

NORTHAMPTON BOROUGH COUNCIL

LICENSING ACT 2003

LICENSING SUB COMMITTEE

A Meeting of the Licensing Sub-Committee will be held at The Council Chamber, The Guildhall, St. Giles Square, Northampton, NN1 1DE on Wednesday, 15 January 2014 at 10:00 am

D Kennedy
Chief Executive

AGENDA

- 1. WELCOMES**
- 2. DECLARATIONS OF INTEREST**
- 3. PREMISES LICENCE APPLICATION - FRESH, 19/21 ABINGTON SQUARE, NORTHAMPTON NN1 4AE**
- 4. EXCLUSION OF PUBLIC AND PRESS**

The Chair to move:

“That the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such act.”

SUPPLEMENTARY AGENDA

Exempted Under Schedule 12A of the Local Government Act 1972

Para No:-

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** (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.

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



NORTHAMPTON BOROUGH COUNCIL

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.

I/~~we~~ MR. PAWEŁ CANDLER
(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

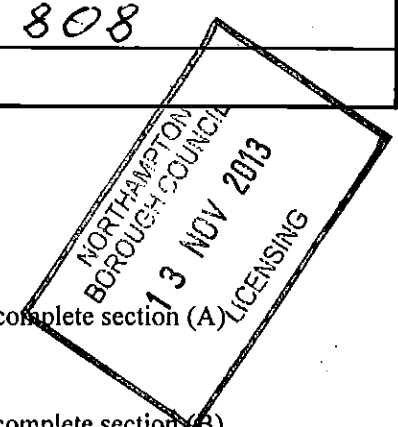
Postal address of premises or, if none, ordnance survey map reference or description			
<u>19A/21 ABINGTON SQUARE NORTHAMPTON</u>			
Post town	<u>NORTHAMPTON</u>	Postcode	<u>NN1 4AE</u>

Telephone number at premises (if any)	<u>07751492 808</u>
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

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |



- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	<i>NIZIALEK & DAUGHTER LIMITED</i>
Address	<i>8 DONOWAN COURT NORTHAMPTON NN3 3DD</i>
Registered number (where applicable)	<i>08578794</i>
Description of applicant (for example, partnership, company, unincorporated association etc.)	<i>COMPANY</i>
Telephone number (if any)	<i>07751492808</i>
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	1	1	2	2	0	1	3
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)

*DELICATESSEN, GENERAL FOODS, OFF LICENCE
 FRUIT & VEGETABLES, MEATS, SOUSAGES
 SALAMIES, BAKERY PRODUCTS, TAKE-AWAY*

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

NO

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

NO

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)

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

A *NO*

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) <i>NO</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		

B

NO

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

C

NO

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

NO

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

NO

11

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) NO	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

NO

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

NO

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) NO	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

NO

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing <p style="text-align: center;"><i>NONE</i></p>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

NO

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2) <i>NONE</i>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>NO</i>					
Mon	08 ⁰⁰	22 ⁰⁰						
Tue	08 ⁰⁰	22 ⁰⁰						
Wed	08 ⁰⁰	23 ⁰⁰						
Thur	08 ⁰⁰	23 ⁰⁰				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) <i>NO</i>		
Fri	08 ⁰⁰	24 ⁰⁰						
Sat	08 ⁰⁰	24 ⁰⁰						
Sun	08 ⁰⁰	22 ⁰⁰						

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

Name	<i>PAWEŁ CANDER</i>		
Address	<i>98 LEA WAY WELLINGBOROUGH</i>		
Postcode	<i>NN8 3NR</i>		
Personal licence number (if known)	<i>COA11. 1170671 13 PC-34UH-361</i>		
Issuing licensing authority (if known)	<i>NORTHAMPTON</i>		

K

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).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4).
Day	Start	Finish	NONE
Mon	08 ⁰⁰	22 ⁰⁰	
Tue	08 ⁰⁰	22 ⁰⁰	
Wed	08 ⁰⁰	23 ⁰⁰	
Thur	08 ⁰⁰	23 ⁰⁰	
Fri	08 ⁰⁰	24 ⁰⁰	
Sat	08 ⁰⁰	24 ⁰⁰	
Sun	08 ⁰⁰	22 ⁰⁰	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>NONE</p>

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)

TO MAKE STAFF AWARE BY TRAINING TO PREVENT CRIME & DISORDER.
THEIR ROLE IN SUPERVISION BY THE LICB HOLDER AT ALL TIMES.
MINIMUM 2 STAFF ON DUTY TRAINED IN SALE OF ALCOHOL
& SECURITY

b) The prevention of crime and disorder

TO INSTALL SURVEILLANCE & SECURITY CAMERAS FOR
PUBLIC SAFETY - SECURITY & TO PREVENT DISORDER
& NUISANCE

c) Public safety

TO ENSURE PUBLIC SAFETY - OBSERVING THE AGE OF
18 YRS AS MINIMUM AGE REQUIRED, ALWAYS ATTEND
& SUPERVISED BY 2 TRAINED STAFF, FOR PUBLIC
SAFETY TO KEEP ALL PASSAGES CLEAR & STORAGE SECURE
& SAFE FROM DAMAGE. EXITS TO BE ALWAYS CLEAR
& SAFE TO OPEN

d) The prevention of public nuisance

TO ENSURE THAT NO ALCOHOL WILL BE CONSUMED ON PREMISES,
ALSO THAT DRINKS ARE OUT OF REACH FROM CHILDREN &
ADOLESCENTS BY HAVING APPROPRIATE SHELVING &
SECURE STORAGE. OBSERVE & REFUSE TO SERVE
SUSPECTED MEMBERS OF PUBLIC OF INTOXICATION & AGE

e) The protection of children from harm

ENSURE THAT STAFF OBSERVE THAT CHILDREN ARE ALWAYS
UNDER SUPERVISION OF PARENTS OR ADULTS, WELL
MANNERED, PROTECTED & NOT ON THEIR OWN

Checklist:


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.



IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	12-11-2013
Capacity	LICENS HOLDER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. 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 Eve.
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 premises to be used for the activity.
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'.
8. 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 authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Northamptonshire Newspapers Ltd



www.northamptonchron.co.uk

Albert House, 1 Victoria Street, Northampton NN1 3NR. Tel: (01604) 467182. Fax (01604) 467269

Mr C Pawel
Mr C Pawel

07 November 2013

Dear Mr Pawel,

Thank you for booking your advertisement with Northamptonshire Newspapers.

Your advertisement will appear in the following title(s),

Northampton Chron & Echo Public Notices 7x2

A low resolution sample of your advertisement (if available) appears below:

COPY SUPPLIED ON SEPARATE PAGE

Your advertisement has been booked for 1 week(s), starting on the 14/11/2013.

The price of this booking will be £178.38, plus £35.68 VAT, making a total of £214.06.

To enable us to process this order, please confirm your acceptance of the above details by signing below, and returning this letter by Post or Fax to the above office.:

Signature _____

Print Name (CAPS) _____

Should you require any assistance, please contact me on the above telephone number, quoting reference number: MNN472150

Yours sincerely,

Sadie Robinson

Your booking is accepted subject to Northamptonshire Newspapers Ltd Advertising Terms and Conditions. Northamptonshire Newspapers Ltd Advertising Terms and Conditions are published in our newspapers regularly and are available on request from our advertising department

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 activities 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 12/12/13. 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 dated 14.11.13.



Bill Edwards

From: Bryan David <david.bryan@northants.pnn.police.uk>
Sent: 18 November 2013 11:37
To: Bill Edwards
Subject: Fresh, 19/21 Abington Square, Northampton.

Dear Mr Edwards,

I act on behalf of the Chief Officer of Police Mr Lee, he has delegated responsibility and authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

I am formally objecting to the grant of the above application, on all four of the Licensing Objectives.

This application has only just been refused at a Hearing and the new application leaves many questions unanswered and cannot be properly assessed to see whether the Licensing Objectives would be undermined.

Submitted for your attention

Regards

David Bryan Constable 113 | Licensing Officer | Northamptonshire Police

☎ Telephone 101 Ext 343409 | ✉ Email david.bryan@northants.police.uk

📍 Address 2nd Floor, The Guildhall, Northampton. NN1 1DE

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