

Meeting	Licensing Committee
Portfolio Area	Communities, Community Safety and Equalities
Date	12 th January 2023

APPLICATION TO REVIEW A PREMISES LICENCE – LOUNGE 72, 70 HIGH STREET, STEVENAGE, SG1 3EA.

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1 PURPOSE

- 1.1 To determine an application for a review of the premises licence for Lounge 72, 70 High Street, Stevenage. SG1 3EA. The application has been made by Police Sergeant Christopher Adshead of Hertfordshire Constabulary. Representations have been made by Environmental Health, Public Health a local resident, and the owner of a local business.

2 RECOMMENDATIONS

- 2.1 That the Committee reviews the evidence presented by the responsible authorities and the premises licence holder (and/or representatives) and determines what action should result in respect of the review application.

3 SUMMARY OF APPLICATION

- 3.1 This application by Hertfordshire Constabulary has been submitted following recent incidents which have occurred which are connected to the named

premises. The Grounds for the review brought by the Police fall under all four of the licensing objectives and are outlined below:

The prevention of crime and disorder

- Evidence of multiple incidents of violence and disturbance, including a recent stabbing, within/outside the venue, by customers of that venue. Between June 2021 and November 2022, more than 50 calls have been received by Police to attend Lounge 72, many were for incidents of a violent nature. A summary of incidents and reports relating to this premises have been compiled and are included in the review application submitted by police.

Public Safety

- Allowing customers to drink to a state of inebriation whereby they fall over – images from CCTV/WHATS APP available (1st October 2022)
- Violence and disruption spilling out onto the public thoroughfare.
- Knife crime outside the venue, involving customers exiting that venue.

Prevention of Public Nuisance

- The serving of drunk inebriated people
- Disruption and violent disorder by customers within and on leaving the club
- Noise complaints from the public
- Traffic and crowd disruption on closure of the club (3am onwards)
- Multiple complaints from members of the public to Police and Stevenage Borough Council Community Safety Team, relating to images and activities of an adult nature, filmed at an event at the club, being circulated and causing alarm and distress (Daytime 1st October 2022)

Protection of children from Harm

- Incidents of indecency being allowed to occur, therefore being captured on mobile phones leading to their circulation on social media, likely to be available and accessible to children.

Despite Police attempts to work with the management of the premises there have continued to be incidents of violence and disruption, most recently a very serious incident occurred which resulted in possible life-threatening injuries being sustained by the victim of a knife attack. These have only added to the already serious concerns police have with regards to this premises since it's opening in the summer of 2021 and as such, Hertfordshire Constabulary are now applying for the revocation of the alcohol licence for Lounge 72. The application for review was accepted as valid and duly made by the Council on 17th November 2022. A copy of the application is attached at Appendix A, with supporting evidence attached at Appendix B.

4 BACKGROUND INFORMATION

- 4.1 Lounge 72 is a bar/club located on the High Street, Stevenage. It has a premises licence in place which authorises the performance of live music, the playing of recorded music and the performance of dance, the premises are also authorised to provide activities similar to those listed above, and is licensed for the exhibition of films, and the sale of alcohol for consumption both on and off the premises. A location map is attached at Appendix D. A copy of the premises licence is attached at Appendix E.

5 RESPONSIBLE AUTHORITIES

- 5.1 Hertfordshire Constabulary have submitted the review in connection with all four of the Licensing Objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Representations have also been received from Alexander Moore on behalf of Hertfordshire Public Health who state their support of the review application submitted by Hertfordshire Police for Lounge 72, though they have no additional information to add.

Sue Bedford Environmental Health Officer has also made representation with regards to the licensing objective public nuisance, and states that multiple noise complaints have been received from residents relating to loud noise and an intrusive base beat being emitted from the premises, though these complaints have been investigated, complainants have not followed these up with noise diary sheets or noise app recordings to substantiate the complaint, therefore a nuisance has not been determined and no action taken.

6 OTHER INTERESTED PARTIES

- 6.1 Representations have been received from Mr Terry Baynes a local resident and Mr Huseyin Basbaydar owner of the Bingol Kebab and Pizza, 97A High Street, Stevenage.

Mr Terry Baynes resides on the High Street, Stevenage, a few doors down from Lounge 72 and has concerns relating to public nuisance. Mr Baynes is unable to attend the hearing but would like his comments to be heard as he believes that the premises since its opening has been nothing but a rowdy nuisance. In his representation dated 24th November 2022, Mr Baynes mentions problems with noise being emitted from the premises over the last few months, that he had tried on several occasions to phone the premises but nobody had answered the phone, that he had walked down and spoken to the manager about the noise but was told it was a bar and that they would not be turning the volume down or shutting the doors. There have also been issues with anti-social behaviour from customers milling around between 2am and 3am repeatedly and Mr Baynes has witnessed disruptive behaviour and frequent police presence, including one incident where the road had been closed by police due to a stabbing/fight. He has also been provided with videos of sexual activity taking place at the premises. Mr Baynes states that he visits a number of pubs, bars and restaurants in the High Street and that no other premises seem to show such disregard for the surrounding area.

Mr Basbaydar, owner of the Bingol Kebab and Pizza has made a positive representation, stating that Lounge 72 brings many visitors and business to his local food takeaway shop, that he often attends the club which he describes as a great night spot with amazing staff and great security, that the venue is safe, that he has never witnessed any fights or trouble inside and that the security steps in place are the very best in the High Street

A copy of the representations made by Environmental Health, Public Health and other interested parties are attached at Appendix C. Tracy Grant, the premises licence holder and designated premises supervisor for Lounge 72 has responded to the representation submitted by Mr Terry Baynes and her response can be found at Appendix F.

7 IMPLICATIONS

7.1 Financial Implications

7.1.1 There are no financial or resource implications arising from the content of this report.

7.2 Legal Implications

7.2.1 The Committee is advised that paragraphs 9.1 – 9.10 & 9.3- 10.10 of the Guidance under section 182 of the Act describe the powers of a Licensing Authority on the determination of an application.

7.2.2 The following options are available to the committee under section 51 & 52 of the Licensing Act 2003:

- To modify the conditions of the licence
- To exclude a licensable activity from the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

7.3 Policy Implications

7.3.1 *Stevenage Borough Council Statement of Licensing Policy 2020 – 2025*

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

17.2 The Licensing Authority, in determining if the application for a review is relevant, will have regard to the current guidance issued by the Secretary of State under section 182 of the Act in so far as to whether an application is frivolous, vexatious or repetitious. Representations made by a responsible authority cannot be deemed as being frivolous, vexatious or repetitious.

17.4 In instances where the crime prevention objective is being undermined, revocation, even in the instance of this being a first review of the premises licence, or club premises certificate, will be given serious consideration.

7.3.2 Guidance issued under section 182 of the Licensing Act 2003

The Committee is reminded of the Guidance issued under section 182 of the Licensing Act 2003. These particular sections are relevant to this review application:

The Review Process paragraphs 11.1 – 11.11

Repetitious Representations paragraphs 11.12 – 11.15

Reviews arising in connection with crime paragraphs 11.24 – 11.28

7.4 Equalities and Diversity Implications

7.4.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

7.5 Crime and Disorder

7.5.1 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.

8 BACKGROUND DOCUMENTS

BD1 Licensing Act 2003

BD2 Stevenage Borough Council, Statement of Licensing Policy 2020-2025

BD3 Guidance issued under section 182 of the Licensing Act 2003

9 SUPPLEMENTARY INFORMATION

An email has been received from Hertfordshire Constabulary on 30th December 2022 who wish to provide supplementary information following their application for the review of Lounge 72 on 17th November 2022, The Police state that since this date there have continued to be incidents including one of a serious nature relating to this premises dated 20th November 2022. "The injured party (IP) had been at the club with a friend, the suspects girlfriend. The IP has stated that the suspect had been causing problems when the IP has pushed the suspect away when they suspect has punched the IP to the face causing a broken jaw that has been operated on" This incident is still under police investigation.

A copy of the supplementary information supplied by the police can be found in Appendix G.

10 APPENDICES

A Application for review of the premise licence.

B Supporting documents attached within review application

C Representations from Environmental Health & other interested parties

- D Map showing the location of Lounge 72.
- E Premises licence for Lounge 72.
- F Response from Tracy Grant to Mr Terry Baynes representation.
- G Supplementary information provided by Police.