

Meeting: Licensing Committee

Date: 27 September 2005 10:00hrs

APPLICATION FOR CONVERSION OF PREMISES LICENCE: COBARNA

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1 PURPOSE

To determine the application to convert the premises licence for Cobarna, The Plaza.

2 APPLICATION

2.1 Type of Licence applied for

An application was received from Omega Entertainment Co (UK) Ltd to convert a premises licence under schedule 8 of the Licensing Act 2003 during the transitional period (see appendix 1). The Licensing Authority accepted the application on 2 August 2005.

2.2 Summary of application

Cobarna is a nightclub located in The Plaza, Stevenage Town Centre; the application is to convert the existing licences comprising of:

- 2.2.1 Justices On-licence.** This allows the sale of intoxicating liquor for consumption either on or off the premises, and the sale of hot food and/or drink in line with alcohol sales plus an extra 30 minutes. Recorded music may be played throughout the premises 24 hours per day in line with the provisions of Section 182 of the Licensing Act 1964;
- 2.2.2 Special Hours Certificate:** This allows supply of alcohol Monday – Saturday until 02:00hrs, normal Sundays until 22:30hrs, Bank Holiday Sundays (except Easter) Sunday until 00:30hrs, whenever the public entertainment licence is in force;
- 2.2.3 Public Entertainments Licence:** This allows public dancing, music and other public entertainments of a like kind from 11:00hrs – 02:00hrs Monday – Saturday, 16:00hrs – 00:30hrs Sunday (Bank Holiday Sundays except Easter Sunday 16:00hrs – 02:00hrs);

3 BACKGROUND INFORMATION

The following background information is known about these premises:

Previous licences held: Justices 'on' licence
 Special Hours Certificate
 Public Entertainments Licence

Current Convictions: None

Details of licence reviews: None

4 POLICE OBJECTION

Representations to the conversion application have been received from the Police in relation to the licensing objective the Prevention of Crime and Disorder. The Police believe that there has been a material change in circumstances at Cobarna since the existing licences were granted. This is supported in their written representation (appendix 2).

After consideration of the Police objection, the Licensing Authority must either:

- 4.1 Reject the conversion application if it considers it necessary for the promotion of the crime prevention objective; or
- 4.2 Grant the conversion.

There is no mechanism to grant the conversion with conditions.

5 POLICY CONSIDERATIONS

The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

BACKGROUND DOCUMENTS

Licensing Act 2003

Stevenage Borough Council, Statement of Licensing Policy

National Guidance issued under section 182 of the Licensing Act 2003

APPENDICES

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| Appendix 1 | - Copy of application |
| Appendix 2 | - Representation from the Police |