

Appendix H

Good afternoon,

Further to our recent telephone conversation, I have verified that the number you have given for your personal licence 100/4866/2 was a BIIAB Level 2 personal licence qualifying course that ran between 01/02/2005 until the 31/03/2011.

I cannot find any record that you made a personal licence application to this local authority and therefore you may wish to make a personal licence application as detailed on our [website](#).

It is a mandatory requirement as shown below, that all premises licence authorisations that include the licensable activity for the sale of alcohol, **must** have a nominated designated premises supervisor that is the holder of a personal licence to authorise the sales of alcohol.

Mandatory conditions where licence authorises supply of alcohol

(1) No supply of alcohol may be made under the premises licence -

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Therefore at this present time you are not compliant with the above mandatory condition and you must immediately refrain from all sales of alcohol in accordance with premises licence PL0419.

You may wish to consider appointing another person as the designated premises supervisor (DPS), whilst you are in the process of applying for your personal licence. This can be done online at [GOV.UK](https://www.gov.uk) , the new nominated DPS is required to sign the attached consent form, which must be returned with the variation of the designated premises supervisor application.

You will need to complete another variation of the designated premises supervisor if at some point in the future you obtain your personal licence and wish to change the DPS position back to your name.

You can also apply for a temporary event notice, however please note that you will be limited in the number of events/days/times that you will be able to operate in any calendar year. You can also read further guidance regarding the TEN criteria on our [GOV.UK](https://www.gov.uk)

Your current application for the Variation of Premises Licence PL0419 will still proceed to the Licensing Sub-Committee as previously advised and I will shortly send you the objection from the member of the public.

It is advisable that you seek your own independent legal advice regarding these matters.

I trust this clarifies the current position, or please let me know if you wish to discuss this further.

Kind Regards

Louise Faulkner

Licensing Team Leader

Northampton Borough Council

Appendix C - Email Representation & notice attachment

Sent: 26 July 2019 00:00

To: Licensing <licensing@northampton.gov.uk>

Subject: Re: VARIATION APPLICATION - JIMMYS SPORTS BAR 6-10 HARLESTONE RD
REF EDRMS: 78578

Louise,

Thank you for the updated application details which differ from both the public notices on display at the premises and from the on-line register as it appeared when I first viewed it on 21/07/2019. I note that the times applied for are the same for the four classes of activity, i.e. opening hours, live music, recorded music and alcohol sales. I would like to revise my representation as below in light of what I now assume to be an accurate reflection of the variation application. I will repeat any comments that still apply, with modifications where necessary, so you have everything in a single email and can discard the first version which was based on the limited and contradictory information available to me at the time.

Regarding the accuracy of the public notices posted at the premises I note that these make no mention of music, recorded or live, but instead refer to "Provision of regulated entertainment" so anyone reading the notices would likely be unaware that this covered live music, and if they checked the on-line register before 22/07/2019 they would have seen no reference to live music there either. Although your register suggests the premises may have had permission for live music in the past I believe this constitutes a new permission, especially as they want it to extend until 01:30am on two nights, and it should have been specifically mentioned in the public notices if the advertising process required by law is to perform its intended function of notifying the public of the nature of the variation being applied for. In short, if the application refers to live and recorded music the public notice should refer to live and recorded music. It's not as if there isn't room to mention it.

The public notice also fails to mention that the proposed variation involves a change to opening hours, giving the misleading impression that these were not changing.

Regarding the form of the public notices I believe they do not meet the requirements of the Licensing Act 2003 which stipulates that the notices be the following.

- (a) of a size equal or larger than A4,
- (b) of a pale blue colour,
- (c) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

I believe the variation applied for counts as a full variation and not a minor variation.

The notices displayed at the front and rear entrances are not A4, are not printed on light blue paper (although my original photographs had a blue cast, the paper is white) and if a font size equal or larger than 16 means at least 16 points (5.8mm tall) it appears the font used is less than half this height. I include two photographs in support. In short they meet none of the three requirements and are not sufficiently prominent as a result.

I submit that the advertising requirements will not have been met on the proposed closing date of 30 July 2019, in that the applicant has failed to display public notices meeting the requirements of the Licensing Act and the publicly accessible on-line register showed inaccurate information for most of the 28 day period, being corrected just over a week before the closing date. For the process to be valid all the advertising requirements must be met and that would involve repeating the 28 day period with accurate information given due prominence according to the law.

I submit that granting any changes on the basis of the 28 day period ending 30 July 2019 would be an abuse of process and ask that if the application is to proceed to a decision on its merits then the advertising process must be repeated with all requirements met for the full 28 days. To do otherwise would be to fail to properly notify and consult the public.

I would also like to make the following representations on the content of the application.

My main concerns are with the proposal to extend any of the licensed activities beyond 23:30 and certainly not to 01:30 on two days a week.

I have strong objections to the proposed hours on the grounds of increased late night public nuisance, especially noise from the open smoking area which is within about 20m of my house, and noise from live and recorded music. Although they are supposed to keep their windows closed the sound still carries along with the thump-thump of heavy bass. Both the noise from the smoking area and the music would be unbearable if it was to continue into the early hours on two nights a week and I would also object to the nuisance of people and cars arriving and departing in the early hours of Saturday and Sunday in a residential area.

I also believe the proposed times would allow them to remain open significantly later than most venues in the area, with a possible influx of drinkers late at night when other places close.

I would also like to mention the frequent use of the rear door, very near my house, as a drop off, pick up and rendezvous point for revellers using the fire exit staircase to enter or leave the premises. This activity could be extended into the early hours by the proposed changes, creating further nuisance. Permission to play live music until 01:30am would mean the additional noise nuisance of musicians and equipment leaving by the back door and being loaded into cars or vans very near my house between 01:30am and 2am.

Regardless of opening hours I suggest they need notices in the smoking area asking customers to keep the noise down. There is a notice at the entrance directed at departing customers but I couldn't see any in the smoking area, which they might regard as an integral part of the venue but is clearly a different case, being out of doors with no walls or double glazing to muffle the noise and so close to neighbours like myself who might have our windows open on summer evenings. A group leaving the premises at 11pm would pass a notice asking them to keep the noise down, but if they remain in the smoking area, effectively outside the building, it seems they are not reminded not to disturb the neighbours.

If opening hours are extended I request a condition be imposed that the smoking area be closed at a specified time such as 11pm to reduce noise nuisance late at night.

Photographs follow.

Photo 1 shows the public notice displayed by the front door of the premises below an unrelated notice which is A4, while the public notice has been cut down to about half the required size.

Photo 2 shows an identical notice, displayed on the back door of the premises, similarly cut down in size, with a ruler, showing the notice is printed in a font less than half the required size. It also shows that the notice is white and not blue as required for this type of public notice.



THIS SUMMER HOLIDAY KID SET FOR £1.99
MONDAY - THURSDAY 11 - 4PM
OFFER APPLIES TO ONE CHILD PER PARENT
ADULT

- CHOOSE FROM:**
- CHICKEN NUGGETS AND CHIPS**
 - BOYD-OO AND CHIPS**
 - FISH FINGERS AND CHIPS**
 - MORZELLA DIPPERS AND CHIPS**



ADD ICE CREAM FOR £1.50



NOTIFICATION OF COMPLAINTS
 0203000 407 000
 Patis Patis
 0203000 407 000

Complaints about the quality of products can be made to the retailer or a complaints officer for Patis Patis, 8 Theobalds Road, St. James, Northampton, NN4 6AF.

Expected the notification will allow the following conditions to be met:

- Not at fault on the retailer
- Product of highest quality

At Patis Patis Patis

- Monday - Thursday, 11:00am - 4:00pm
- Friday and Saturday, 11:00am - 4:00pm
- Sunday, 11:00am - 4:00pm

A copy of the notification of complaint is available to the retailer or the complaints officer for Patis Patis, 8 Theobalds Road, St. James, Northampton, NN4 6AF.

Complaints Department, Northampton Borough Council, Northampton, NN4 6AF.

Northampton Borough Council, 8 Theobalds Road, St. James, Northampton, NN4 6AF.

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NORTHAMPTON LICENSING AUTHORITY

LICENSING ACT 2003

Public Notice

This notice being dated 3rd July 2019

Jimmy's Sports Bar (Sandra Andrews) has applied for the variation of a premises license for **Jimmy's Sports Bar, 6 Harlestone Road, St. James, Northampton, NN5 6AE.**

If granted the application will allow the following licensable activities to take place:

- Sale of alcohol on the premises
- Provision of regulated entertainment

At the following times:

- Monday – Thursday, 11.00am – 23.00pm
- Friday and Saturday, 10.00am – 01.30am
- Sunday, 10am – 22.30pm

A copy of the application is kept by the licensing authority at the address below and can be viewed Monday – Friday 9.00am – 5.00pm, except Bank Holidays, or online at: www.northampton.gov.uk

Licensing Department, Northampton Borough Council, The Guildhall, St. Giles Square, Northampton, NN1 1DE

Representations may be made for 28 consecutive working days from the date of this notice. The last date for representations being 30th JULY 2019.

It is an offence knowingly or recklessly to make a false statement in connection with an application the maximum fine for which a person is liable on summary conviction for making a false statement is a Level 5 fine on the standard scale.

NORTHAMPTON LICENSING AUTHORITY

LICENSING ACT 2003

Public Notice

This notice being dated 3 July 2019

(dra Andrews) has applied for the variation of a premises licence
Bar, 6 Harlestone Road, St. James, Northampton, NN5 6AE.

application will allow the following licensable activities to take

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Friday and Saturday, 10.00am – 01.30am

- Sunday, 10am – 22.30pm

Appendix D – Police Agreed Conditions

From: Stevens Chris <Chris.Stevens@northants.pnn.police.uk>

Sent: 16 July 2019 12:16

To: Licensing Enforcement <licenforcement@northampton.gov.uk>

Cc: Stone Kate <Kate.Stone@northants.pnn.police.uk>

Subject: FW: Licence Variation Application PL0419

Confirmation of the agreement.

Thanks
Chris

Police Constable 1432 Chris Stevens
Northamptonshire Police Licensing Officer
Prevention and Community Protection

Sent: 16 July 2019 12:14

To: Stevens Chris <Chris.Stevens@northants.pnn.police.uk>

Subject: Fw: Licence Variation Application PL0419

Hi Chris,

I write in reference to your email below and the above application to vary an existing premises license.

I can confirm the conditions listed below are things that we already have in place or are putting in place.

Regards,
Sandra (license holder)

Sent: 25 June 2019 12:24

To: Stevens Chris <Chris.Stevens@northants.pnn.police.uk>

Cc: Stone Kate <Kate.Stone@northants.pnn.police.uk>; Louise Faulkner <lfaulkner@northampton.gov.uk>

Subject: Re: Licence Variation Application

Good Afternoon Chris,

Thank you for your response to our recent application.

Conditions 1, 2, 3, 6, 8, 9, 10, 11, 12, and 13 are something we already have in place.

In terms of the drugs policy (point 7), is there a particular point of contact at Northamptonshire police whom I can discuss this with? Or would this be yourself?

We are of course more than happy to put all remaining conditions below in place in order to go ahead with the variation of our existing license.

Many thanks,

On Tuesday, 25 June 2019, Stevens Chris <Chris.Stevens@northants.pnn.police.uk> wrote:

Good morning,

I have received a copy of the above application and while I have no objections to the granting of this in principle, I am not currently satisfied that the operating schedule would sufficiently promote the Licensing Objectives.

In order for me to be satisfied, I would ask you to consider having the following conditions applied to the licence should it be granted:

- 1) 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 s 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 all entry and exit points, both sides of all areas where the sale/supply of alcohol takes place.
- 2) A person conversant with the retrieval and down loading of CCTV footage must be present on the premises at all times it is open to the public.
- 3) All recordings must be made available to an officer from a responsible authority upon reasonable request and in line with the provisions of the current Data Protection legislation.
- 4) 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 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.
- 5) All security staff must sign in on a register at the commencement of every duty. This register will contain the name, date of birth and full 16 digit 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.
- 6) Door supervisors employed at the venue will wear hi-visibility outer garments at all times both when working inside and outside the venue.
- 7) The premises will have a documented drugs policy which has been agreed between the management and Northamptonshire Police. This document will be retained upon the premises and made available to an officer from a responsible authority for inspection upon reasonable request.
- 8) All staff involved in the retail of alcohol will be trained in relation to the law regarding its sale. This training must be completed prior to them being authorised to sell alcohol and refreshed every 12 months as a minimum. A record of this training must be kept and maintained with a copy of the syllabus attached. The recipient of the training must sign to state that they have received and understood the training and this should be dated. Training records must be kept on the premises at all times and made available to an officer from a responsible authority upon reasonable request.
- 9) All persons working on the premises whether on a casual/trial/permanent basis will have their right to work checked prior to undertaking any duties including training on the premises. Records of these checks will be maintained and kept on the premises at all times including photocopies of the right to work documentation provided by the person. These records will be retained for no less than six months

after the person ceases to work on the premises and will be produced to an officer from a responsible authority immediately when requested.

10) The premises will have a dispersal plan in place which involves staff/door staff encouraging and monitoring the safe and peaceful exit of customers from the venue and the immediate area outside.

11) Signs will be displayed at the exit points of the venue requesting that customers respect local residents by leaving and dispersing from the premises and immediate area quietly.

12) The premises will operate and adhere to an age verification scheme with the minimum standard of Challenge 25. Signs advertising the policy must be displayed in all areas where alcohol is for sale.

13) No children under the age of 18yrs old will be allowed to enter or remain on the premises after 21.00 unless for the purposes of attendance at a pre-booked private function and in which case under the supervision of a person age no less than 21-year-old.

If you are happy with the above conditions, I would ask that you confirm this by way of a reply email otherwise feel free to make contact using any of the below methods.

Thanks

Chris

Police Constable 1432 Chris Stevens
Northamptonshire Police Licensing Officer
Prevention and Community Protection

Appendix E – Environmental Health Agreed Conditions

Sent: 01 August 2019 16:46

To: Louise Marshall <lmarshall@northampton.gov.uk>

Subject: Re: Variation of premises licence - Jimmy's Sports Bar

Good Afternoon Louise

Thank you for your email.

I can confirm that points 1, 2, 5 and 6 are something already in place. We are more than happy to put the remaining points in to effect in order to comply with the extension of the license.

Many thanks
Sandra

On Thursday, 1 August 2019, Louise Marshall <lmarsshall@northampton.gov.uk> wrote:

Dear Ms Andrews

I email further to your application to vary the premises licence for Jimmy's Sports Bar. Environmental Health has objected to this variation on the grounds of prevention of public nuisance.

Our concern is the potential for noise and disturbance and the impact on nearby residents. In particular, the noise from any live music/regulated entertainment. You have requested that these activities continue until 1.30am which is the same time as you want the premises to close which means as people are leaving, if entertainment is still happening, there is the likelihood of noise breakout.

In order to balance your needs as a business and the interests of nearby residents, I am suggesting that the following conditions are attached to your licence. If you are in agreement with this then we can remove our objection.

Suggested conditions –

1. All windows and external doors shall be kept closed after 21:00 hours or at any time when regulated entertainment takes place (except for the immediate access and egress of persons or in the case of an emergency)
2. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20:00 hours and 08.00 hours on the following day.
3. Live music/entertainment shall terminate at midnight.
4. Only background recorded music shall be played after midnight. All music shall cease 30 minutes before closing.
5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
6. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.




Please let me know if you are in agreement with these suggestions.

Kind regards,

Louise Marshall | Senior Environmental Health Officer

Appendix F

LICENSING ACT 2003 Public Notice

NOTICE DETAILS MAP STREET VIEW   

NORTHAMPTON LICENSING AUTHORITY
LICENSING ACT 2003
Public Notice

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This notice being dated 2nd July 2019.

VOTE (0)   11/07/2019 | OTHER