



**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
UNDER SECTION 53A of the LICENSING ACT 2003**
(Premises associated with serious Crime or disorder)

Insert name & address of relevant Licensing Authority:
Northampton Borough Council, The Guildhall, Northampton, NN1 1DE

30 DEC 2013

Northampton
Borough Council

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 completed copy for your records.

I Police Constable 113 D.Bryan
(on behalf of) the Chief Officer of Police for the Northamptonshire Police area
apply for the review of a premises licence under Section 53a of the Licensing Act 2003.

Part 1 – Premises Details:

Postal address of the premises (or if none – Ordnance Survey map reference or description)
MoMo,
79-81 Abington Street

Town: Northampton

Post Code: NN1 2BH

Part 2 – Premises Licence details:

Name of Premises Licence holder (If known) Proactive Pubs Ltd
Premises Licence Number (If known) PLO681

Part 3 – Certificate under Section 53a(1)(b) of the Licensing Act 2003

(Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the Police Force for the police area above and that in his/her opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application

Please tick/check the box to confirm



Part 4 – Details of association of the above premises with serious crime, serious disorder or both: (Please read guidance note 2)

In the early hours of Friday the 27th of December 2013 a ‘private’ event was held at MoMo Club and Bar, at this event two males were stabbed. One of the victims was stabbed in the back and also in the victims chest close to the heart. It is believed at the time of this application that the victims lung has been punctured from the stab wound to the back the extent of the chest wound is not yet as known. This victim was taken to hospital and was described as being in a stable but potentially life threatening condition. The second victim was stabbed in the shoulder the wound is not considered life threatening at this time.

Clearly from the incident the potential offences would constitute a ‘serious crime’ as it is one for which a person who has attained the age of 21 and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more or the conduct involves the use of violence, results in financial gain or is conduct by a large number of persons in pursuit of

a common purpose. Although this might extend to a range of offences , Summary Reviews are particularly aimed at those offences which involve the use of guns and knives.

Should the Licensing Sub Committee of Northampton Borough Council agree with the application to Suspend the Premises Licence for MoMo then at the full Hearing Northamptonshire Police will be in a better position to give fuller details of the investigation and any subsequent meetings and actions agreed with the Premises Licence Holders.

Section 81 of the Regulation of Investigatory Powers Act 2000

81(2) In this Act -

- (a) references to crime are references to conduct which constitutes one or more criminal offences or is, or corresponds to, any conduct which, if it all took place in any one part of the United Kingdom would constitute one or more criminal offences; and
- (b) references to serious crime are references to crime that satisfies the test in subsection (3)(a) or (b).

81(3) Those tests are -

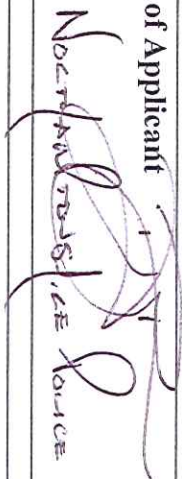
- that the offence or one of the offences that is or would be constituted by the conduct is an offence for which a person who has attained the age of twenty-one and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more;
- (b) that the conduct involves the use of violence, results in substantial financial gain or is conducted by a large number of persons in pursuit of a common purpose.

Signature of Applicant

Date:

27.12.2013

Capacity:


NORTHANTS POLICE LICENSING OFFICER

Contact details for matters concerning this application:

Name: Constable 113 D.Bryan

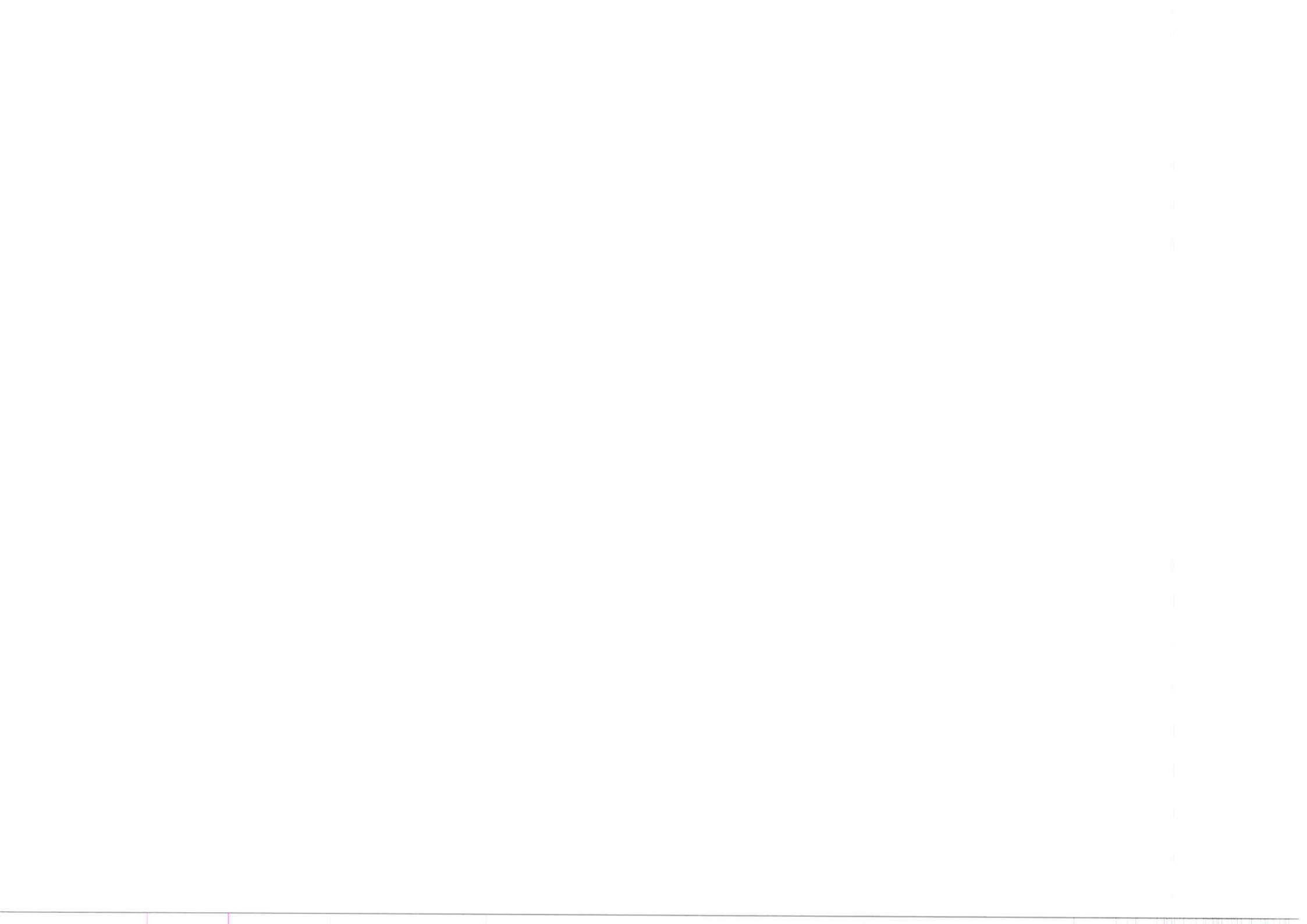
Address: C/O Campbell Square Police Station, Northampton, NN1 3EL

E-mail: david.bryan@northants.pnn.police.uk

Telephone: 03000 111 222 Ext 8634

Notes for Guidance

1. A certificate of the kind mentioned in the form, must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder, or both.
Serious crime is defined by reference to Section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - 'Conduct that amounts to one or more criminal offences for which a person who has attained the age of 18 and has no previous convictions, could reasonably be expected to be sentenced to imprisonment for a term of three years or more'; or
 - 'Conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose;
 - Serious disorder is not defined in legislation and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.





CERTIFICATE
Under section 53a(1)(b) of the Licensing Act 2003

**I Simon Blatchly
am a Chief Superintendent (or above) in Northamptonshire Police and hereby certify that
in my opinion the premises described below are associated with:**

serious crime

**Delete as appropriate*

Premises Details:

(Include Business name, Postal address of the premises or if none – Ordnance Survey map reference or description)

MoMo

79-81 Abington Street

Town:Northampton

Post Code: NN1 2BH

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are inappropriate in this case because:

(Give brief description of why other procedures such as standard review process are thought to be inappropriate eg the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned etc)

The standard Review Process is not considered appropriate as Northamptonshire Police are of the belief that a period of suspension of the Premises Licence is required pending the full Hearing in order for Northamptonshire Police to properly assess the incident and address any potential failings of the Premises Licence Holders in preparation for the full Review Hearing. In the early hours of Friday the 27th of December 2013 a 'private' event was held at MoMo Club and Bar, at this event two males were stabbed. One of the victims was stabbed in the back and also in the victims chest close to the heart. It is believed at the time of this application that the victims lung has been punctured from the stab wound to the back the extent of the chest wound is not yet as known. This victim was taken to hospital and was described as being in a stable but potentially life threatening condition. The second victim was stabbed in the shoulder the wound is not considered life threatening at this time.

Clearly from the incident the potential offences would constitute a 'serious crime' as it is one for which a person who has attained the age of 21 and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more or the conduct involves the use of violence, results in financial gain or is conduct by a large number of persons in pursuit of a common purpose. Although this might extend to a range of offences, Summary Reviews are particularly aimed at those offences which involve the use of guns and knives.

The premises has been the subject of incidents involving violence within the past twelve months. Section 161 of the Licensing Act 2003 has been considered however cannot be used in these circumstances as it applies to 'imminent' disorder, the conventional Review process was also considered however due to the seriousness of the incident a 'quick time' response was deemed more appropriate.

Should the Licensing Sub Committee of Northampton Borough Council agree with the application to Suspend the Premises Licence for MoMo then at the full Hearing

Northamptonshire Police will be in a better position to give fuller details of the investigation and any subsequent meetings and actions agreed with the Premises Licence Holders.

Signed:



A. Holt

Date:

27th Dec 2010