

# CARLISLE CITY COUNCIL

Report to:- **THE CHAIRMAN AND MEMBERS OF THE LICENSING & REGULATORY PANEL**

Date of Meeting:- 6<sup>th</sup> March 2002

Agenda Item No:-

A.3

Public	Operational	Delegated Yes
<hr/>		
<b>Accompanying Comments and Statements</b>	<b>Required</b>	<b>Included</b>
Cumbria Fire Service	Yes	Yes
Cumbria Constabulary	Yes	Yes
Environmental Services	Yes	Yes
Planning Services	Yes	Yes
<hr/>		
<b>Title:-</b>	<b>APPLICATION FOR A PROVISIONAL PUBLIC ENTERTAINMENT LICENCE – JUMPIN' JAKS, UNIT 7, PORTLANDS, BOTCHERGATE, CARLISLE</b>	
<b>Report of:-</b>	<b>CITY SOLICITOR AND SECRETARY</b>	
<b>Report reference:-</b>	<b>TC. 028/02</b>	

## Summary:-

Luminar Leisure Limited have acquired an interest in the premises at Unit 7, Portlands, Botchergate, Carlisle. These premises are part of the Portlands redevelopment project on the east side of Botchergate. They apply for a provisional Public Entertainment Licence for the premises.

## Recommendation:-

Members to reach a decision from the options outlined after hearing the evidence.

J M Egan

City Solicitor and Secretary

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- The Application, Written comments from: Fire Service, Environmental Services, Police and Planning Services, copies of which are attached to this report.

**To the Chairman and Members of The Licensing & Regulatory Panel**  
**6<sup>th</sup> March 2002**

Steve Dennis and Trevor Ellard representing Luminar Leisure Limited of 41 King Street, Luton, make this application through their solicitors Poppleston Allen.

The application is for the grant of a provisional Public Entertainment Licence in respect of new premises to be called Jumpin' Jaks (Appendix A). The site is Unit 7, Portlands, Botchergate, Carlisle, an area that is to be shortly redeveloped (Appendix B).

The hours of operation requested are:

Mondays to Saturday (inclusive): 1100 hours until 0200 hours the following day.

Sundays: 1100 hours until <sup>1230</sup>0400 hours the following day, other than where the Sunday falls before a day which is a Bank Holiday, when the terminal hour will be 2am, other than Easter Sunday.

Applicants: Steve Dennis and Trevor Ellard of 41 King Street, Luton.

Schedule 1 of the Local Government (Miscellaneous Provisions) Act 1982 is the legislation for the licensing of public entertainment. Section 15 of the Schedule reads as follows:

- (1) Where application is made to the appropriate authority for the grant of an entertainment's licence in respect of premises which are to be, or are in the course of being, constructed, extended or altered and the authority are satisfied that the premises would, if completed in accordance with plans deposited in accordance with the requirements of the authority, be such that they would grant a licence, the authority may grant the licence subject to a condition that it shall be of no effect until confirmed by them.
- (2) The authority shall confirm any licence granted by virtue of the foregoing sub-paragraph if and when they are satisfied that the premises have been completed in accordance with the plans referred to in sub-paragraph (1) above or in accordance with those plans as modified with the approval of the authority, and that the licence is held by a fit and proper person.

Cumbria Police has no objections to the application. (Appendix C)

Cumbria Fire Service has no objections. (Appendix D)

Environmental Services cannot comment effectively until all works on the premises have been completed but do not object as long as all of their requirements are met prior to opening (Appendix E).

Planning Services Department have no observations to make (Appendix F).

Carlisle Access Group comments regarding the access for disabled people. It is understood that the problem with the door widths and disabled toilets has been resolved.

The application has been advertised in the local newspaper and no comments have been received.

A letter has also been sent to a local resident who has objected to previous applications in the area and again no comments have been received.

It is recommended that the panel consider the options below after hearing the representations made by the applicants.

### **OPTIONS**

1. To refuse the application
2. To grant the provisional application subject to the Council's Licensing Officer being satisfied that the requirements of Cumbria Fire Service, Environmental Services Division and Planning Services are fully met and inspected and confirmed to that effect.
3. At least one of the named licence holders to be based in Carlisle.

Prepared by J A Messenger

CITY OF CARLISLE  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Notice and application for a licence to use premises for Public Entertainment

I hereby make application for a ~~NEW/RENEWAL OF/TRANSFER OF/VARIATION~~ NEW PROVISIONAL PUBLIC ENTERTAINMENT  
~~TO/OCCASIONAL~~ Licence to use premises described below for Public Entertainment  
as defined in the Local Government (Miscellaneous Provisions) Act 1982

- |                                                                          |                                                                                                                                                                                                                                                           |                                                                                        |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. Full Name, Address,<br>Postcode and Telephone<br>Number of Applicants | (1) STEVE DENNIS<br>40 LUMINAR LEISURE LTD<br>41 KING STREET<br>LUTON<br>01582 589400                                                                                                                                                                     | (2) TREVOR ELLARD<br>40 LUMINAR LEISURE LTD<br>41 KING STREET<br>LUTON<br>01582 589400 |
| 2. Date and Place of<br>Birth                                            | (1) 13/03/46<br>MANCHESTER                                                                                                                                                                                                                                | (2) 21/06/56<br>LEAMINGTON SPA                                                         |
| 3. Full Name, Address,<br>Postcode and Telephone<br>Number of Premises   | PROPOSED "JUMPIN JAKS"<br>UNIT 7<br>BOTCHERGATE DEVELOPMENT<br>CARLISLE                                                                                                                                                                                   |                                                                                        |
| 4. Proposed Hours of<br>Operation                                        | MONDAYS TO SATURDAYS 11.00AM TO 2.00AM THE FOLLOWING MORNING<br>SUNDAYS (INCLUDING EASTER SUNDAY) 11.00AM TO 1.00AM THE<br>FOLLOWING MORNING; SUNDAYS PRIOR TO A BANK HOLIDAY MONDAY<br>(EXCLUDING EASTER SUNDAY) 11.00AM TO 2.00AM THE FOLLOWING MORNING |                                                                                        |
| 5. Date if Occasional                                                    | -N/A                                                                                                                                                                                                                                                      |                                                                                        |
| 6. Rooms or Areas to<br>be Licensed                                      | PLEASE SEE PLAN - JOB NO. 2397<br>DRAWING NO. 02                                                                                                                                                                                                          |                                                                                        |
| 7. Nature of Entertainment                                               | PUBLIC MUSIC, SINGING AND DANCING AND<br>PUBLIC ENTERTAINMENT OF THE LIKE KIND.                                                                                                                                                                           |                                                                                        |

8. If this is an initial application for a new Public Entertainment Licence, a simple A4  
size plan of the premises should accompany it with the areas intended to be used for  
Public Entertainment clearly marked. SEE ENCLOSED PLAN

Dated 24TH JANUARY 2002 Dated \_\_\_\_\_  
(1) \_\_\_\_\_ (2) \_\_\_\_\_  
Signed \_\_\_\_\_ Signed \_\_\_\_\_  
POPPELSTON ALLEN, FOR AND ON BEHALF OF THE APPLICANTS.

Please note the information supplied on this form may be divulged to the Police and  
other agencies involved in the prevention of fraud.

This form should be returned to:

The Licensing Officer  
City Solicitor & Secretary  
Carlisle City Council  
Civic Centre  
Carlisle CA3 8QG

25/1/02 73480

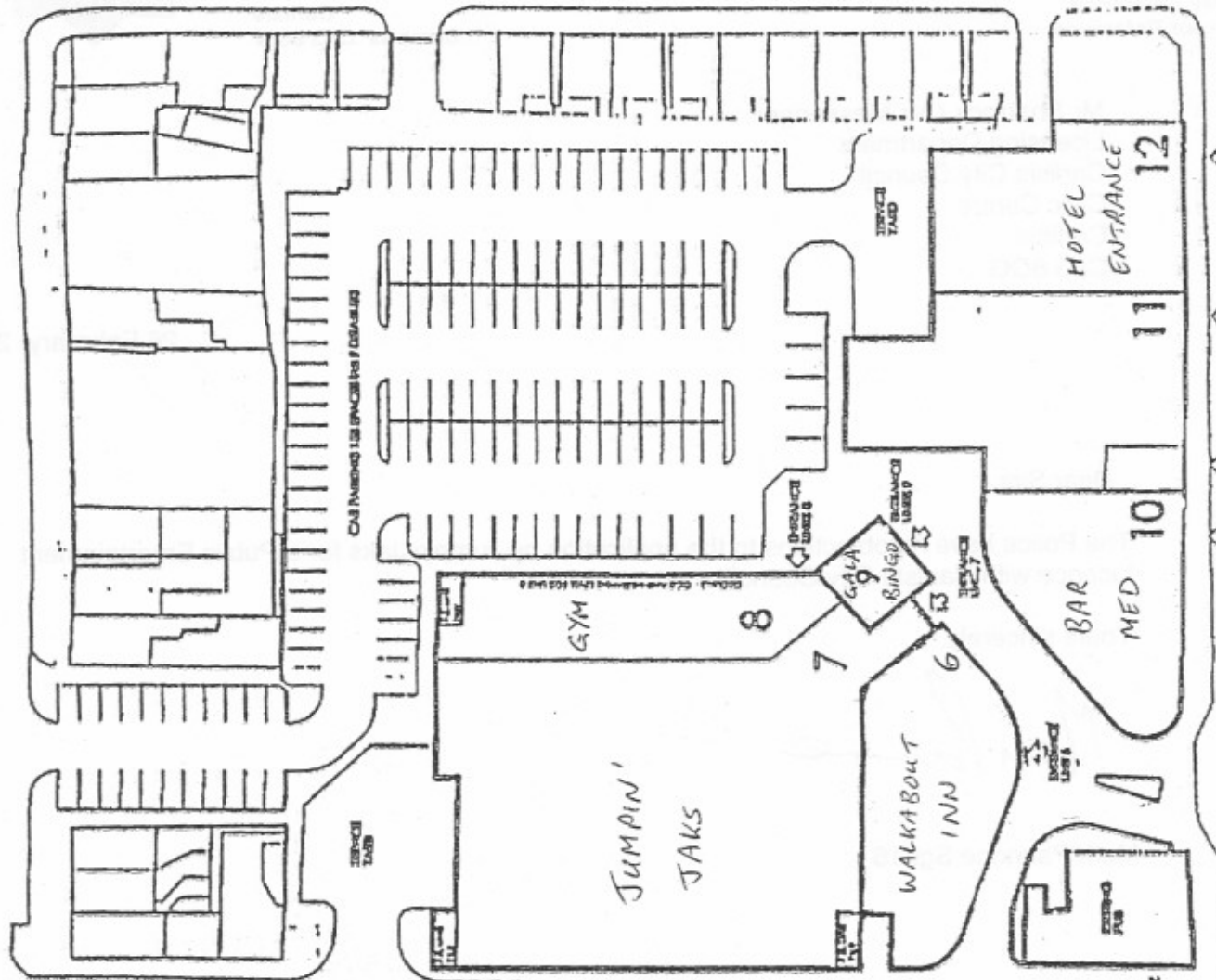
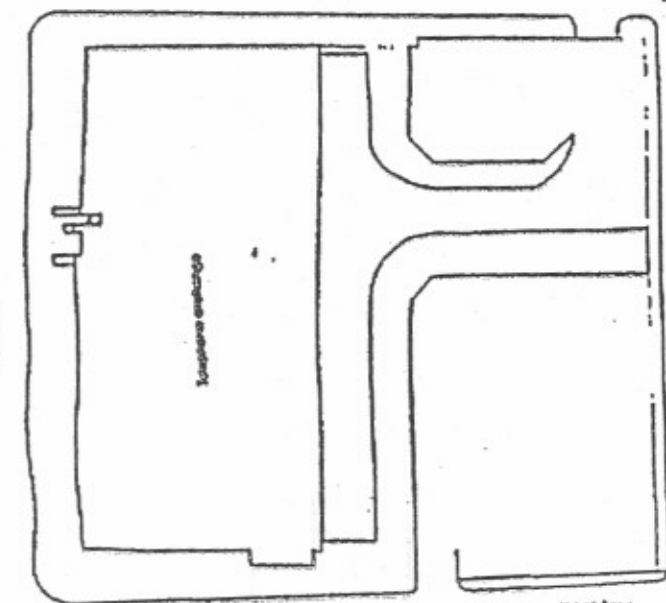
Together with the appropriate fee of £ 285.00. Should the application be subsequently  
withdrawn or refused, the fee will be retained by the Council to cover administration  
costs. Cheques should be made payable to Carlisle City Council.

Adl -  
Frie +  
ES -  
Plan +  
Accr +

APP 'B'

# P. RTLANDS, BOTCHE. GATE

Card House



SCHEDULE	UNIT No.
UNIT 1	---
UNIT 2	---
UNIT 3	---
UNIT 4	---
UNIT 5	---
UNIT 6	---
UNIT 7	---
UNIT 8	---
UNIT 9	---
UNIT 10	---
UNIT 11	---
UNIT 12	---
TOTAL	---

APP 'c'

# CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218400  
Telephone: 01228 528191

Area Commander  
North Cumbria Area  
Superintendent G Horlacher

Please ask for: PS 16 Pannone  
County Police Station

My Reference:  
Your Reference:

Rickergate  
Carlisle  
Cumbria CA3 8QW



Mr Sharrock / Mr Messenger  
Licensing Department  
Carlisle City Council  
Civic Centre  
Carlisle  
CA3 8QG

26 February, 2002

Dear Sirs,

The Police have no objections to the application by Jumpin Jaks for a Public Entertainment Licence with Carlisle City Council.

Yours sincerely,

Mark Pannone Sgt 16



29 January, 2002

Your ref:

Our ref: CFS/17653/SP/AMM

Enq to: Technical Officer Pullan

Direct Line: 01228 815346

Web Site: [www.cumbriafire.fire-uk.org](http://www.cumbriafire.fire-uk.org)

City Solicitor & Secretary

Civic Centre

Carlisle

CA3 8QG

FAO Mr JA Messenger/Mr B Sharrock



COUNTY COUNCIL

Directorate of  
Safety Services

Cumbria Fire Service

C DIVISION HEADQUARTERS

11/13 Brunswick Street Carlisle

Cumbria CA1 1PB

tel- 01228 521215

fax- 01228 815349

minicom- 01900 828844

CHIEF EXECUTIVE DEPT	
FILE	
31 JAN 2002	
ASSIGNED	IM
APPROVED	
RECEIVED	✓

Dear Sir

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISION) ACT 1982**  
**JUMPIN JAKS UNIT 7 PORTLANDS BOTCHERGATE CARLISLE**

I refer to the application for the provisional grant of a Public Entertainment Licence for the above premises dated 22 January 2002. The premises will be completed in accordance with the Building Regulations in consultation with the Fire Authority, therefore, there is no objection to this application.

Yours faithfully

*S Pullan*

S Pullan  
Fire Safety Officer

**Carlisle City Council**  
**Environment & Development**  
Environmental Services

**INTERNAL MEMORANDUM**

<b>From:</b> HEAD OF ENVIRONMENTAL SERVICES	<b>Please ask for:</b> Janet Evans
<b>To:</b> TOWN CLERK & CHIEF EXECUTIVE	<b>Extension:</b> 7335
<b>FAO:</b> Jim Messenger	<b>E-mail:</b> Janet Evans
	<b>Your ref:</b>
	<b>Our ref:</b> PP.16/01 F9 JE/LB
	26 February 2002

**PUBLIC ENTERTAINMENT LICENCE – "JUMPIN JAKS"**

As this premises does not exist as yet it is impossible for this division to comment on the application at present.

As with all new places of public entertainment this division is concerned with possible noise pollution that may arise unless adequate sound insulation is built into the premises. Details of the method of sound insulation have been requested from the applicant.

I suggest at this stage that a provisional Public Entertainment Licence is granted on the condition all requirements of this division are met prior to opening.

  
**J Evans**  
Environmental Health Officer



76028  
APP 'F'

**Carlisle City Council**  
Planning Services

**INTERNAL MEMORANDUM**

CHIEF EXECUTIVE OFFICER  
28 JAN 2002  
Jim Messenger

<b>From:</b> Head of Planning Services	<b>Please ask for:</b> Martin Tickner
<b>To:</b> City Solicitor & Secretary (Licensing Section)	<b>Extension:</b> 7175
<b>FAO:</b> Jim Messenger	<b>E-mail:</b> Martin Tickner
	<b>Your ref:</b> Licensing/JAM
	<b>Our ref:</b> MT/CN/DC
	25 January 2002

**RE - NEW PUBLIC ENTERTAINMENT LICENCE - JUMPIN'JAKS, UNIT 7, PORTLANDS, BOTCHERGATE, CARLISLE**

I refer to your memo of 23<sup>rd</sup> January, in connection with the above matter, I have no observations to make.

*M Tickner*

**M Tickner**  
Enforcement Officer

9.

16109  
APP 'G'

CHIEF EXECUTIVES OFFICE	
FILE	
- 7 FEB 2002	
PASSED TO	Jam
ANSWERED	
MAIL LOG	

## INTERNAL MEMORANDUM

**From:** Planning Services  
**To:** City Solicitor & Secretary - Licensing  
**FAO:** Jim Messenger

**Please ask for:** Margaret Easton  
**Extension:** 7183  
**E-mail:**  
**Your ref:** Licensing JAM  
**Our ref:** ACC/ME  
5th February 2002

### NEW PUBLIC ENTERTAINMENT LICENCE

Jumpin' Jaks, Unit 7, Portlands, Botchergate, Carlisle

Carlisle Access would like to make the following comments concerning the above premises:-

Although the plans show that access for disabled people has been considered, there does not appear to be wheelchair access to the stage and the DJ area. If the dimensions on the plans are accurate, some door widths and the disabled persons' wc are not large enough.

*Margaret Easton*

**M Easton**  
Access Officer