

REVIEW OF PREMISES LICENCE –

Licensing Sub-Committee

Monday 8th October 2018

1.0 Purpose of Report

- 1.1 To consider a request from Northamptonshire Police for the Review of the Premises Licence for The King David, Newnham Road, Northampton.

2.0 Summary

- 2.1 The review application was received on the 16th August 2018 and submitted in accordance with licensing objective(s) for;
- The Prevention of Crime and Disorder
 - The Protection of Children from Harm
 - Public Safety
 - The Prevention of Public Nuisance
- 2.2 The current licence holder is EI Group Plc. Companies House web check confirms that this is an active company (registration number 02562808).
- 2.3 Subsequently following the review application the premises has temporarily closed. Richard Taylor representing EI Group Plc will be able to clarify the position going forward.
- 2.4 An application to vary the Designated Premises Supervisor to remove Miss Lovell from the premises licence was submitted to the licensing department on 24th August 2018 by EI Group Plc. A new designated premises supervisor is yet to be specified and as a result, the application is incomplete.

3.0 Consultations/Representations

- 3.1 When a request for the review of a premises licence or club premises certificate is received, the applicant must give notice of the request to the premises license holder and the responsible authorities under the Act. Additionally, the Council as licensing authority must display a notice at or near the premises and on the council's website stating that a review has been requested. This gives responsible authorities and any other interested parties a 28 day period for the opportunity to make representations in relation to the review application.
- 3.2 The local authority displayed the obligatory notice on the 16th August 2018. A copy of this notice is attached as **(Appendix 3)**.

3.3 During the 28 day period there has been one representation received from one responsible authority namely, Northampton Borough Council Environmental Health. , **(Appendix 4)**

4.0 Attendance

4.1 The local authority is required to request confirmation of attendance from all interested parties. The following have confirmed attendance at today's hearing;

Richard Taylor Agent on behalf of EI Group Plc

Matt Gurney of EI Group Plc

Kate Allaway of EI Group Plc

PC Chris Stevens of Northamptonshire Police

5.0 Premises Licence Details

5.1 Licence Number: PL0259

6.0 History of Premises & Licence Holder

The current Licence Holder of the premises is:

EI Group Plc

The current Designated Premises Supervisor is:

Miss Sarah Louise Lovell

Personal licence number: PA2966

Issued by Northampton Borough Council

The premises is licensed for the following activities and times:

On & Off Sales of Alcohol:

Monday – Saturday 10:00am – 00:00

Sunday – 12:00- 00:00

Seasonal Variations:

Good Friday Noon to 00.00, Christmas Day Noon to 00.00, From 10.00am 31st December Until 02.00 on 1 January, St Patrick's day, Christmas Eve, Boxing day & New Year' day, when not falling on a Fri, Sat, or Sun until 00.00.

Live Music:

Friday – 19:00 – 00:00

Saturday – 12:00 – 00:00

Sunday – 12:00 – 00:00

31 December until 02.00am on 1 January, Bank Holiday Mondays: Easter, May Day, Spring Bank Holiday, Late Summer until 24.00 St Patrick's Day, Christmas Eve, Boxing Day & New Year's day when not falling on a Fri, Sat, or Sun until 24.00.

Recorded Music:

Friday 19:00 – 00:00

Saturday 12:00 – 00:00

Sunday – 12:00 – 00:00

Seasonal variations:

31 December until 02.00 on 1 January. Bank Holiday Mondays: Easter, May Day, Spring Bank Holiday, Late Summer until 00.00 St Patrick's day, Christmas Eve, Boxing Day & New Year's day when not falling on a Fri, Sat, or Sun until 00.00.

Making Music:

Friday 19:00-00:00

Saturday – 12:00 – 00:00

Sunday – 12:00 – 00:00

Seasonal Variations: 31 December until 02.00 on 1 January Bank Holiday Mondays Easter May Day, Spring Bank Holiday Late Summer Until 24.00 St Patrick's Day Christmas Eve , Boxing Day, & New Year's Day when not falling on a Fri, Sat, Or Sun until 24.00.

Facilities for Dancing (indoors):

Friday – 19:00- 00:00

Saturday – 12:00 – 00:00

Sunday – 12:00 – 00:00

Seasonal Variations:

31 December until 02.00 on 1 January Bank Holiday Mondays Easter May Day, Spring Bank Holiday Late Summer Until 24.00 St Patrick's Day Christmas Eve , Boxing Day, & New Year's Day when not falling on a Fri, Sat, Or Sun until 24.00.

Indoor Sport:

Monday – Sunday 12:00-00:00

Opening Hours:

Monday – Saturday 10:00am – 00:30am

Sunday – 12:00pm- 00:30am

Non-standard timings:

New Year's Eve until 02.45

Bank Holiday Mondays: Easter, May day, Spring Bank Holiday, Late Summer Until 00.45am

St Patrick's Day, Christmas Eve, Boxing Day & New Year's Day when not falling on a Fri, Sat, or Sun until 00.45am

Entertainment of a Similar Nature E,F,G (indoors) :

Friday 19:00 – 00:00

Saturday 12:00 – 00:00

Sunday – 12:00 – 00:00

Entertainment of a Similar Nature I, J (indoors):

Friday 19:00 – 00:00

Saturday 12:00 – 00:00

Sunday – 12:00 – 00:00

Seasonal Variations:

31 December until 02.00 on 1 January. Bank Holiday Mondays, Easter May Day, Spring Bank Holiday Late Summer Until 00.00 St Patrick's Day Christmas Eve, Boxing Day, & New Year's Day when not falling on a Fri, Sat, Or Sun until 00.00.

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:

- to modify the conditions of the licence;
- to exclude a licensable activity from the licence;
- To remove the designated premises supervisor
- to suspend the licence for a period not exceeding 3 months;
- to revoke the licence.

7.2 For the purpose of a) above, the conditions are modified if any of them are altered or omitted or a new condition is added. Further, if the Sub-Committee takes either of the steps at a) or b) above it may provide that the step only has effect for a limited period of up to 3 months.

8.0 Policy Considerations

8.1 Northampton Borough Council Statement of Licensing Policy

8.2 s.182 Guidance Licensing Act 2003

Section 11 & 13 gives guidance for determination of this application.

Subsections 11.16 to 11.28 highlights the elements of the Guidance that are most relevant with respect to this application. This is not exhaustive and 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 action should only be taken if it appropriate for the promotion of the licensing objectives. The Sub-Committee should ensure that any steps which it takes are proportionate to address the issues giving rise to the review. Further, any conditions attached to the licence 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.

Appendix No	Title
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1.	Application
2.	Premises Licence PL0
3.	Blue Notice
4.	Environmental Health Objection
5.	Additional documents
Report Author	Eleanor Flannery Senior Licensing Enforcement Officer