

COMMITTEE: LICENSING PANEL

DATE: 21ST AUGUST 2008

**SUBJECT: APPLICATION FOR GRANT OF PREMISES LICENCE
STARLIGHT YOUTH CENTRE, 88 INKERMANS STREET**

REPORT BY: HEAD OF ENVIRONMENTAL AND CONSUMER SERVICES

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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 Starlight Youth Centre of Starlight Youth Centre, 88 Inkerman Street for the grant of a Premises Licence.

RECOMMENDATION

2. That the Licensing Panel determine the application of Starlight Youth Centre for the grant of a Premises Licence in respect of Starlight Youth Centre, 88 Inkerman Street, Luton

BACKGROUND

3. An application was received on 9th July 2008 for the grant of a Premises Licence that will allow regulated entertainment to take place.
4. The Applicant states that the premises is a Youth Centre, located on Inkerman Street in the South 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 9/10 to 9/11).

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 / off the premises / 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	Provision of facilities for making music ⁴ , dancing ⁵ , or entertainment of a similar nature	Plays, Films ⁶ , Performances of dance ⁷ , Boxing & Wrestling	Late night refreshment
<u>Standard hours</u>						
Monday – Thursday	09.00 - 00.00		09.00 -00.00	09.00 -00.00	09.00 -00.00	
Friday – Saturday	09.00 - 00.00		09.00 -00.00	09.00 -00.00	09.00 -00.00	
Sunday	09.00 - 00.00		09.00 -00.00	09.00 -00.00	09.00 -00.00	

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 6th August 2008

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

Starlight Youth Centre and its staff operates within and promotes the Health and Safety, Environmental Health and other Policies and guidelines published and required by Luton Borough Council generally and by Luton Youth Service specifically. Consequently all four licencing objectives must be and always are taken very seriously as a matter of course within the normal operations and running of Starlight Youth Centre. All Youth Service staff are required to possess qualifications or undertake training where they must show they understand the standards and principles embodied in these Policies and guidelines

The Prevention of Crime and Disorder

Starlight and Youth Service management and staff are in regular contact and have a positive relationship with the Luton Police Force. Police officers regularly visit the Head of Centre and the staff at Starlight. Starlight invites police officers to facilitate informative workshops, presentations and discussions for young people within the premises, for example on personal safety, weapons (guns and knives), drugs, and the law. Although it rarely occurs, Starlight staff can contact the police for support if they ever need it. Starlight and Youth Service staff also operate and follow guidelines to uphold and promote good citizenship and prevention of crime and disorder

Public Safety

Starlight staff and the Starlight Youth Centre operates within and promotes the Health and Safety Policies and guidelines published and required of its

staff and within premises both by Luton Borough Council generally and by Luton Youth Service specifically. The Youth Service has its own policies and guidelines for Health and Safety that Youth Service staff must uphold and promote as part of their work. Starlight also has its own membership system (full contact details must be given by young members, for themselves and for their parents/guardians, which are checked) with accompanying rules of attendance. These rules are accompanied by a separate code of conduct for Luton Borough Council educational premises/buildings, displayed in the Centre and upheld and promoted by staff. The membership rules and conduct code cover appropriate behaviour expected by visitors to the premises. For example, they state that any gestures or verbal or physical behaviour deemed abusive, aggressive or discriminatory will not be tolerated in the premises or during Starlight activities. Any person contravening the rules and code of conduct will be asked to cease their behaviour, or asked to leave, or the police will be called, depending on the seriousness of the incident or behaviour, and the person's responsiveness to staff requests. (The person might also be banned from the Centre, and in some cases other or all Youth Service or Luton Borough Council premises.) In practice, such incidents and behaviour rarely occur, due to the atmosphere and the rules and conduct code promoted by staff and adhered to by young people and visitors to the Centre. No alcohol is permitted on the premises. Smoking is also not permitted in the premises.

The Prevention of Public Nuisance

During all times that the premises is open for service users (young people) or other people, behaviour of all persons within Starlight Youth Centre is carefully monitored by the Head of Centre (currently Mr. Abbey) and staff. Any person contravening the Centre's Rules of attendance and Code of Conduct will be asked to cease their behaviour, or asked to leave, or the police will be called, depending on the seriousness of the incident or behaviour, and the person's responsiveness to requests that they cease the behaviour. In practice, such incidents and behaviour rarely occur, due to the atmosphere and the rules and conduct code promoted by staff and adhered to by young people and visitors. No alcohol is permitted on the premises. Smoking is also not permitted in the premises.

Educational activities or sessions may occur during the day, in addition to the current afternoon-early evening opening hours. The Centre occasionally opens until later in the evening (up to 9, 10, 11 pm or very occasionally 12 midnight). This is usually for young people's performing arts events, with youth service staff supervising the event and premises, and securing the building once the event is over and the premises vacated safely.

The Centre may also be hired out. The organisations and events for which the premises may be hired are very carefully considered, by the Head/Manager of Starlight Youth Centre and by Luton Borough Council / Youth Service management. Consequently we are submitting our

application to cover for occasional events and times outside Starlight's current opening hours.

All organisations and events have to satisfy Luton Youth Service/Borough Council guidelines for suitable use. All events at the Centre (whether Youth Service events, or upon hire to suitable organisations) must be staffed effectively. For Youth Service events extra staff are brought in whenever the numbers of young people attending is expected to be higher than the usual attendance. The numbers of extra staff increases as the numbers of expected attenders increases. Also, a balance between male and female members of staff is normally required. Other organisations hiring the building will be expected to demonstrate that they will staff their event effectively, to the standards expected by the Starlight Head of Centre and by Luton Borough Council and Luton Youth Service.

The Protection of Children from Harm

The Youth Centre is part of Luton Borough Council's Youth Service. All Youth Service activities are governed by strict Policy guidelines concerning and promoting the Safeguarding of Children's welfare. Youth Service staff are trained in Safeguarding Children (Child Protection) in order to ensure this; and are required to have a Criminal Records Bureau (CRB) check completed every 3 years as part of their employment conditions.

Starlight Youth Centre staff believe in, uphold and actively promote these guidelines and safeguards in all of their work, and within all approaches to the interactive work undertaken with young people that attend and participate in Starlight Youth Centre (and related Youth Service) activities.

All organisations and events using or hiring the Centre or part of the premises must satisfy Luton Youth Service/Borough Council guidelines for suitable use. Organisations hiring the building will be expected to demonstrate that they will staff their event effectively, and that the nature of the event is appropriate to the standards expected by the Starlight Head of Centre, and by Luton Borough Council and Luton Youth Service.

A copy of the application form, including the operating schedule, is attached at Appendix B (pages 9/12 to 9/34).

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 9/35 to 9/36) and made available to the applicant.

Ref. letter	Name	Address	Relevance to which licensing objective
<u>Local resident(s)</u>			
A	Wendy Mackintosh	36 Cardigan Street	Prevention of Public Nuisance – loud music disturbing sleepers
B	M. Hussain	57 Inkerman Street	Prevention of Public Nuisance – Urinating in the streets, noise pollution at unsociable hours

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 9 (Prevention of Public Nuisance)

APPENDICES

17 The following Appendices are attached to this report:

Appendix A: Maps and plans showing location of the premises (pages 9/10 to 9/11)

Appendix B: Application form including the operating schedule (pages 9/12 to 9/34).

Appendix C: Representations from Interested Parties (pages 9/35 to 9/36).

LIST OF BACKGROUND PAPERS **LICENSING ACT 2003**

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