NORTHAMPTON BOROUGH COUNCIL

LICENSING SUB COMMITTEE

A Meeting of the Licensing Sub-Committee will be held at The Council Chamber, St. Giles Square, Northampton, NN1 1DE. on Wednesday, 16 October 2013 at 11:00 am

George Candler Chief Executive

AGENDA

1. NEW APPLICATION - FRESH, 19A/21 ABINGTON SQUARE, NORTHAMPTON NN1 4AE



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, Democratic Services Officer etc).
- Declarations of Interest by Councillors
- 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/Respondents** (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
 - o By the Representors/Respondents
 - 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.

If you require any further information regarding this meeting please contact Democratic Services on 01604 837722 or democraticservices@northampton.gov

Agenda Item 1



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records. MR DAWID NIZHLEK (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003 Part 1 - Premises Details Postal address of premises or, if none, ordnance survey map reference or description 19A/21 ABINGTON SQUARE NORTHAMPTON NNI HAE NORTHAMPTON Postcode Post town Telephone number at premises (if any) £ Non-domestic rateable value of premises Part 2 - Applicant Details Please state whether you are applying for a premises licence as Please tick as appropriate please complete section (A) an individual or individuals * a) a person other than an individual * b) please complete section (B) i. as a limited company please complete section (B) as a partnership ii. please complete section (B) iii. as an unincorporated association or ons 4xx please complete section (B) other (for example a statutory corporation) iv.

c)	a recogn	nised club							please complete	e section (B)	
d)	a charity	/							please complete	e section (B)	
e)	the prop	rietor of a	n educ	ational es	tablishme	nt			please complete	e section (B)	
f)	a health	service bo	dy						please complete	e section (B)	
g)		who is reg 0 (c14) in 1							please complete	e section (B)	
ga)	Health a	who is reg and Social (an indepen	Care A	ct 2008 (within the				please complete	e section (B)	
h)	the chief Wales	f officer of	`police	of a poli	ce force in	n England	l and		please complete	e section (B)	
* If you	* If you are applying as a person described in (a) or (b) please confirm:										
Please t	tick yes										
activitie	es; or				business	which in	olves the us	se of the	e premises for lice	ensable	
I am ma		application		ant to a							
		y function on dischar		virtue of	Her Maie	esty's pre	rogative				
(A) INI		AL APPLI			-		S				L eemal
Mr [Mrs 🔲		Miss		· N	Is []	i .	Title (for ple, Rev)	And the second s	- HUMANUTON DAVE PAREN
Surnan	ne						First nam	es			
I am 18	years old	l or over							Pleas	e tick yes	- ,
	urrent postal address if fferent from premises address										
Post to	wn								Postcode		
Daytin	ne contac	t telephon	e num	ber			,		· · · ·		
E-mail (option	address (al)				THE COLUMN TO TH			,			

${\bf SECOND\ INDIVIDUAL\ APPLICANT\ (if\ applicable)}$

Mr 🗌 M	⁄irs 🗌		Miss			Ms			r Title (for iple, Rev)	
Surname						F	irst nam	ies	•	
I am 18 years old o	or over								Please	e tick yes
Current postal addidifferent from pren		lress								
Post town				······································					Postcode	
Daytime contact t	telephon	e numb	er							·
E-mail address (optional)							alla kanna ka	and hooking for more than the state of the s		
	me and ase of a	registe: partne:	rship or							ive any registered lease give the name and
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Address 8	1001	VD.	WA	N	CO.	A	RT			
	N	01	274	Y A	NPT	0,	RT			
		NI	√3 <u>3</u>	3 DI	7					
Registered number	r (where	applica	ble)							
085	78	79	4							
Description of app	olicant (fo	or exam	ple, par	tnership,	, compan	y, un	incorpora	ated ass	ociation etc.)	
C	e a m	PA	NY							
Telephone number	r (if any)									
E-mail address (or	ptional)									

Part 3 Operating Schedule

When	do you want the premises licence to start?	DD MM YYYY QDQQQQQ
If you end?	wish the licence to be valid only for a limited period, when do you want it to	DD MM YYYY
	e give a general description of the premises (please read guidance note 1)	
	DELICATESSEN, GENERAL FOODS,	DIFLICENCE
•	DELICATESSEN, GENERAL FOODS, FRUITS & VEGETABLES, MEATS PRODUCTS, TAKE-AWAY	BAKERY
the nu	00 or more people are expected to attend the premises at any one time, please state imber expected to attend.	
	licensable activities do you intend to carry on from the premises?	
(Pleas	se see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Lice	ensing Act 2003)
Provi	sion of regulated entertainment	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

DD MM

YYYY

Provisio	Provision of late night refreshment (if ticking yes, fill in box I)				
Supply of alcohol (if ticking yes, fill in box J) In all cases complete boxes K, L and M					
In all ca	ses complet	e boxes K, I	and M		
A					
		······································			
Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
фісило і	oud gardano			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please rea	ad guidance note 4)	
Thur					
Fri			Non standard timings. Where you intend to use the premise of plays at different times to those listed in the column on the read guidance note 5)		
Sat					
Sun					

	l days and ti ead guidanc		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
<u> </u>	3			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (plea	se read guidance no	ote 4)
Thur					
Fri			Non standard timings. Where you intend to use the premise films at different times to those listed in the column on the le read guidance note 5)		
Sat					
Sun					

Indoor sporting events Standard days and timings (please read guidance note 6)		timings	Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue	******		State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat		***	
Sun			

entertai Standard	l days and ti	mings	Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
(please r	ead guidanc	e note 6)		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertain guidance note 4)	nment (please read	1
Thur					
Fri			Non standard timings. Where you intend to use the premises wrestling entertainment at different times to those listed in the please list (please read guidance note 5)	for boxing or ne column on the l	eft,
Sat					
Sun					

	sic days and tir ead guidance		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(preuse re	au guidure.	note of		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live munote 4)	sic (please read gu	idance
Thur					
Fri			Non standard timings. Where you intend to use the premise of live music at different times to those listed in the column (please read guidance note 5)	s for the perform on the left, please	ance list
Sat					
Sun					• ************************************

Standar	ed music d days and t read guidan		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(F	-	······································		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded mu note 4)	sic (please read gu	idance
Thur					
Fri			Non standard timings. Where you intend to use the premise recorded music at different times to those listed in the column (please read guidance note 5)		
Sat					
Sun					

Standard	Performances of dance Standard days and timings (please read guidance note 6)		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(piease i	ead guidand	e note o)		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (note 4)	please read guidan	ce
Thur					**************************************
Fri			Non standard timings. Where you intend to use the premise of dance at different times to those listed in the column on the read guidance note 5)	es for the perform he left, please list	ance (please
Sat					
Sun					

description within (e Standard	g of a simila on to that fa e), (f) or (g) days and tin ead guidance	alling nings	Please give a description of the type of entertainment you will be	e providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Mon			pour - prease tien (prease read guidance note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	State any seasonal variations for entertainment of a similar of falling within (e), (f) or (g) (please read guidance note 4)	description to that	
Fri					рестанација
Sat			Non standard timings. Where you intend to use the premise of a similar description to that falling within (e), (f) or (g) at listed in the column on the left, please list (please read guidan	<u>different times to</u>	nment those
Sun					b4555amoogpassanseerranges

Standar	Late night refreshment Standard days and timings (please read guidance note 6) Day Start Finish		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
фісазо			guidance note 2)	Outdoors	
Day			Start Finish		
Mon	0500	23 00	Please give further details here (please read guidance note 3)	
Tue	05-00	23=			
Wed	0500	2300	State any seasonal variations for the provision of late night refreshment (please regulators note 4)		
Thur	0500	2300			
Fri	0550	2400	Non standard timings. Where you intend to use the premi late night refreshment at different times, to those listed in please list (please read guidance note 5)	ses for the provis the column on th	ion of e left,
Sat	0500	2400			
Sun	1000	2300			aggyer agos cy

olease tick On the
premises
Off the premises
Both
cohol (please read guidance note 4)
the premises for the supply of dumn on the left, please list (please

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	PAWEL	· CAI	VD LR		-	
Address	98 L.	EA W. ELLIN	4 Y 1 & BO 8	ROUGH	обоборов — по под под под под под под под под под	
Postcode	N.	N 8 31	I R		**************************************	PHERITAL TO SERVICE STATE OF THE SERVICE STATE OF T
Personal l	icence number	if known)	17067	1		
Issuing li	censing authorit	y (if known)	NORT	HAMPTON		

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).			
J			

Hours premises are open to the public Standard days and timings (please read guidance note 6)		mings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			·
Tue			
Wed			
			Non standard timings. Where you intend the premises to be open to the public at
Thur			different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

M Describe the steps you intend to take to promote the four licensing objectives:				
a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)				
b) The prevention of crime and disorder				
c) Public safety				
d) The prevention of public nuisance				
a) The protection of shildren from harm				
e) The protection of children from harm				

Checklist:

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.						
 I understand th 	I understand that I must now advertise my application.					
 I understand th 	at if I do not comply wi	th the above requirements my application will be rejected.				
THE STANDARD S	CALE, UNDER SECT	IARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON TION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE WITH THIS APPLICATION.	1			
Part 4 – Signatures	(please read guidance n	note 10)				
	nt, please state in what		n			
Signature	Nizioluh 22-08-	Real				
Date	22-08-	2013				
Capacity	Co. Sile	efor				
		licant or 2 nd applicant's solicitor or other authorised agent (please rea ne applicant, please state in what capacity.	ad			
Signature						
Date						
Capacity						
Contact name (where read guidance note 1:		nd postal address for correspondence associated with this application (ple	ease			
Post town		Postcode				
Telephone number (i	f any)					
If you would prefer t	s to correspond with yo	u by e-mail, your e-mail address (optional)				
Notes for Guidance 1. Describe the which could	premises, for example	the type of premises, its general situation and layout and any other inforn sing objectives. Where your application includes off-supplies of alcohol a	nation and			

I have sent copies of this application and the plan to responsible authorities and others where applicable.

I have made or enclosed payment of the fee. I have enclosed the plan of the premises.

17

(but not exclusively) whether or not music will be amplified or unamplified.

2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

place will be and its proximity to the premises.

you intend to provide a place for consumption of these off-supplies, you must include a description of where the

3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example

For example (but not exclusively), where the activity will occur on additional days during the summer months.

- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas
- 6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the
- 7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual
- 12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application
- 13. This is the address which we shall use to correspond with you about this application.

To:

Responsible Authorities

Cc:

Environmental Health Admin

Subject: NE

NBC - Licensing Act 2003 - Application for a Premises Licence - Fresh, 19A-21 Abington

Square

On 27th August we received the above application. Last date for representations is 24th September 2013.

Regards

Licensing Administration Northampton Borough Council

Tel 01604 837020

NORTHAMPTON LICENSING AUTHORITY LICENSING ACT 2003

Mr Pawel Cander is applying for the new grant of a premises licence for Fresh, 19A/21 Abington Square, Northampton, NN1 4AE. If granted the application will allow the following licensable activitites to take place: Sale of alcohol on the premises. The intention to make an application for the grant to the premises licence is to sell alcohol on the above premises.

Any person wishing to make representations in relation to this application may do so by writing to: Phil Bayliss, Licensing Officer, Northampton Borough Council, The Guildhall, St Giles Square, Northampton, NN1 1DE. Tel: 01604 838545 Fax: 01604 838723 Email: licensing@northampton.gov.uk Representations may be made for 28 consecutive days from the date of this notice. The last date for representations being 26/09/13. A copy of the application is being kept by the Licensing Authority at the above address and can be viewed Monday to Thursday 9.00am to 5.00pm and 9.00am to 4.30pm on Fridays, except Bank Holidays. It is an offence knowingly or recklessly to make a false statement in connection with an application the maximum fine for which a person is liable on summary conviction for making a false statement is a Level 5 fine on the standard scale. This notice being date 29/08/13

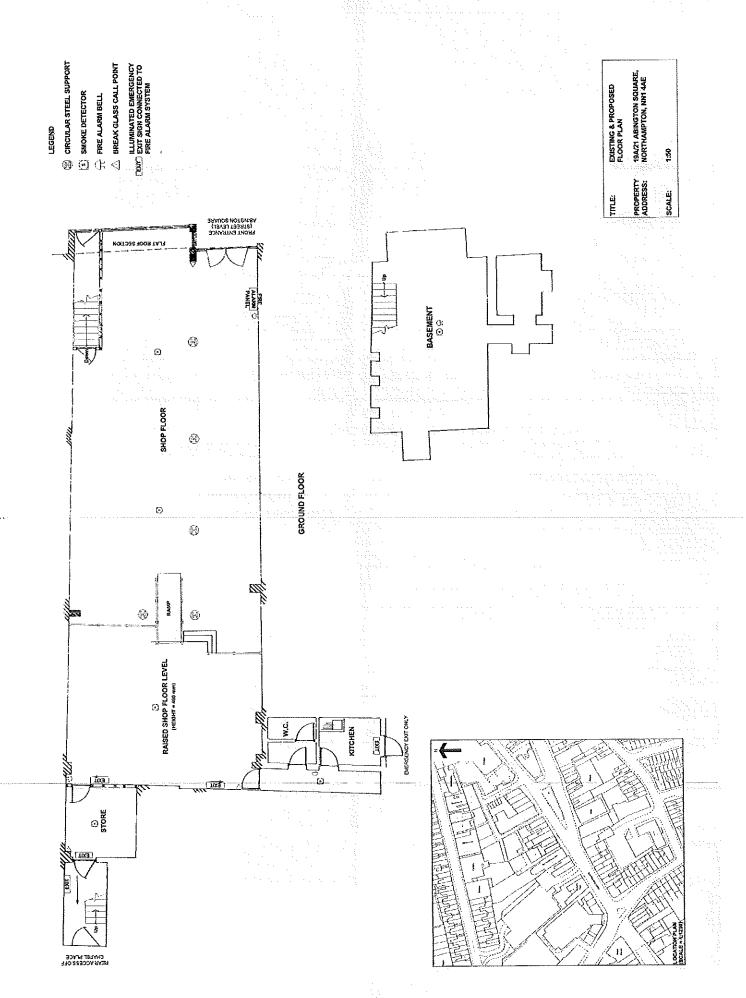
Should you require any assistance, please contact me on (01604) 467181 quoting reference URN MNN468216.

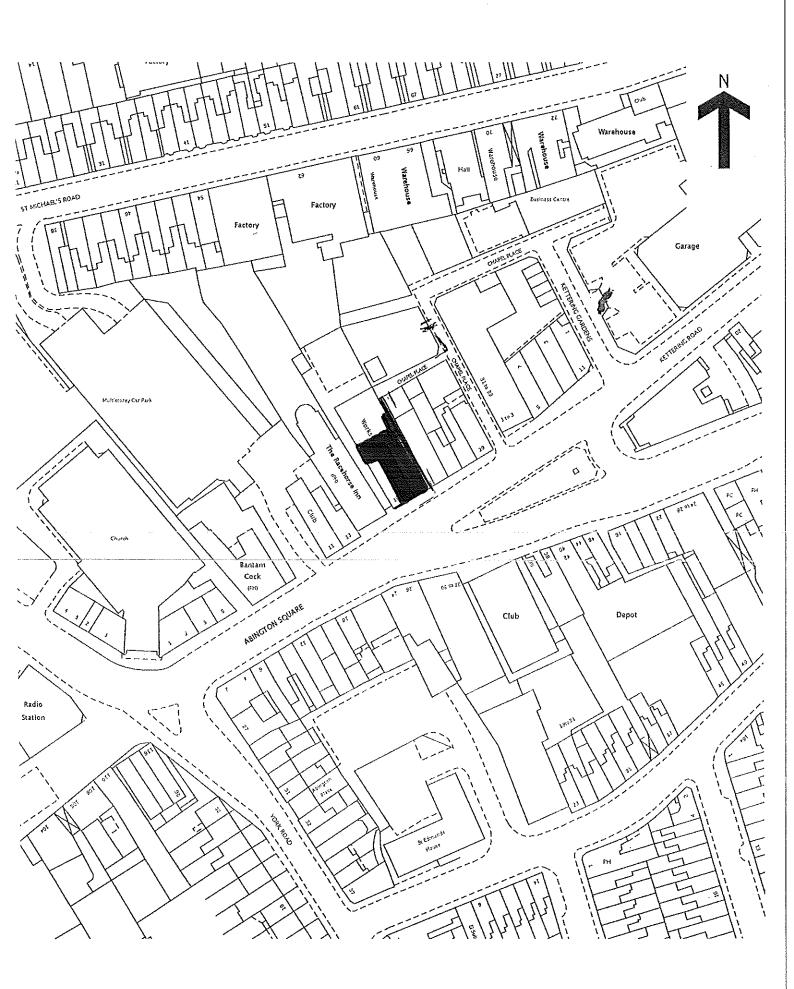
Yours Sincerely

Bridget Yates-Glover



Registered No. 1916792 (England) Vat Rea No. GB 551082761





Bill Edwards

From:

Bryan David <david.bryan@northants.pnn.police.uk>

Sent: To: 04 September 2013 16:08 Bill Edwards; Louise Faulkner

Subject:

19A/21 Abington Square.

Dear Mr Edwards and Mrs Faulkner,

I act on behalf of the Chief Officer of Police, Mr Lee.

Northamptonshire Police are formally objecting to the grant of a Premises Licence for the above address.

Firstly the applicant has filled in the times for the provision of Late Night Refreshment incorrectly and in addition the four Licensing Objectives have not been addressed (boxes are blank).

Northamptonshire Police cannot properly assess whether the licensing objectives will be undermined due to the lack of information contained within the application.

Regards

David Bryan Constable 113 Licensing Officer | Northamptonshire Police

☐ Email david.bryan@northants.police.uk

■Address First Floor, 14 Fish Street, Northampton. NN1 2AA

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Northamptonshire Police monitors Internet and email activity.

From:

Ian Grieve < IGrieve@northantsfire.org.uk>

Sent:

28 August 2013 16:09

To:

Isobel Thompson

Subject:

RE: NBC - Licensing Act 2003 - Application for a Premises Licence - Fresh, 19A-21

Abington Square

Isobel, thank you and we have no representations.

Regards Ian Grieve Fire Protection Officer

Northamptonshire Fire And Rescue Service

Walker House 3 Pondwood Close Moulton Park Northampton NN3 6RT

Tel - 01604 797104 Fax - 01604 797140

Email – igrieve@northantsfire.org.uk



From: Isobel Thompson [mailto:isobelthompson@northampton.gov.uk]

Sent: 28 August 2013 15:22

To: Children & Family Service; Health Board; Lee Hunter; licensing-mailbox; Paul Mallard; Planning; Trading

Standards

Cc: Environmental Health Admin

Subject: NBC - Licensing Act 2003 - Application for a Premises Licence - Fresh, 19A-21 Abington Square

On 27th August we received the above application. Last date for representations is 24th September 2013.

Regards

Isobel Thompson
Licensing Administration
Northampton Borough Council

Tel 01604 837020

Bill Edwards

From:

Bill Edwards

Sent:

25 September 2013 13:34

To:

'licensing-NRCS@northamptonshire.gov.uk'; 'stephen.horsley@northants.nhs.uk'; 'licensing-

mailbox@northantsfire.org.uk'; Lee Hunter; 'licensing@northamptonshire.gov.uk';

'liquorlicensing@northants.police.uk'; Environmental Health Admin; Paul Mallard; Neil Polden

Subject:

Sub Committee Hearing Fresh 19/21 Abington Square, Northampton

Dear All,

A sub committee has been arranged to hear the premises licence application of Fresh, 19/21 Abington Square, following an objection by the Police. I would like to let you know that it has come top our attention that there is a discrepancy regarding the applicant. The application names a Mr David Nizialek as the applicant, but the newspaper advertisement states a Mr Pawel Cander as the applicant.

After communicating with the 'applicants' I can confirm it is Mr Cander who is the applicant. Mr Nizialek is a director in the business.

On this occasion ae are willing to let this go as there is a hearing scheduled anyway where the matter will be raised but felt it important to let you know.

Kind Regards

Bill Edwards Senior Licensing Officer Northampton Borough Council 01604 838986

Bill Edwards

From:

Ian Grieve < IGrieve@northantsfire.org.uk>

Sent:

27 September 2013 07:10

To:

Bill Edwards

Subject:

FW: Sub Committee Hearing Fresh 19/21 Abington Square, Northampton

From: licensing-mailbox

Sent: 27 September 2013 07:07

To: 'Bill Edwards'

Subject: RE: Sub Committee Hearing Fresh 19/21 Abington Square, Northampton

Bill thank you

Regards Ian Grieve

Fire Protection Officer

Northamptonshire Fire And Rescue Service

Walker House 3 Pondwood Close Moulton Park Northampton

NN3 6RT

Tel – 01604 797104 Fax – 01604 797140

Email - igrieve@northantsfire.org.uk



From: Bill Edwards [mailto:bedwards@northampton.gov.uk]

Sent: 25 September 2013 13:34

To: 'licensing-NRCS@northamptonshire.gov.uk'; 'stephen.horsley@northants.nhs.uk'; licensing-mailbox; Lee Hunter; 'licensing@northamptonshire.gov.uk'; 'liquorlicensing@northants.police.uk'; Environmental Health Admin; Paul Mallard; Neil Polden

Subject: Sub Committee Hearing Fresh 19/21 Abington Square, Northampton