

Meeting: **Licensing Committee**

Date: **26TH May 2006 10:00hrs**

APPLICATION FOR VARIATION OF PREMISES LICENCE:

PULSE & VOGUE (TO BE KNOWN AS LIQUID & ENVY)

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1 PURPOSE

To determine the application to vary the premises licence Pulse & Vogue (to be known as Liquid & Envy), Stevenage Leisure Park.

2 SUMMARY OF APPLICATION

2.1 Type of Licence applied for

An application was received from Luminar South & East Ltd to vary a premises licence under section 34 of the Licensing Act 2003 (see appendix 1). The Licensing Authority accepted the application on 29th March 2006.

2.2 Summary of application

Pulse & Vogue is a nightclub located on Stevenage Leisure Park.

The variation application is to:

- Note the change in trading name and take into account new premises plans as a result of a refurbishment
- Decrease the maximum occupancy of the premises following a refurbishment
- Remove the condition that states food is to be available at all times
- Remove the condition that during youth events, the maximum occupancies are Pulse = 1200 and Vogue = 620

3 BACKGROUND INFORMATION

The following background information is known about these premises:

Previous licences held: Premises Licence, Justices 'on' licence, Special Hours Certificate, Public Entertainments Licence
Current Convictions: None
Details of licence reviews: None

4 PROMOTION OF LICENSING OBJECTIVES

The representations received relate to the objectives of the Prevention of Public Nuisance and Public Safety. The operating schedule submitted by the applicant shows that those licensing objectives will be met as follows:

Please note that the operating schedule must be converted into conditions on the premises licence should the variation be granted.

4.1 PUBLIC SAFETY

4.1.1 The maximum occupancy for the premises shall be observed at all times.

4.2 THE PREVENTION PUBLIC NUISANCE

4.2.1 Bearing in mind the recent grant of the variation and the contents of the operating schedule submitted for that application and the nature of this variation i.e. to approve internal alterations and the removal of two conditions, little is needed to meet the licensing objectives.

5 RESPONSIBLE AUTHORITIES

5.1 Environmental Health – see appendix 2

5.1.1 Environmental Health have made representations relating to the Prevention of Public Nuisance and Public Safety. Details are included as appendix 2. As a result of Environmental health and Fire Service representations, the applicant submitted amended plans that have satisfied the majority of the initial observations. However, these revised plans have highlighted additional concerns, resulting in Environmental Health being unable to withdraw their representations. The remaining issues surround the design of the external smoking area; in particular the concerns relate to:

5.1.2 Potential for noise nuisance as a result of this area being partially open at all times;

5.1.3 Potential for falls from height from this area threatening public safety.

5.2 Fire Service – see appendix 3

The fire service made representations relating to the lack of information on fire safety equipment and risk assessment on the initial application and associated plans. Revised plans were submitted to satisfy these concerns, but it is not know at the time of writing whether these plans are sufficient for the Fire Service to withdraw their representation.

6 INTERESTED PARTIES

No representations have been received from interested parties.

7 POLICY CONSIDERATIONS

The following sections of the licensing authority's statement of licensing policy apply to this application:

- a) 10. Licensing Hours
- b) 13. License Conditions
- c) 14. Licensing Objectives

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 and in particular section 6.2 and 6.3 and Annexes G & H.

APPENDICES

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| Appendix 1 | - Copy of application |
| Appendix 2 | - Environmental Health representation |
| Appendix 3 | - Fire representation |