

REPORT OF DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

APPLICATION TO RENEW ENTERTAINMENTS LICENCE

Lloyds No 1, 1 Carlton Street, Nottingham

1.0 SUMMARY

This application is made by **Iain Rixon** to renew an entertainments licence which fell for renewal on 5 April 2003. The application was made within the appropriate time on 5 March 2003. The committee is requested to determine the application having regard to an objection which has been received from the Pollution Control Officer.

2.0 RECOMMENDATIONS

IT IS RECOMMENDED THAT:

- 1. the Committee have regard to the standard conditions that apply to all premises that operate under an entertainment licence particularly those which relate to noise issues;**

- 2. the Committee have particular regard to the matters reported by the Director in relation to the observations of the Pollution Control Officer (noise);**

3.0 BACKGROUND

Iain Rixon holds a licence to provide entertainments as follows:

**Music and dancing on the ground floor and
Music only on the Mezzanine on**

**Mondays to Saturdays from 11 a.m. to midnight and on
On Sundays from noon to midnight.**

A special condition has been imposed as follows:

- 1. MAXIMUM OCCUPANCY:**

Ground floor - 470 persons
Mezzanine - 180 persons
(excluding staff)

- 2. Seating on the ground floor must be removed at appropriate times to allow for dancing.**

The Pollution Control Officer objects to the renewal of the licence and a copy of the objection is attached. A Pollution Control Officer will be available at the meeting.

The Police and Fire Officers have no objection. Ward Councillors have been consulted and observations will be reported at the meeting.

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

4.0 LEGAL IMPLICATIONS

Legal implications will be reported at the meeting.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

6.0 CRIME AND DISORDER IMPLICATIONS

Licensing for public entertainment 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 licenced premises, having regard to the effect of the proposals on both customers and residents.

7.0 COPYRIGHT ACKNOWLEDGEMENT

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

- Application received on 3 March 2003
- Letter from McLellans solicitors dated 3 March 2003
- Form D26 from the Chief Fire Officer dated 5 March 2003
- Letter from the Police dated 10 March 2003

BARRY HORNE

DIRECTOR OF DEVELOPMENT & ENVIRONMENTAL SERVICES

Lawrence House, Talbot Street, Nottingham

Contact Officer: Janet Swain, Team Leader - Food & Licensing

Telephone Number: 0115 9156776

E-mail: general.licensing@nottinghamcity.gov.uk

27 March 2003



Memo

Date: 26th March 2003

Development and Environmental Services Pollution Control Section

To: Janet Swain Licensing Officer	Your Ref:
From: Janet Amoah Pollution Control Officer	Ext: 56404 My Ref: 114088

Renewal of Entertainments Licence

Lloyds No1, 1 Carlton Street, Nottingham

Complaints have recently been received about loud music coming from Lloyds No 1 up to 12.00 midnight. I therefore object to the renewal of the licence on the grounds of possible breach of the conditions of the Entertainments Licence. I have enclosed a copy of the letter that I have sent to Ian Rixon, the licensee that explains the current situation.

Please contact me if you wish to discuss this.

Regards

No. 27/3 invited to attend.
by e-mail.



Awarded to Bereavement Services,
Building Control, Food & Licensing,
Health & Safety (Enforcement),
Public Health, Road Safety &
Trading Standards for excellence



JA/114088

Janet Amoah
915 6404
27th March 2003

Mr I Rixon
c/o Wetherspoon House

Central Park
Reeds Crescent
Walford
Herts. WD24 9DL

Dear Mr Rixon

Environmental Protection Act 1990, Section 79 – Statutory Nuisance
Alleged noise nuisance caused by loud music

Local Government (Miscellaneous Provisions) Act 1982
Alleged Breach of Entertainments Licence

Lloyds No 1, 1 Carlton Street, Nottingham NG1 1NL

During our telephone conversation on 24th March 2003, I informed you that complaints relating to late night bottle emptying and loud music up to 12.00 midnight had been received.

I advised you that a late night observation had been carried out by officers from the Pollution Control Section to establish which of the premises in the vicinity around Carlton Street/ George Street was responsible for the noise leading to the complaints. The music was clearly identified as coming from Lloyds No.1, especially from the windows and rear door, the main problem being the bass beat. The music was heard within the complainants' property which suggests that conditions relating to the Entertainments Licence were breached.

You informed me that the bottles were not emptied at night and that you would speak to the people concerned regarding the music levels.

However you are aware that in the past, this Department has dealt with complaints about noise from the above premises, causing disturbance to residents in the area. It is therefore necessary to advise you of the actions that can be taken.

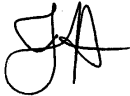
If further complaints of noise nuisance emanating from Lloyds No.1 are received observations will be undertaken. If it is established that statutory noise nuisance is occurring, an abatement notice will be served on you under Section 80 of the Environmental Protection Act 1990. Contravention of a notice is an offence and would be dealt with in the Magistrates Court.

You, as the licensee are responsible for ensuring that the conditions of the entertainment licence are complied with. I refer you to condition 40 of the 'Standard Conditions of Entertainments Licences' that are part of the Entertainments Licence, dated 18 February 2003, issued to you. The condition states "any noise produced or associated with the entertainment must not be audible at the façade of the nearest residential, commercial or industrial premises'.

I have written to our Licensing Section to object to the renewal of your Entertainments Licence which means the matter will be brought before the Licensing Committee for consideration.

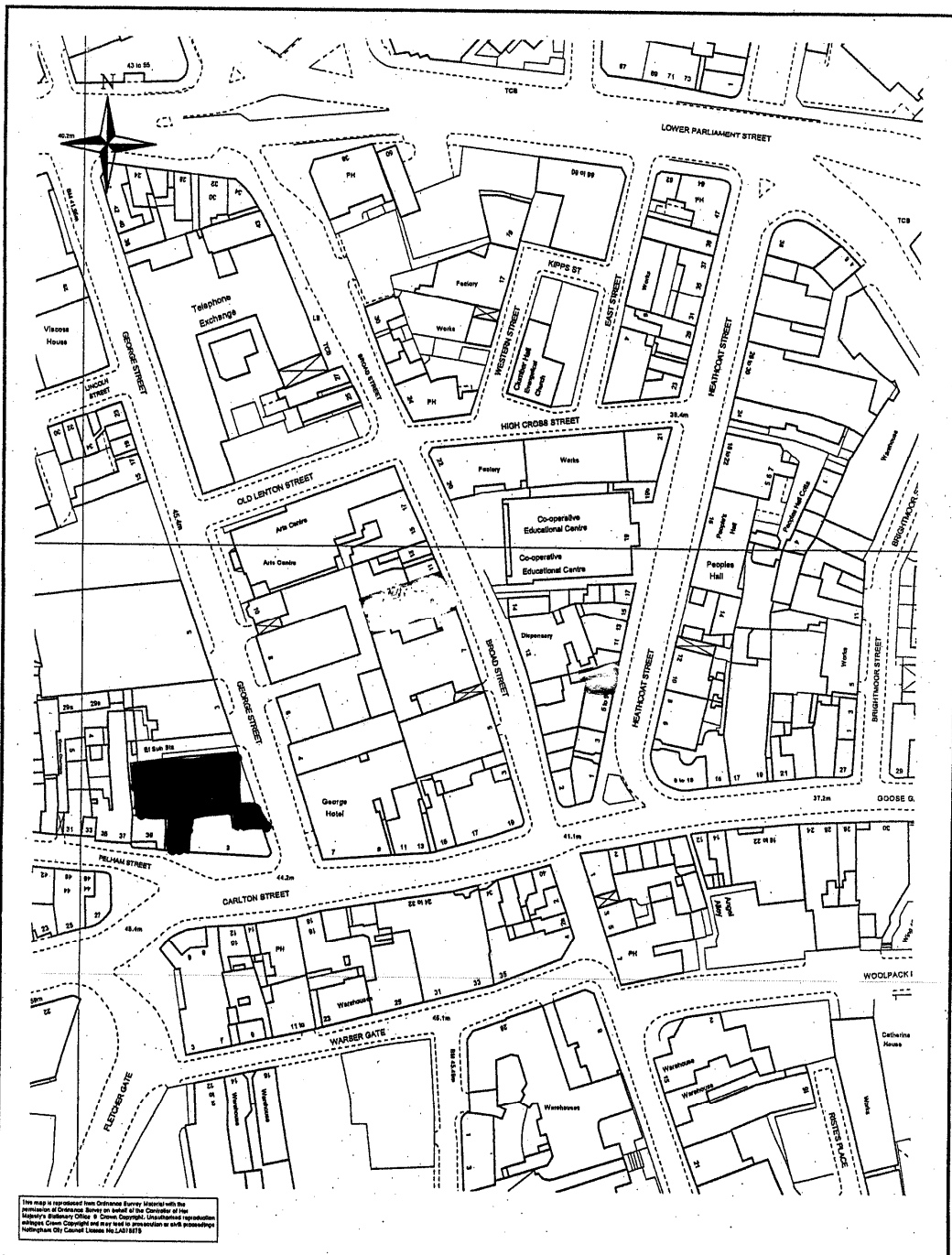
I do appreciate your co-operation when I contact you but the noise problems need resolving on a permanent basis. Please contact me if you wish to discuss any aspect of this letter.

Yours sincerely



Janet Amoah
Pollution Control Officer

Cc. Company Secretary, J D Wetherspoon PLC, Wetherspoon House, Central Park,
Reeds Crescent, Watford, Herts. WD24 4QL



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Lloyds No 1.
1 Carlton St.
Nottingham

Scale
1:1250

Date
08/2001

Initial
SMDK

Drawing
No



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20, Middle Pavement,
Nottingham NG1 7DW
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