

## **VARIATION PREMISES LICENCE APPLICATION –**

### **Licensing Sub-Committee – Council Chamber**

**2pm 6<sup>th</sup> February 2020**

#### **1.0 Purpose of Report**

- 1.1 To consider an application for the variation of a premises licence (**PL0513**) for The Olde Cobbler (formerly Buddies) at Acre Lane Northampton.

#### **2.0 Summary**

- 2.1 An application for the variation was submitted on behalf of the proposed licence holder Olde Cobbler Ltd and its Director Mr Mark Robinson. The application was received by Northampton Borough Council on 23<sup>rd</sup> December 2019.

#### **3.0 Application Details**

- 3.1 The application was submitted with the intention to vary the premises licence in order to trade as a Gastropub style business licensed to sell alcohol alongside food, including late-night refreshment and regulated entertainment. It is relevant to note that running parallel to this application is a planning application for a change of use of the premises at Acre Lane from a restaurant to a gastropub and this is being considered under a separate legal process.
- 3.2 The current licensable activities and times permitted for PL0513 are as follows:

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

Sunday – Thursday -10.00 - 23.00

Fri – Sat - 10.00 - 00.30

##### **Films**

Sunday - Thursday – 10.00 - 23.00

Friday – Saturday – 10.00 – 00.30

##### **Live Music**

Sunday – Thursday – 10.00.- 23.00

Friday – Saturday – 10.00 – 00.30

##### **Recorded Music**

Sunday – Thursday – 10.00 - 23.30

Friday - Saturday – 10.00 – 01.00

**Late- Night Refreshment**

Sunday – Thursday – 10.00 – 23.30

Friday – Saturday – 10.00 – 01.00

**Opening Hours**

Sunday – Thursday - 10.00 – 23.30

Friday – Saturday – 10.00 – 01.00

The variation proposal is to alter these times as follows:

**Sale of Alcohol for consumption on & off the premises**

Sunday – Thursday - 10.00 – 23.15

Friday – Saturday 10.00 – 00.45

**Films**

Sunday – Thursday – 08.00 – 23.30

Friday – Saturday – 08.00 – 01.00

**Recorded Music**

Sunday – Thursday – 23.00 – 23.30

Friday – Saturday – 23.00 – 01.00

**Late-Night Refreshment**

Sunday – Thursday – 23.00 – 23.30

Friday – Saturday – 23.00 – 01.00

**Opening Hours**

Sunday – Thursday - 08.00 – 23.30

Friday – Saturday – 08.00 – 01.00

The application also asks that any currently deregulated entertainment such as Facilities for dancing and Entertainment similar in description... are removed from the licence. In relation to this live music on Sunday – Thursday will also be removed from the licence remaining as a licensable activity only for the hours of 23.00 – 00.30hrs on Friday – Saturday.

#### **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 20<sup>th</sup> January 2020.

4.2 The obligatory notice was displayed on the premises as verified by licensing officers on the 23<sup>rd</sup> December 2019 and in a local newspaper on the 9<sup>th</sup> January 2020.

4.3 The Licensing Department has received nine relevant representations under the licensing objectives of the Prevention of Crime & Disorder and Public Nuisance.

4.4 Northamptonshire police have considered the application but have made no representation.

4.5 Environmental Protection have considered the above-mentioned premises licence application pertinent to the licencing objective of the prevention of public nuisance and made no representation.

#### **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 23<sup>rd</sup> January 2020:

**Applicant Representative** - Mark Worthington – Worthington’s Licensing Consultancy

**Local Residents** -

Victoria Tarry

Brian J. Roberts

Anthony McDermott

Isabel White

Andrew Parrott (Acre Lane Garage Proprietor)

M. Cass

Mr D. Howkins

Fern Overton (WASPRA Secretary)

Mike Skidmore

## **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 and location map
<b>D.</b>	Blue Notice
<b>E.</b>	Residents representations (contact details redacted)
<b>Report Author</b>	Martin O'Connell Senior Licensing Enforcement Officer





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## Licensing Act 2003 - Premises Licence Register as at 10:11 on 27 January 2020

### The Olde Cobbler

Acre Lane, Northampton, Northamptonshire, NN2 8BN

### Premises Licence PL0513 from from 22/01/2020 to indefinite

#### Licence holder(s)

Full Name:	Olde Cobbler Ltd
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#### Designated Premises Supervisor

Full Name:	Miss Rebecca Malone
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#### Permitted Activities

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

#### Premises Open Hours Granted

	Time From	Time To
Monday-Thursday	10:00	23:30
Friday-Saturday	10:00	01:00
Sunday	10:00	23:30

Non Standard  
Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

#### Activities - Times Granted

	Time From	Time To
<b>B. Exhibition of films (Indoors)</b>		
Monday-Thursday	10:00	23:00
Friday-Saturday	10:00	00:30
Sunday	10:00	23:00

Non Standard  
Timings:

When hours for sale of alcohol are extended hereunder these hours are also extended.

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

Monday-Thursday	10:00	23:00
Friday-Saturday	10:00	00:30
Sunday	10:00	23:00

Non Standard

When hours for sale of alcohol are extended hereunder these hours are also extended.

Timings:

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

Monday-Thursday	10:00	23:30
Friday-Saturday	10:00	01:00
Sunday	10:00	23:30

Non Standard

When hours for sale of alcohol are extended hereunder these hours are also extended.

Timings:

**H. Entertainment of a similar  
description to that falling within E, F,  
or G (Indoors)**

Monday-Thursday	10:00	23:00
Friday-Saturday	10:00	00:30
Sunday	10:00	23:00

Non Standard

When hours for sale of alcohol are extended hereunder these hours are also extended.

Timings:

**J. Provision of facilities for dancing  
(Indoors)**

Monday-Thursday	10:00	23:00
Friday-Saturday	10:00	00:30
Sunday	10:00	23:00

Non Standard

When hours for sale of alcohol are extended hereunder these hours are also extended.

Timings:

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

Monday-Thursday	10:00	23:30
Friday-Saturday	10:00	01:00
Sunday	10:00	23:30

Non Standard

When hours for sale of alcohol are extended hereunder these hours are also extended.

Timings:

**M. The sale by retail of alcohol for  
consumption ON and OFF the  
premises**

Monday-Thursday	10:00	23:00
Friday-Saturday	10:00	00:30
Sunday	10:00	23:00

Non Standard

An additional hour on Christmas Eve and Bank Holiday Mondays.

Timings:

On occasions of local, national or international significance or for charitable events, limited to six per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.

**Additional Conditions**

**MANDATORY CONDITIONS**

**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.



## MANDATORY CONDITIONS

### Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section -

- “children” means persons aged under 18; and
- “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

## ADDITIONAL MANDATORY CONDITIONS.

The following mandatory conditions are to be applied to the licence stated above in accordance with The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by the The Licensing Act 2003 (Mandatory Licensing Conditions)(Amendment) Order 2014.

### **The following conditions shall come into force on 1<sup>st</sup> October 2014**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**2.** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**3.** (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- (a) a holographic mark, or
- (b) an ultraviolet feature.

**4.** The responsible person must ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

The following mandatory conditions are to be applied to the licence stated above in accordance with The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014.

**The following conditions shall come into force on 28th May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

**Where -**

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **LICENCE CONDITIONS ATTACHED AT HEARING BY THE LICENSING AUTHORITY**

Where possible, doors and windows to be kept closed.

Policing of the car park, particularly on Friday and Saturday was encouraged.

Dialogue and co-operation with local residents was encouraged.

#### **Licensing Act 2003**

This licence is granted on the condition that the restrictions contained within the enactments specified under the Licensing Act 2003 Schedule 8 (1 & 6) are adhered to.

\* 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  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

Main telephone number

Include country code.

Other telephone number

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?  Yes  No

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

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

**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

\* E-mail

Main telephone number

Include country code.

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

A private individual acting as an agent

**Agent 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.

**Agent 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 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

Continued from previous page...

Non-domestic rateable  
value of premises (£)

41,750

### 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.

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.

To change the operating style from a Restaurant to a Pub

Change the name to "The Olde Cobbler"

To vary the operating hours as follows:

Open

08.00 x 23.30 Sun – Thur

08.00 x 01.00 Fri & Sat

Alcohol

10.00 x 23.15 Sun – Thur

10.00 x 00.45 Fri & Sat

Recorded Music

23.00 x 23.30 Sun – Thur

23.00 x 01.00 Fri & Sat

Film

08.00 x 23.30 Sun – Thur

08.00 x 01.00 Fri & Sat

Late Night Refreshment

23.00 x 23.30 Sun – Thur

23.00 x 01.00 Fri & Sat

Remove 'Facilities for dancing' - no longer a licensable activity

Remove 'Entertainment of similar description.....'

### Section 4 of 18

#### PROVISION OF PLAYS



Continued from previous page...

[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

**Standard Days And Timings**

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

**Continued from previous page...**

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film.

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 exhibition of film 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.

When hours for the sale of alcohol are extended hereunder, these hours are also extended

#### **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**

[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**

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

- Yes
- No

**Standard Days And Timings**

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music.

*Continued from previous page...*

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 playing of recorded music 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.

When hours for the sale of alcohol are extended hereunder, these hours are also extended

### 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

#### 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.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment.

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 entertainment 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.

Continued from previous page...

**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

**Standard Days And Timings**

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

*Continued from previous page...*

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

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 provision of late night refreshment 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.

When hours for the sale of alcohol are extended hereunder, these hours are also extended

**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

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start  End   
Start  End

SATURDAY

Start  End   
Start  End

SUNDAY

Start  End   
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.

An Additional Hour on Christmas Eve, New Years eve and any day preceding a public or Bank holiday.

On occasions of local, national or international significance or for charitable events, limited to six(6) per year, the terminal hour will be extended by one hour, with 14 days notice and agreement with the Police

**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.

NIL



Continued from previous page...

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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.

When hours for the sale of alcohol are extended hereunder, these hours are also extended

Continued from previous page...

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.

## 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.

The Premises licence holder and/or Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers receive an induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. This training will include the lawful selling of age restricted products, refusing the sale of alcohol to a person who is drunk or appears to be intoxicated, the contents of the premises licence; times of operation, licensable activities and all conditions. Verbal refresher training will be undertaken at intervals not to exceed 6 months. Training documents shall be signed and dated, and training records be made available to an authorised officer of the Licensing Authority or the Police upon reasonable request. The records will be retained for at least 12 months.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the Police. An incident will be defined as being one which involves an allegation of a criminal offence and/or is relevant to the licensing objectives.

b) The prevention of crime and disorder

No open bottles or glasses will be permitted to be removed from the premises by customers.

CCTV will be maintained at the premises, it will record images onto a hard drive and retain those images for at least 28 days. Copies will be made available for police or other authorised officer upon written request subject to the provisions of the Data Protection Act 1998

c) Public safety

All exit doors shall be easily openable and shall not require the use of a key, card, code or similar means.

Doors at exits shall be regularly checked to ensure that they function satisfactorily and a record of the check will be kept

*Continued from previous page...*

Clear gangways to exits will be maintained

Curtains, hangings and temporary decorations are located so as not to obstruct exits, fire safety signs or fire-fighting equipment

d) The prevention of public nuisance

Noise escape from the premises should not be an issue due to the style of operation, but the premises license holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises / nearest residential property

The placing of bottles into receptacles outside the premises shall take place at times that will minimise disturbance to nearby properties, and not between 23:00 and 08:00hrs

Receptacles for waste shall be emptied regularly to minimise nuisance smells.

Litter shall be prevented at all times and where identified regularly cleared from the vicinity of the premises.

e) The protection of children from harm

A 'Challenge 25' policy will be adopted

Challenge 25 signage will be displayed in the bar area

A refusals register will be maintained and made available for inspection by police, trading standards or other authorised officer. The Designated Premises Supervisor shall regularly check the register to ensure it is being used consistently by all staff.

## **Section 17 of 18**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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 (£)

315.00

**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

\* Capacity

\* Date  /  /   
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

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

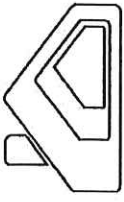
Date and time submitted

Approval deadline

Error message

Is Digitally signed

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



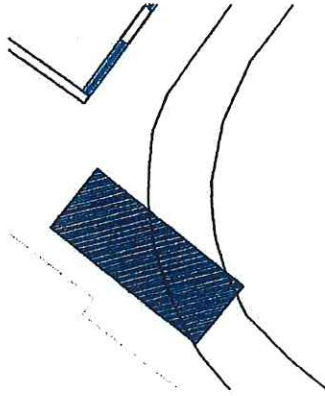
# THE NEW FACTORY

UNIT 24, HEATHFIELD, STACEY BUSHES  
MILTON KEYNES, Bucks, MK12 6HP  
TEL: +44 (0) 1908310088  
EMAIL: INFO@THENEWFACTORY.CO.UK

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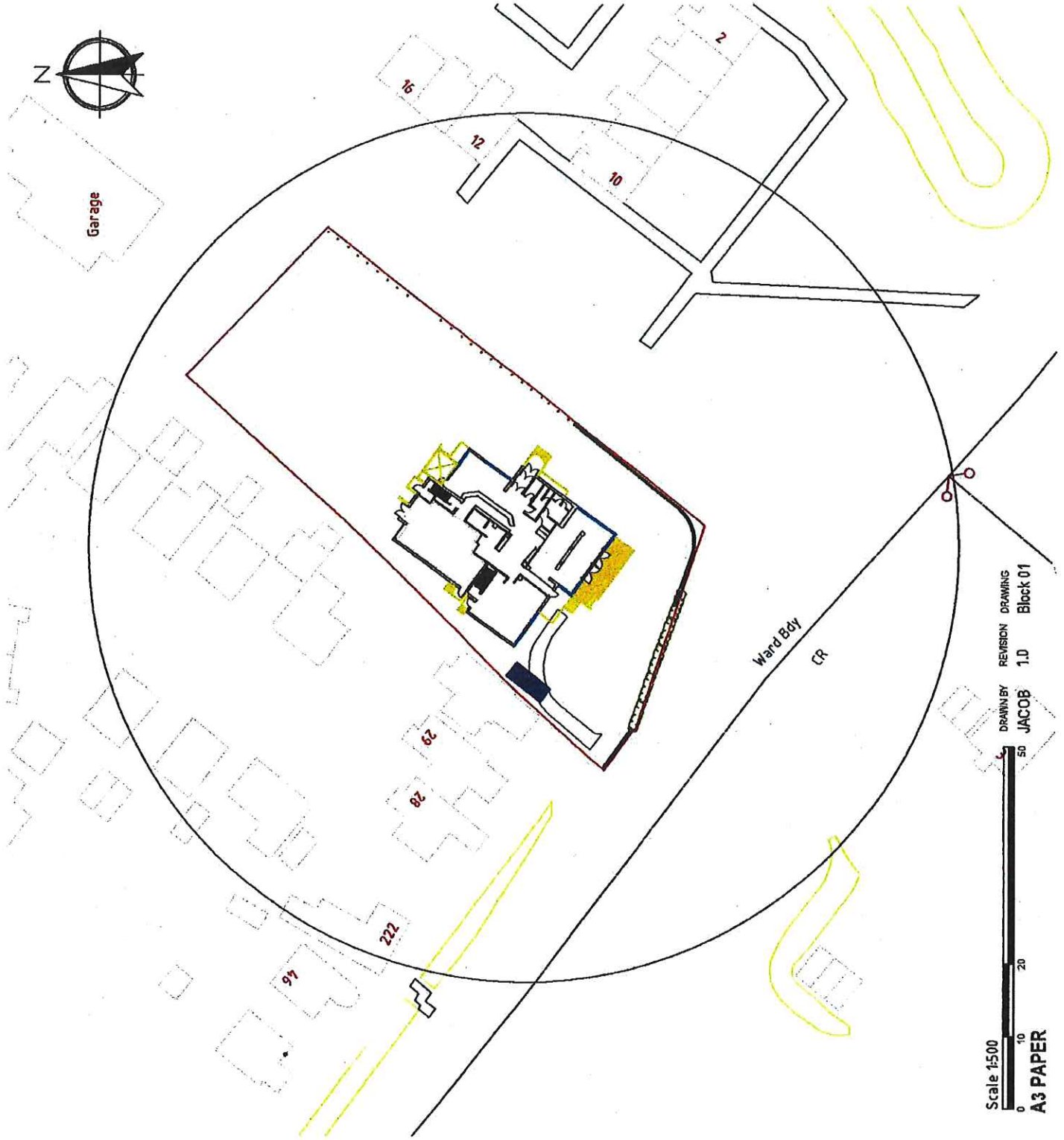
Garage



location of shipping container

OLDE COBBLER  
Acre Lane  
Northampton  
NN2 8BN

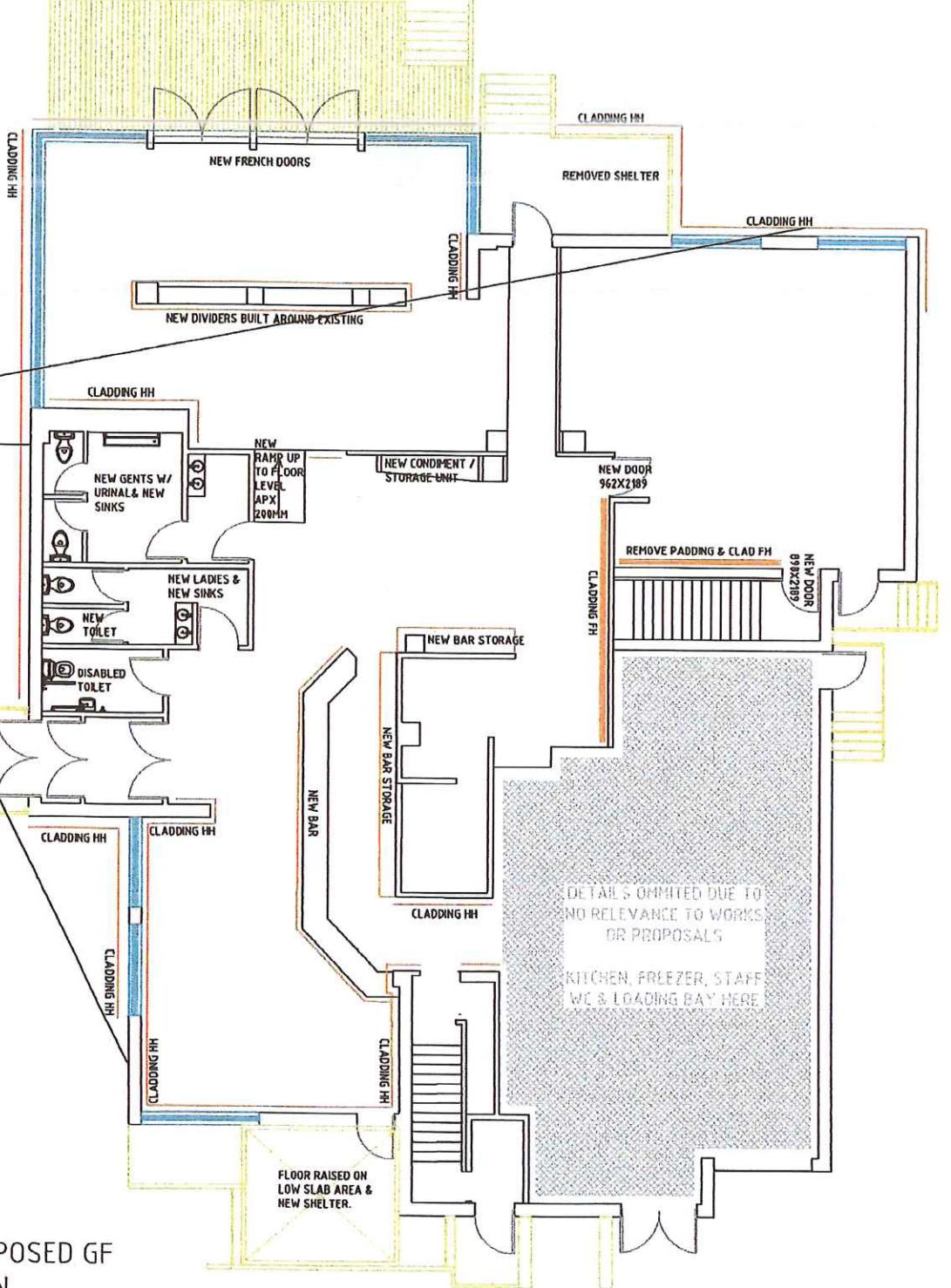
LICENSABLE  
AREA



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DRAWN BY JACOB  
REVISION 1.0  
DRAWING Block 01  
A3 PAPER

(B)

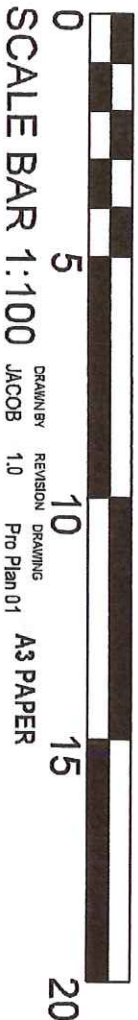
NEW DECKING FOR LEVEL ACCESS, 700MM FLOOR HEIGHT



(C)

ALL SIGNAGE TO BE REPLACED AND RE-BRANDED.  
SEE DRAWING "SIGNAGE DETAILS 01" FOR DETAIL.

(A)

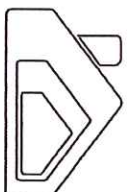


PROPOSED GF PLAN

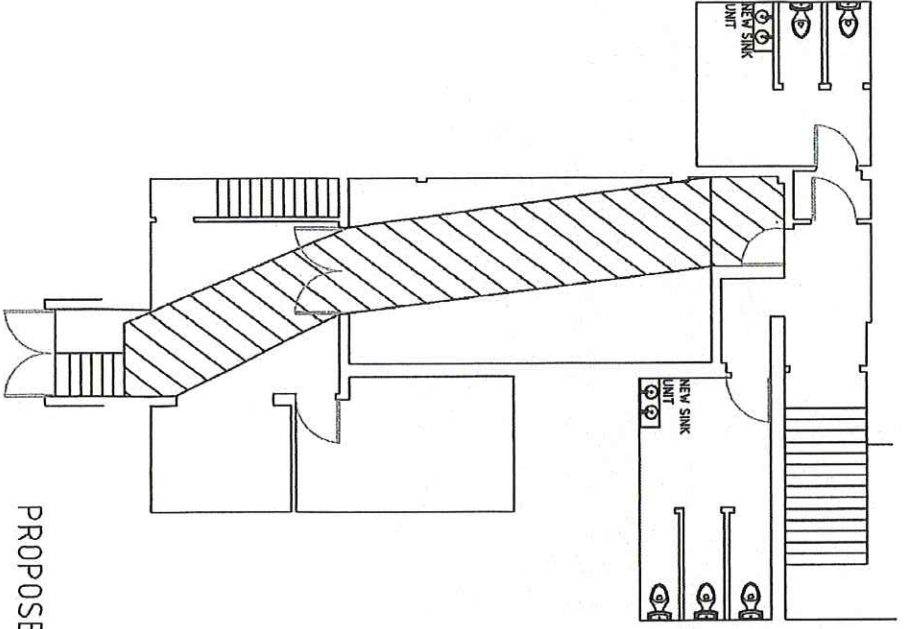
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PROPOSED LGF PLAN

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**LICENSING ACT 2003**

**APPLICATION TO VARY A PREMISES LICENCE**

Buddies Burger Co Ltd gives notice that application has been made to Northampton Borough Council to vary the premises licence at:

**Buddies USA, Aere Lane, Northampton NN2 8BN**

as follows:

To vary:

- **Style of operation from a Restaurant to a Gastro Pub**
- **Opening times, recorded music, late night refreshment and film to be between:  
08.00 x 23.30 Sun – Thur and 08.00 x 01.00 Fri & Sat**
- **The sale by retail of alcohol  
10.00 x 23.15 Sun – Thur and 10.00 x 00.45 Fri & Sat**

Anyone wishing to make a representation about this application must give notice in writing specifying the grounds of representation to The Licensing Department, The Guildhall, St Giles Square, Northampton NN1 1DE where details of the application may be inspected or by e-mail to [licensing@northampton.gov.uk](mailto:licensing@northampton.gov.uk). Any representations against the application must be received by the Licensing Team at the above address, by no later than the 20th January 2020. Individuals, businesses and other bodies may make representations in relation to the application. Representations must be relevant and can only be on the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. Copies of all representations will be sent to the applicant. Persons making representations may have to appear at the Councils' Licensing Sub-Committee.

Note: It is an offence, liable on conviction to a fine up to £5,000 for a person to knowingly or recklessly make a false statement in connection with the application.

Mark Worthington  
Licensing Consultant  
[www.worthingtonsls.co.uk](http://www.worthingtonsls.co.uk)

