

# NORTHAMPTON BOROUGH COUNCIL

## LICENSING SUB-COMMITTEE

**Monday, 28 March 2011**

**COUNCILLORS PRESENT:** Councillors Reeve and Woods (Chair), Reeve and Wilson  
**OFFICERS:** Mohammed Rahman (NBC Solicitor)  
Phillip Bayliss (Principle Licensing Officer)

**FOR THE APPLICANT:** Yasser Shahrabeel Shah (Applicant)

### **1. 99 WEEDON ROAD, NORTHAMPTON, NN5 5BG**

The Chair introduced the Sub-Committee and welcomed everyone to the meeting.

#### **Outline of the Application by the Licensing Officer**

The Licensing Officer outlined the application by Yasser Shahrabeel Shah for a Premises Licence in respect of 99 Weedon Road, Northampton. He then explained the procedure for the hearing.

#### **Application for the Review**

The Applicant commented that he had noted the two main concerns of the residents and had actioned preventative measures to ensure that those issues would no longer arise. In respect of the usage of the rear entrance for deliveries, which previously created noise late at night for the residents, the applicant had agreed to reduce the commercial use of the back entrance from 23:00 as currently permitted to 22:00 as a courtesy. In regard of the issues concerning noise and smells from the kitchen equipment and flue the applicant assured the Sub-Committee that the equipment and flue had been designed in accordance with the Department of Environment, Food and Rural Affairs, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, which ensured that no noise or smells would affect or disturb residents. The applicant commented that in these concerns being addressed, the Sub-Committee should note that a dilapidated building had been brought into use and then premises provided the town with 15 jobs. He also noted that due to the high standard of their facilities and the premises, they believed they had upgraded the area.

#### **Questions to the Applicant**

Members wished to note to the applicant that the objections raised and the solutions presented to the Sub-Committee concerning the use of the back entrance and the potential for noise and smells from the kitchen, were in fact a matter for the Planning Committee. The applicant confirmed that he was in process of obtaining planning permission.

Members questioned the potential footfall and trade for the premises in the hours between 00:00 and 03:00 as the premises was not located directly in the centre of town. Members requested the closing hours of other licensed premises in the area (attached). The applicant confirmed that it was his belief that he would have increased footfall after the closing of public houses and trade for deliveries, he anticipated that approximately 12-15 covers would eat in the premises and others would take away.

#### **The Determination**

The Sub-Committee considered the application for a Premises Licence for 99 Weedon Road, Northampton made by Mr Shah (the applicant).

The Sub-Committee noted that there had been representations made in writing by a number

of residents based on the Prevention of Public Nuisance, however, they also noted that the bulk of the objections were matters relating to Planning, and should be addressed at any Planning Committee. In particular, they noted the applicants undertaking with respect to the restricted use of the rear access.

The Sub-Committee were fully aware that this hearing was just to address the element of Late Night Refreshment.

The Sub-Committee noted that there had been objections put in writing. However, no objector had attended to speak on this matter.

Having noted that the applicants had addressed the concerns of the residents, the Sub-Committee decided to grant the application as requested.

All parties have the right to appeal the Sub-Committees decision to the Magistrates Court within 21 days of the date of decision.

The meeting concluded at 2:50 pm

## Opening Hours Weedon Road.

Premises	Location			Earliest closing	Latest Closing	Type
ROVER THE	WEEDON ROAD	157	NORTHAMPTON	23:30	00:30	PUBLIC HOUSE
CHINA COTTAGE	WEEDON ROAD	97	ST JAMES	00:30	00:30	TAKEAWAY
ST JAMES WORKING MENS CLUB	WEEDON ROAD	2	NORTHAMPTON	23:50	01:20	PRIVATE MEMBERS CLUB
INDIAN BRASSERIE	WEEDON ROAD	95	NORTHAMPTON	00:00	00:30	RESTAURANT
BEACON BINGO	WEEDON ROAD		NORTHAMPTON	03:00	03:00	PRIVATE MEMBERS CLUB
BEACON CASINO	WEEDON ROAD		NORTHAMPTON	06:00	06:00	CASINO
KP News	WEEDON ROAD	93	NORTHAMPTON	22:00	22:00	Off Licence