

NORTHAMPTON BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

Monday, 17 June 2013

COUNCILLORS PRESENT: Councillors Malpas (Chairman), Duncan and Ford.

OFFICERS: Mohammed Rahman (NBC Solicitor).
Sarah Ryder (NBC Trainee Solicitor).
Phil Bayliss (NBC Senior Licensing Office)

FOR THE APPLICANT: Mr D Cranstoun (Operations Manager).

FOR THE REPRESENTORS: PC D Bryan (Northamptonshire Police).

1. TEMPORARY EVENT NOTICE - THE ACADEMY, 16-20 GOLD STREET, NORTHAMPTON NN1 1RS

The Chair introduced the Members of the Sub Committee and welcomed everyone to the hearing.

The Senior Licensing Officer outlined the purpose of the hearing, stating that an on-line application had been received from the applicant for an extension to 6am on 22nd June 2013. The Police had made an objection to the application on 11 June 2013.

PC Bryan informed the Sub-Committee that the Police had objected to the application on the grounds that on 8/9 June 2013 a Police officer had attended the premises following a report that a female had been sexually assaulted and there had been a strong smell of cannabis emanating from the premises. The door staff had been complacent and dismissive in relation to the sexual assault.

However, when PC Bryan had been able to seek further information from the Police officer who attended the incident, which was not until 17 June 2013, it was believed that it was the female who had called the Police regarding the alleged assault, and who had been intoxicated and ejected from the premises. The door staff had acted in line with the premises' procedures. The female had walked into Gold Street with a friend. The Police officer reported a smell of cannabis at the entrance to the premises but it was not clear if the smell was emanating from the premises or from people smoking in the street.

The female had been interviewed by Police the morning following the incident and had stated that she had been too intoxicated to remember the events of the alleged assault. She did not wish to press any charges and the Police had closed the case.

PC Bryan stated that had he been aware of this information from the Police officer who attended the premises sooner, he would have withdrawn the objection to the application. However, the statutory deadline for a complaint to be withdrawn had now passed and the complaint had to be considered by the Sub-Committee.

Mr Cranstoun then stated that the premises operated a no drugs and no smoking policy and that the premises were covered by CCTV. Anyone breaking the policies of the premises was removed from the premises. Anyone found smoking cannabis outside the premises was not allowed to re-enter.

Mr Cranstoun had spoken to the door staff following the incident on 8/9 June 2013 and the

door staff had written a report on the incident. PC Bryan read out this report, which stated that the female customer had been questioned by a member of the security team about the incident and had become irate and had struck out at a customer and a member of the security team. The female had been ejected. The security team had then assisted a Police officer in an incident with another member of the public at the club. The report also reiterated the policy of the premises regarding the use of drugs, as stated above.

PC Bryan had asked the Police officer who attended the incident if the report from the door staff at the premises was correct and the Police officer had confirmed that there was nothing in the report which contradicted the events of that night and that the female, when interviewed by Police, had stated that she had been too intoxicated to remember what had taken place.

In answer to questions from the Sub-Committee Mr Cranstoun stated that the premises were licensed for the sale of alcohol until 4am and to remain open until 5am. On 22 June 2013 a live event would be held, to which customers usually arrived at a later time, and he had applied for an extension until 6am. Alcohol would not be served after 4am.

The Determination

The Sub-Committee, having heard that PC Bryan would have withdrawn his objection, had the statutory deadline for doing so not expired, in the light of the further information supplied by the Police officer who attended the incident on 8/9 June 2013, agreed that the Temporary Event Notice for the Academy, 16-20 Gold Street, Northampton NN1 1RS on 22 June 2013 be granted.

The meeting concluded at 10:15 am.