

NORTHAMPTON BOROUGH COUNCIL

LICENSING AUTHORITY

NOTICE OF HEARING

A Meeting of the Licensing Sub-Committee will be held on

Monday, 16 July 2012 at 9:30 am

In The Council Chamber, St. Giles Square, Northampton, NN1
1DE. The Guildhall, Northampton
to hear the relevant representations and notices raised in respect of

**Temporary Event Notice
The Welcome/Motown
1-5 Upper Harding Street
Northampton**

PROCEDURES FOR LICENSING SUB-COMMITTEE HEARING

- **Welcome** – Chairman welcomes the Applicant, Representors, Responsible Authorities and Interested Parties and introduces members of the sub-committee (+ other officers e.g. Solicitor, Licensing Officer, Meetings Services clerk etc).
- **Reason for Hearing** – to be outlined by the **Licensing Officer** or the **Chair**.
- **Format of the hearing** – an explanation of the format of the proceedings:
 1. **Applicant** (or his/her representative) will address the sub-committee first and put their case.
 2. **The Chair** leads an examination of the **Applicant's case**. First, the panel may ask questions and then the Chair invites Responsible and Interested Parties to participate. Questions may only relate to the points made by the applicant.
 3. **The Representors** (and responsible and Interested Parties) then state their case.
 4. **The Chair** leads an examination of the **Representor's case**.

Each party will be given an equal maximum period of time in which to present their case and may, if given permission by the Chair, question any other party.

- **Summing Up**
 - By the Representors
 - By the Applicant
- **Sub-committee retires** – and may call for the Solicitor for advice if required.
- **Sub-Committee deliver their decision and reasons for their decision at the conclusion of the meeting IF:**
 1. Application for conversion of existing licence
 2. Application for conversion of existing club certificate
 3. Application by holder of justices' licence for grant of personal licence
 4. Application for conversion and variation of premises licence (including variation of DPS)
 5. Application for conversion and variation of club premises certificate
 6. Counter notice following police objection to temporary event notice
 7. Review of Premises Licence following Closure Order

In all other cases, the Sub-committee delivers its decision and reasons for its decision within five working days beginning with the day on which the hearing was held.

Philip Bayliss

From: Ormond Joy [Joy.Ormond@northants.pnn.police.uk]
Sent: 06 July 2012 13:07
To: Philip Bayliss
Cc: Bryan David; Worthington Mark
Subject: Welcome/Motown

Please accept this E-mail as a representation from Northamptonshire Police that we are objecting to the application for a Temporary Event to be held at the above premise on 20th July to 22nd July, 12 noon to 03.00, for a Graduation Party.

This is on the grounds of the Licensing Objectives of the Prevention of Crime and Disorder and public safety as per the licensing review of the premise which is being held on 26th July 2012.

Regards

Joy Ormond| Licensing Clerk| Community Safety Tel: 101 Ext 5616
mail to: joy.ormond@northants.police.uk
Community Safety, 14 Fish Street, Northampton, NN1 2AA
If calling from outside Northampton please call 03000 111 222

Northamptonshire Police: Putting Communities First

NORTHAMPTONSHIRE POLICE - Visit us at <http://www.northants.police.uk>

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Northamptonshire Police monitors Internet and email activity.

Help the environment. Only print this email if absolutely necessary.

LICENSING
 5 - JUL 2012

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Other (please state)		
Surname	SIMPSON		
Forenames	MARY		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day 28	Month 08
		Year 1972	
4. Your place of birth		KENYA	
5. National Insurance Number		SG447575D	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
TH WELCOME UPPER HARDING ST			
Post town		Post code	
NORTHAMPTON		NN1 2PL	
7. Other contact details			
Telephone numbers		07732450660	
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail Address (optional)		mary.simpson@hotmail.com	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (optional)	

<p>Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)</p>	
<p>THE WELCOME UPPER HARDING ST NN1 2PL</p>	
<p>If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)</p>	
<p>Please describe the nature of the premises below. (Please read note 4)</p>	
<p>PUB</p>	
<p>Please describe the nature of the event below. (Please read note 5)</p>	
<p>GRADUATION PARTY</p>	

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)		
20 JULY 2012 22 JULY 2012		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)		
12 noon - 3.00 AM 20/7/12 12 noon - 3.00 AM 22/7/12		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)	200	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)		Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	NORTHAMPTON BOROUGH COUNCIL		

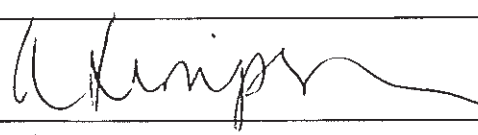
Licence number	PA 1798
Date of issue	20 JULY 2010
Date of expiry	20 JULY 2020
Any further relevant details	

5. Previous temporary event notices you have given. (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues. (Please read note 13)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 14)	
Initial (Please mark the appropriate boxes with an 'X')	
Send two copies of this notice to the licensing authority for the area in which the premises are located	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are located	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input type="checkbox"/>
Sign the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 15)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 16)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	04/07/2012
Name of Person signing	MARY SIMPSON

For completion by the Licensing Authority

I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the Licensing Authority
Date	
Name of Officer signing	



LICENSING SUB-COMMITTEE

NOTIFICATION OF DETERMINATION

Welcome, 1- 5 Upper Harding Street, Northampton, NN1 2PL

Hearing date: 25th June 2012 @ 10.00am

Decision:

The Determination

The Committee has considered the application to vary a Premises Licence for The Welcome Inn (also known as Mowtown), of Upper Harding Street, Northampton made by Mr Malik on behalf of The Welcome Inn (the applicant).

The Sub- Committee have noted that there were representations made by Northamptonshire Police, PC Dave Bryan, on the grounds of Prevention of Crime and Disorder and Public Nuisance.

There was also a representation from Northampton Borough Council's Public Protection Department (Senior Environmental Health Officer Paul Mallard) based on the prevention of Public Nuisance.

It is noted that with regards the music, Mr Malik has offered to turn the music off at 11pm. However, the Public Protection Department have commented that they *"find it difficult to object to the proposed extension of hours if the music finishes at 2300. However, I have concerns as to whether this is a realistic proposal"*

We have also heard from Mrs Timpson, who lives very close to the premises and speaks on behalf of other residents who have also put representations in writing, again on the grounds of Public Nuisance.

The Sub-Committee have taken into account the proposals put forward by Mr Malik however, whilst we appreciate Mr Malik is a reasonably new operator, we are still not satisfied that the premises is being run in a manner which will not cause any nuisance to the public or cause concern for the Police.

As such, the Committee have decided to refuse the application.

The reason for this decision is that the Sub-Committee feel that at this stage, there is not enough evidence to suggest the Applicants will uphold and promote the licensing objectives in a manner, which will satisfy all parties concerned.

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