

## Northampton Borough Council

### Licensing Committee

Tuesday, 28 September 2004

**Present:** Councillor S Stewart (Chair); Councillor M Taylor (Deputy Chair);  
Councillors D Acock, S Beardsworth, J Caswell, J Duncan, I  
Markham, Y Miah, T Wire and A Woods

#### 1. Apologies

Apologies for absence were received from Councillors Concannon and Evans.

#### 2. Minutes

The minutes of the meeting held on 27 July 2004 were agreed and signed by the Chair.

#### 3. Deputations / Public Addresses

- Resolved:** (1) That T Gee, C Horwood, D Mitchell, M Thomas, H Love and N Bartholomey be granted leave to address the Committee in respect of Item 5 – “Application for the Grant of a Public Entertainment Licence, The Trumpet, 574 Wellingborough Road”.
- (2) That H Grattan and C Early be granted leave to address the Committee in respect of Item 6 – “application for the Grant of a Public Entertainment Licence, The Auctioneer, 10-12 Market Square”.
- (3) That Mr Janjua be granted leave to address the Committee in respect of Item 8 – “Application for the Renewal and Variation of the Public Entertainment Licence, Level 4, 39 Sheep Street”.
- (4) That A Thompson and J Sphoggaras be granted leave to address the Committee in respect of Item 9 – “Application for the Renewal and Variation of the Public Entertainment Licence, The Lounge, Albert Place”.
- (5) That E Attrill be granted leave to address the Committee in respect of Item 10 – Review and Renewal of the Public Entertainment Licence, The Rover, 157 Weedon Road”.
- (6) That J Matthews and J Kelly be granted leave to address the Committee in respect of Item 11 – “Hackney Tariff Review”.

#### 4. Matters Of Urgency Which By Reason Of Special Circumstances The Chair Is Of The Opinion Should Be Considered

**Resolved:** That the determination of the following items, which was considered by the Chair as a Matter of Urgency because undue delay if consideration of it were deferred be as follows:-

##### Appeal by Bar Me

The Borough Solicitor advised Members of the situation regarding the appeal by Bar Me. The appeal had been heard at Corby in August. The Justices had granted the appeal on the grounds that there had been no evidence that public disorder would be increased as a result of an extension of hours on the PEL. The evidence provided by the police did not relate specifically to these premises as the cause of crime and disorder problems in the area. Consequently the PEL would be varied as follows, with a condition that there would be no

further discounts on alcoholic beverages:

Monday – Thursday 11.00am to 12 Midnight

Friday and Saturday 11.00am to 00.30am

Sundays 12 noon to 12 Midnight

#### **5. Application For The Grant Of A Public Entertainment Licence, The Trumpet, 574 Wellingborough Road**

Mr Bartholomey, Business Development Manager for the Spirit Group, addressed the Committee and spoke in support of the application. He commented that there had been some confusion regarding the hours and emphasised that the opening hours would not be increased and that there was no intention of doing so in the future, nor was it the intention to sell the business. He advised that The Trumpet was predominantly a food-orientated outlet and it was not intended to stage live rock bands. The PEL had been requested to provide singing, dancing, karaoke and other forms of live music, such as jazz.

Mr Bartholomey commented that a number of complaints about noise and disturbance had been received in the past from local residents, but stated that on six occasions the premises had not been the source of the noise. He further commented that the request for a PEL was not intended to cause any disturbance to the local community.

In response to questions from Members, Mr Bartholomey advised that the premises did not currently have a noise control scheme and that The Whitehills and The Abington, which were also Barras pubs, ran successfully without any such schemes. He also advised that although the application for the PEL had been made for seven nights a week, this was not imperative.

Mr T Gee, resident of Church Way, addressed the Committee and outlined his concerns. He stated that since the premises had changed hands it attracted a much younger clientele. He commented that he was regularly woken at night by people walking down Church Way. He believed the parking facilities for the premises were inadequate already and would lead to an increase in pedestrians late at night, as well as further problems with parking in Church Way.

Ms Horwood, a resident of Church Way, addressed her objections to the Committee and reiterated the concerns regarding traffic and parking in Church Way. This was a narrow, one-way street and had suffered increased traffic problems since the premises changed hands. Ms Horwood stated that there had been many incidents of cars travelling the wrong way along Church Way, speeding and damage to resident's cars. However, it was noted that there was no evidence that the damage to cars was caused by the pub clientele.

Mr Mitchell addressed the Committee and objected to the grant of the PEL. Mr Mitchell apprised that since the premises had become a Barras pub an increase in incidents had occurred. These included damage to cars parked in Church Way, broken bottles in the road and taxis sounding their horns after 11.00pm. He felt that if the PEL were to be granted, the number of anti-social incidents would increase. He further commented that Weston Favell was a village community and he wished to see this preserved.

Ms Thomas, a Church Way resident, addressed the Committee and advised that she had

been asked to speak on behalf of other residents. Since the premises had changed hands and a large screen had been installed to televise football events, there had been a marked increase in noise pollution. The Committee heard that there had also been an increase in anti-social behaviour, such as using resident's gardens as public conveniences, discarded syringes and condoms, and vandalism of cars. It was also alleged that under-age drinking took place on the premises. Ms Thomas supported the previous objector's claims that the grant of a PEL would exacerbate these problems.

Ms H Love, Matron at St John's House, addressed the Committee in respect of her objections to the grant of a PEL. St John's House was home to 40 elderly clients and all bedrooms faced The Trumpet. Many problems with noise pollution and vandalism had already been experienced. Some of the flats and bungalows on the site had suffered attempted break-ins and there had been many incidents of people ringing doorbells late at night. The drive was often used late at night as a short cut, causing further disturbance to clients. Ms Love stated that the grant of a PEL would augment the current problems and stressed that she felt very concerned for the elderly residents of St John's House.

Licensing Sergeant Burbage advised the Committee that there had been incidents in the vicinity, but that it was difficult to identify the culprits as being clients of The Trumpet. He commented that the premises did not cause undue drink-related problems for the police and he pointed out that if the PEL were granted, the ability to police the events at the premises would be stronger.

The Committee heard that since the report of Environmental Health had been written, 5 complaints had been received, 4 of which had been about a Karaoke. However, it could not be substantiated that the Karaoke had taken place on the premises. The Committee was further advised that Environmental Health recommended the implementation of a noise control scheme before granting the PEL. Members were also reminded that environmental Health could only deal with noise complaints from fixed premises and not from the streets.

Mr Bartholomey responded to the objections, commenting that the PEL would not attract large numbers of people to the premises and stated that he had been on the premises at closing time and had not witnessed large numbers of people leaving and making a noise. However, he was prepared to set up an open forum for local residents to air their views and try to resolve the current problems.

Councillor Beardsworth proposed and Councillor Miah seconded that the application for the grant of a PEL be granted for 6 months in the first instance, for Friday and Saturday nights only, on the proviso that the Licensee set up communications with local residents and subject to the implementation of a noise control scheme, as recommended by Environmental Health.

**Resolved:** That the application for the grant of a Public Entertainment Licence for The Trumpet be granted subject to the following conditions:

- i) that the PEL be granted for the hours 11.00am to 11.00pm, Fridays and Saturdays only
- ii) that the Licensee liaised with local residents
- iii) that a noise control scheme be implemented
- iv) that the PEL be reviewed by the Committee in 6 months

**6. Application For The Grant Of A Public Entertainment Licence, The Auctioneer, 10-12 Market Square**

Ms Gratton and Mr Early addressed the Committee and spoke in support of the application. In light of police objections to the hours requested, the Committee was directed to a letter from John Gaunt and Partners Solicitors, advising of the change to the requested hours. The requested hours were now 11.00am to 11.00pm Monday to Saturday and 12.00pm to 10.30pm on Sundays. No objections to the revised hours had been received from the police.

Ms Gratton advised that the PEL had been requested in order to provide public music, singing, dancing and charity events. Mr Early commented that the premises were due to undergo considerable refurbishment, which would include a dance area. Ms Gratton further advised that while there were no doormen employed at the premises, herself and another member of staff were members of the Doorwatch scheme and should it be necessary in the future, doormen would be employed.

The Borough solicitor advised that local residents had been written to in respect of the application and that no objections had been made.

**Resolved:** That the application for the grant of a PEL for the hours 11.00am to 11.00pm Monday – Saturday and 12.00pm to 10.30pm on Sunday be granted.

**7. Application For The Variation Of The Public Entertainment Licence, The Cock Hotel, 2 Harborough Road**

Item deferred.

**8. Application For The Renewal And Variation Of The Public Entertainment Licence, Level 4, 39 Sheep Street**

The Borough Solicitor reminded Members of the previous application by Mr Janjua, with particular regard to the increase in occupancy, which was to be reviewed in 6 months. Members were advised that all the necessary paperwork had been supplied and that the premises now had a rear fire exit. No objections had been received from the police, fire service or Environmental Health.

**Resolved:** That the application to renew and vary the Public Entertainment Licence for Level 4 and increase the occupancy to 284 for Level 4 be granted.

**9. Application For The Renewal And Variation Of The Public Entertainment Licence, The Lounge, Albert Place**

Mr Thompson, Barrister, and Mr Sphoggaras, applicant, addressed the Committee and spoke in support of the application.

Mr Thompson advised that the premises had undergone extensive renovation. A new main entrance had been built, new toilets with fresh drinking water had been installed, all fire exits had been upgraded and smoke detection equipment had been set up. A new digital CCTV system, where images were stored on hard disk and could not be deleted, had been installed and 23 cameras were located on the premises, 3 of which were outside. The trading name for the premises would be 'Hush'.

Mr Sphoggaras advised that it was intended to make the business more upmarket, reflected in the prices charged and who would be allowed into the club. A member scheme would be run, but it would not be a members-only establishment. Seven members of door staff would be on duty, with a doorman on each floor using a clicker system to check numbers.

Licensing Sergeant Burbage commented that the digital CCTV system was one of the best in the town and may set a precedent for other venues in the town.

Regarding the reports from Environmental Health and the Fire Service, the Committee was advised that all outstanding issues would be addressed before the opening of the premises, scheduled for Thursday 7 October.

**Resolved:** (1) That the application to renew the PEL for the hours Monday to Saturday 10.00am to 3.00am and Sunday 12.00pm to 10.30pm be approved.  
(2) That the application to vary the PEL by extending it to the renovated areas and to increase the maximum number of persons to 600 be approved.

#### **10. Review And Renewal Of The Public Entertainment Licence, The Rover, 157 Weedon Road**

The Borough Solicitor reminded Members that the PEL had previously been granted but was to be reviewed due to a number of objections at that time. 38 letters notifying those residents who had previously objected of the review had been sent and there had been no response or further objections raised.

Ms Attrill addressed the Committee and spoke in support of the application. She advised that all previous concerns of residents had been addressed and a noise control scheme had been implemented.

**Resolved:** That the application to renew the PEL for The Rover for the normal hours for Northampton be approved.

**NB** Councillor I Markham left at this stage of the meeting.

#### **11. Hackney Tariff Review**

Mr Matthews and Mr Kelly addressed the Committee and spoke in support of Option 3 of the five proposed options outlined in the report. It was felt that previous increases had not made an impact on short journey fares and that Option 3 would redress that. The Committee was advised that the Working Party had met and devised Option 5, which would give the same increase as Option 3, but would be more transparent to the public. Mr Kelly commented that Option 5 would cause problems for drivers, particularly at night, as the increased flagfall charge would cause many complaints. Should an increase in tariff be granted, Mr Kelly suggested that a sample of meters be tested, rather than all meters.

Councillor Woods proposed and Councillor Miah seconded that the Hackney tariffs be increased as per Option 3 with two vehicles per class to be chip checked.

**Resolved:** That the Hackney Carriage tariffs be increased by the rates detailed in Option 3 of the report and that two vehicles per class/type be meter tested.

**12. Amendment To Public Entertainment Licence Standard Conditions - Door Supervisors**

The Borough Solicitor submitted a report outlining the amendment to the Public Entertainment Licence Standard Conditions regarding Door Supervisors and commented thereon.

**Resolved:** That the report be noted.

The meeting concluded at 8:30 pm