

COMMITTEE: LICENSING PANEL

DATE: 29 AUGUST 2014

SUBJECT: OBJECTION TO TEMPORARY EVENT NOTICE FOR THE DUKE OF CLARENCE PUBLIC HOUSE, 1 UPPER GEORGE STREET, LUTON

REPORT BY: HEAD OF BUSINESS 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 Objection Notice received from the police in response to a Temporary Event Notice from Mr Michael Donohoe of The Duke of Clarence public house for an event on the 5th and 6th September 2014.

RECOMMENDATION

2. That the Licensing Panel considers the Objection Notice received from the Police in response to a Temporary Event Notice from Mr Michael Donohoe of The Duke of Clarence public house for an event.

BACKGROUND

3. The premises' is a public house located on Upper George Street in the South Ward. A map showing the location of this Premises, and a plan of the premises, is attached at **Appendix A** Mr Michael Anthony Donohoe is the Designated Premises Supervisor at the Duke of Clarence.
4. A copy of the Premises Licence for the premises is attached at **Appendix B**. The premises is licensed for live and recorded music (indoors), provision of facilities for dancing (indoors), Monday to Sunday 12.00 to 03.30 (the following day) and the supply of alcohol on and off the premises Monday to Sunday 10.00 to 04.00 (the following day).

5. Following a review hearing on 14th January 2014, it was determined that the most appropriate way of dealing with the problems at the premises was to vary the conditions attached to the licence at the time. This decision was appealed to Luton Magistrates Court and a hearing date set for the 23rd June 2014. Prior to the hearing starting, conditions were agreed on the day and licensing times changed including Door Supervisors: condition 7 'There shall be no admittance or re-admittance to The Duke of Clarence after 02.00 hours on any day' at **Appendix B**
6. On 20th August 2014 Mr Donohoe submitted a Temporary Event Notice for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment for a charity event in aid of Keech Hospice Care for a maximum of 140 people on the 5th September 2014 from 10.00 to 05.00 (the following day) and on the 6th September 2014 from 10.00 to 06.00 (the following day). A copy of the Temporary Event Notice is attached at **Appendix C**.
7. The police have made a representation opposing the Temporary Event Notice on the grounds of the Prevention of Crime and Disorder and Public Safety. A copy of that representation is at **Appendix D**.

OBSERVATIONS

8. The Licensing Panel must, having regard to the objection notice, give the premises user a counter-notice if it considers it necessary for the promotion of the crime prevention objective to do so.

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Maps and plans showing location of the premises (page 6/3)

Appendix B: Premises Licence (pages 6/4 – 6/12).

Appendix C: Temporary Event Notice (pages 6/13 – 6/17).

Appendix D: Representations from Bedfordshire Police (pages 6/18 – 6/19).

LIST OF BACKGROUND PAPERS

ss 98 – 110 Licensing Act 2003

Guidance issued under s182 of the Licensing Act 2003