

**NORTHAMPTON BOROUGH COUNCIL**

**LICENSING ACT 2003**

**LICENSING SUB COMMITTEE**

A Meeting of the Licensing Sub-Committee will be held at The Council Chamber, St. Giles Square, Northampton, NN1 1DE. on Monday, 23 April 2018 at 10:00 am

**F Fernandes**  
**Borough Secretary**

**AGENDA**

- 1. WELCOMES**
- 2. DECLARATIONS OF INTEREST**
- 3. TEMPORARY EVENT NOTICE - UMBRELLA FAIR**
- 4. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

To consider whether the Panel should exclude the public from all or part of the hearing during consideration of any item listed above if the Panel believe that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public, in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

## 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/Respondents** (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/Respondents
  - 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](mailto:democraticservices@northampton.gov)**



## TEMPORARY EVENT NOTICE

### Licensing Sub-Committee

Monday 23<sup>rd</sup> April 2018

#### 1.0 Purpose of Report

- 1.1 To consider the proposed Temporary Event Notice in relation to the Umbrella Fair Pavilion, Racecourse Northampton.

#### 2.0 Summary

- 2.1 An online application was received for a standard temporary event notice from Ian Bates at 22:41 on the 9 April 2018.
- 2.2 A Temporary Event Notice can be used to extend alcohol sales and the regulated entertainment hours of an existing licensed premises, or it can be used for an unlicensed premises.
- 2.3 The Umbrella Pavilion is currently an unlicensed premises that usually operates using the temporary event notice entitlement. To date in 2018 they have been granted 4 temporary event notices.
- 2.3 There are restrictions to the number of permitted temporary event notices, being up to 15 events per year held under this provision at a particular premises. These events may each last for up to 168 hours provided the maximum persons attending at any one time does not exceed 499 and the number of days used for these events does not exceed 21 per annum.

#### 3.0 Application Details

- 3.1 The licensable activities and times requested on the application are for the following;

##### **Maximum Number of People at any one time**

**150**

##### **Event Dates & Times**

From 15:00 on 28 April 2018 to 03:00 on 29 April 2018

##### **Sales of Alcohol for consumption on the premises:**

From 14:00 on 28 April 2018 to 03:00 on 29 April 2018

##### **Provision of Regulated Entertainment:**

##### **DJ & outdoors in a marquee**

From 15:00 on 28 April 2018 to 23:00 on 29 April 2018

##### **DJ indoors**

From 21:00 on 28 April 2018 to 03:00 on 29 April 2018

### **Recorded Music**

From 15:00 on 28 April 2018 to 03:00 on 29 April 2018

## **4.0 Consultations/Representations**

- 4.1 When a standard temporary event notice is given to the Council online the local authority is required to serve a copy of the application on the police and environmental health officer (known as relevant persons) within 1 working day. The local authority served a copy of this application by email on the 10<sup>th</sup> April 2018.
- 4.2 No other parties are entitled to object or make representations in respect of a temporary event notice application.
- 4.3 The relevant persons can object to such an application on any of the four licensing objectives. The relevant person making the objection must serve an 'Objection notice' on the Licensing Authority and the applicant within 3 working days following receipt of the notice.
- 4.4 Northamptonshire Police have considered the applications and objected on the basis that it is not possible to properly risk assess the event proposed against the four licensing objectives based on the information provided. An objection notice in respect of this temporary event notice application was received from the local police by email on the 10 April 2018.

## **5.0 Attendance**

- 5.1 The local authority is required to send a notice of hearing to all interested parties and request confirmation of attendance. A notice of hearing was sent by email to the following persons on the 18 April 2018.

**Ian Bates – confirmation of attendance pending**

**PC Chris Stevens Northamptonshire Police – confirmation of attendance pending**

## **6.0 Plan of Premises Layout & Location**

The event is to be held in the function room of the ground floor of the Racecourse Pavilion and adjacent garden area.

The premises does not hold a Premises Licence and for a temporary event notice application, there is no requirement for the applicant to provide a floor plan showing the internal layout of the premises.

A plan of where the premises is located in the town is included at **Appendix 3**.

## 7.0 Options

7.1 At the end of the consultation period the licensing authority must hold a hearing. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

The steps the Sub-Committee can take are to:

- allow the temporary event, or
- serve a counter notice, preventing the event from going ahead, if it considers it appropriate for the promotion of a licensing objective to do so.

## 8.0 Policy Considerations

8.1 Statement of Licensing Policy

8.2 s.182 Guidance Licensing Act 2003

Part 7 gives guidance for determination of this application.

## 9.0 Committee

Section 105 of the Licensing Act 2003 states that a licensing authority must hold a hearing to consider any objections from the police or environmental health unless the parties agree that a hearing is unnecessary or decide to withdraw the temporary event notice. It must be noted that each application is to be considered on its own merits.

<b>Appendix No</b>	<b>Title</b>
1.	Temporary Event Notice
2.	Northamptonshire Police objection
3.	Location Map
<b>Report Author</b>	Louise Faulkner Licensing Team Leader

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

 Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

Family name

E-mail address

Main telephone number

Include country code.

Other telephone number

 Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

 Yes       No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes  No

Your date of birth  /  /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

### Section 3 of 9

### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

- Yes  No

### Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither  Premises licence  Club premises certificate

### Location Details

Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)



Continued from previous page...

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Our community group, the Umbrella Fair Organisation, occupy the ground floor of the Racecourse pavilion and are converting it into a community hub. We have toilets, kitchen, office, function room and workshops. For this event we will use the function room, foyer, toilets and we will have a marquee with music on the garden lawn.

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Fundraising event for our organisation. The event will be family focused for the afternoon and early evening, with DJ's playing music late evening onwards. The event will have an outdoor focus during the day with family activities (games, art & craft workshop, circus workshop, dance competition) during the afternoon/early evening with food and refreshments from our cafe. There will be DJ's playing music from 15.00 (28/04/18) until 23.00 (28/04/18) outdoors in a marquee and indoors from 21.00 (28/04/18) until 03.00 (29/04/18) indoors.  
Our cafe will be serving food from 10.00 until 20.00 (28/04/18).  
We will also have a bar serving alcohol from 14.00 (28/04/18) until 3.00 (29/04/18).

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.  
[\(See also guidance on completing the form, note 7\).](#)

**Event Dates**

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date       /  /   
   dd                  mm                  yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date             /  /   
   dd                  mm                  yyyy

**Continued from previous page...**

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Date of expiry  /  /   
dd mm yyyy 8

*Continued from previous page...* Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes  No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?  Yes  No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:  
a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?  Yes  No

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.  
This formality requires a fixed fee of £21

**DECLARATION** [\(See also guidance on completing the form, note 18\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
- \* I understand that it is an offence:
  - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
  - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text" value="Ian Bates"/>
Capacity	<input type="text" value="Treasurer"/>
Date	<input type="text" value="09"/> / <input type="text" value="04"/> / <input type="text" value="2018"/> dd mm yyyy

*Continued from previous page...*

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/northampton/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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**From:** Louise Faulkner  
**Sent:** 18 April 2018 13:33  
**To:** Louise Faulkner  
**Subject:** FW: UMBRELLA PAVILLION - STANDARD TEN application 28-29th April

**From:** Stevens Chris [mailto:Chris.Stevens@northants.pnn.police.uk]  
**Sent:** 10 April 2018 12:41  
**To:** [ian.bates@umbrellafair.org.uk](mailto:ian.bates@umbrellafair.org.uk)  
**Cc:** Licensing Enforcement <[licenforcement@northampton.gov.uk](mailto:licenforcement@northampton.gov.uk)>  
**Subject:** TEN application 28-29th April

Hi Ian,

I have received a copy of your application in relation to the Racecourse Pavilion. At this time I would be concerned about the cumulative impact on the area in terms of crime and disorder and anti-social behaviour especially given how late you want the event to run until. I am also confused as to the timings you have chosen as in one section you have stated that the event will run from 15:00-03:00hrs and then you have asked for alcohol sales between 14:00-03:00hrs.

I can see nothing in this application which shows how you will manage the security of this event or how you will ensure public safety for people coming to and leaving from the premises given the access will be across the Racecourse.

At this time I would look to raise an objection to this event under the licensing objectives of the prevention of crime and disorder and public safety however if you are able to provide me with an event plan documenting how you will manage the risks of this event, I would be prepared to consider it.

I look forward to hearing from you.  
Chris

Police Constable 1432 Chris Stevens  
Northamptonshire Police Licensing Officer

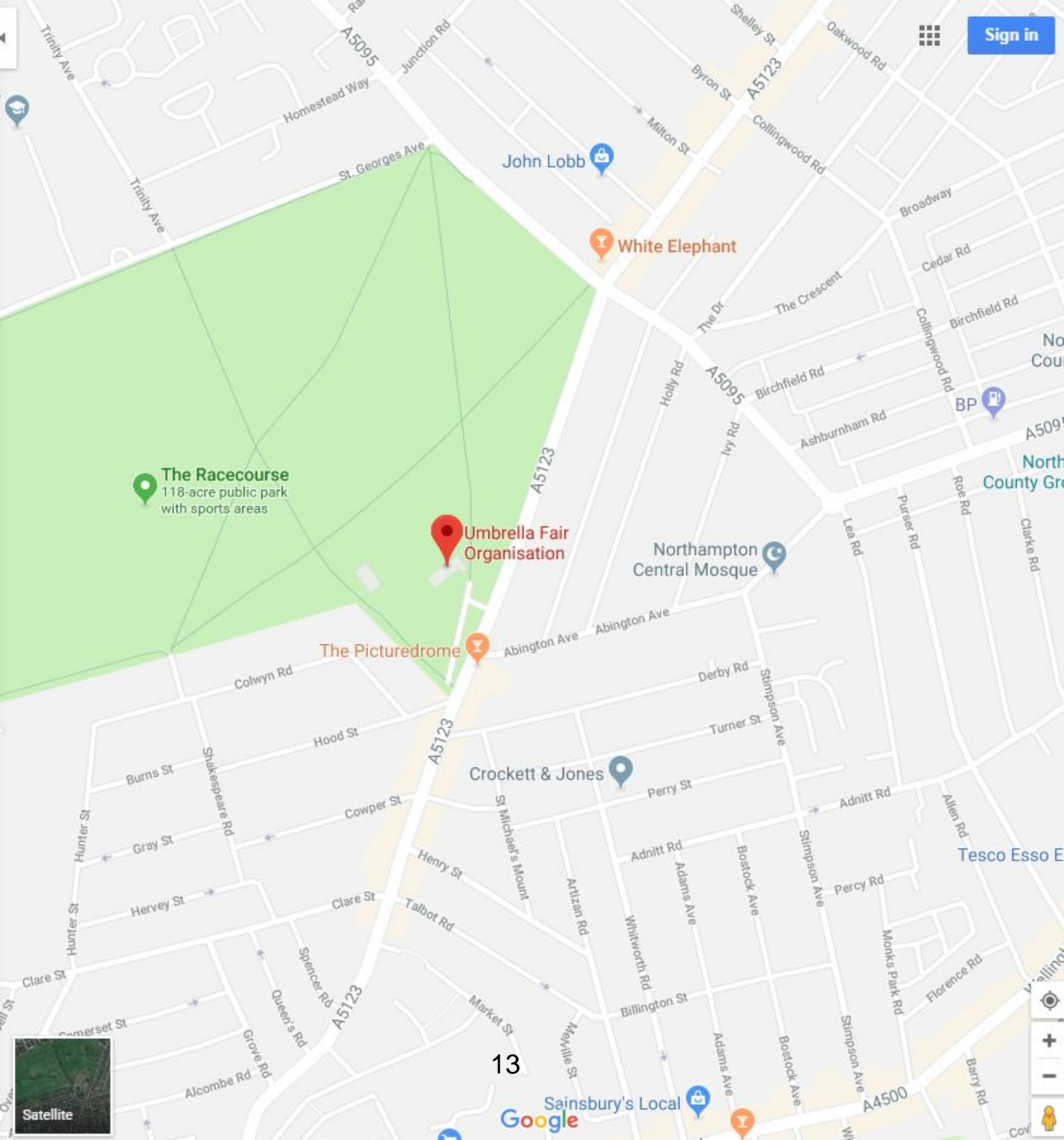


Prevention and Community Protection  
The Guildhall  
St Giles Square  
Northampton  
NN1 1DE

☎ Telephone 101 extension 345730

☎ Mobex: 778816 / 07557778816

✉ [chris.stevens@northants.pnn.police.uk](mailto:chris.stevens@northants.pnn.police.uk)



**The Racecourse**  
118-acre public park  
with sports areas

**Umbrella Fair Organisation**

John Lobb

White Elephant

Northampton  
Central Mosque

The Picturedrome

Crockett & Jones

Tesco Esso E

13

Google Sainsbury's Local

