

CARLISLE CITY COUNCIL

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

Date of Meeting:- 17th April 2002

Agenda Item No:-

A.1

Public

Operational

Delegated Yes

Accompanying Comments and Statements

	Required	Included
Cumbria Fire Service	Yes	Yes
Cumbria Constabulary	Yes	No
Environmental Services	No	No
Corporate Planning & Information Unit	No	No
Planning Services	Yes	No

Title:-

APPLICATION FOR A VARIATION TO THE PUBLIC ENTERTAINMENT LICENCE – LEONARDO'S, 4-10 LONSDALE STREET, CARLISLE

Report of:-

CITY SOLICITOR AND SECRETARY

Report reference:-

TC. 70/02

Summary:-

Leonardo's is situated in Lonsdale Street, Carlisle adjacent to Buskers Nightclub that is also owned by the applicant. The premises currently have a Public Entertainment Licence until 0100 hours Monday to Saturday and 2230 hours on Sundays. An application has been received to extend the terminal hour to 0200 hours Monday to Saturday.

Recommendation:-

To reach a decision from the options available 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, letters from Cartmell Shepherd, Cumbria Fire Service, Environmental Services and Planning Services, copies of which are attached.

To the Chairman and Members of the Licensing & Regulatory Panel
on 17th April 2002

- 1) Leonardo's is situated at 4-10 Lonsdale Street, Carlisle. It is adjacent to Buskers Nightclub, which is also owned by the same company (Appendix A).
- 2) The Licensee and applicants are: Stephen Crooks, 87 Moorhouse Road, Carlisle
Andrew Gardiner, 89 Langrigg Road, Carlisle

They are represented today by their Solicitor Michael Barnes of Cartmell Shepherd who made the application on their behalf (Appendix B).

- 3) The premises currently have the benefit of a Public Entertainment Licence with operating times as follows;

Monday to Saturday	1000 hours until 0100 hours the following day
Sunday	1200 hours to 2230 hours

- (4) Application is made for a variation to the current Public Entertainment Licence hours as follows (Appendix C):

Monday to Saturday	1100 hours until 0200 hours the following day
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Following discussions with one of the applicants, Mr Gardiner, this application may be varied to apply to Friday and Saturday nights only.

- (5) The application has been advertised in a local newspaper and comments invited by 14th April 2002.
- (6) Cumbria Constabulary has been consulted and will attend the Panel.
- (7) Planning Services Department have no objections to the application (Appendix D)
- (8) Cumbria Fire Service have no objections to the application (Appendix E)
- (9) Environmental Health have visited the premises and a report is awaited.
- (10) Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982 is the legislation for the licensing of public entertainment. Section 16 of the Schedule reads as follows;

(1) The holder of an entertainment licence may at any time apply to the appropriate authority for such variations of the terms, conditions or restrictions on or subject to which the licence is held as may be specified in the application.

(2) An authority to whom an application under sub-paragraph (1) above is made may:

- (a) Make the variations specified in the application.
- (b) Make such variations as they think fit including the imposition of terms, conditions or restrictions other than those so specified ; or
- (c) Refuse the application.

OPTIONS

1. Refuse the application
2. Approve the application to extend the PEL as requested or to such an hour as the panel determines

Prepared by J A Messenger



Carlisle City Council
 City Solicitor & Secretary
 Licensing Section

 J M Egan LL B
 Tel: 01228 817026 Fax: 01228 817048

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CARTMELL SHEPHERD
SOLICITORS

Gill Place Brampton Cumbria CA8 1SQ
Telephone: 016977 2378

Fax: 016977 41023. E-mail: cartmell.brampton@dial.pipex.com

16253
APP 'B'

CHIEF EXECUTIVE'S DEPT	
FILE	
19 MAR 2002	
PASSED TO	Licensing
ANSWERED	JAM
MAIL LOG	<input checked="" type="checkbox"/>

Entertainment Licensing Officer
Carlisle City Council
DX 63037
CARLISLE

Your ref

Our ref MGB/AH

Date 15 March 2002

Direct e-mail: mgb@cartmells.co.uk

Dear Sir

Leonardo's, 4-10 Lonsdale Street, Carlisle

We act for Stephen Crooks and Andrew Gardiner the licensees of the above premises.

In 1999 our clients obtained a variation to their existing Entertainment Licence to incorporate a dining room on the first floor and in addition to make provision for a new "Nightclub" on the first and second floors.

The Licence granted permitted entertainment in the original premises and the new first floor dining area to 1.00 am and in the new Nightclub to 2.00 am.

For various reasons (not least perhaps the proposed developments in Botchergate) our clients have not progressed the new Nightclub on the first and second floors. However, the remainder of their premises operates under a Justices Licence and of course has the present facility of an Entertainment Licence allowing entertainment to 1.00 am.

Our clients would like to extend the hours for the existing premises to 2.00 am. The licensees provide food and entertainment and there is music on both the ground and first floor. They would like to provide the added facility of an additional hour which of course ties in with many of the other night spots in Carlisle.

The overall running of the premises will continue as at present without any changes to the format.

We have arranged for a notice of the application to appear in the local press in accordance with your requirements.

Michael G. Barnes
Andrew L. Thorneley
Robert L. Good
Timothy H. Carmell

Michael J. Kewish
A. H. Boyd Holmes
Timothy V. Sykes
Diana F. Armstrong

Julian M. R. Nelson
Michael J. Fisher
Nicholas Richards
Carol Fish

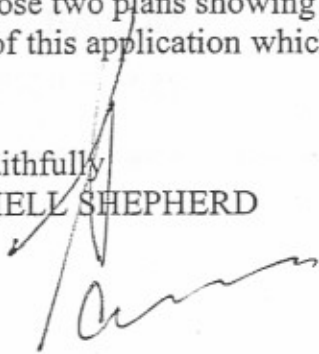
Joanna M. H. Jeeves
Matthew J. L. Bibby
Susan E. Duff
Hilary F. Holland

Associates
Catherin E. Forrester
Jonathan M. Richardson
Rasheeda Jabbar

We would be grateful if you would list the application at the first available sitting of the Entertainment Licensing Committee after 14th April which is the date we have notified in the press for objections.

We enclose two plans showing the premises and have edged red the parts which are the subject of this application which are restricted to the ground and first floor.

Yours faithfully
CARTMELL SHEPHERD

A handwritten signature in black ink, appearing to read 'Cartmell Shepherd', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke at the end.

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 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, Postcode and Telephone Number of Applicants
 (1) STEVEN CROOKS
 87 MOORHOUSE RD
 CARLISLE CA2 7QH.
 (2) ANORAN EARD, NOR
 89 LAWELIGH ROAD
 CARLISLE.
2. Date and Place of Birth
 (1) 11-1-63. (2) 4-3-64
3. Full Name, Address, Postcode and Telephone Number of Premises
 LEONARDS.
4. Proposed Hours of Operation
 10am - 2am Fri - Sat *for*
5. Date if Occasional
6. Rooms or Areas to be Licensed
 Ground floor and first floor.
7. Nature of Entertainment
 Discs & Groups. (live music)
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.

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

Dated *S. Crooks* Dated 4-4-02
 (1) (2)
 Signed 3-4-02 Signed *[Signature]*

This form should be returned to:

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

74207 3/4/02

Together with the appropriate fee of £25 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.

Carlisle City Council
Planning Services

INTERNAL MEMORANDUM

From: Head of Planning Services	Please ask for: Martin Tickner
To: City Solicitor & Secretary	Extension: 7175
FAO: Jim Messenger	E-mail: Martin Tickner
	Your ref: Licensing/JAM
	Our ref: MT/CN/DC
	05 April 2002

**RE - PUBLIC ENTERTAINMENT LICENCE - LEONARDO'S 4-10 LONSDALE STREET,
CARLISLE**

I refer to your memo of 3rd April and confirm, that I have no objections to the variation of the Public Entertainment Licence at Leonardo's, 4-10 Lonsdale Street, Carlisle.

M. Tickner

M Tickner
Enforcement Officer

16308
APP'E'



COUNTY COUNCIL

Directorate of
Safety Services

Cumbria Fire Service

DIVISION HEADQUARTERS

11/13 Brunswick Street Carlisle
Cumbria CA1 1PB

tel- 01228 521215

fax- 01228 815349

minicom- 01900 828844

CHIEF EXECUTIVE OFFICER
FILE
02 APR 2002
SIGNED: [Signature]

28 March, 2002
 Your ref:
 Our ref: CFS/00471/SP/JLM
 Enq to: Technical Officer Pullan
 Direct Line: 01228 815346
 Web Site: www.cumbriafire.fire-uk.org

Cartmell Shepherd
 Gill Place
 Brampton
 Cumbria
 CA8 1SQ

Dear Sir

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
LEONARDO'S 4-10 LONSDALE STREET CARLISLE

I refer to your letter dated 15 March 2002 regarding the above premises and advise you that the Fire Authority has no objection to the application.

Yours faithfully,

S Pullan

S Pullan
 Fire Safety Officer

cc City Solicitor & Secretary ✓
 Civic Centre
 CARLISLE
 Cumbria
 CA3 8QG

