

REPORT OF CORPORATE DIRECTOR CITY DEVELOPMENT

**APPLICATION FOR VARIATION OF ENTERTAINMENTS LICENCE
BROWNES, 17-19 GOOSEGATE, NOTTINGHAM**

1.0 SUMMARY

1.1 This is an application to vary a licence by undertaking alterations, adding the basement to the licence and to increase the occupancy.

2.0 RECOMMENDATIONS

2.1 **IT IS RECOMMENDED THAT the Committee determine the application having regard to:**

2.2 **objections by Nottinghamshire Police and Luminar Leisure Limited;**

2.3 **objections by the licensees of Faces, Liberty's, The, Jumpin Jaks and Oceana (formerly Palais);**

2.4 **the comments of the Chief Fire Officer;**

2.5 **requests for satisfactory final inspections from the Fire Officer, Environmental Health Officer (food) and the Building Control Officer;**

2.6 **the City Council's Entertainment Licensing Policy No 1;**

- **'Matters that impact on local crime and disorder have been identified and suitable measures to the satisfaction of the Police have been established to minimise or prevent avoidable incidents', and;**
- **'that the applicant has taken steps to ensure good order inside and outside the premises', and;**
- **'the applicant can (or has put) in place such effective measures as given above to the satisfaction of the Council and Police'.**

3.0 BACKGROUND

3.1 Martin Norris and Lawrence Jones hold a licence to provide music and dancing on the ground floor and music only on the mezzanine as follows:-

| | | |
|---|---|------------------|
| Mondays to Saturdays | - | 10.30 am to 1 am |
| Sundays | - | 7 pm to 12.30 pm |
| Sundays preceding bank holidays (except Easter) | - | 7 pm to 1 am |

4.0 PROPOSALS

4.1 Application has been made to provide music and dancing in the basement of the premises by way of alterations and to increase the maximum occupancy of the premises from 370 to 610 persons.

4.2 Nottinghamshire Police have objected and a copy of their letter is shown at Appendix 1.

- 4.3 Luminar Leisure Limited has also objected and a copy of a letter from their solicitor is shown at Appendix 2.
- 4.4 The licensees of the following premises object and the solicitor acting for Luminar Leisure Limited acts for them:- Faces, Liberty's, The, Jumpin Jaks & Oceana (formerly Palais).
- 4.5 The Chief Fire Officer has no objection to the application but recommends a reduced occupancy of 220 persons for the basement, and a total occupancy for the building of 590 persons excluding staff, and requires a satisfactory a final inspection.
- 4.6 The Environmental Health Officer (food) and the Building Control Officer have no objections subject to satisfactory final inspections.
- 4.7 Ward Councillors, the Planning Applications & Advice Officer and Pollution Control Officer have been consulted and have no objection.
- 4.8 The applicant, objectors and Nottinghamshire Police have been invited to attend and a map showing the location of the premises is attached.

5.0 LEGAL IMPLICATIONS

Legal implications will be reported at the meeting.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

7.0 List of background papers other than published works or those disclosing confidential or exempt information

Application dated 11 June 2004

Letters from Poppleston Allen solicitors dated 11 and 24 June 2004

Email from building control dated 23 June 2004

Memo from Planning dated 29 June 2004

Letter from Fire Officer dated 5 July 2004

8.0 CRIME & DISORDER IMPLICATIONS

Licensing for 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.

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Barry Horne
CORPORATE DIRECTOR
CITY DEVELOPMENT

Lawrence House, Talbot Street, Nottingham NG1 5NT
Contact Officer: Janet Swain
Telephone number: 0115 9156776
email: janet.swain@nottinghamcity.gov.uk

Date 9 July 2004

A Safer Nottinghamshire For All

**HEADQUARTERS**

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Our Ref HQ(CJ)L MLH/AS

8 July 2004

FOR THE ATTENTION OF MRS J SWAIN

Nottingham City Council
 Environmental Services
 Lawrence House
 Talbot Street
 NOTTINGHAM NG1 5NT

Dear Sir

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
 APPLICATION TO VARY PUBLIC ENTERTAINMENT LICENCE -
 BROWNES 17 GOOSEGATE HOCKLEY NOTTINGHAM**

We write to advise you that it is the intention of the Chief Constable of Nottinghamshire Police to object to the above application on the following grounds:

1. The granting of the application to vary has the potential to create an adverse effect upon public order in the centre of Nottingham.
2. Having regard to Section 17 of the Crime and Disorder Act 1998, it is the Chief Constables view that the proposed premises have the potential for disproportionate impact on crime and disorder in Nottingham City Centre.

The Chief Constable reserves the right to add further grounds of objection on hearing the applicants evidence in support of their application.

Yours faithfully

M L Hemsley
 M L Hemsley
 Licensing Officer
 HQ(CJ)L



INVESTOR IN PEOPLE





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Our Reference
EDM1/CS1/304645.ADMIN

Your Reference

8 July 2004

By Fax: 0115 915 6145 & Post

Dear Madam

**BROWNES BAR AND KITCHEN, 17 GOOSEGATE, HOCKLEY, NOTTINGHAM
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

We refer to the above premises and the application that has been submitted in relation to the these premises under the terms of the above Act.

We confirm that we are instructed on behalf of Luminar Leisure Limited and the licensees of the following premises:-

1. Faces Nightclub
12 Broadway
The Lace Market
Nottingham NG1 1PS
2. Liberty's
69-71 Upper Parliament Street
Nottingham
NG1 6LD
3. THE
Unit G7 and LG6
Forman Street
Nottingham
4. Jumpin Jaks
Formin Street
The Corner House
Nottingham NG1 4AA

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Solicitors regulated by The Law Society
A list of Partners of Bond Pearce is open for inspection at the above address
Bristol, Cardiff, Edinburgh, Exeter, Leeds, London, Plymouth, Southampton

5. Palais (to be known as Oceana)
Lower Parliament Street
Nottingham.

On behalf of our clients please accept this as notice of objection to the application for variation of the Public Entertainment Licence.

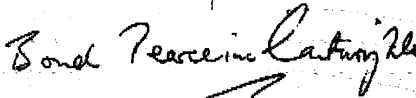
In general terms, our clients object to this application on the following grounds:-

1. The variation of the Public Entertainment Licence for these premises is likely to have an impact on crime and disorder in the surrounding areas.
2. Given the proposed layout the granting of the application would lead to the potential for noise and disturbance.
3. Generally as may be adduced.

We confirm, as a matter of courtesy, that we have forwarded a copy of this letter to Poppleston Allen, Solicitors, who we understand are instructed on behalf of the applicant.

Please acknowledge receipt.

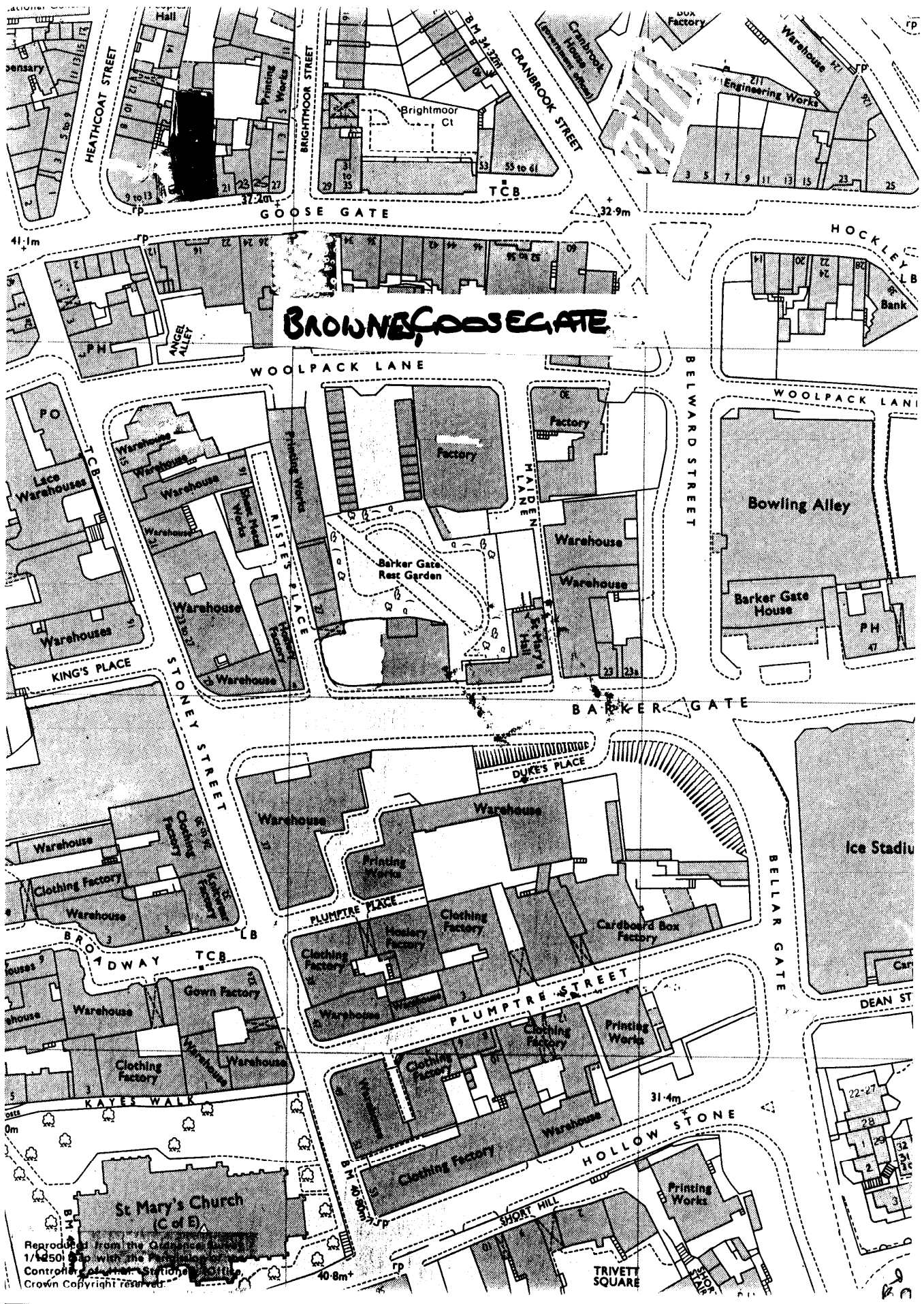
Yours faithfully



BOND PEARCE incorporating CARTWRIGHTS

cc: Poppleston Allen, 37 Stoncy Street, The Lace Market, Nottingham NG1 1LS (Ref: GC/WJ/BR16630/53) (By Fax: 0115 953 8501 & Post).

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BROWNE, GOOSEGATE

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