

# NORTHAMPTON BOROUGH COUNCIL

## LICENSING SUB-COMMITTEE

Thursday, 11 May 2017

**COUNCILLORS PRESENT:** Councillor Sargeant (Chair), Councillors Duffy and Culbard

**OFFICERS:** Louise Faulkner (Licensing Team Leader)  
Eleanor Flannery (Licensing Enforcement Officer)  
Mehboob Kassam (Solicitor)  
Neil Polden (Senior Environmental Health Officer)  
Ed Bostock (Democratic Services Officer)

### 1. WELCOMES

The Chair welcomed everyone to the meeting.

### 2. DECLARATIONS OF INTEREST

There were none.

### 3. APPLICATION FOR A TEMPORARY EVENTS NOTICE (TENS) - MOLDOVA

The Senior Environmental Health Officer initially noted that of the 4 applications before the Committee, one (29-30 May) had been withdrawn. It was stated that the applications sought to allow licensable activities to take place between 6pm and 4am, with the venues closing at 4:30am. The applications sought licences for events on the following days:

- 1) 13<sup>th</sup>-14<sup>th</sup> May 2017, 6pm-4:30am
- 2) 20<sup>th</sup>-21<sup>st</sup> May 2017, 6pm-4:30am
- 3) 27<sup>th</sup>-28<sup>th</sup> May 2017, 6pm-4:30am

It was explained to Members that there had been complaints of noise (mainly relating to the playing of live music) where this venue had previously been used to host events. To try to mitigate these problems moving forward, it was suggested that all of the events come to a close at 3:30am, with licensable activities finishing 30 minutes prior and live music only being played on the 20<sup>th</sup> of May until 2am (recorded music being played until 3am on the 13<sup>th</sup> and 27<sup>th</sup> May).

It was explained that the building was insulated, however it had fallen into disrepair in recent years and that the acoustic report was therefore not sufficiently thorough. An acoustic consultant had been hired by the applicant and volume control measures would be put in place to keep the levels of noise from recorded music to a minimum.

In response to questions, Members heard that there were no previous complaints received about party-goers leaving the building, just the music. It was also explained that there would be no parking at the location, attendees would be asked to park at St Michael's car park and walk to the venue. Mr John Birch, the agent, was in talks with the Environmental Services department regarding dispersal.

### RESOLVED:

Thank you for attending the Licensing Committee to consider the Temporary Event Notice

application (TEN's) for the property situated at 76 – 2 Great Russell Street, Northampton, NN1 3BU

The TEN's applications were for events to be held on 13<sup>th</sup> May 2017, 20<sup>th</sup> May 2017 and 27<sup>th</sup> May 2017.

An objection has been received from Environmental Health under the licensing objective of prevention of public nuisance.

It was noted that Environmental Health and the applicant have had discussion post the objection lodged by Environmental Health and as a consequence there has been agreement to the modification of the application as follows:

- 1) 13<sup>th</sup> May 2017 – recorded music from 18:00 until 03:00 with a 3.30 close
- 2) 20<sup>th</sup> May 2017 – live music from 18:00 until 02:00 and recorded music until 03:00 with a 03:30 close
- 3) 27<sup>th</sup> May 2017 – recorded music from 18:00 until 03:00 with a 03:30 close

The Environmental Health have as a consequence of this modification withdrawn their objection based on the above modified hours.

The Committee have therefore unanimously decided to grant the TEN's for the above dates

The Sub-Committee received legal advice in terms of:

- 1) The licensing objectives
- 2) The legal test to be applied
- 3) The options available to the Committee
- 4) Section 182 Guidance

The reasons for the decision are as follows:

- 1) The Committee noted that Environmental Health and the applicant had agreed to a modification of the applications prior to the hearing.
- 2) As a consequence of the agreed modification Environmental Health had withdrawn their objection

Any persons aggrieved by this decision has a right of appeal to the magistrates court no later than 21 days from the date of receiving the decision notice

The meeting concluded at 12:42pm