Eve, Boxing Day and Halloween. From the terminal hour new year's eve till the opening time new year's day.

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.

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:

An additional hour into the morning following any day of the week that precedes a public or bank holiday. A further additional hour into the morning following Thursday, Friday, Saturday and Sunday for the Easter bank holiday weekend. A further additional hour every Christmas Eve, Boxing Day and Halloween. From the terminal hour new year's eve until the opening time new year's day.

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 17th January 2014.

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

The premises has been run successfully with regards to the licensing objectives by the proposed DPS for a number of Years. All staff are trained in house with regards to upholding all 4 licensing objectives.

A drinking up time of 30 minutes following the last sale of alcohol. Staff to manage people leaving the building when closing. Taxi firm numbers are available from the staff.

The Prevention of Crime and Disorder

The premises is equipped with a CCTV system, Licensed door staff are used when entertainment is provided, Personal licence holder on site when entertainment is provided. Proposed DPS is current chair of Luton Safe and has been an active member since inception. All staff are challenge 25 trained. Doorstaff are challenge 25 trained. An incident log is kept. A drinking up time of 30 mins following last sale of alcohol.

Public Safety

Door staff on duty whenever large numbers are expected. Doorstaff use clickers to prevent overcrowding. Staff trained with regards to house

keeping, i.e. cleaning spills, ensuring exits kept clear etc. Regular management checks of the building maintenance to prevent accidents. All fire alarm logs and extinguishers maintained according to requirements.

The Prevention of Public Nuisance

The sound system volume is controlled using a compressor which was set by management to ensure noise escape is minimal. Doorstaff ensure external doors kept closed when entertainment is provided. Signage asking people to leave quietly. Doorstaff monitoring of people as they leave or in smoking area to ensure voices are kept low.

The Protection of Children from Harm

Children will only be permitted in the building when accompanied by adults and only when all parties are having a meal. Children will be restricted to the George street west end of the building unless using the toilet facilities or accessing the seating area from the King Street entrance. All children will be required to leave the building by 10pm and entertainment will not start till they have left the building. They will be prevented from using the AWP and pool table

A copy of the application form, including the operating schedule, is attached at Appendix B (pages 6/8 – 6/29).

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 (page 6/30) and made available to the applicant.

Ref. letter	Name	Address	Relevance to which licensing objective
<u>Local business(es)</u>			
A	Martin Clayton from Mapeley Estates Limited	47 Clarendon Road, Watford Hertfordshire WD17 1HP	Prevention of Crime & Disorder Public Safety

POLICY CONSIDERATIONS

13. 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 7 (Prevention of Crime & Disorder)
Section 8 (Public Safety)

APPENDICES

The following Appendices are attached to this report:

Appendix A: Map showing location of the premises (page 6/7)

Appendix B: Application form (pages 6/8 – 6/29)

Appendix C: Representation from Interested Parties (page 6/30)

LIST OF BACKGROUND PAPERS

LICENSING ACT 2003

Guidance issued S182 of the Licensing Act 2003

Luton Borough Council's Statement of Licensing Policy