

COMMITTEE: LICENSING PANEL

DATE: 30TH SEPTEMBER 2008

SUBJECT: APPLICATION FOR VARIATION OF PREMISES LICENCE –
STOCKWOOD PARK GOLF CENTRE, LONDON ROAD, LUTON

REPORT BY: HEAD OF ENVIRONMENTAL AND CONSUMER SERVICES

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IMPLICATIONS:

LEGAL	<input type="checkbox"/>	COMMUNITY SAFETY	<input type="checkbox"/>
EQUALITIES	<input type="checkbox"/>	ENVIRONMENT	<input type="checkbox"/>
FINANCIAL	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
STAFFING	<input type="checkbox"/>		

WARDS AFFECTED: FARLEY

PURPOSE

1. The purpose of this report is to enable the Licensing Panel to consider the application received from Gabriel Santiago Ledgerd, for the variation of a Premises Licence in respect of Stockwood Park Golf Centre, London Road, Luton

RECOMMENDATION

2. That the Licensing Panel determine the application of Gabriel Santiago Ledgerd for the variation of a Premises Licence in respect of Stockwood Park Golf Centre, London Road, Luton

BACKGROUND

3. An application was received on 5th August 2008 for the variation of the Premises Licence that will allow regulated entertainment, supply of alcohol to take place.
4. The Applicant states that the premises is Golf Centre, the application is to include a marquee to be erected in the premises grounds, located on London Road, in the Farley Ward. 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 9/9-9/13).

5. Details of the licensable activities currently available together with details of the licensable activities requested are set out as follows:

Licensable Activity	Currently permitted	Applied for	Licensable Activity	Currently permitted	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 for consumption both on and off the premises	✓	✓
Anything of a similar description to live or recorded music or dance					

Details of activities currently authorised are as follows:

DAYS	Times currently authorised by licence					
	Times premises will open to public	Supply of alcohol	Live music ¹ , recorded music ² ,	Provision of facilities for, dancing ⁵ ,	Plays, Films ⁶ , Performances of dance ⁷ , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Thursday	06.00- 02.00	09.00 – 02.00	09.00 – 02.00	09.00 – 02.00	N/A	N/A
Friday – Saturday	06.00- 02.00	09.00 – 02.00	09.00 – 02.00	09.00 – 02.00	N/A	N/A
Sunday	06.00- 02.00	09.00 – 02.00	09.00 – 02.00	09.00 – 02.00	N/A	N/A

Details of the times requested in the application for variation are as follows:

DAYS	Times requested in application					
	Times premises will open to public	Supply of alcohol	Live music ¹ , recorded music ² ,	Provision of facilities for, dancing ⁵ ,	Plays, Films ⁶ , Performances of dance ⁷ , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Thursday	06.00- 02.00	00.00- 24.00	00.00- 24.00	00.00- 24.00	N/A	N/A
Friday – Saturday	06.00– 02.00	00.00- 24.00	00.00-24.00	00.00- 24.00	N/A	N/A
Sunday	06.00- 02.00	00.00- 24.00	00.00- 24.00	00.00- 24.00	N/A	N/A

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 applicant has requested that the following conditions, terms or restrictions currently imposed on the licence be removed as a consequence of the variation being sought:
- None
10. The latest date for representations to be received was the 2nd September 2008.

PROMOTION OF LICENSING OBJECTIVES

11. 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, staff and customers cause no problems in relation to crime, disorder, public safety, public nuisance or possible harm to children

The Prevention of Crime and Disorder

If we have a function/booking that requires door supervisors we employ them from a company that provides registered door supervisors. The door staff will be visible by their presence on the door to the function. We will have both male and female door security. Bar staff are trained to make regular patrols round the bar area not only collecting glasses and bottles but to visually check the area to ensure under age customers are not drinking and that customers are not drunk. In addition to providing alcoholic drinks at the bar we sell a full range of soft drinks, fruit juices and tea and coffee. We also supply all customers with free water on request. We have a cafeteria that is open selling a full menu from 8am until 5pm, after 5pm the bar serves a selection of sandwiches, crisps, nuts and other snack items. We have CCTV systems that records images, these images are kept on tape for one month before being recorded over. We have signs in the centres informing customers that they need to be aware of their personal belongings in order to reduce crime on the premises. A personal licence holder will be on the premises when ever alcohol is being consumed or sold. While we allow under 18's onto our premises they must be supervised by an adult and our staff are trained to ensure they are not served any alcoholic beverages

Public Safety

We have marked emergency exits with emergency lighting that will come on should there be a power failure. The fire alarms are tested weekly, we do a fire drill every six months ensuring a full evacuation of the premises and the emergency lighting is tested monthly.. Trained first aid staff are always working on the premises, these staff have been trained and tested by Bedfordshire and Hertfordshire Ambulance Service. We have both public liability insurance and employers liability insurance. We have areas, which are non-smoking to ensure customers who wish to keep away from smoking are catered for. Staff are also instructed to regularly empty ashtrays, this is done while collecting bottles and glasses

The Prevention of Public Nuisance

We have notices up reminding patrons of their responsibility to leave quietly so that local residents are not affected when they leave. We have a contract with Interbrew for bar deliveries, these deliveries must arrive between 9am – 5pm Monday to Friday, this ensure residents are not affected by noisy deliveries early in the morning or late at night. We have extractor fans in place that will remove any smoke and smell from the premises quickly and efficiently. All our external lights are either on timers or on sensors so they will not stay on all night annoying local residents

The Protection of Children from Harm

While we will allow under 18's on the premises they must be supervised by a responsible adult. When serving customers, if a member of staff has a doubt about their age they are instructed to ask for ID, we only accept the Prove it Card, a passport or a new photo driving licence as proof of being over 18. We also have all staff trained in the use of Challenge 21. Should we have a booking that is not suitable for younger people this event will become a ticketed event which will be monitored by a personal licence holder to ensure no under 18's are admitted. Other trained staff will also be available to assist should they be required. Any cigarette sales are done via a vending machine, which is in site of the bar so that staff can monitor who is using the machine. The fruit machine is also close to the bar to ensure that staff can easily monitor who is using the machine.

A copy of the application form, including the operating schedule, is attached at Appendix B (pages 9/14-9/24).

RESPONSIBLE AUTHORITIES

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

Police

Police Licensing Officer suggested conditions which the applicant was happy to accept. A copy of the conditions are attached at Appendix D (page 9/27).

Fire and Rescue Services

None

Environmental Health or Health and Safety Executive

Environmental Health Officer Steve Farmer suggested conditions; however agreement could not be reached between the two parties. Mr Farmer would like to put a representation in on the ground that "Its likely to have a detrimental effect upon the nearby residents" A copy of Mr Farmers representation is attached at Appendix C (pages 9/25-9/26).

Planning

None

Trading Standards

None

Child Protection

None

INTERESTED PARTIES

13. Representations have not been received from interested parties.

POLICY CONSIDERATIONS

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

Section 34 (variation of premises licence)

OBSERVATIONS

15. 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

16. 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.

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

Section 9 (Prevention of Public Nuisance)

18. Representations can only relate to the additional hours and activities that are requested: existing hours and activities are protected as 'grandfather rights'.

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Maps and plans showing location of the premises (pages 9/9-9/13)

Appendix B: Application form including the operating schedule (pages 9/14-9/24).

Appendix C: Representations from Responsible Authorities (pages 9/25-9/26).

Appendix D: Copy of conditions suggested by Police Licensing Officer (page 9/27).

LIST OF BACKGROUND PAPERS **LICENSING ACT 2003**

Guidance issued under S182 of the Licensing Act 2003
Luton Borough Council's Statement of Licensing Policy