

LICENSING PANEL (251)

22nd SEPTEMBER 2011 at 10.00 a.m.

PRESENT: Councillors Gale, Hussain and Zia

OFFICERS: J. Secker - Clerk to the Panel (Solicitor)
S. Vippond - Licensing Manager's Representative
J. Van Beukelen - Licensing Manager's Representative
M. Robinson - Democracy and Scrutiny Officer

68 ELECTION OF CHAIR

Resolved: That Councillor Gale be elected Chair of Panel No. 251.

69 MINUTES (REF: 2.1)

Resolved: That the Minutes of the meeting of the Panel held on 31st August 2011 be taken as read, approved as a correct record and signed by the Chair.

70 VARIATION OF PREMISES LICENCE – LUTON TOWN SPORTS CLUB, WARDOWN PARK, LUTON (REF: 6)

PRESENT:

APPLICANT: D. B. Cunningham
J. W. G. Howells

OBJECTORS: S. M. Farmer (Environmental Health)
(Responsible Authority)

The Chair introduced the Members of the Panel to those parties present.

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 Kishor Kumar Patel, on behalf of Luton Town Sports Club, for the variation of the Premises Licence in respect of Luton Town Sports Club, Wardown Park, Luton to vary the permitted hours for the supply of alcohol to take place and to permit the playing of recorded music indoors and outdoors.

The Licensing Manager's Representative reported that a representation had been received from the Council's Environmental Health Department as a Responsible Authority. There had been no objections from interested parties.

The Chairman and Secretary advised the Panel that the club wished to alter the permitted licensing hours that alcohol could be supplied to align better with the hours of play of county cricket matches.

They also advised that they wished to play recorded music and amplified speech on two types of occasion:

- Bursts of speech and/or music during some types of cricket match, as is the practice at the larger county grounds.
- At functions, as a form of entertainment, in both the pavilion and in a marquee.

The Environmental Health Officer advised that his opinion was that playing music in a marquee would cause nuisance to local residents. There was no objection to music being played within the pavilion provided that the doors and windows were kept closed.

Resolved: That consideration of this matter take place following consideration of the passing of a resolution to exclude the public and press from the meeting.

71 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. 70/10 above.

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

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

73 VARIATION OF PREMISES LICENCE – LUTON TOWN SPORTS CLUB, WARDOWN PARK, 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.

Resolved: (i) That the requested variation of the hours for the supply of alcohol to be 11:00-23:00 Monday-Thursday, 10:00-00:00 Friday and Saturday, 11:00-23:30 Sunday with non-standard timings of 12:00-00:30 Christmas Eve and New Year's Eve be **GRANTED**.

(ii) That the application to allow recorded music to be played outdoors (which means not in the clubhouse or in a marquee or tent) be **GRANTED** with the conditions that the music shall not be continuous but

shall be limited to bursts of music between overs and at the fall of wickets and other significant events during the match, and shall not in any case take place after 10.00 p.m.

(iii) That the application to allow music to be played in the pavilion and marquee be **GRANTED** subject to the following conditions:

- (a) Any marquee, tent or other temporary structure used for the provision of recorded music shall be erected no further than 30 metres from the clubhouse.
- (b) Music to be played in the marquee no later than 10:00 p.m. to avoid public nuisance.
- (c) All doors and windows of the pavilion to be kept closed, except as required for entry and exit, during periods of regulated entertainment.
- (d) The provision of recorded music within any marquee, tent or other temporary structure at the premises shall be limited to eight occasions in any calendar year.

74 VARIATION OF PREMISES LICENCE – AMIN’S GENERAL STORE, 38 LINDEN ROAD, LUTON (REF: 6)

PRESENT:

APPLICANT: M. Amin
S. Amin

OBJECTORS: E. Moson
(Interested Party)

The Chair introduced the Members of the Panel to those parties present.

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 Mohammed Amin for the variation of the Premises Licence in respect of Amin's General Store, 38 Linden Road, Luton to vary the permitted hours for the supply of alcohol to take place.

The Licensing Manager's Representative reported that four representations had been received from interested parties. There had been no objections from Responsible Authorities.

The Panel questioned the Applicant and the interested party and they responded in compliance with the approved Procedure.

75 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. 74/10 above.

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

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

74 VARIATION OF PREMISES LICENCE – AMIN’S GENERAL STORE, 38 LINDEN 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 interested parties. The Panel had regard to the licensing objectives set out in the Licensing Act 2003.

Resolved: (i) That the application by Mohammed Amin for the variation of the permitted hours for the supply of alcohol from 06:00-00:00 Monday-Sunday be **GRANTED**.

(ii) That the requested extension of the permitted hours for the supply of alcohol until 01:00 (the following day) Monday-Sunday be **REFUSED** on the grounds of the prevention of public nuisance.

(Note: The meeting ended at 11.45 a.m.)