

**NORTHAMPTON BOROUGH COUNCIL**

**LICENSING AUTHORITY**

**NOTICE OF HEARING**

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

**Monday, 16 July 2012 at 11:00 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  
Old White Hart  
Cotton End  
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.

# Agenda Item 1

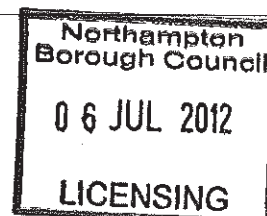
## Temporary Event Notice

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 at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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 X Ms <input type="checkbox"/> Other (please state)		
Surname	ELMORE		
Forenames	JOANNA LOUISE		
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"/> MrsX Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	MATHIESON		
Forenames			
3. Your date of birth	Day11	Month02	Year1962
4. Your place of birth	WOLVERHAMPTON		
5. National Insurance Number	WM896581A		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
9 ASHBY ROAD WELTON			
Post town DAVENTRY		Post code NN115JS	
7. Other contact details			
Telephone numbers			
Daytime	01604 709990		
Evening (optional)	07857148945		
Mobile (optional)	AS ABOVE		
Fax number (optional)			
E-Mail Address (if available)	info@theoldwhitehartinn.com		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			



The Old White Hart, Cotton End,	
Post town Northampton	Post code NN4 8BS
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	01604 709990
Evening (optional)	
Mobile (optional)	07857148945
Fax number (optional)	
E-Mail Address (if available)	

<b>2. The premises</b>	
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)	
COTTON END NORTHAMPTON NN4 8BS	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PL0560
Club premises certificate number	
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)	
OUTSIDE COURTYARD AREA	
Please describe the nature of the premises below. (Please read note 4)	
PUBLIC HOUSE	
Please describe the nature of the event below. (Please read note 5)	
PERFORMANCE OF LIVE MUSIC (BANDS & SINGERS)FOR CHARITY	

--

3. The licensable activities	
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 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	X
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	21.07.12
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 9)	
1400-2300	
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 10)	300
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 11)	On the premises only <input type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes X	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	DAVENTRY	

Licence number	07JE-34UC-69
Date of issue	12.01.07
Date of expiry	12.01.17
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13)		
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 X
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 X

6. Associates and business colleagues (Please read note 14)		
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 X
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 X
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 X
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 X

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	X
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	X
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	X
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	X
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	X
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	X
Make or enclose payment of the fee for the application	X
Sign the declaration in Section 9 below	X

I HAVE BEEN ADVISED THAT THE LICENSING DEPT WILL DO THE ABOVE ON MY BEHALF

8. Condition (Please read note 16)
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 17)	
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	ON LINE APPLICATION
Date	06.07.12
Name of Person signing	JOANNA LOUISE ELMORE

For completion by the licensing authority

10. Acknowledgement (Please read note 18)
I acknowledge receipt of this temporary event notice.

Signature	
	On behalf of the licensing authority
Date	
Name of Officer signing	



## Philip Bayliss

---

**From:** Debbie MacColl  
**Sent:** 09 July 2012 09:42  
**To:** Philip Bayliss  
**Subject:** FW: temp-event-notice.doc  
**Attachments:** Old White Hart TEN assessment.doc

Debbie MacColl  
Community Safety Admin and Project Officer  
The Guildhall  
St Giles Street  
Northampton  
NN1 1DE  
Tel 01604 837752

---

**From:** Paul Mallard  
**Sent:** 09 July 2012 09:38  
**To:** Debbie MacColl  
**Subject:** RE: temp-event-notice.doc

Dear All,

we have received a complaint concerning a similar event recently held at the premises.

A noise prediction has been carried out based on assumed Music Noise levels and this would confirm that complaints from such events could be expected from the surrounding residential premises.

However, it is not intended that such events should be prevented entirely but could take place subject to restrictions that limit the disturbance to their neighbours.

I attach our guidance notes for such events, which are currently under review.

This application has been made at short notice and regulatory services has concerns that the necessary controls can be put in place and the length of the proposed event is considered too long, considering the degree of intrusion that might be expected from such an event.

Therefore regulatory services object to this application on the grounds of possible public nuisance.

We would consider withdrawing our objections if the applicant could provide evidence on how they propose to control the music noise levels and if the regulated entertainment were restricted to 17:00 to 23:00.

Regards,

P Mallard  
Senior Environmental Health Officer

Northampton Borough Council  
West Bridge Depot  
St James Mill Road  
NN5 5JW

01604 837649  
[pmallard@northampton.gov.uk](mailto:pmallard@northampton.gov.uk)

---

**From:** Debbie MacColl  
**Sent:** 06 July 2012 13:50  
**To:** 'Joy Ormond ([joy.ormond@northants.police.uk](mailto:joy.ormond@northants.police.uk))'; 'David Bryan ([david.bryan@northants.police.uk](mailto:david.bryan@northants.police.uk))'; Paul Mallard  
**Subject:** FW: temp-event-notice.doc

Please find attached a copy of a TENS received today for The Old White Hart.

Debbie MacColl  
Community Safety Admin and Project Officer  
The Guildhall  
St Giles Street  
Northampton  
NN1 1DE  
Tel 01604 837752

---

**From:** TheoldwhiteHart [<mailto:info@theoldwhitehartinn.com>]  
**Sent:** 06 July 2012 13:02  
**To:** Licensing  
**Subject:** temp-event-notice.doc

Please find att

Thank you

Jo

## Noise assessment for The Old White Hart, Cotton End

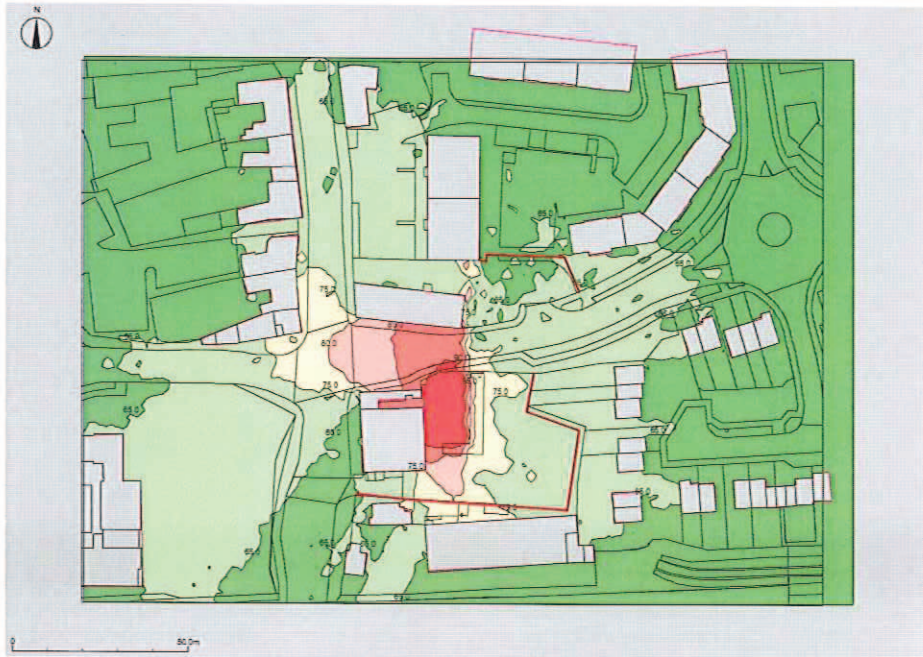


Figure 1 – Music noise levels re Code of practice  $L_{Aeq,15min}$  75 dB level

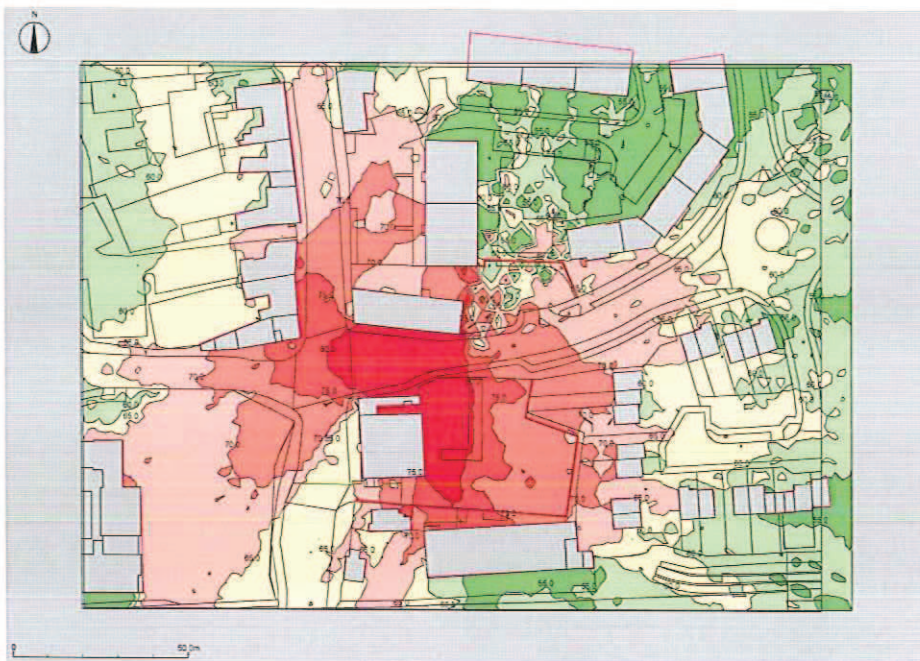
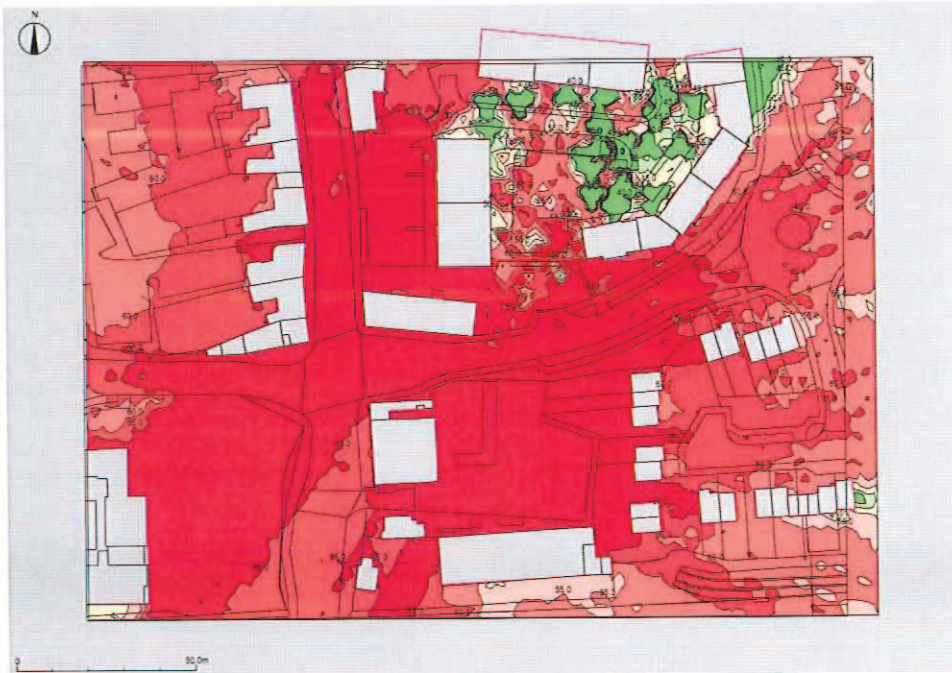


Figure 2 - Music noise levels re assumed Background plus 15 dB



**Figure 3 - Music noise levels re assumed Background of  $L_{A90}$  45 dB**



## Environmental Health Guidelines for Outdoor Events – Applications, Variations or TENs

These comments relate to performances by live bands or DJs where the noise levels are for entertainment of a number of people and are probably special events. If you merely require some background music in an outside drinking area then this would have to be assessed on its merits and, provided it would not be expected to give rise to a nuisance, it could be granted subject to the installation of a dedicated PA system with automatic limiting.

If you apply for outdoor music, we would object to the application if

- The application is for unrestricted outdoor music.
- Music noise levels, at a realistic level for the event, would give rise to unreasonable noise levels at nearby sensitive premises; or
- Conditions could not be placed on the consent to require that music noise levels be controlled to a reasonable level; or
- The music is planned to go on after 23:00 or 23:30 on a Sunday.
- We would also limit the number of any such events in one year.

The conditions would seek to achieve the following objectives.

- The target level would be expected to be at least  $L_{Aeq,15\ min}$  95 dB at 10 m from the speakers. This level is regarded as the minimum practicable level for a live group. We would expect that you control the music noise level to around this figure. An increase can be considered if the resultant noise level at the nearest sensitive premises set out below could still be achieved. You would be required to appoint a competent person to monitor noise levels at the event and ensure the target level is not exceeded. The competent person would be expected to provide evidence to the Council that the level had not been exceeded after the event.
- Ideally, the music noise level at the nearest residential premises should not exceed  $L_{Aeq,15\ min}$  75 dB. This is in accord with the current Code of Practice on Pop Concerts. It might be relaxed for special or one-off events.
- The music noise at these levels is intrusive so it should not last too long, around 4 hours in aggregate at most, plus up to a maximum of 1 hour for pre-concert sound checks. This could be varied for a single annual event.
- The event should cease by 23:00, at the latest, or 22:30 on a Sunday.
- Subject to comments below, we would only accept this type of event occurring on a maximum of 4 days a year and on no more than two consecutive days. A Friday and a Saturday on one weekend would count as two of those days.

We would make every effort to carry out a survey of the first event to measure noise levels at nearby residential properties and confirm the duration and the