

REPORT OF THE DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

APPLICATION FOR PROVISIONAL ENTERTAINMENTS LICENCE

Mojo, 43 Broad Street, Nottingham

1.0 SUMMARY

This application is for a provisional licence to provide music and dancing on the ground floor as follows:-

Mondays to Saturdays	10.30 am to midnight
Sundays	noon to midnight.

2.0 RECOMMENDATIONS

IT IS RECOMMENDED that the Committee determine the application having regard to the observations of the Pollution Control Officer and Mr. Zia Gorski, objector.

3.0 BACKGROUND

The premises were formerly known as 'That Café' and are currently being re-furbished.

4.0 PROPOSALS

The Police have requested that a special condition regarding CCTV be added and the applicant has given his signed agreement. The condition is as follows:-

'A CCTV system must be installed and maintained to the satisfaction of the Police. All video tapes must be retained for a minimum period of 31 days and made available for inspection by the Police or an authorised Officer of Nottingham City Council'.

The Chief Fire Officer has made recommendations regarding the fire precautions and requires a final inspection. The Environmental Health Officer (food) has reported that the proposals are satisfactory subject to satisfactory final inspections. The Planning Officer has not objected and the comments of the Building Control Officer will be reported at the meeting.

The Pollution Control Officer has reported that the proposals are not satisfactory for the following reasons:-

- **the premises are in close proximity to current and proposed residential premises and residents may suffer noise nuisance.**
- **It is not proposed that the single glazed area to the front of the premises is to be upgraded and may be insufficient to ensure that noise produced within the premises is inaudible at any occupied premises.**

A letter of objection has been received from Charter Consultancy (see Appendix 1) on behalf of their client Mr Zia Gorski, the owner of fast food premises at 45 Broad Street.

Ward Councillors have been consulted and have made no objection.

The location of the premises is shown on the attached map, the applicant and objectors have been invited to attend.

5.0 LEGAL IMPLICATIONS

Legal implications will be reported at the meeting.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

7.0 CRIME AND DISORDER IMPLICATIONS

The Licensing of public entertainments is an opportunity for the City Council to work in partnership with the Police to reduce the risk of crime and disorder occurring both within and immediately outside licensed premises, having regard to the effect of the proposals on both customers and residents.

8.0 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION.

- Application received 28 August 2002
- Letter from the Police dated 16 September 2002
- Letter of objection from Charter Consultancy dated 16 September 2002
- Form D24 from the Chief Fire Officer
- Signed agreement to CCTV condition dated 16 September 2002

9.0 COPYRIGHT ACKNOWLEDGEMENT

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DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

Lawrence House, Talbot Street, Nottingham NG1 5NT
Contact Officer: Janet Swain, Team Leader – Food & Licensing
Telephone Number: 0115 9156776
E-mail: general.licensing@nottinghamcity.gov.uk
3 October 2002

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Charter Consultancy

VAT REG NO. 684 3545 09

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m.perry@sedc.ac.uk

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Ilkeston
Derbyshire
DE7 5GA

16 September 2002

The Licensing Officer
Food & Licensing Department
Nottingham City Council
Lawrence House
Talbot Street
NOTTINGHAM NG1 5NT



Dear Sir,

FORMAL NOTICE OF OBJECTION
Application for a Public Entertainment Licence:
'MOJO'S, 43 Broad Street, Nottingham

We act on behalf of Mr. Zia Ulhaq Gorski, owner of premises situated at 45, Broad Street, Nottingham. His premises consist of fast-food outlet and eighteen residential flats that adjoin No 43, Broad Street, Nottingham. The above premises were until recently a café bar known as 'THAT CAFÉ'.

It has been brought to the attention of our client that Mr. Paul Martin CLARKE is intending to change the operation of these premises from a café bar to a late-night place of entertainment. He has accordingly applied for provisional grant of a new liquor licence and a Section 77 special hours certificate.

We have therefore been instructed to formally object to the grant of a public entertainment licence on the following grounds:

- 1. That the premises are unsuitable for the provision of entertainment.**
- 2. That the operation of the premises will cause disturbance and nuisance to the residents of 18 flats situated at 45 Broad Street.**

Re (1):

The new owner and applicant Mr. Paul Martin Clark has refused to disclose the nature of the proposed operation of the premises to us. The applicant insists that a door into our client's premises will remain open. This will enable customers to gain access to the interior of 45 Broad Street.

Continued over.....

Letter of Objection to Nottingham City Council
Dated 16 September 2002
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Re (2):

The applicant insists on maintaining right of way (disputed) through our client's premises even though the fire service state that access is not now required. Our client and his residents are concerned that such access will disturb them and cause problems. We would also point out that the only entrance to the flats is adjoining 43 Broad Street.

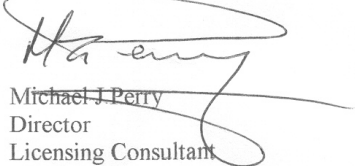
Whilst our client acknowledges the proximity of a large night club across the road and the operation of his own fast-food outlet on the ground floor, he has taken steps to obviate problems for his tenants in respect of these matters. However, the provision of entertainment within the building and potential access into the interior of our client's premises is of great concern.

We would advise you that we have made several attempts to obtain information from Mr. Clark but he has refused to divulge information that is most relevant to our client.

We have been in consultation with Nelson's solicitors (Mr. David Lucas) in respect of the hearing before Nottingham City Licensing Sessions on 27 September next. We have lodged an objection to the applications.

Please find enclosed authority (copy) to represent Mr. Gorski.

Yours faithfully,



Michael J Perry
Director
Licensing Consultant


Encl.



43 BROAD STREET, NOTTINGHAM

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Scale	Date
1:1250	SEPT 2002
Initial	Drawing No
PG	556


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