

**NORTHAMPTON BOROUGH COUNCIL**

**ALCOHOL & GAMBLING LICENSING SUB-COMMITTEE**

Your attendance is requested at a meeting to be held at This meeting will be held remotely at <https://www.youtube.com/user/northamptonbcTV> on Tuesday, 8 December 2020 at 6:00 pm.

**George Candler**  
**Chief Executive**

**AGENDA**

1. WELCOMES
2. DECLARATIONS OF INTEREST
3. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

To consider whether the Committee 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.

4. VARIATION OF PREMISES LICENCE APPLICATION  
MOLDOVA - PL1130  
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## VARIATION OF PREMISES LICENCE APPLICATION

### MOLDOVA – PL1130

#### Licensing Sub-Committee

6pm 8th December 2020

#### 1.0 Purpose of Report

- 1.1 To consider an application for the variation of a premises licence (**PL1130**) for Moldova at Great Russell Street, Northampton.

#### 2.0 Summary

- 2.1 An application for the variation was submitted on behalf of the proposed licence holder Moldova JR Ltd and its Director Veronica Orzea. The application was received by Northampton Borough Council on 23<sup>rd</sup> October 2020.

#### 3.0 Application Details

- 3.1 The application was submitted with the intention to vary the premises licence by expanding the licensable area thereby allowing the use of Function Room 2 (see plans). This is currently not permitted by way of a condition on the premises licence as stipulated by Environmental Health in the interests of the prevention of public nuisance. The addition of the sale of alcohol by retail as a licensable activity is also requested in this application.
- 3.2 The current licensable activities and times permitted for PL1130 are as follows:

##### **Live Music**

Monday – Thursday – 18.00.- 02.00

Friday – 18.00 – 02.00

Saturday – Sunday – 12.00 – 02.00

Non-Standard Timings - On the day that BST takes effect the hour lost will be restored.

##### **Recorded Music**

Sunday – Thursday – 18.00 -02.00

Friday - Saturday – 18.00 – 03.00

Non-Standard Timings –

18.00 – 03.00 on 24th, 25th & 31st December 1st January and any Sunday prior to a bank holiday Monday.

On the day that BST takes effect the hour lost will be restored to the permitted hours.

### **Late- Night Refreshment**

Sunday – Thursday – 23.00 – 02.00

Friday – Saturday – 23.00 – 04.00

### **Opening Hours**

Sunday – Thursday – 12.00 – 02.30

Friday – Saturday – 12.00 – 03.30

Non- Standard Timings - 12.00 – 03.30 on 24th, 25th & 31st December 1st January and any Sunday prior to a bank holiday Monday.

On the day that BST takes effect the hour lost will be restored to the permitted

The variation proposal is to the licence as follows::

#### **1. Sale of Alcohol for consumption on & off the premises**

Sunday – Thursday - 12.00 – 23.30

Friday – Saturday 12.00 – 02.00

Non- Standard Timings - 12.00 – 03.30 on 24th, 25th & 31st December 1st January and any Sunday prior to a bank holiday Monday.

On the day that BST takes effect the hour lost will be restored to the permitted

#### **2. Expansion of the licensable area as per the plan shown in this report.**

## **4.0 Consultations/Representations**

4.1 When a request for the full variation of a premises licence or club premises certificate is received, the applicant must display a notice at or near the premises and serve a copy of the application onto the responsible authorities. For electronic applications it is a requirement of the local authority to serve a copy of the application onto the responsible authorities.

This gives responsible authorities and interested parties the opportunity to make representations in relation to the application for a period of 28 calendar days. The last date for making representations was 19th November 2020.

- 4.2 The obligatory notice was displayed on the premises as verified by licensing officers on the premises and in a local newspaper .
- 4.3 The Licensing Department has received a relevant representations from Environmental Health officer Louise Marshall under the licensing objective of the Prevention of Public Nuisance.
- 4.4 Northamptonshire Police have considered the application but have made no representation.
- 4.5 We have also had notification from the Planning Department regarding current planning permissions relating to this premises which would need to be varied if the premises are to be used as per the premises licence permissions. However, this is a matter for consideration under a separate legislation and processes and should not be a reason for any refusal of this application. However, a copy of that planning notification is included in this report for the committee's information and consideration of the full facts.

## **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 to the following persons on 25th November 2020:

**Applicant Representative** - Duncan Craig – Citadel Chambers

**Environmental Health Officer** – Louise Marshall

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

Please see premises Plan and Location map attached.

## **7.0 Options**

- 7.1 If representations are received, then at the end of the consultation period the licensing authority must hold a hearing to consider them. 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; and,
- the protection of children from harm.

The steps the Sub-Committee can take are to:

- grant the application in full;

- reject the whole of the application;
- reject part of the application; or,
- to modify the conditions of the licence (excluding the mandatory conditions) by altering them, omitting them or adding new conditions.

## **8.0 Policy Considerations**

### **8.1 Statement of Licensing Policy**

### **8.2 Guidance issued under section 182 of the Licensing Act 2003.**

Section 9 gives guidance for determination of this application.

Paragraphs 8.50, 8.74 to 8.77 and Part 10 highlight the elements of the Guidance that are most relevant with respect to this application. This is not exhaustive, and the guidance should be considered fully prior to making decisions with respect to applications.

## **9.0 Committee**

Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case.

<b>Appendix No</b>	<b>Title</b>
<b>A.</b>	Current Premises Licence
<b>B.</b>	Application to vary premises licence
<b>C.</b>	Plan
<b>D.</b>	Environmental Health Representation
<b>E.</b>	Planning Representation
<b>Report Author</b>	Martin O'Connell Senior Licensing Enforcement Officer

# Appendix A – Current Premises Licence



[Home](#) [Register](#) [Log in](#)

You are here » [Home](#) » [Licensing Act Premises Search](#) » [Detail](#) » [Application](#)

## Licensing Act 2003 - Premises Licence Register as at 11:43 on 24 November 2020

### Moldova

76-92 Great Russell Street, Northampton, Northamptonshire, NN1 3BU

**Premises Licence PL1130 from from 01/07/2017 to indefinite**

### Licence holder(s)

Full Name:	MOLDOVA JR LTD
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### Permitted Activities

- a performance of live music
- provision of late night refreshment
- any playing of recorded music

### Premises Open Hours Granted

	Time From	Time To
Monday-Thursday	12:00	02:30
Friday-Saturday	12:00	03:30
Sunday	12:00	02:30

Non Standard Timings:

Sundays prior to a Bank Holiday until 03:30. 24th December until 03:30 on 25th December and 31st December until 03:30 on 1st January.

On the day that BST takes effect the hour lost will be restored to the permitted hours.

### Activities - Times Granted

#### E. Performance of live music (Indoors)

	Time From	Time To
Monday-Thursday	18:00	02:00
Friday	18:00	02:00
Saturday	12:00	02:00
Sunday	12:00	02:00

Non Standard Timings:

On the day that BST takes effect the hour lost will be restored to the permitted hours.

#### F. Playing of recorded music (Indoors)

Monday-Thursday	18:00	02:00
Friday-Saturday	18:00	03:00
Sunday	18:00	02:00

Non Standard Timings:

Sundays prior to a Bank Holiday until 03:00. 24th December until 03:00 on 25th December and 31st December until 03:00 on 1st January.

On the day that BST takes effect the hour lost will be restored to the permitted hours.

#### L. Late night refreshment (Indoors)

Monday-Thursday	23:00	02:00
Friday-Saturday	23:00	04:00
Sunday	23:00	02:00

### Additional Conditions

#### Licence Conditions

A fully working and maintained CCTV system capable of recording and storing images must be installed on the premises. The system must record at all times the premises is open to the public and images must be stored for a minimum of 28 days with date & time stamping. As a minimum this must cover the public entry and exit points as well as the internal entrances to the licensable areas. A person conversant with the retrieval & downloading CCTV footage must be present on the premises at all times it is open to the public. Recordings must be made available to an officer from a responsible authority upon reasonable request and in line with the provisions of the Data Protection Act 1998.

A minimum of two licensed door supervisors must be employed and on duty at the premises at all times when events involving 100 or more people (not including staff members) are taking place after 23:00hrs on a Friday and Saturday. At all other times, door supervisors will be employed at the premises based upon a threat & risk assessment performed by the premises management and a decision as to whether to employ door supervisors or not will be documented in the venues written risk assessment including any rationale as to why this decision was reached. A copy of this risk assessment document should remain at the premises and be made available to an officer from a local authority upon reasonable request.

All security staff must sign a register at the commencement of every duty. This register will contain the name, date of birth and SIA badge number of each security staff member on duty. The register must be fully maintained and kept on the premises at all times and must be made available to an officer from a responsible authority upon reasonable request. Records must be retained for at least 6 months. Door supervisors employed at the venue will wear hi-visibility outer garments at all times both when working inside and outside the venue.

Customers must not take open vessels of alcohol from the premises at any time

The premises licence holder must keep and maintain an up to date list of all members of the management team including contact numbers. This list must be kept on the premises at all times and made available to an officer from a responsible authority upon reasonable request.

A member of the management team must be on duty and present on the premises at all times when licensable activity is taking place after 22:00hrs.

Every person employed at the premises must prove their Right to Work in the UK. Copies of documentation must be maintained and records kept on the premises that must be produced on demand to an officer of a responsible authority.

Risk assessments required under separate legislation will be maintained and regularly updated.

A sign will be displayed at the exit point of the venue requesting that customers respect local residents by leaving and dispersing from the premises and immediate area quietly.

There are no opening windows and doors

No children under the age of 16 will be allowed to enter or remain on the premises after 00:00 unless for the purposes of attendance at a pre-booked private function and in which case under the supervision of a person aged over 18 years old and in this case no later than 02:00hrs.

The premises must have a written dispersal policy that is actively followed at all times when the premises is open to the public after 23:00hrs. This policy must be agreed with Northamptonshire Police and any amendments to it must also be agreed. A copy of this policy must be kept on the premises at all times and made available for inspection to an officer from a responsible authority upon reasonable request.

#### **Environmental Health Agreed Conditions**

##### **Function Room 2**

No Licensable Activities permitted in Function Room 2

##### **Function Room 1**

##### **Sunday-Thursday**

All music (live/recorded) to terminate by 02:00

Premises to close by 02:30

##### **Friday/Saturday & Sunday prior to a bank holiday and Christmas/New Years Eve**

Live music to terminate by 02:00

Recorded Music to terminate by 03:00

Premises will close to members of the public by 03:30

#### **Environmental Health Agreed Conditions**

Sunday - Thursday maximum of 6 events per calendar month.

Except for entrance and exit all doors are to be kept closed at all times licensable activities are taking place.

There are no opening doors and windows (except for entrance/exit doors).

The outside yard area to the rear and side of the premises must not be used at any time that licensable activities are taking place (except in case of emergency).

On regular occasions after 23:00 and when the premises is open for the conduct of one or more licensable activities, a member of staff shall survey the area around the premises from time to time to ascertain if any noise from the premises is likely to be heard in any adjacent residential property. The member of staff will report back to the manager on duty and where a need for corrective action is required, this will be logged along with the corrective action taken in a log book. The log book shall be retained at the premises, unless removed for the purpose of duplication, for a period of at least six months from the date of the last entry. This record shall remain available for inspection upon reasonable request by an authorised officer of a responsible authority.

The practice of "bottling out" shall not take place between the hours of 22:00 and 08:00. (Note, Bottling out is the tipping of empty bottles or cans into refuse bins).

A contact telephone number shall be provided for the use of local residents and enforcement officers to call in the case of emergency. This number shall be conspicuously displayed at the exterior of the premises.

A log book shall be maintained that shall record details of any calls made to this contact telephone number by a local resident or enforcement officer where that call is in relation to one or more of the licensing objectives. The log shall record the date and time of the call, the identity of the caller if known, the issue reported and the corrective action taken. The log book shall be retained at the premises, unless removed for the purpose of duplication, for a period of at least six months from the date of the last entry. This record shall remain available for inspection upon reasonable request by an authorised officer of a responsible authority.



## Appendix B – Variation Application



Northampton  
Application to vary a premises licence  
Licensing Act 2003

For help contact  
[licensing@northampton.gov.uk](mailto:licensing@northampton.gov.uk)  
Telephone:

\* required information

### Section 1 of 18

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="DCC/MOLDOVA/VAR/20"/>	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?	<input checked="" type="radio"/> Yes <input type="radio"/> 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	<input type="text" value="Veronica"/>
* Family name	<input type="text" value="Orzea"/>

Main telephone number	<input type="text"/>	Include country code.
Other telephone number	<input type="text"/>	
<input checked="" type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="10612538"/>	
Business name	<input type="text" value="Moldova JR Ltd"/>	If the applicant's business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text"/>	Put "none" if the applicant is not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

Continued from previous page...

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 18**

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?     Yes     No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

- Yes     No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

*Continued from previous page...*

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Extension of licensable area  
Addition of sale of alcohol by retail to licensable activities

**Section 4 of 18**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

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[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

Standard Days And Timings

MONDAY

Start 12:00

End 23:30

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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TUESDAY

Start 12:00

End 23:30

Start

End

WEDNESDAY

Start 12:00

End 23:30

Start

End

THURSDAY

Start 12:00

End 23:30

Start

End

FRIDAY

Start 12:00

End 23:59

Start 00:00

End 02:00

SATURDAY

Start 12:00

End 23:59

Start 00:00

End 02:00

SUNDAY

Start 12:00

End 23:30

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Sundays prior to a Bank Holiday until 03:30. 24th December until 03:30 on 25th December and 31st December until 03:30 on 1st January.

*Continued from previous page...*

On the day that BST takes effect the hour lost will be restored to the permitted hours.

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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**Continued from previous page...**

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.



- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Not to hand

**Section 16 of 18**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. A refusals register must be kept at the Premises and maintained up to date at all times recording the date time, type of product refused, reasons for every refusal to sell alcohol to a customer and the name and signature of member of staff refusing the sale.
2. The refusals record must be made available to Northamptonshire Police or an Officer of a Responsible Authority on request, or during an inspection.

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3. The Premises Licence Holder or the Designated Premises Supervisor must monitor the Refusals Register every month and must sign and date the Refusals Register when this has been completed, or if the Refusals Register is electronic the check and date and time of the check must be clearly recorded.
4. Training in relation to the Licensing Objectives, Challenge 25, under age sales, sales to adults on behalf of minor (proxy sales), sales to intoxicated persons, refusals registers, incident records and all other conditions on the Premises Licence must be provided and undertaken by all members of staff (whether paid or unpaid) before he / she makes a sale or supply of alcohol and at least every six months thereafter.
5. Documented training records must be completed in respect of every member of staff and must include the name of the member of staff trained, date, time and content of the training. The record must be signed by the member of staff who has received the training, the Designated Premises Supervisor, the Premises Licence Holder or external training providers.
6. Documented training records must be kept at the premises and made available to Northamptonshire Police or an Officer of a Responsible Authority on request, or during an inspection.

b) The prevention of crime and disorder

c) Public safety

7. The Licence Holder shall ensure that all lighting (including emergency lighting) is checked on a weekly basis. Entrances, exits and passageways shall be kept clear.
8. At least one member of staff on duty will be trained in the use of first aid.
9. All electric, gas and fire equipment will be checked and maintained in working order and tested annually.
10. A fire drill will be carried out weekly.

d) The prevention of public nuisance

--

e) The protection of children from harm

11. The premises shall adopt the challenge 25 scheme, namely that staff must require ID in the form of a current ten-year passport, or photo card driving licence from any customer who appears to be under the age of 25 and verify the customer is over the age of 18 before any sale of alcohol is made

12. Notices must be exhibited at all points of sale and at all entrances and exits informing customers and staff that the Premises is operating a Challenge 25 Policy.

*Continued from previous page...*

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 18 of 18**

**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.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

100.00

**DECLARATION**

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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?"

Continued from previous page...

* Full name	<input type="text" value="Duncan Charles Craig"/>
* Capacity	<input type="text" value="Barrister and Duly Authorised Agent"/>
* Date	<input type="text" value="21"/> / <input type="text" value="10"/> / <input type="text" value="2020"/> dd mm yyyy

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/premises-licence/northampton/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="DCC/MOLDOVA/VAR/20"/>
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"/>

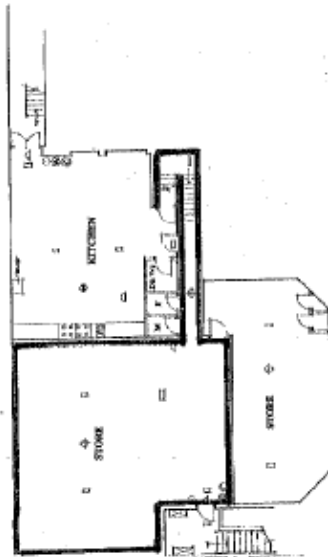
[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

# Appendix C – Premises Plan

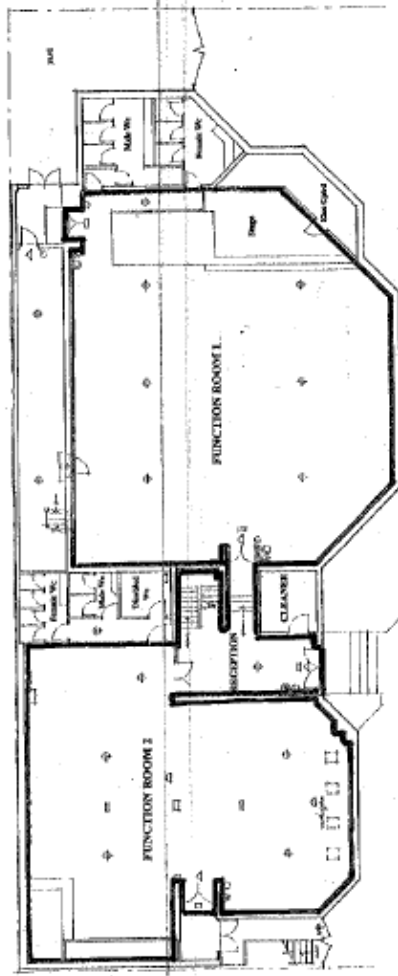
## FIRE REGULATIONS LEGEND

- ◆ SMOKE DETECTOR
- ◆ HEAT DETECTOR
- SOUNDER
- BREAK GLASS POINT
- FIRE ALARM PANEL
- EMERGENCY LIGHT
- △ ILLUMINATED FIRE EXIT SIGN
- WATER FIRE EXTINGUISHER 4
- CO2 FIRE EXTINGUISHER 1KG
- FIRE BLANKET

Fire Alarm Installation to comply with BS 5839



**BASEMENT**



**GROUND FLOOR**

<p><b>ON-TIME DESIGN</b>          ARCHITECTURE - PROPERTY MANAGEMENT - INTERIOR DESIGN SERVICES          ALL WORKS CARRY OUT IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010          78-82 GREAT RUSSELL ST.          NORTHAMPTON, NN1 1RH          MOB: 07771 81200          EMAIL: ontime@on-timedesign.co.uk</p>	<p>78-82 GREAT RUSSELL ST.          NORTHAMPTON, NN1 1RH</p>	<p>Rev</p>	<p>Description</p>	<p>Client: V. ORZITA          Project: PROPOSED EVENTS VENUE          Drawing No: FLOOR PLANS - FIRE REGS</p>	<p>Scale: A3/04          Date: 28/07/17          Drawn by: JOPH          Checked by: JOPH          Approved by: JOPH</p>
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## **Appendix D - Environmental Health Representation**

**Subject:** Objection - Variation of Premises Licence – Moldova, Great Russell Street

### **Variation of Premises Licence – Moldova, Great Russell Street**

Environmental Health is submitting an objection to this application based on the grounds of prevention of public nuisance.

We have concerns about use of the additional areas for licensable activities. There is a condition on the existing licence prohibiting use of function room 2 for licensable activities due to historical complaints about noise; the rear wall of Moldova is adjacent to the wall of residential properties behind.

At the time of the previous premises licence application, the applicant Veronica Orzea, was made aware of the work that would be required at the premises to mitigate against noise transfer to nearby properties and to support any changes to the licence conditions.

There is no information regarding prevention of public nuisance in this application and we have not received confirmation that this mitigation work has been carried out. For information, a recent noise complaint was received in September 2020.

We therefore object to any variation of the licence to include use of the additional areas.

I have discussed these concerns with Duncan Craig, the current licensing agent, and he is aware that Environmental Health is submitting this representation.

**Louise Marshall | Senior Environmental Health Officer**

Customers and Communities | Northampton Borough Council | The Guildhall | St Giles Square | Northampton | NN1 1DE | 0300 330 7000

## Appendix E – Planning Representation

Dear Louise

Thank you for consulting the Planning Department on the above application. This property has a long history from the planning perspective and discussions took place with consultants acting for the current applicant in March 2017, where advice was given in respect of the authorised use and hours of operation following involvement with the EHO at the time;

*There are three relevant applications to this property and its use.*

*N/1996/0005 was approved on 21 Feb 1996 for the change of use from a working man's club to Class D2 (assembly and leisure). Condition 4 of this consent permitted the use between the hours of 0800 and 2300 only.*

*N/2000/1112 was then submitted requesting a variation of condition 4 to extend hours to midnight Monday to Thursday and 0100 Friday and Saturday. This was approved on 13 December 2000 for a temporary period to 31 December 2001, but was subject to a personal permission to Mr William Davidson and Mrs Daniel Edwards.*

*N/2002/1020 was submitted in the context of the non-compliance with the hours condition and further sought to extend the opening hours to Monday to Thursday 0800 to 2400, Friday 0800 to 0200 (Saturday morning), Saturday 0800 to 0200 (Sunday morning) and Sunday 0800 to 2300. This had a further personal condition for the benefit of Mr W Davidson.*

*On the basis of what I have seen the 2000 and 2002 applications are personal consents and extend the hours, but if Mr W Davidson is no longer the owner/operator of the club, the consent and hours that are relevant are those on the 1996 application.*

*The reason for the personal permission was that the detail submitted provided sufficient information for the local planning authority to be satisfied that the use proposed would not have a significant impact on the amenities of surround residents and the area. It further notes that an alternative type of use within Class D2, may not be acceptable.*

*If your client is therefore seeking to operate hours outside 0800 and 2300, consent for the variation of Condition 4 would be required. However, there is a further complication with regards the use.*

*My understanding of how Soundhaus operated, it was more of a concert venue ie live music venue. This would mostly likely fall within a D2 use (as a concert venue). I understand from Neil that the use your client is proposing is more of a nightclub. This is now classed as a sui generis use (ie does not fall into any specific use category).*

*Would therefore advise that your client needs to apply for planning permission for the change of use of the building for the use now proposed. As part of any application, Neil would expect to see a robust acoustic report to ensure that there is not adverse impact on the area.*

It was recommended to the applicant that an application for pre-application advice was submitted, but I am unable to find a record of this taking place.

The licensing submission does not clearly set out what the intended use of the building now is, but you will note that there were previously queries over the use and the times in 2017.

Since that time, planning permission was granted for residential development close to the site and concerns are expressed about the proposed times given the proximity to the proposed residential units. At the time of the determination of the applications for residential development the Council's EHO's were consulted and raised concerns about the potential impact from noise.

Given the history of the site and the proximity to residential properties, I consider, on behalf of the Planning Service, I must **object** to the proposed hours of operation.

I trust this is of assistance and I look forward to receiving notification of the outcome of this application in due course.

Best regards  
Wendy

**Wendy Rousell | Senior Planning Officer (S106/CIL Delivery)**

Planning Services | Northampton Borough Council | The Guildhall, St Giles Square,  
Northampton  
NN1 1DE | 0300 330 7000