

AGENDA ITEM

COMMITTEE: LICENSING PANEL

DATE: 14TH JUNE 2007

**SUBJECT: APPLICATION FOR REVIEW OF
PREMISES LICENCE – STRIDES
CAFÉ BAR & CLUB BLUE NOTE**

REPORT BY: HEAD OF ENVIRONMENTAL AND CONSUMER SERVICES

CONTACT OFFICER: TONY IRELAND

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IMPLICATIONS:

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

WARDS AFFECTED: WIGMORE

PURPOSE

1. The purpose of this report is to enable the Licensing Panel to consider the application received from Mr Wesley Scott, 7 Weldon Close, Luton. LU2 9TS for the review of the Premises Licence in respect of Strides Café Bar and Club Blue Note, Wigmore Lane Luton. LU2 9XG

RECOMMENDATION

2. That the Licensing Panel determine the application of Mr Wesley Scott for the review of a Premises Licence in respect of Strides Café Bar and Club Blue Note, Wigmore Lane Luton. LU2 9XG.

BACKGROUND

3. On 30th November 2005, the Licensing Panel determined an application for a Premises Licence in respect of the Blue Note Club, Well Space, Wigmore Lane, Luton. The Panel decided to grant the licence notwithstanding the representations received, subject to two additional conditions. The first condition limited the maximum number of persons to be admitted to enter the premises to 140 (with mixed seating/standing) or 200 (if standing only) and the second condition required signage to be installed asking customers to leave the premises quietly.

4. On 4th April 2007 the Licensing Panel considered an application by the licensee for a Variation of the Premises Licence. The variation sought was to change the name of the premises and to allow various structural alterations to take place to the premises. The application for variation did not seek a variation of the licensable activities or the trading hours. In determining the application, the Panel considered representations made by various persons. The Panel decided to grant the variation subject to the following conditions:-
- (1) All doors and windows shall be kept closed during periods of regulated entertainment (save for access and egress).
 - (2) Noise from the premises shall be inaudible at the boundary of all noise sensitive properties
- and
- (3) The Licensee should within 14 days provide an acoustic report to demonstrate that when regulated entertainment takes place noise emanating from the premises shall be inaudible at the boundary of all noise sensitive properties as required by the foregoing condition and that if any works are required to achieve this then full details shall be submitted to the Council's Environmental Protection Team for written approval and shall be carried out to the satisfaction of the Council's Environmental Protection Team within such time as shall be agreed. The current licence allows regulated entertainment, supply of alcohol, and late night refreshment, to take place. A copy of the licence, as amended is attached at Appendix A pages ().

THE APPLICATION

5. An application for review of the premises licence was received on 11th April 2007 with regard to Strides Café Bar and Club Blue Note, Wigmore Lane, Luton. The applicant states that they are a person living in the vicinity of the premises.
6. The application for review relates to the following licensing objectives:

The prevention of crime and disorder

Likely attraction of persons that will disruption and disturbance

Public safety

None

The prevention of public nuisance

Disruptions due to noise

The protection of children from harm

None

A copy of the review application is attached at Appendix B pages ()

7. Information to support the application is as follows:
Application is supported by a petition with 62 signatures.

A copy of the supporting information is attached at Appendix C pages ().

8. The applicant has not made an application for review relating to this premise before.
9. The last date for representations is the 9th May 2007, as this after the date of writing this report, the panel will be updated with any further representations received after the 2nd May 2007.

RESPONSIBLE AUTHORITIES

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

Police

Objections made on the grounds of Prevention of Crime and Disorder and Prevention of Public Nuisance. Conditions have been suggested. Appendix E (pages 149-151)

Fire and Rescue Services

None

Environmental Health or Health and Safety Executive

None

Planning

None

Trading Standards

None

Child Protection

None

INTERESTED PARTIES

10. Representations have also been received from the following interested parties, their representations are attached at Appendix D (pages) and made available to the applicant.

Ref. Letter	Name	Address	Relevance to which licensing objective
<u>Local resident(s)</u>			
A	R S Conway	1 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
B	Phil Daly	20 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
C	Kathy Findlay	27 Colwell Rise Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
D	Colin Graham	19 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
E	A Borole	10 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
F	J & R Bates	11 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
G	V Litchfield & T Brandon	10 Falstone Green Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
H	D Durkin	15 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
I	J Marshall	16 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
J	R Frampton	17 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
K	P Scott	7 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
L	G B Henderson	9 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
M	Kim & Kevin Summerfield	5 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
N	Paul & Vicki Rayner	8 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
O	R J Floyd	5 Linbridge Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
P	C Hussain	8 Lindbridge Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
Q	T Briars	13 Lindbridge Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
R	L Hardiman	15 Lindbridge Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
S	D Hodges	17 Lindbridge Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>
U	Carley Proven	3 Weldon Close Luton	<u>Prevention of Public Nuisance Noise Disturbance</u>

Ref. Letter	Name	Address	Relevance to which licensing objective
V	Dave Adams	15 Falstone Green Luton	<u>Prevention of Public Nuisance</u> Noise Disturbance and Rubbish
W	Mr P N Saxty & Miss C Collinge	16 Falstone Green Luton	<u>Prevention of Public Nuisance</u> Noise Disturbance
X	Miss J Fountain	24 Falstone Green Luton	<u>Prevention of Public Nuisance</u> Noise Disturbance, Rubbish, noise from cars and coaches
Y	J Harvey	23 Linbridge Way	<u>Prevention of Public Nuisance</u> Noise Disturbance

11. Where requested by the interested party, names and house numbers have been omitted from this report, but have been made available to the Licensing Panel and to the applicant.

POLICY CONSIDERATIONS

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

Section 51 Application for review of premises licence
Section 52 Determination of application for review
Section 53 Supplementary provision about review

OBSERVATIONS

13. In determining this application, the Licensing Panel must, having regard to the representations received, and take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Decide that no action is necessary to promote the licensing objectives
- (b) Modify or add conditions to the licence
- (c) Exclude a licensable activity from the licence
- (d) Remove the designated premises supervisor
- (e) Suspend the licence for a period (not exceeding 3 months)
- (f) Revoke the licence

14. 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.

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

Section 7 (Prevention of Crime & Disorder)

Section 9 (Prevention of Public Nuisance)

Section 17 (Administration, exercise and delegation of functions)

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Premises Licence pages ().

Appendix B: Review Application pages ().

Appendix C: Supporting Information pages ().

Appendix D: Representations from Interested Parties pages ().

Appendix E: Representations from Responsible Authorities pages ().

LIST OF BACKGROUND PAPERS **LICENSING ACT 2003**

Guidance issued under s182 of the Licensing Act 2003
Luton Borough Council's Statement of Licensing Policy