

Apartment 5,
Theatre Court,
Derngate,
Northampton,
NN1 1TY

P Bayliss,
Licensing Officer,
Northampton Borough Council,
The Guildhall,
St. Giles Square,
Northampton,
NN1 1DE

11/09/2012

To whom it may concern:

We are writing to you to make it clear that we oppose the planning application to turn the following address to be turned into a nightclub.

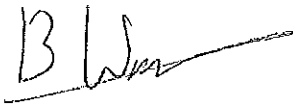
Occo, 15 Derngate, Northampton NN1 2ED.

As we have a young family we chose this area of town to reside in as it is very quiet and away from the screaming and shouting of the town centre most evenings. We feel that this will no longer be the case if this application is approved. The entrance to our building is immediately adjacent to the property in question and we will be inundated with drunk individuals hanging around outside, screaming and shouting and generally causing a nuisance. We also know that in the morning will be presented with a magnitude of rubbish, cigarette ends and vomit on our doorstep when leaving our building.

If you need any further information, please do not hesitate to contact us on the following details:

T
N
E

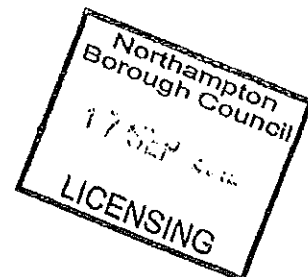
Yours sincerely,



Ben Warren



Branka Warren



Joanne Cross
13 Theatre Court
Derngate
NN1 1TY
16th September 2012

Phil Bayliss
Senior Licensing Officer
Northampton Borough Council
The Guildhall
St. Giles Square
Northampton NN1 1DE

Dear Mr Bayliss:

Re: Proposed Manuia Bar, 15 Derngate, Northampton NN1 1TY

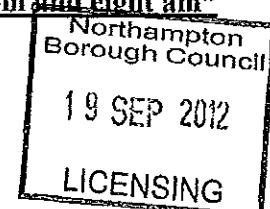
In reference to the above proposal, I would like to object in the strongest possible terms to the application for the license to sell alcohol during extended hours from the above-mentioned premises.

I own one of the apartments above the proposed bar, and have lived in Theatre Court since 2005. Over that time I have seen this area deteriorate in terms of noise and mess.

Recently a new bar opened on Castilian Street, a few doors up from our car park entrance, which has compounded the problems we already had involving smashed bottles and glasses, urine and vomit; I even came home late from work one evening and found a couple copulating in the entrance to our car park. Many of the residents including myself have had to clean up the mess left by people on a night out, both from our front entrance and the car park. I have to tell you that when that involves urine and vomit, it really is an incredibly unpleasant task. With the new proposed premises having its entrance a few doors down from our front entrance, I can only dread the results. Not only that, but when I return home as a single woman I would be very scared to have to fight my way through a crowd of drinkers and smokers to get to my front door.

Another point I would like to draw your attention to is the following clause as set out in my Leasehold agreement:

“Not to allow any radio or television or any musical instrument to be played or any music or singing to take place in the Flat so as to be an annoyance to the landlord or the tenants and occupiers of the other flats in the building and not to allow any musical or mechanical instrument to be played or any music or singing to take place in the BUILDING AT ALL between the hours of eleven pm and eight am”



Surely an establishment located within the same building as the apartments would have to abide by these rules themselves? This would make the opening of an all night bar a contradiction with the rules set in place for those who live there.

It is also my understanding that establishments such as the one proposed require a fire exit, which would not be possible for these premises as the rear of the building opens into the Theatre Court / Castilian Court car park, which is privately owned property and is a locked area for residents only. Not only that, but the fire exit is directly blocked by car park space Number 14, meaning the fire exit is illegal. Again, I can only imagine the damage that may be caused to vehicles which are parked there if this is flouted and bar patrons are allowed to use that exit.

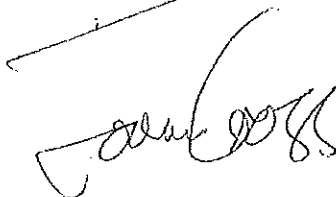
This would also have an impact on the front of the property, as the only smoking area would have to be directly on Derrigate opposite the Theatre, meaning our front entrance would also become littered with cigarette butts.

I am not against this premises being turned into a legitimate business, but surely that should be a retail business, not one which compounds local residents misery. We pay our Council Tax and we deserve your protection from this kind of unnecessary intrusion. If this is allowed to go ahead, then I would think seriously about moving away from Northampton altogether.

On a final note, surely there are already enough bars and clubs in the Northampton town centre to cater for all the people who wish to go out. Why does this area need yet another all night bar when there are two around the corner in Castilian Street. I believe it would be a retrograde step, particularly opposite the Theatre.

On this basis I am requesting that you not grant a license for the proposed bar.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Joanne Cross', written over a horizontal line.

Joanne Cross

20 Theatre Court 17 Derngate Northampton NN1 1TY

P Bayliss
Licensing Officer
Northampton Borough Council
The Guildhall
St Giles
Northampton

Re variation of licensing for Occo 15 Derngate

Dear Sir,

I wish to object to any extension and change of the licensing for the above premises, including the introduction of the playing of recorded music until 2 am and the sale of alcohol until 1.30 am.

I live in Theatre Court. My husband and I chose to buy an apartment and live there because of the location: – quiet, but close to the town centre and theatre; with some beautiful old architecture and high quality shops and restaurants. To have what in effect will be a night club in this location, attracting young people with late night drinking and doubtless very noisy music is totally in inappropriate. If we had wanted to live in a street full of noise and smoke pollution into the early hours of the morning we would have bought an apartment in Bridge Street.

Since smoking is banned inside there will be smoking outside. Lovely. The pavements will be full of cigarette butts and the smoke from the cigarettes will drift up to all the flats immediately above the premises making it impossible for them to have their windows open since secondary smoking is as lethal as actual smoking. To get in our front door we will have to go through the smoke polluted atmosphere and some of the families who live here have young children.

There are already over 30 bars, pubs and clubs in the town centre as well as licensed restaurants. Bridge Street and Gold Street are already causing our police huge problems and encouraging under-age drinking, so much so that I understand they are going to have to set up a permanent position at the junction of those two streets. Do we really want to add to their already overstretched workload with yet another night club?

On the practical level there is already insufficient room for rubbish disposal bins for Theatre Court. Frequently the few that we have overflow. Trying to get into some of the designated parking areas for some residents is all but impossible. Where would the bins for all the bottles and cans go if alcohol is to be served until 1.30 am and drunk until even later?

I hope, having given the matter due your consideration, you will NOT grant this application.

Yours sincerely

Marion Aldis

Marion Aldis M.A





Flats immediately over the proposed night club with balconies and windows



The front door to Theatre Court and its proximity to the proposed night club.

Dear Sir/Madam,

I live at number 5 Castilian Street and am writing to strongly oppose the application for licensed premises at 15 Derngate.

This will undoubtedly lead to more noise pollution in the area, especially late evening and early morning during the weekend. We have already experienced this since the opening of Borjia on Castilian Street.

I would also like to oppose the application based on anti-social behaviour, which has increased since the opening of Borjia. Again, I feel this will only get worse with the opening of another premises nearby. We regularly have smashed glass on the street, people shouting or being abusive in our street and people urinating at the side entrance to our property.

The feel of the area needs to be preserved for residents and the opening of another bar will only detract from this.

Mark Watson


Philip Bayliss

From: ... DALOW3AII [REDACTED]
Sent: 12 September 2012 14:50
To: Licensing
Subject: Manuia Bar : Occo

To whom It may concern

I Farah Attia of Flat 7 Castillian Court would like to officially reject and oppose the application of Occo, 15 Derngate, whom I understand have applied for a license to extend their opening hours and activity of sale of alcohol.

Not only are we already suffering intolerably in the area from a lack of respect, decency, noise pollution, reduction in safest, broken glass, loud intolerable music through the night, fag ends, urination and puke every weekend from the disrespectful club that is already present in the area on Castillian Street.

When we initially moved into the area it was peaceful and one could actually sleep at night, not only does this club disturb our sleep for at least two nights of the week but it has disrupted the cleanliness and the safety levels in the area.

I refuse to add to this with another BAR that will only further devalue the area, reduce further the quality of life for us and I will do anything to put a firm stop to this.

I would like your advise as how best and what more we as a community must do to ensure this application is TOTALLY rejected.

Yours Sincerely
Farah Attia

Flat 7
Castillian Court
NN1 1JT

Sent from my iPhone

Philip Bayliss

To: Mark Shademan
Subject: RE: Proposed Manuia Bar, 15 Derngate, Northampton NN1 1TY

Good morning

Thank you for your email. You will receive an invitation should there be a hearing with regard to this application.

Kind regards

Phil Bayliss
Senior Licensing Officer
Northampton Borough Council
Tel 01604 837099
email: pbayliss@northampton.gov.uk

From: Mark Shademan [mailto:]
Sent: 15 September 2012 20:12
To: Phillip Bayliss
Subject: Proposed Manuia Bar, 15 Derngate, Northampton NN1 1TY
Importance: High

Dear Mr Bayliss,

Re: Proposed Manuia Bar, 15 Derngate, Northampton NN1 1TY

In reference to the above proposal, I would like to strongly reject the application for the license to sell alcohol during extended hours from the above-mentioned premises.

I own one of the apartments above the proposed bar, have lived in Theatre Court since 2005 and have seen my local area deteriorate year after year.

I am all for developing the empty units below the Theatre Court apartments with businesses which will not only help boost the economy but help to promote the beautiful town of Northampton.

I would like to briefly remind you of some of the cultural attractions the centre of Northampton has to offer and be proud of: -

- The Guildhall, which is one of the most architecturally beautiful buildings in the whole shire.
- The newly developed £2 million plus Becketts Park Marina aimed at attracting new visitors to the town.
- "78 Derngate - Charles Rennie Mackintosh Gallery". Winner of the 2008 Enjoy England Gold Award for Best Small Visitor Attraction.
- The Northampton Museum and Art Gallery which houses some of the history of the town, particularly local history and the nationally recognised shoe collection for which this town is famous.
- The Royal and Derngate Theatres, which are the main venues for arts and entertainment in Northampton. Recently the subject of a £15 million redevelopment project. (Which coincidentally are situated directly opposite the proposed 'all night bar')

I hope that you appreciate that the above list can go on and on!

I would to meet the person who in their right mind would promote the opening of an all night bar in the midst of all of the above culture and beauty! Surely Northampton deserves more than this!

I hope you can begin to understand how strongly I feel about the town I chose to live in, however, much as I am passionate about all of the above I have other reservations and concerns, which I would like to highlight.

Theatre Court already has problems relating to this type of establishment, with frequent broken bottles, glasses, urine and vomit adorning our front doorstep and rear entrance to the car park on a weekly basis.

I have in the past had to personally clean the front entrance from the after effects of excessive alcohol, i.e. vomit and urine, as have other residents who have equally been so disgusted by this. We do not wish for these types of issues to increase and we certainly do not want to promote this type of behaviour, literally on our doorstep.

Secondly, I believe that the proposed plans contradict the rules, which are in place for our leasehold agreement.

My leasehold agreement states that residents must not play music, sing, play musical instruments or allow radio or television to be of a volume, which is an annoyance to the landlord or other tenants in the building. It also states that none of the above be played within the building between the hours of 2300 and 0800 hours at all.

Surely an establishment located within the same building as the apartments would have to abide by these rules themselves? This would make the opening of an all night bar in contradiction with the rules set in place for those who live there.

It is also my understanding that establishments such as the one proposed require a fire exit, which would not be possible for these premises as the rear of the building opens into the Theatre Court / Castilian Court car park, which is privately owned property and is a locked area for residents only.

My final views on this matter are that I believe there are already enough bars and clubs in the Northampton town centre to cater for all the alcohol needs of our visitors, which is probably why most of the bars are half empty even on the most busy nights.

Please accept this letter as my strongest opposition and request to you not to grant a license for the proposed bar.

Sincerely,

Mark Shademan

(Apt 10 Theatre Court)

NN1 1TY

Re: Changes of licence for "Occo" 15 Derngate Northampton NN1 1TY

Dear Mr Bayliss,

I am writing to you to inform you of my objections against issuing a license to the proposed "Manuia" Bar.

Property values within the building range from £140k to £190k in the current climate and as so attract professional owners with incomes to support the high values. The building is designed to attract executives and is viewed as an exceptional residence at the top end of the market within the area.

I purchased my apartment some four years ago at a market price of £190K and have enjoyed every aspect that living at Theatre court has to offer. However I do feel that the proposed Bar may devalue my property due to the increased noise levels and anti social behaviour that will occur.

Having purchased my apartment on a leasehold agreement there are legally binding rules and regulations set up by the "Landlord" named as Unique Build Property Company Ltd to protect both owners / tenants and the Landlord respectively

In particular I would like to draw your attention to the following clauses as set out in my Leasehold agreement:

"Not to allow any radio or television or any musical instrument to be played or any music or singing to take place in the Flat so as to be an annoyance to the landlord or the tenants and occupiers of the other flats in the building **and not to allow any musical or mechanical instrument to be played or any music or singing to take place in the BUILDING AT ALL between the hours of eleven pm and eight am"**

The Building

"The building known as Newilton House 11 to 23/25 Derngate Northampton registered at H M Land Registry under Title number NN232175 of which the Flat forms part of"

In view of the above, granting a license for the proposed bar operating outside of the hours as stated above would be in breach of my Leasehold and I would be within my rights to instruct legal actions against the Landlord as would the other owners of the 19 apartments within our building. It is also my understanding that premises that have capacity for 61 or more people require two fire escapes. I would like to advise that if the intention is to use the rear access door for fire evacuation there are a few points I wish to inform you about.

Firstly the rear car park is private property to which we as owners pay ground rent and that access is restricted to residents of Theatre Court and Castillon Court. There is no public right of way with any provision for public fire evacuation. The final exit of the car park is controlled via an electronic device which only residents have access too.

The rear door of the proposed Bar opens directly onto the car park and is restricted by car park space 14 which would impede any evacuation in the event of fire as the vehicle using this space would block this exit route.

I would also like to bring to your attention that should any emergency vehicle wish to access the rear of the property it could be impeded by the fact that the main entrance to the rear has only a single yellow line on the road which means during certain times of the evening any vehicle can park across the entrance.

In view that the rear of the property is not for public use this also raises the question of a "smoking area" for the bar. The only place therefore is outside on the street to the front of the building which is directly by our front door this I find unacceptable and would not only cause obstruction but would become intolerable having to fight our way to our front door passing drinkers and smokers. Please can you confirm what provision has been requested to facilitate this requirement?

Please also note the area is not covered by the towns CCTV and that it has been poorly policed having had to call and inform the police on many occasions with regards to serious antisocial behaviour.

I would also like to raise the issue regarding the sound of empty bottles crashing into bins and inform you that Borjia are using Castilon Court to store commercial waste including glass bottles. Please could you confirm if Borjia have requested and been granted permission by H M Land registry to use the car park for the storage of commercial waste and that permissions have been granted to access the car park to collect commercial waste on behalf of Borjia. The noise levels from glass being emptied on a daily basis are unbearable and this will increase should the new bar open.

Could I also ask you to review the current licence granted to Amore lounge also located within our building and confirm back their licensing hours, as we may also have reason to seek legal proceedings should this bar operate outside of the permitted hours as stipulated within our leasehold agreement together with conformation of their rights to permit smoking and drinking on the public footpath which also causes obstruction, noise pollution and general rubbish.

I would also request what permissions have been granted / requested in respect to delivery time frames to service both Amour and the new proposed Bar Manuia together with conformation as to the agreed location to accept deliveries.

I would therefore ask you not to grant permission to provide a licence for the proposed bar.

Yours sincerely

Stephen Carter

Apt 15 Theatre Court

Louise Faulkner

From: Edward Tyler <[REDACTED]>
Sent: 14 September 2012 11:35
To: Louise Faulkner
Subject: RE: OCCO Licence

Thank you for your email, apologies I wasn't aware that I had to specify my exact objections. So I'll try again using the Licensing objectives below:

- the prevention of crime and disorder
- public safety (physical safety of the people using the premises)

This is difficult to quantify as every area is different but other areas of Northampton have a constant police presence during popular nights. So it could be argued that there will be an increase in vandalism and disorder around the Theatre Court main entrance.

- the prevention of public nuisance (eg noise, light, smells or litter)

I currently live directly above the OCCO establishment and am concerned that a license extension allowing it to remain open and play music until 8.00am will cause a constant disturbance. Additional noise will also be added as people leave and enter the establishment and gather outside in the smoking area.

Regards

Edward Tyler, Tenant of number 11 Theatre Court.

From: lfaulkner@northampton.gov.uk
To: [REDACTED]
Subject: RE: OCCO Licence
Date: Fri, 14 Sep 2012 10:13:39 +0000

Thank you for your email, unfortunately any representations made by you as an Interested Person, must relate to one or more of the Licensing Objectives in order for it to be considered by the Licensing Authority.

The four Licensing Objectives are:

- the prevention of crime and disorder
- public safety (physical safety of the people using the premises)
- the prevention of public nuisance (eg noise, light, smells or litter)
- the protection of children from harm (ie moral, psychological or physical harm)

These are the only matters that the Licensing Authority may take into consideration when determining applications and therefore if you would like your concerns about the premises to be considered by the Licensing Authority, then you may wish to write again, expressing how these premises will directly affect you or your business and why you believe that if the application were granted it would not promote the Licensing Objectives. Perhaps those other residents who have expressed their concerns to you could do the same.

Kind Regards

Louise Faulkner CHE in Licensing Law (Warwick)
Senior Licensing Officer
Northampton Borough Council

Direct Dial: 01604 838545
email: lfaulkner@northampton.gov.uk

From: Edward Tyler [mailto:edward.tyler@northampton.gov.uk]
Sent: 14 September 2012 09:27
To: Licensing
Subject: OCCO Licence

Dear Mr P Bayliss,

I would like to give notice of my opposition to the extended license request of the Manula Bar Company. Whilst I like going to bars and nightclubs I do not want to live directly above one that is open until 8.00am and nor do the other residents of Theatre Court.

Regards

Edward Tyler, Tenant of number 11 Theatre Court.

Please note that the contents of this e-mail, including any attachments thereto, may contain information which is confidential or privileged, and which is solely for the use of the recipient named above. The information contained in this e-mail, and in your reply, may be subject to disclosure under the Freedom of Information Act 2000 or other legislation, and its confidentiality cannot be guaranteed. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this e-mail is strictly prohibited. Northampton Borough Council, The Guildhall, Northampton, United Kingdom, NN1 1DE +44 (0)300 330 7000 www.northampton.gov.uk

Apartment 20 Theatre Court, 17 Derngate, Northampton, NN1 1TY

20 September 2012

Mr. P Bayliss
Licensing Officer
Northampton Borough Council
The Guildhall
St. Giles Square
NORTHAMPTON
NN1 1DE

Dear Sir,

Ocko, 15 Derngate, Northampton, NN1 2ED

I write with reference to the application for a variation of premises licence for Ocko Restaurant at 15 Derngate, Northampton.

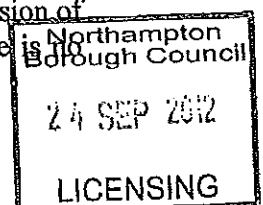
I consider this application to be inappropriate and recommend, therefore, that it be refused.

During the time that my wife and I have been resident here, Ocko was a Moroccan restaurant of some character; we entertained friends and family there on a number of occasions, and were sorry that it closed. We were not aware of any problems associated with Ocko as a restaurant.

To replace Ocko with a 24-hour bar is unacceptable and inappropriate, given that Theatre Court already has Amore Lounge as a licensed bar beneath its apartments. If the proposed change of use is granted to the Ocko premises, much of the area below our apartments will be designated drinking areas, with an even greater potentiality for the well reported problems of noise disturbance and anti-social behaviour associated with Borgia and Sazerac in Castilian Street as well as Amore Lounge in Derngate. The link between alcohol consumption and crime is proven, and police forces throughout the country are devoting huge resources to this growing problem.

I submit that the proposed licensed premises that Ocko will become, if this application is approved, will be inappropriate to this neighbourhood, which is a designated conservation area, and unnecessary, moreover, given the existing provision of pubs, bars and restaurants. Derngate has quality shops like Bang & Olufsen and Montague Jeffery, distinctive apartments in Theatre Court and Scholars Court, together with solicitors' and other professional offices; it is, therefore, a balanced mix of residential, shops and offices. A well established public house, The Mail Coach, Ask and The Vineyard restaurants, not to mention the various facilities afforded by the excellent Royal & Derngate (soon to be further enhanced by the opening of a cinema), mean that there is already more than adequate provision for social eating and drinking. The recent arrival of Borgia, Sazerac and Amore Lounge has led to widespread complaints from residents and shopkeepers that did not arise before.

There are, moreover, practical considerations that give cause for concern. Provision of waste bins is already limited owing to insufficient space to house them. There is no



spare space in the private car park that serves Theatre Court and Castilian Court, and Theatre Court residents have been refused provision of recycling bins by the local council on the grounds that there is nowhere to locate them. Problems have arisen with the disposal of cans and bottles by Amore Lounge and Borgia, a situation that can only be worsened by the activities of an additional bar. Access to the rear of the Dergate properties is via the gated entrance in Castilian Street, thus limiting the ability of emergency vehicles to respond to incidents arising in any of the premises except from Dergate itself.

We are constantly reminded by health spokespersons that passive smoking is as lethal as active smoking. Where will the smokers in Amore Lounge and the proposed new bar engage in their poisonous activity? Presumably in the outside street on Dergate. Smoke will inevitably drift up to the apartments overhead, and the pavement will be littered with butt ends which will not be cleaned up by those operating these bars. May I remind the Licensing Authority that some of the occupants of Theatre Court are children; one of our near neighbours has a 4-year old and a new baby due in November. Most of our apartments are occupied by working people, some with families. The inevitable noise disturbance that ensues from premises such as the one proposed is inimical to family life and normal working hours. The Licensing Authority should consider that Theatre Court leaseholders and tenants are subject, under the terms of their lease, to restrictions on TV, radio, music, etc., within the hours of 2300 and 0800. The proposed application ignores these sensible restrictions placed on the building for the well-being of all residents; the applicant should not be granted permission to conduct his/her business in a manner inconsistent with these regulations.

For these reasons I recommend that this application be refused.

Yours faithfully,

G. Aldis
~~XXXXXXXXXX~~



Philip Bayliss

From: Licensing
To: Maria Dehandschutter
Subject: RE: Proposed change of license for 15 Derngate

Dear Ms Dehandschutter

LICENSING ACT 2003 – APPLICATION NEW GRANT PREMISES LICENCE

I acknowledge receipt of your email received 25th September 2012 in respect of your representation to the application for a new premises licence with regards to **Occa, 15 Derngate, Northampton.**

Any representations made by you as an Interested Party, must relate to one or more of the Licensing Objectives and associated with the premises concerned in order for it to be considered by the Licensing Authority.

The four Licensing Objectives are:

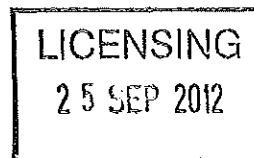
- the prevention of crime and disorder
- public safety (physical safety of the people using the premises)
- the prevention of public nuisance (eg noise, light, smells or litter)
- the protection of children from harm (ie moral, psychological or physical harm)

These are the only matters that the Licensing Authority may take into consideration when determining applications.

I will be contacting you again shortly with details of an invitation to the Licensing Sub-Committee Hearing; in the meantime if you have any queries, please do not hesitate to contact my office on the above number.

Kind regards

Philip Bayliss
Senior Licensing Officer
Licensing Department
Northampton Borough Council
The Guildhall
St Giles Square
Northampton
NN1 1DE



Phil Bayliss
Senior Licensing Officer
Northampton Borough Council
Tel 01604 837099
email: pbayliss@northampton.gov.uk

From: Maria Dehandschutter [mailto: maria.dehandschutter@northampton.gov.uk]

Sent: 25 September 2012 14:18

To: Licensing

Subject: Proposed change of license for 15 Derngate

Dear Mr Bayliss,

I am writing to you regarding the proposed change of license for 15 Derngate.

I am very concerned that, should the license be granted, myself and the other occupants of Theatre Court will experience some very unpleasant changes in our quality of life.

Having a 24 hour bar located in our building will first and foremost become a public nuisance. From earlier experience with the restaurants in the building the noise levels may become unbearable. Most of us go to work in the morning and the idea of having loud music playing, people talking loudly, etc...until uncivilised hours is very unattractive.

There are also small children living in the building, whose health should be a priority.

Further on, the possibility of smokers in front of the building will certainly affect most directly the people who have windows on that side. Secondary smoking is a real and recognised health hazard. And, of course, it will be a nuisance to have a carpet of fag-ends in front of the building. (Who would be responsible to clean those up?) By the way, having the people smoke at the back would be no option, since our cars are parked there.

Partying people can also have the unpleasant habit to leave empty bottles littering and even urinate in the street. This is a possibility of damage to the building.

Having people around the building 24/7 also means a very possible increase of crime. There are already more than enough drunken people walking the streets at night and 'inviting' even more of them by opening a 24 hour bar, may put our properties at risk.

As for the protection of children, we are aware that there is a problem of underage drinking in Northampton and giving them yet another opportunity is absolutely out of the question.

The occupants of Theatre Court and myself chose to live here because the Derngate is a nice quiet street. It is also a residential street. Having a 24 hour bar in the street does not only affect us and quite possibly the rest of the street as well, it also considerably lowers the value of the properties.

May I politely ask you to consider these objections before granting the license.

Yours sincerely,

Maria Dehandschutter

Occupier flat 3 Theatre Court

Philip Bayliss

From: Philip Bayliss
To: Laurie Sansom
Subject: RE: Changes of licence for "Occo" 15 Derngate Northampton NN1 1TY

Dear Mr Sansom.

LICENSING ACT 2003 – APPLICATION NEW GRANT PREMISES LICENCE

I acknowledge receipt of your email received 28th September 2012 in respect of your representation to the application for a new premises licence with regards to **Occa, 15 Derngate, Northampton.**

Any representations made by you as an Interested Party, must relate to one or more of the Licensing Objectives and associated with the premises concerned in order for it to be considered by the Licensing Authority.

The four Licensing Objectives are:

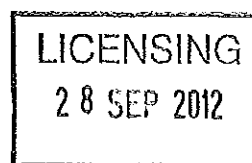
- the prevention of crime and disorder
- public safety (physical safety of the people using the premises)
- the prevention of public nuisance (eg noise, light, smells or litter)
- the protection of children from harm (ie moral, psychological or physical harm)

These are the only matters that the Licensing Authority may take into consideration when determining applications.

I will be contacting you again shortly with details of an invitation to the Licensing Sub-Committee Hearing; in the meantime if you have any queries, please do not hesitate to contact my office on the above number.

Kind regards

Philip Bayliss
Senior Licensing Officer
Licensing Department
Northampton Borough Council
The Guildhall
St Giles Square
Northampton
NN1 1DE



From: Laurie Sansom [mailto:~~laurie.sansom@nbc.gov.uk~~]
Sent: 28 September 2012 17:13
To: Licensing
Subject: Re: Changes of licence for "Occo" 15 Derngate Northampton NN1 1TY

Apartment 1 Theatre Court,
17 Derngate,

Northampton,
Northants.
NN1 1TY

28th September 2012

Re: Changes of licence for "Occo" 15 Derngate Northampton NN1 1TY

Dear Mr Bayliss,

I am writing to you to inform you of my objections against issuing a license to the proposed "Manuia" Bar.

I purchased apartment 1 some six years ago as a quiet town centre home, and am concerned that the proposed Bar will devalue my property due to the increased noise levels and anti social behaviour that will occur and compromise the regeneration of this part of town as the Cultural Quarter and an attractive location for residents.

Having purchased my apartment on a leasehold agreement there are legally binding rules and regulations set up by the "Landlord" including:

"Not to allow any radio or television or any musical instrument to be played or any music or singing to take place in the Flat so as to be an annoyance to the landlord or the tenants and occupiers of the other flats in the building and not to allow any musical or mechanical instrument to be played or any music or singing to take place in the BUILDING AT ALL between the hours of eleven pmand eight am"

In view of the above, granting a license for the proposed bar operating outside of the hours as stated above would be in breach of my Leasehold and I would be within my rights to instruct legal actions against the Landlord. As the owner of the first floor apartment directly above the premises in question, the proposed licensing hours would seriously effect my quality of life and be in breach of the licensing agreement with the Landlord.

Also, if the intention is to use the rear access door to our private car park for fire evacuation I need to point out there is no public right of way with any provision for public fire evacuation. The final exit of the car park is controlled via an electronic device which only residents have access to and the rear door of the proposed Bar opens directly onto the car park and is restricted by car park space 14 which would impede any evacuation in the event of fire as the vehicle using this space would block this exit route.

As the rear of the property is not for public use this also raises the question of a smoking area for the bar. If this is to be situated at the front of the building directly by our front door it would not only cause obstruction but would also be directly underneath my living room's Juliet balcony, which would cause an unacceptable level of noise pollution for myself in particular and other residents in this quiet residential block even when only a small number of patrons were gathered. This could be expected to increase when the bar was busy and In the early hours of the morning.

Whilst all of us at Theatre Court are keen for the units directly below us not to remain vacant and welcome commercial activity to the road, I do not consider the presence of a late night bar to be an appropriate use as part of this residential block opposite the stage door of the theatre. It would result in unacceptable noise pollution, an increased level of anti-social behaviour, a potential infringement of our rights as private owners, and a breach of our current leasehold. The usage is also incompatible with the plans for Derngate to be part of the town's Cultural Quarter, providing another disincentive to older members of the community coming into the town centre to use the theatre and other facilities.

In conclusion, as the resident of Theatre Court liable to be most disrupted by this new license, and as a local

tax payer concerned that the regeneration of the town centre ensures safety and quality of life in residential areas and appropriate commercial use, I would ask you to reject this proposal as I believe it is incompatible with these aims.

Yours sincerely

Mr. Laurie Sansom.

Sent from my iPad