

Agenda Item 5a

BOROUGH OF KETTERING

Committee	Licensing Sub-Committee	Item	Page 1 of 5
Report Originator	Hazel Webb	<i>Fwd Plan Ref No:</i>	
Wards Affected	Rothwell	(Date)	
Title	To determine an application for a premises licence for The Gin Palace/The Old Bakehouse, Market Hill, Rothwell where representations have been received		

Portfolio Holder: Councillor Mark Dearing

1. PURPOSE OF REPORT

To determine an application for a premises licence for The Gin Palace/The Old Bakehouse, Market Hill, Rothwell where representations have been received.

2. INFORMATION

2.1 An application for a premises licence has been received for The Gin Palace / Old Bakehouse, Market Hill, Rothwell from Mr Lee Thorn, the applicant is Rothwell Leisure Limited. A copy of the application is attached at **Appendix A**.

2.2 The following licensable activities and hours have been applied for:

Supply of Alcohol – Tues – Thurs + Sun	12.00 – 23.00
(On Licence only) Fri & Sat	12.00 – 01.00
Live Music (In & Out) Friday	19.00 – 23.00
Saturday	16.00 – 19.00
	20.00 – 23.00
Recorded Music (In & Out) Tues – Thurs + Sun	19.00 – 23.00
Fri & Sat	19.00 – 01.00

2.3 A site plan showing the location of the premises is attached at **Appendix B**.

3. CONSULTATION AND CUSTOMER IMPACT

3.1 The following were consulted:

Public	No Representation
Police	Representation
Trading Standards	No representation
Environmental Health	Representation
Borough Councillors	No representation
Planning	No representation
Child Protection	No representation

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Fire	No representation
Customs and Excise	No representation
Health	No representation
Licensing Authority	Representation

- 3.2 The Licensing Authority has made representation (**Appendix C**) against this application in line with the requirements in the Licensing Act 2003 to carry out its functions to promote the licensing objectives. This premises is under investigation for breaches of the Licensing Act 2003 despite the applicant and the manager of the premises both being made aware both verbally and in writing that there is no premises licence currently in existence for the premises. Further details cannot be released at this time as the matter is still under investigation.
- 3.3 However, information which is in the public domain can be released. Attached are price lists taken from the internet on 31st July 2019 together with an extract from The Gin Palace Facebook page relating to live music and alcohol at the premises. (**Appendix D**)
- 3.4 The applicant used up the legal quota of Temporary Event Notices over 4 weekends.
- 3.5 The failure by the applicant to complete the steps to be taken to meet the licensing objectives also raises a significant level of concern about the applicant's comprehension of the licensing process. Given the applicant's disregard for licensing law and the failure to identify any steps to meet the licensing objectives despite the premises being in a town centre with other licensed premises and close to residential properties, the Licensing Authority takes the view that this applicant will not promote the licensing objectives.
- 3.6 Northamptonshire Police have submitted representation concerning their discussions with Mr Thorn and the premises manager about the lack of a premises licence. They have also proposed conditions for the licence as none are proposed in the application, should the Committee decide to approve the application. (**Appendix E**)
- 3.7 The Health Protection Team from Kettering Borough Council, as the Authority responsible for health and safety at the premises, have also proposed conditions as none are proposed in the application, should the Committee decide to approve the application. These conditions were offered to Mr Thorn by email but no reply was received. (**Appendix F**)
- 3.8 A witness statement from Northamptonshire County Council Trading Standards is also attached indicating the applicant's failure to engage with them on the mandatory condition relating to an age verification policy. (**Appendix G**)

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- 3.9 An email from Rothwell Town Council is attached raising concerns about the failure of the applicant to complete the sections of the application form relating to the licensing objectives. (Appendix H)

4. POLICY IMPLICATIONS

- 4.1 This section highlights the sections of the Authority's 2015 - 2019 Statement of Licensing Policy that may be relevant with respect to this application, this is not exhaustive and the policy should be looked at fully prior to making decisions with respect to applications. The paragraph numbers are as shown in the Statement of Licensing Policy:-

- 1.4 The Licensing Authority in adopting this policy recognises both the needs of residents for a safe and healthy environment to live and work and the importance of safe and well run entertainment premises to the local economy and vibrancy of the area. However, the Council also recognises that balancing these interests will not always be straightforward and it will be guided by the four licensing objectives as set out in this policy.
- 1.5 This policy does not seek to undermine the right of any individual to apply under the Act for a variety of permissions and, as stated above, each application will be considered on its individual merits. Nor does the Policy seek to override the right of a person to make representations on an application or seek a review of a licence or certificate. However, this Council in adopting the policy is indicating that a wide range of considerations will be taken into account.
- 1.6 The Council will use its powers to promote best practice in relation to the operation of licensed premises and is committed to partnership working with responsible authorities, local businesses, licensed trade, residents and others to ensure that they have a clear understanding of the legislation.
- 2.11 Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions will be focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 2.12 This authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. However this Council recognises that licensing legislation is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.
- 2.13 In determining a licence application the overriding principle adopted by the Licensing Authority will be that each application will be determined on its merits. Only mandatory conditions and conditions offered or agreed with the applicant will be imposed except where relevant representations against an application are received. Where relevant representations are received then further additional conditions to meet the licensing objectives may be added provided they are appropriate, proportionate and reasonable and deal with the issues raised. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public e.g. health and safety at work and fire safety legislation.

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- 2.18 In considering licensing hours this Licensing Authority will place significant emphasis on the individual merits of an application. In addition, the views of the Police and other agencies will be important in this consideration.
- 2.19 Licensing hours will not inhibit the development of a thriving and safe evening and night-time local economy which is important for investment and employment locally and beneficial to tourism without compromising the ability to resource local services associated with the night-time economy. Providing consumers with greater choice and flexibility is an important consideration.
- 2.20 Shops and public houses will generally be permitted to sell alcohol during the hours they intend to open. Entertainment providers will be encouraged to provide a range of entertainment during their operating hours and to promote live music, dancing and theatre for the wider cultural benefit of the community. Individual applicants should address the licensing objectives in their operating schedule within the context of the nature of the location, type of premises, entertainment to be provided, operational procedures and the needs of the local community.
- 6.4 It is important to note that crime and disorder are two separate elements of this objective. An authorisation can be considered by the Committee where crime alone has taken place and relevant representations are made.
- 4.2.1 Regard must also be had to the Section 182 guidance to the Licensing Act 2003, in particular :
- 9.36 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.37 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the

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objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

- 4.3 Section 17 of the Crime and Disorder Act 1998 requires that local authorities and others must consider crime and disorder reduction while exercising all their duties.

5. USE OF RESOURCES

- 5.1 There are no financial implications.

6. RECOMMENDATION

The committee's decision is requested.

Background Papers:

Title of Document:
Date:
Contact Officer:

Previous Reports/Minutes:

Ref:
Date:

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Appendix A



Kettering
Application for a premises licence
Licensing Act 2003

For help contact
licensingunit@east-northamptonshire.gov.uk
Telephone: 01832 742102

* required information

Section 1 of 21

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 you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

ltd company

Address

Building number or name
Street
District
City or town
County or administrative area
Postcode
Country

Contact Details

E-mail
Telephone number
Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

150

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give 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...

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="16:00"/>	End	<input type="text" value="19:00"/>
Start	<input type="text" value="20:00"/>	End	<input type="text" value="23:00"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick 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.

live music

State any seasonal variations for the performance of live music

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 performance of live music at different times from those listed in the column on the left, 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...

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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 tick 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.

Continued from previous page...

State any seasonal variations for playing recorded music

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 in the column on the left, list below

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

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 in the column on the left, 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...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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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

Give 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.

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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.

Continued from previous page...

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

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

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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.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- **A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.**
- **A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.**
- **A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.**
- **A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- **A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.**
- **Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.**
- **Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-**
 - **evidence of the applicant's own identity – such as a passport,**
 - **evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and**
 - **evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:**
 - (i) **working e.g. employment contract, wage slips, letter from the employer,**
 - (ii) **self-employed e.g. contracts, invoices, or audited accounts with a bank,**
 - (iii) **studying e.g. letter from the school, college or university and evidence of sufficient funds; or**
 - (iv) **self-sufficient e.g. bank statements.**

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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 21 of 21

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.

Premises Licence 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 NOTE: an application for a new premises licence or club premises certificate for any new build or conversion of an existing premises which does not currently have a rateable value will have an application fee based on band C.

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event 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 (£)

450.00

ATTACHMENTS

Continued from previous page...

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

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?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

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

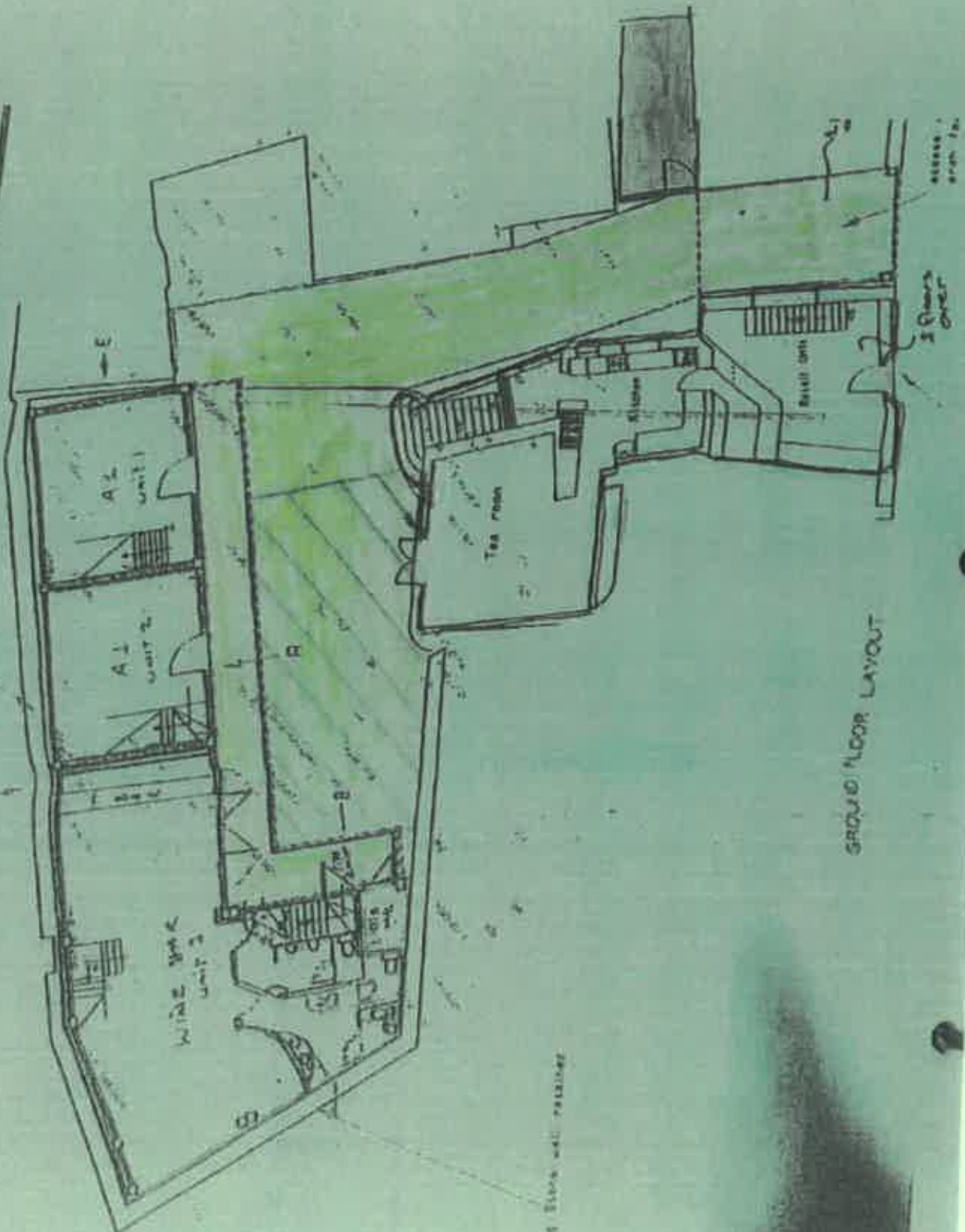
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/kettering/apply-1> to upload this file and continue with your application.

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

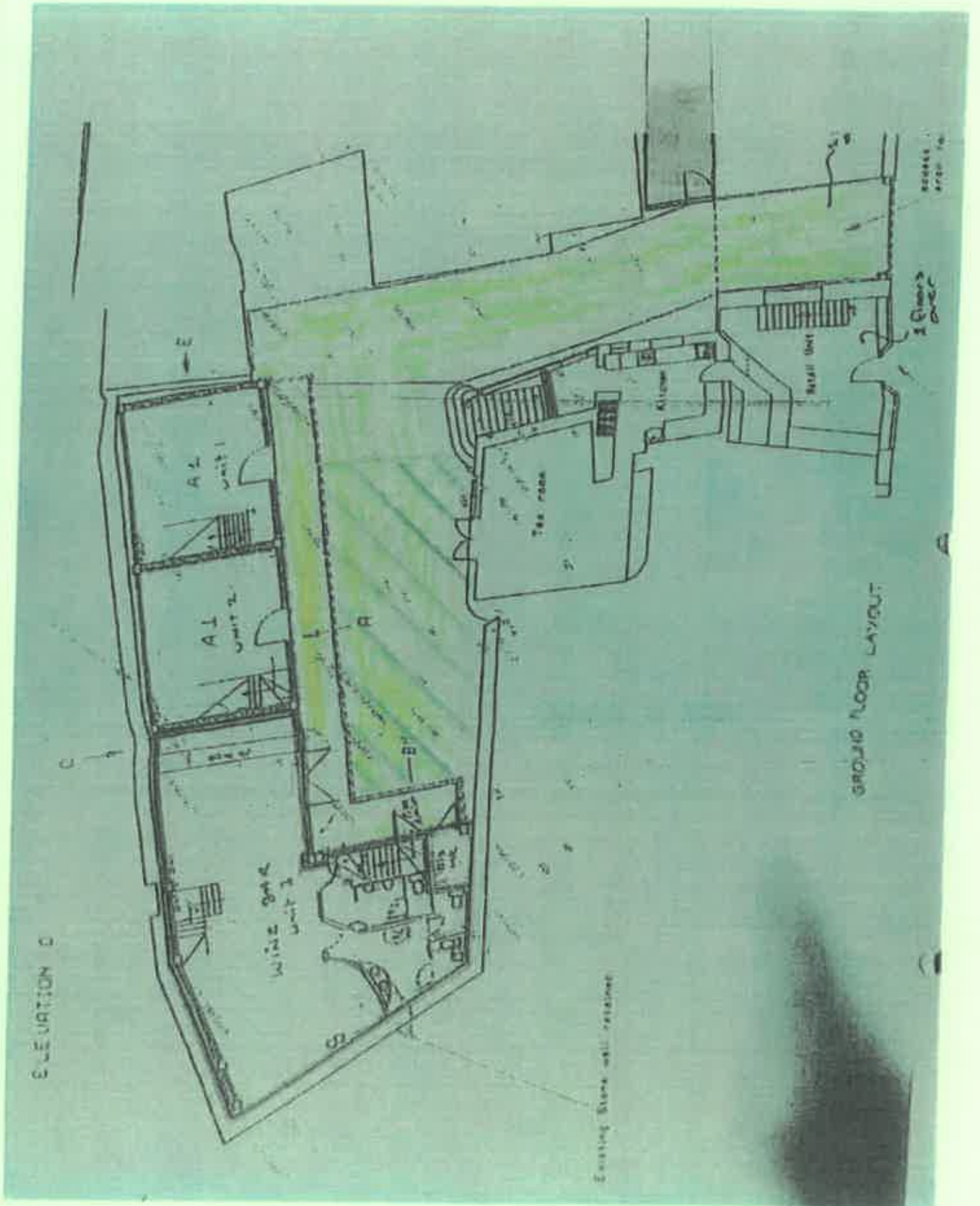
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

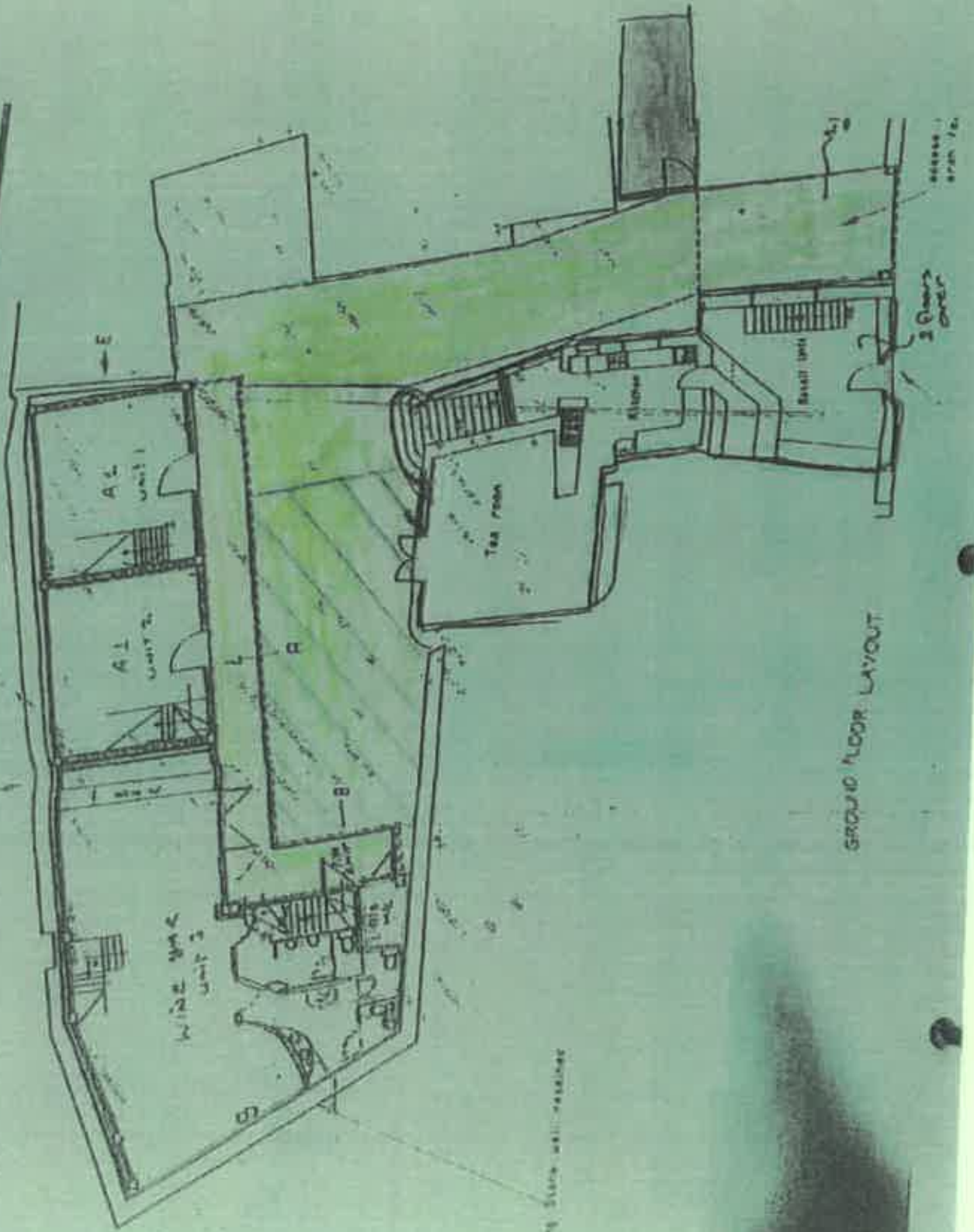
ELEVATION D



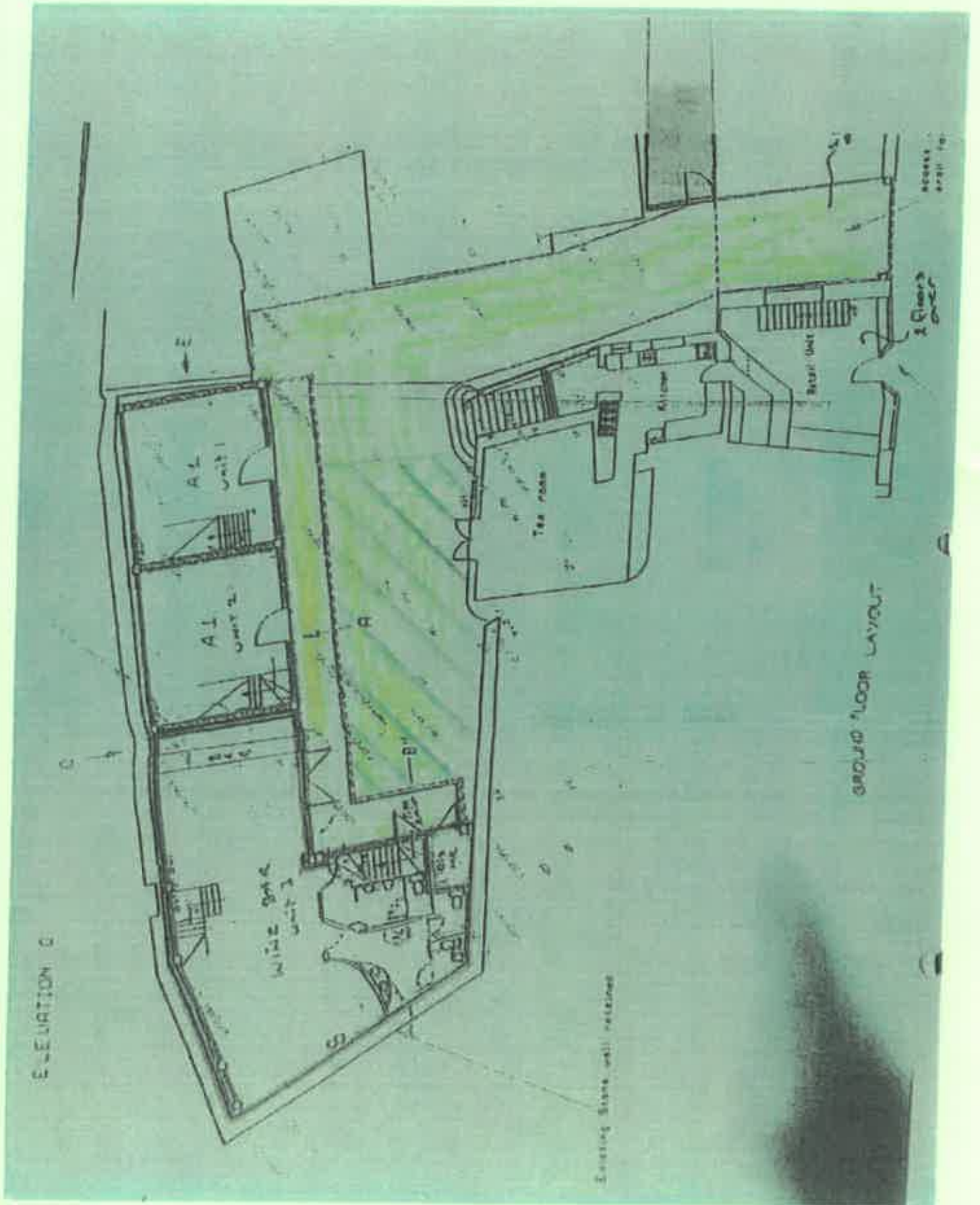
GROUND FLOOR LAYOUT



ELEVATION D



GROUND FLOOR LAYOUT

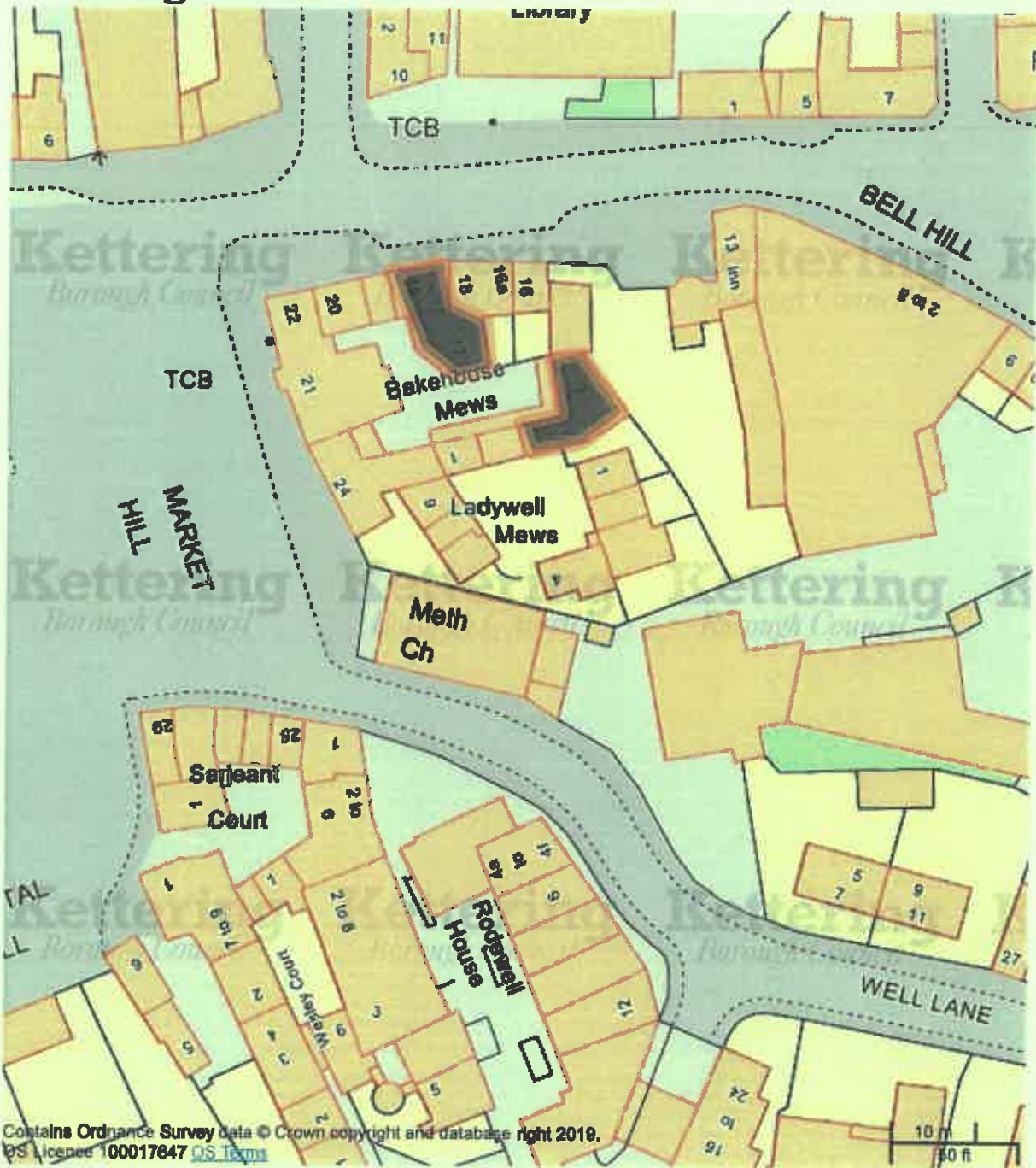


ELEVATION C

GROUND FLOOR LAYOUT

Existing Stone wall remains

Kettering Borough Council



Notes

Premises Licence application Old BAKEHOUSE / Gin Palace, MARKET Hill, Rothwell

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Appendix C

David Pope

From: Russ Howell
Sent: 31 July 2019 16:17
To: Licensing Unit (licensingunit@east-northamptonshire.gov.uk); Health Protection; David Bryan
Subject: The Gin Palace and Old Bakehouse Licence application (19/01917/LAPNEW)

Kettering Borough Council as the Licensing Authority wishes to make representation against this application.

The Licensing Authority is a responsible authority for the purposes of the Licensing Act 2003.

Section 4 of the Licensing Act 2003 provides the general duties of the Licensing Authority.

(1) A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives.

(2) The licensing objectives are—

(a) the prevention of crime and disorder;

(b) public safety;

(c) the prevention of public nuisance; and

(d) the protection of children from harm.

(3) In carrying out its licensing functions, a licensing authority must also have regard to—

(a) its licensing statement published under section 5, and

(b) any guidance issued by the Secretary of State under section 182.

Section 9.13 of the Section 182 Guidance to the Licensing Act 2003 states:

Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.

The Licensing Authority believes that in this case it has a responsibility to make representation against this application in accordance with the paragraph above.

The application contains no proposals as to what steps the licensee proposes to take to promote the licensing objectives. Section 8.42 of the Section 182 Guidance to the Licensing Act 2003 states:

Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard

conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.

The proposed venue is locating within a small town centre with a number of other licensed premises in the area and close to residential premises. It is therefore inconceivable that there are no steps required to ensure promotion of the licensing objectives for this application.

The Licensing Authority has evidence that this premises has been operating in breach of the Licensing Act 2003 prior to and during the application process with no authorisations in place most of the time for the sale of alcohol and provision of music. This is despite both the proposed licensee and site manager being directly advised that no authorisations were in place at the premises during this period. These matters are currently under investigation with a view to taking legal proceedings.

In view of this the Licensing Authority is compelled to make a representation against this application. "Relevant representations" means representations which are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives,

Given the applicant's failure to propose any steps intended to promote the licensing objectives and an already flagrant disregard for licensing legislation, the Licensing Authority is of the view that the applicant has no intention to promote the licensing objectives if given a premises licence and therefore the application should be refused.

I attach extracts from the website for the Gin Place in support of this representation.



spirits.pdf



cocktails.pdf



wine.pdf



music.pdf

Russ Howell
Health Services Manager – Public Services

☎ Telephone Direct: 01536 534323 Switchboard: 01536 410333 Fax: 01536 410795

✉ Email: <mailto:russhowell@kettering.gov.uk> Website: www.kettering.gov.uk

📍 Address: Kettering Borough Council, Environmental Health, Bowling Green Road, Kettering, NN15 7QX

www.twitter.com/KetteringBC



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SPORTS AWARDS
2019

THURSDAY 24TH
WICKSTEED PARK

Nominations are r
www.kettering.gov.uk



PERFORMANCE NETWORKS AWARDS 2018

CEMETERY AND CREMATORIUM MOST IMPROVED PEEB MEMBER FINALIST

apse

SERVICE AWARDS 2017

Best Service Team of the Year Cemetery and Crematorium Service

ACHIEVEMENT AWARDS 2019

FINALISTS **MJ**



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The Gin Palace

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5.0

3 out of 5 people based on the opinion of 28 people



Readings and reviews have changed how the world to find great businesses with recommendations

Recommended by 28 people

MOST HELPFUL



Mick Robinson recommends The Gin Palace. 4 August at 06:40

Our first visit to the Gin Palace last night, great bar. Great atmosphere, good choice of music, playing. Good value drinks, 2 for £8 on Bud and 3 for £10 on cocktails. We'll be back!

Hip atmosphere - Stylish interior - Friendly bartenders - Plus atmosphere. Local hangout - Creative cocktails

1 comment



The Gin Palace Thanks Matt...see you soon READ TCP



Mami Patel recommends The Gin Palace. 18 July at 13:05

Great selection of drinks and great service, will definitely be back



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See Page Setup

Recommendations and reviews

Recommended by 20 people

Hip atmosphere - Stylish interior - Friendly bartenders
 Our first visit to the Gin Palace last night, great bar, great atmosphere, good choice of music play... See more

Stylish interior - Hip atmosphere - Local hangout
 Great selection of gins and great service will definitely be back

Great food - Creative cocktails - Stylish interior
 another job night, great drinks menu - great the

The Gin Palace
 Cocktail bar in Richmond, Northamptonshire
 United Kingdom

Community

- 876 people like this
- 876 people follow this
- 212 check-ins

About

See all

Photos

Photohouse Mount St 600 km

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The Gin Palace

[theginpalacebelfast](#)

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Live music at The Gin Palace

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Coordinating

Hours 12:00 - 15:00, 18:00 - 01:00
Closes in 45 minutes

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212 reviews

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The Red Line Restaurant

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Phone

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The Glin Palace

1200 W. Park Road, Richmond, NC 26134

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Available Now

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The Old Balkans
10 June · 🌐

PROCLAMATION DAY 2019

Join us tomorrow for breakfast at 7 am and live music in the courtyard all day. From Barn we kick off with Rhythm & Roots a tribute to 5 place reggae bands...Join us for the annual Thrift fest 2019

1

Like

Comment

Share

The Glin Palace shared a post.

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Send Message

People



878 likes
212 visits

Related Pages



The Old Balkans Restaurant



The Red Lion Restaurant
British restaurant



La Magia Phoenix Sappato - Native...



Indian Market Kitchen
Indian restaurant



Rhythm Junction

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Places · Richmond, Northamptonshire, United Kingdom · Bar · The G.L. Palace

English (UK) · Polish · Spanish · Portuguese (Brazil) · Portuguese (Portugal)

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The Gin Palace

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Share



The Gin Palace

23 May · 🌐

Soul D put on an incredible performance last week 🎸🎤🔥

... See more



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People



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The Red Lion Rothwell
British restaurant



St. Marg's Phoenix Repeals - Rothwell...
Morris shows show



Ballies Market Kitchen

1049 likes



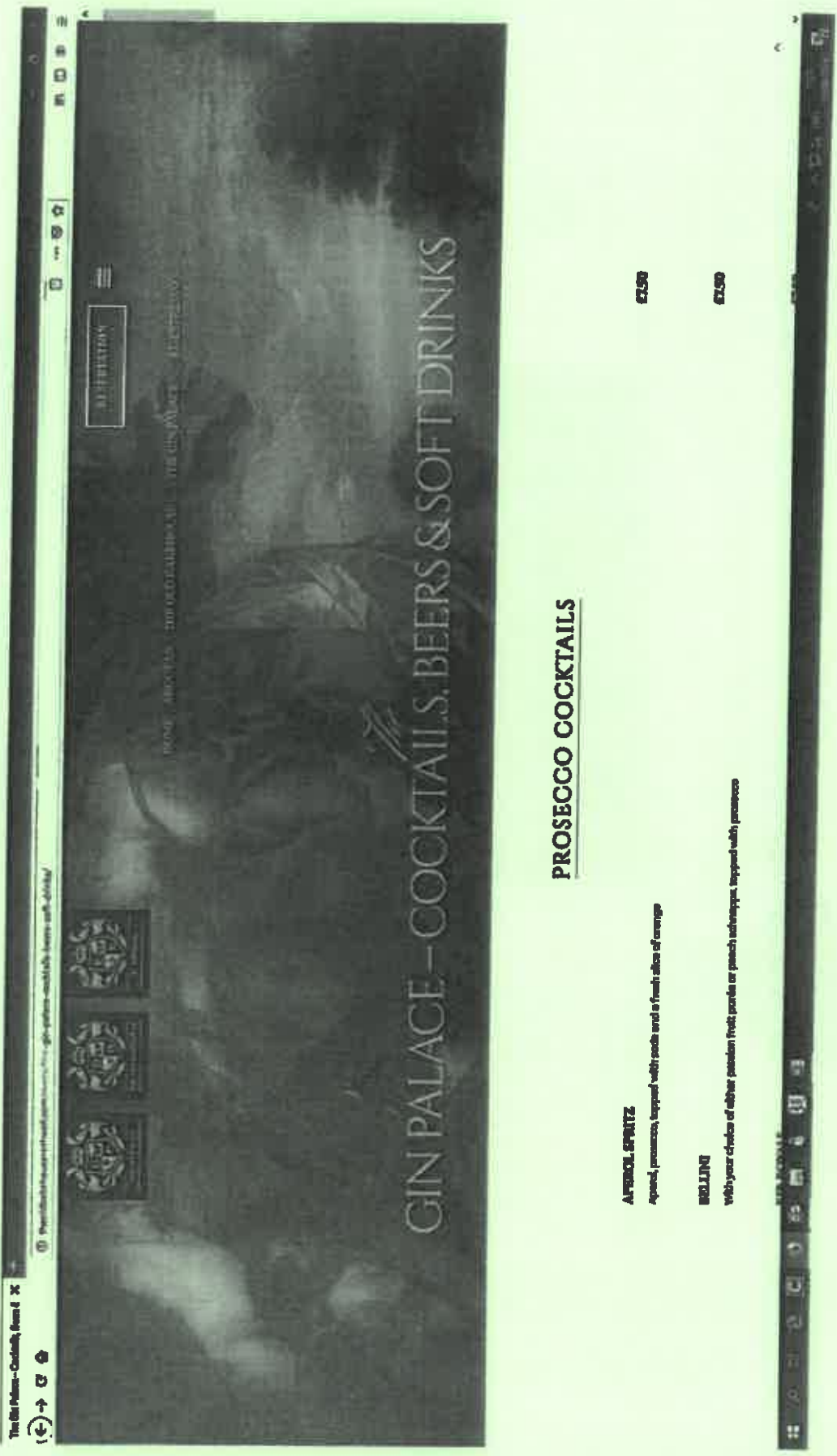
Rhythm Junction

See more of The Gin Palace on Facebook

Log In

Create New Account

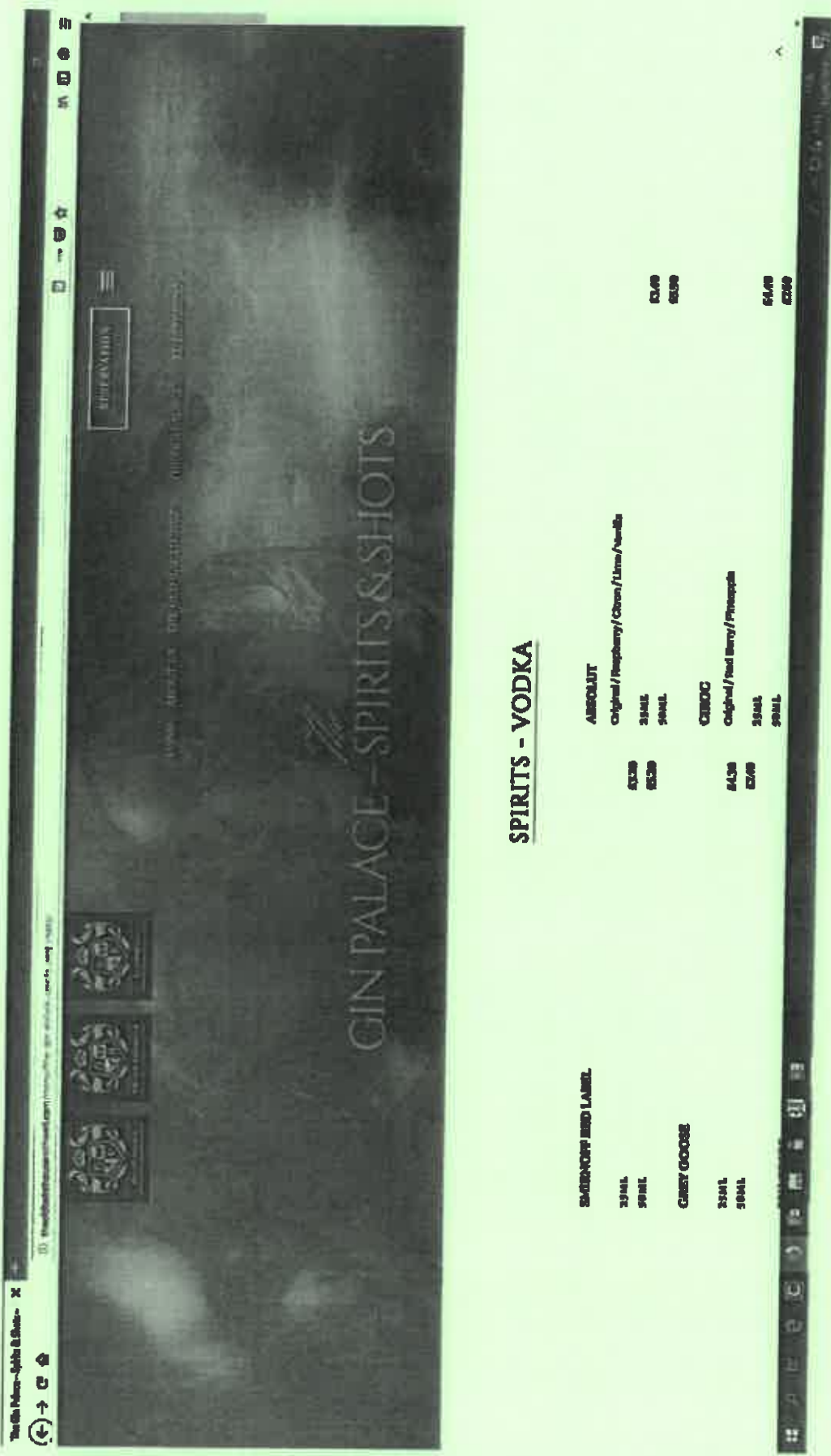
or



SHORT COCKTAILS

BLACK RUSSIAN Vodka, coffee liqueur, topped with cocoa curls	\$7.50
BRAMBLE Black gin, sugar syrup, lime juice, white de cassis	\$7.50
BOURS with your choice of either amaretto or whisky; lime juice, sugar syrup	\$7.50
THE GODMOTHER Scotch whisky, amaretto	\$7.50
THE OLD BARRON with your choice of either whisky or brandy; lemon, sugar syrup and a touch of lemon	\$7.50

LONG COCKTAILS



SPIRITS - VODKA

SHOR-KOFF BIRD LABEL

250ML
500ML

CRIST COOGE

250ML
500ML

ABSOLUT

Original / Raspberry / Citrus / Lime / Vanilla

500ML
500ML

CRUCO

Original / Red Berry / Pineapple

500ML
500ML

500ML
500ML

500ML
500ML



SPIRITS - WHISKEY & BOURBON

BOTTLES			
250ML	62.99	JACK DANIELS	62.99
500ML	62.99	250ML	62.99
		500ML	62.99
JAMESONS			
250ML	62.99	JOHNIE WALKER BLACK LABEL	
500ML	62.99	250ML	62.99
		500ML	62.99
CLERNOBANCE			
250ML	62.99	CLINFRUCH	
500ML	62.99	250ML	62.99
		500ML	62.99



PROSECCO

PROSECCO VINO SPUMANTE GIUGIA IWC WINKEL 2008

GLASS
BOTTLE

GLASS
BOTTLE

PREMIER PROSECCO

BOTTLE

PROSECCO PLAZA CENTRO MILIT

GLASS
BOTTLE

GLASS
BOTTLE

VINI DEI CARDINALI PROSECCO SUPERNOE

GLASS
BOTTLE

GLASS
BOTTLE

CHAMPAGNE


PAUL LANCIER BRUT CHAMPAGNE	BOTTLE	€75.00
MOET ET CHANDON BRUT IMPERIAL	BOTTLE	€75.00
TATTOO BRUT	BOTTLE	€75.00
YVES CUQUOT YELLOW LABEL	BOTTLE	€75.00
LAURENT FERRE BRUT	BOTTLE	€75.00
MOET ET CHANDON VINTAGE	BOTTLE	€75.00
DOM PERIGNON VINTAGE	BOTTLE	€75.00

NETTERING topbar

ALL	ENTERTAINMENT	ART & THEATRE	FOOD & DRINKS	LOGO	SPORTS
(HTTPS://ALLEVENTS.IN/NETTERING/ALL)	(HTTPS://ALLEVENTS.IN/NETTERING/ART-AND-THEATRE)	(HTTPS://ALLEVENTS.IN/NETTERING/FOOD-AND-DRINKS)	(HTTPS://ALLEVENTS.IN/NETTERING/LOGO)	(HTTPS://ALLEVENTS.IN/NETTERING/SPORTS)	(HTTPS://ALLEVENTS.IN/NETTERING/SPORTS)

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Oh Snap, this is a past event! 
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Please Enter Your Email



SOUL.D Live at the Gin Palace Rothwell

TIME  Sun Apr 21 2019 at 07:00 pm to 10:00 pm  + Add to calendar

VENUE  The Gin Palace, Market Hill, Rothwell, Northants,  [View on Snap](#)
Never miss an Event Happening In [Northants, Kingdom](#)

CREATED BY  Sould (https://allevents.in/org/so...)  Follow  Contact
Get Weekly Email Newsletter. No Spam, Promoted

Email address: organism@claimoflife.org

+ Create Event (https://allevents.in/kettering) <https://allevents.in/kettering/sould-live-at-the-gin-palace-rothwell/200017121235523>

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SOULD Live at the Gin Palace Rothwell

SOULD Band are Live at The Gin Palace's Grand Opening All Dayer Event this Bank Holiday Sunday. Join us for a night of high energy soul and funk and don't forget your dancing shoes...

About Organizer:

Sould is a high octane soul and funk party consisting of seasoned musicians and vocalists who are dedicated to bringing high energy and happiness to your event...

We are very pleased to meet you and welcome you to our Facebook page.

You may also like the following events from Sould (https://allevents.in/oxford/sould/15442586):

- This September, 27th September, 09:00 pm, Sould Band Live back at Moccifer's, Bicester in Oxford (https://allevents.in/oxford/sould-band-live-back-at-mocciferys-bicester/2000175712085487ref=internal-event)

MAP

📍 The Gin Palace, Market Hill, Rothwell, Northants, Kettering, United Kingdom

Organizer



Sould (https://allevents.in/oxford/sould/15442586)

+ Follow Contact

Spread the word



<https://allevents.in/kettering/200017121235523>

Traditional Fish & Cf

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Appendix E

David Pope

From: Bryan David (PC) <david.bryan@northants.pnn.police.uk>
Sent: 29 July 2019 12:41
To: Russ Howell
Cc: Licensing Unit
Subject: Gin Palace, Rothwell

Dear Mr Howell,

I act on behalf of the Chief Officer of Police Mr Adderley, he has delegated responsibility and authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

I am objecting to the grant of the premises for the above location under the licensing objective of the Prevention of Crime and Disorder and the Protection of Children from Harm. The application does not list in section 18-21 (Licensing Objectives) what the applicant by way of control measures is going to do to promote the Licensing Objectives, as such Northamptonshire Police cannot properly assess the application as to whether the Licensing Objectives will be undermined, or not.

Conditions that Northamptonshire Police would ask the Licensing Sub-Committee to consider would be as follows:

Prevention of Crime and Disorder

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 when the premises is open to the public and images must be stored for a minimum of 31 days. All recordings must be made available to a Police Officer or an Officer from a Responsible Authority upon a reasonable request and in accordance with current Data Protection legislation. . The CCTV system must cover as a minimum, all public entry and exit points, a person conversant with the retrieval and downloading of CCTV footage must be present on the premises at all times when it is open to the public.

SIA registered Door Supervisors shall be employed at the premises based upon a risk assessment undertaken by the Premises Licence Holder and/or the Designated Premises Supervisor. The risk assessment will take into account when the risk to the Licensing Objectives being promoted are most likely to be challenged.

No drinks or open vessels will be allowed to be taken out of the premises.

A log book shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log book shall be available for inspection at the premises by a Police Officer or an Officer of a Responsible Authority upon reasonable request but no later than 48 hours.

An incident log book shall be kept at the premises, and made available to a Police Officer or an Officer of a Responsible Authority on reasonable request but no later than 48 hours.

A register of security personnel employed at the premises shall be maintained and made available on reasonable request to a Police Officer or an Officer of a Responsible Authority. The register will include full name, full SIA licence number, date, and time commenced and finished duty.

Protection of Children from Harm

A proof of age scheme, Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic cards such as a driving licence, passports, holographic marked PASS scheme identification cards, or HM Forces identification cards.

Training records shall be kept and maintained in respect of the prevention of underage sales of alcohol and refresher training shall be done every six months, the records shall be signed for by all staff employed in the sale by retail of alcohol.

I submit for your consideration

Kind Regards

Police Constable 113 David Bryan



**Northamptonshire Police Licensing Officer
Prevention and Community Protection
Wellingborough Police Station
Midland Road
Wellingborough
NN8 1HF
Telephone 101 ext 343409
Mobile 07766 768576
E-mail david.bryan@northants.police.uk**

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David Pope

From: Bryan David (PC) <david.bryan@northants.pnn.police.uk>
Sent: 01 August 2019 15:52
To: Russ Howell; Licensing Unit
Subject: The Gin Palace, Rothwell.
Attachments: Gin Palace Letter PDF.PDF; Gin Palace 1246 PDF.PDF

Dear Mr Howell,

Please find attached a letter I served on Mark Tarrant the General Manager of the Gin Palace on the 13th of June 2019, the letter details the interventions and visits conducted by Officers of Kettering Borough Council. The letter also makes reference to a Premises Licence not being in existence at the location and the potential offences being committed, I also attached a copy of a Record of Police Visit to Licensed Premises form. This form was from a visit dated the 7th of June 2019 when Police Officers visited the Gin Palace and spoke with the General Manager Mark Tarrant, the premises was trading at the time.

For clarity and any avoidance of doubt the letter details the service of a Closure Notice, this was not done as Mr Tarrant was of the belief that he was trading legally and the impression was given that Mr Thorne had not informed him of the situation with the Premises Licence. Once this had been explained to him he ceased trading and closed the premises, he then informed me he would be visiting Mr Thorne immediately to inform him of the situation. Whether that was the case or not at that stage there was no evidence to challenge his account and as such he was informed that Temporary Event Notices (TEN's) would be required to cover the period of the consultation period whilst the Premises Licence application was being processed.

Officer (s) from KBC have informed me that since the expiry of TEN's the premises has been witnessed by them to be trading with no Premises Licence in place, this is evidence that KBC can put forward at any potential hearing, but I am submitting these documents in support of your case.

Please could this be added as a further representation to my original dated the 29th of July 2019.

Kind Regards

Police Constable 113 David Bryan



Northamptonshire Police Licensing Officer
Prevention and Community Protection
Wellingborough Police Station
Midland Road
Wellingborough
NN8 1HF
Telephone 101 ext 343409
Mobile 07766 768576
E-mail david.bryan@northants.pnn.police.uk

www.northants.police.uk

**David Bryan Police Constable 113
Licensing Constable
Licensing Department**

**Wellingborough Police Station
Midland Road
Wellingborough
Northamptonshire
NN8 1HF**

**Mr L.Thorne
3 Bakehouse Mews
Rothwell
Northamptonshire
NN14 6FE**

Direct Line: 101 EXT 343409

Mobile: 07766 768576

Email: david.bryan@northants.pnn.police.uk

Date: 13th June 2019

Our Ref:

Dear Mr. Thorne,

This letter is to inform you about the current situation regarding your premises situated at 3, Bakehouse Mews, Rothwell, NN14 6FE. To date the premises does not hold a Premises Licence as required by the Licensing Act 2003 to authorize licensable activity.

I was made aware by the Licensing Unit that processes applications on behalf of Kettering Borough Council that on the 5th of March 2019, Mr T. Roberts and Mr D. Hardy surrendered the Premises Licences for the Old Bakehouse, 19 Market Hill, Rothwell, NN14 6BW and the Olive Lounge Unit 3, 19 Market Hill, Rothwell NN14 6BW. On the same date Mr T.Roberts also removed himself as the Designated Premises Supervisor for both of the aforementioned premises.

On the 15th of March 2019 the premises was visited by Mr Rod Mackenzie an Environmental Health Enforcement Officer with Kettering Borough Council, the premises was open and he spoke with the Manager Mr Mark Tarrant who informed him that the bar opens on Friday and Saturday's evenings whilst the restaurant is being renovated. Mr Mackenzie also spoke with yourself on the phone whilst at the premises and informed you that the premises did not hold a Premises Licence and that the premises should cease trading and a Premises Licence application submitted.

On the 3rd of April 2019 Mr Mackenzie and Ms S. Clipstone visited you at your home address and hand delivered a letter to you clearly stating that the premises does not have the required Premises Licence and the premises should not be conducting any licensable activity. Ms Clipstone advised you on applying for the Premises Licence and applying for Temporary Event Notices in the short term whilst the Premises Licence application was being made.

On the 31st of May 2019 the premises was witnessed by Mr Mackenzie to be open and selling alcohol. The following evening the 1st of June 2019 the premises was open and you were spoken with confirming the premises was open and licensed until 12:30am.

On the 7th of June 2019 PC 0236 Iarrobino and PC 0786 Hanger attended the premises at approximately 08:45pm, the premises was open for business, Mr Mark Tarrant was spoken with and a check on the premises was conducted. During the visit Mr Tarrant produced a licence for the officers with the reference number 15/01498/LAPNEW, I have confirmed with the Licensing Unit based at Thrapston that

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For non emergencies call 101**



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this is a surrendered licence and is invalid. On the 8th of June 2019 Mr Mackenzie from Kettering Borough Council visited the premises again and witnessed alcohol being sold, this was at approximately 10:00pm.

I am concerned that since the 15th of March 2019 when you were first made aware of the situation regarding no Premises Licence being in place that no application has been made. I am also concerned that this is despite being informed in no uncertain terms by Officers of Kettering Borough Council, and documented on the 3rd of April 2019 that no Premises Licence is in place and an application is required.

The potential consequences of this situation remaining are,

- 1) A section 19 Closure Notice under the Criminal Justice and Police Act 2001 can be issued. This would not immediately close the premises but after 7 days Northamptonshire Police can apply to the Magistrates to obtain a Closure Order, this would immediately close the premises and it would be an offence to breach a Closure Order.
- 2) Consideration to prosecution for the offence of Section 136 of the Licensing Act 2003, Unauthorised Licensable Activity, if guilty on conviction this offence carries a sentence of 6 months imprisonment and/or a fine of up to £20,000.

I have taken the decision after considering all the information to issue a section 19 Closure Notice, if after the statutory 7 days from the date of issue a Premises Licence application has not been submitted, then an application for a Closure Order will be made to Northamptonshire Magistrates. I have detailed below the contact details for the licensing unit who can inform you of the application process. Finally I would reiterate that unless appropriate Licensing Act 2003 authorisations are in place then the retail sale of alcohol must not take place. The premises will be monitored for compliance with licensing legislation.

Central Licensing Admin Unit

**East Northamptonshire Council
Cedar Drive
Thrapston
Northamptonshire
NN14 4LZ**

01832 742102

licensingunit@east-northamptonshire.gov.uk

Please contact me should you wish to discuss this letter with me further,

Yours sincerely

**David Bryan
Constable 113
Northamptonshire Police Licensing Department**

In an emergency call **999**
For non emergencies call **101**



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RECORD OF POLICE VISIT TO LICENSED PREMISES

Premises	The GIN PALACE	Exhibit reference	01/01
Address	19 MARK MARKET HILL	Exhibit officer	PC0236 TARRANT
Telephone N°	07856605132	Signature	
Email	thoroldbakehouse@bt.com		

Day	Date	Time commenced	Time concluded
FRIDAY	07/08/19	2044	21:10

OFFICERS ATTENDING		Disruptive
1. PC0236 TARRANT		<input checked="" type="radio"/> Yes / No
2. PC0236 HANGER		<input checked="" type="radio"/> Yes / No
3.		Yes / No

SECTION A - MANAGEMENT OF PREMISES			
License displayed	Yes / <input checked="" type="radio"/> No	15/0140/9956	A.H present Yes / <input checked="" type="radio"/> No
Name of Designated Premises Supervisor (DPS)	MARK TARRANT	DPS-present	<input checked="" type="radio"/> Yes / No
Name of person in charge (if not as at A1/A2/A3)	LEE THORN		

SECTION B - CAPACITY	
Number of customers present	10
Capacity	Guess 150 (average not present would know)
How was this calculated? (clickers, tickets, guessed)	Guessed
Comments	It is only 20:45 / early doors

SECTION C - DOOR SUPERVISION

Number of door staff at time of visit

Male: Female:

	FULL NAME	D.O.B.	STA BADGE	BADGE NO (In full)	COMMENTS
1	NONE	—	Yes / No	—	—
2			Yes / No		
3			Yes / No		
4			Yes / No		
5			Yes / No		
6			Yes / No		
7			Yes / No		
8			Yes / No		
9			Yes / No		
10			Yes / No		
11			Yes / No		
12			Yes / No		
13			Yes / No		
14			Yes / No		
15			Yes / No		

Name of head door person

NONE

Name of door company

—

Register checked and endorsed

Yes /

Comments

—

SECTION D - PUBWATCH RADIO

Subscribed to PUBWATCH

Yes

Number of radios

N/A

Who is in possession of the radios?

N/A

Comments

dont class themselves as a pub

SECTION E - GLASSES & BOTTLES

Are signs clearly displayed regarding removal of alcohol from premises? Yes / No

Customers seen leaving premises with bottles / glasses? Yes / No

Give details
N/A

Are tables or other surfaces littered with empty bottles / glasses? Yes / No

Is the dance floor clear of glass? NO Dance floor Not Applicable

SECTION F - DRINKS

Any drinks promotions or happy hour at time of visit? Yes / No

Give details
N/A

SECTION G - CLIENTELE

Are there any age policies in operation? Yes / No

How are these enforced? Supervisor discretion

Describe clientele in general (age, dress, crowded, atmosphere, drunkenness)

Customers must be over 21 years of age

Comments

SECTION H - FIRE SAFETY

Fire exits unobstructed & easily opened Yes / No

Comments
easy access

SECTION I - GENERAL SAFETY

Is a member of staff present now trained in First Aid? Yes / No

Details
~~Louise KENNIX~~
Louise KENNIX

SECTION 5 - CCTV

Do you have a CCTV system?	<input checked="" type="radio"/> Yes / No
Does it record images?	<input checked="" type="radio"/> Yes / No
Does it have audio recording facilities?	Yes / <input checked="" type="radio"/> No
How many cameras do you have?	3
Is your video system tape or digital?	Tape / <input checked="" type="radio"/> Digital
How many tapes are held (recommended 31 i.e. 1 per day)	Unknown
Is there anyone on the premises with knowledge of how the system works and can produce tapes/images now?	<input checked="" type="radio"/> Yes / No
If so who?	LEE THORN
Are Headcams deployed?	Yes / <input checked="" type="radio"/> No
If so how many and who wears them?	NONE

SECTION 6 - GENERAL INFORMATION / COMMENTS

License shown to officers may be under a different name
 The old bike have

Signature of OIC

Signature of licensee / manager

M.A. Smith

Date

Date

7/6/19

Appendix F

David Pope

From: Catriona Miles
Sent: 30 July 2019 14:39
To: 'Licensing Unit'; Russ Howell
Subject: The Gin Palace and Old Bakehouse Licence application (19/01917/LAPNEW)

I write with reference to the above licence application for a premises licence. I wish to object to the application on the grounds that the proposed activities are likely to pose a risk to the public safety of staff and customers.

I am concerned that there is no mention on the application paperwork of what measures are to be taken by the applicant in order to ensure that the Public Safety licensing objective is going to be met whilst the activities are taking place. I have contacted the applicant by email with some suggested conditions, and asking for his opinion, however to date I have not yet had a response from him.

If committee are minded to grant this application, I would request that the following conditions are included:

1. Staff training will include first aid and emergency procedures, along with the system at the premises for recording actions taken.
2. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, immediately available and clearly identified in accordance with the plans provided.
3. Numbers of local taxi firms will be displayed for customers
4. The capacity limit for the premises as determined by the fire safety risk assessment will not be exceeded.

Regards

Catriona Miles

Environmental Health Officer (Health Protection)

Telephone: (Direct Dial) 01536 532 437 Switchboard: 01536 410 333 Facsimile: 01536 410 795

Address: Kettering Borough Council, Environmental Health, Bowling Green Road, Kettering, NN15 7QX

Email: catrionamiles@kettering.gov.uk



**KETTERING
SPORTS AWARDS
2019**

**THURSDAY 24TH OCTOBER,
WICKSTEED PARK**

Nominations are now open, go to
www.kettering.gov.uk/sportstowards

Kettering
Borough Council

Appendix G

NORTHAMPTONSHIRE COUNTY COUNCIL
Trading Standards

STATEMENT OF WITNESS

(Criminal Procedure Rules, Part 19; Criminal Justice Act 1967, s.9, Magistrates' Court Act 1980, s.5B)

Statement of: Linda Jane Cartwright
(Name of Witness)

Age of Witness: (if Over 18
over 18 enter "over
18")

Occupation of Witness: Fair Trading Officer

This statement (consisting of page each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 7th day of August, 2019 (Signed) Linda J Cartwright

I am employed by Northamptonshire County Council Trading Standards as a Fair Trading Officer. On the 2nd July 2019 I reviewed a licence application for The Gin Palace Rothwell, Bakehouse Mews, 19 Market Hill, Rothwell, NN14 1RL. The applicant was Lee THORN on behalf of Rothwell Leisure Limited. Section 18 of the application form which covers the Licensing Objectives was blank. Trading Standards are responsible for enforcing age restricted sales legislation. I wrote to Lee THORN on the 8th July 2019, I produce a copy of the letter as exhibit LJC/1. On the 9th July 2019 Lee THORN telephoned me to discuss my letter. During the conversation Lee THORN explained he was surprised to receive my letter as no other agency had questioned his application. He did not consider the application as a new application as it was a change of ownership. He also explained Rothwell is a small town and as he knows everyone he didn't think he needed to complete Section 18. Mr THORN went on to explain there is a doorman outside the premises and no one under 21 was allowed in the bar however children are allowed in the restaurant. I explained the purposes of Section 18 of the application is to ensure the premises have measures in place to prevent the sale of alcohol to children under the age of 18 and Trading Standards need confirmation of what the measures Mr THORN has in place to prove his due diligence procedures. I also asked Mr THORN what records he has if an inspector paid a visit and how would

Linda J Cartwright

Continuation Statement of:

Linda J Cartwright

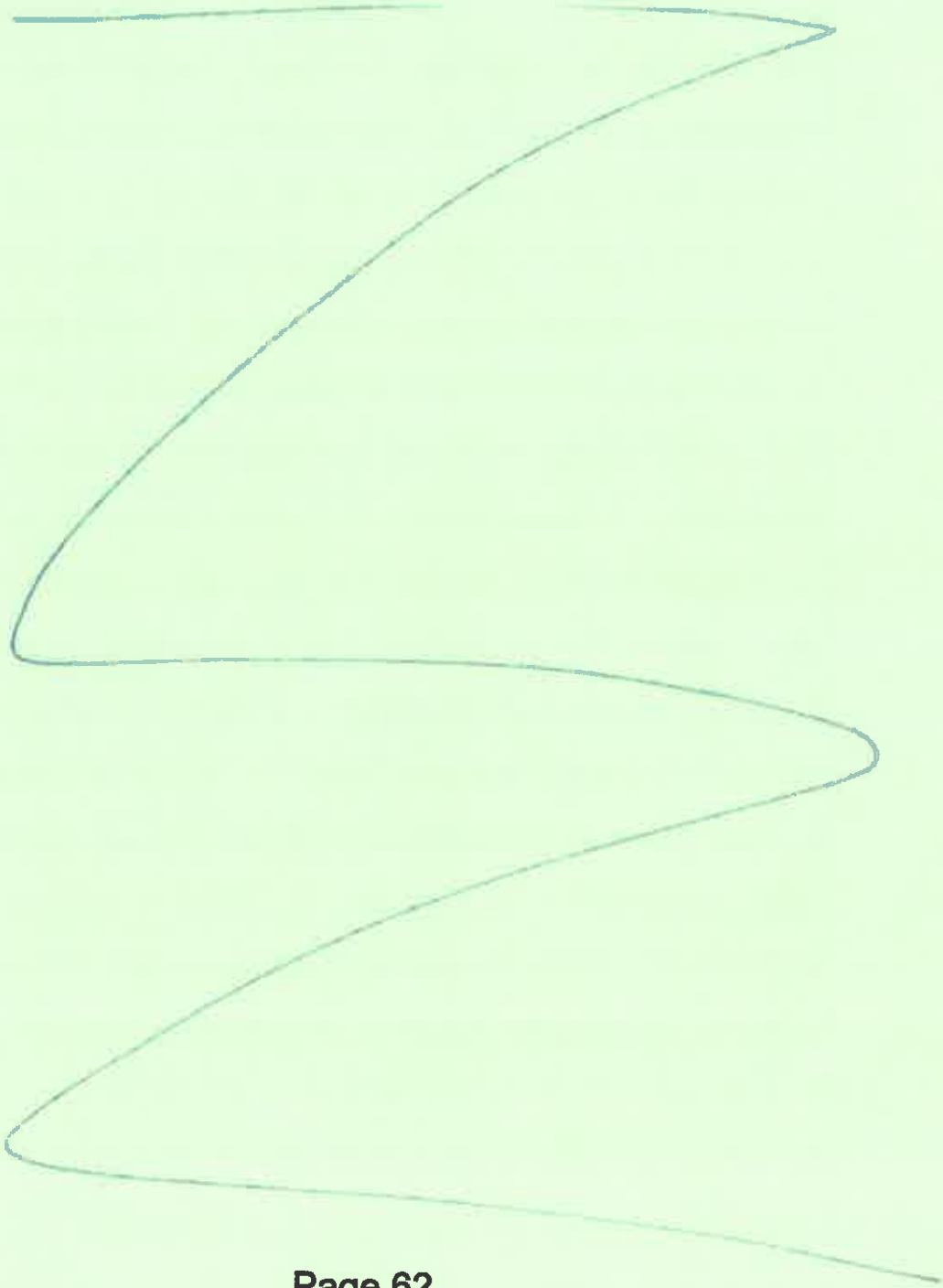
he prove he has measures in place to ensure alcohol is not sold to anyone under 18.

Lee THORN confirmed he would respond to my letter. On the 31st July 2019 I wrote to

Lee THORN, I produce a copy of the letter as exhibit LJC/2. To date I have not

received a response from Lee THORN.

Linda J Cartwright





Northamptonshire County Council

**Gln Palace
The Old Bakehouse
19 Market Hill
Rothwell
Northamptonshire
NN14 6BW**

**Please ask for: Miss Linda Cartwright
Tel: 01604 362448
Our ref: C/351784
Your ref:
Date: 8 July 2010**

Dear Mr Lee Thom

**Licensing Act 2003
The Old Bakehouse, Gln Palace**

This Service has received a copy of your premises licence application in relation to the above premises. We are responsible for enforcing and regulating age restricted sales and therefore we review your application with this in mind.

Part M/Section 18 of this application asks you to describe the steps that you intend to take to promote the licensing objectives of:

- a) General**
- b) The prevention of crime and disorder**
- c) Public safety**
- d) The prevention of public nuisance**
- e) The protection of children from harm**

In relation to point e) we consider the blank sections in your application to be insufficient with particular regard to the following areas:

- **Operation of an age verification scheme (e.g. Think 21/Think 25).**
 - **Please note that this is a mandatory condition on your licence. This condition is intended to ensure that all licensed premises operate at a minimum standard of due diligence to ensure that they do not sell alcohol to minors. Whilst a mandatory condition we still expect you to reference it in your application.**
- **Asking for proof of age and valid types of proof of age cards (PASS Cards)**
 - **It is not an acceptable practice for you or your staff to only ask the purchaser how old they are.**

**Northamptonshire Trading Standards
Wootton Hall Park
Northampton
NN4 0GB**

w. www.northamptonshire.gov.uk

t. 01604 368100

f. 01604 362425

e. lcartwright@northamptonshire.gov.uk

Further advice on trading standards and other regulations may be found on www.northamptonshire.gov.uk/tradingstandards or www.businesscompanion.info/en

Yours sincerely

Linda Cartwright

Linda Cartwright
Fair Trading Officer

lcartwright@northamptonshire.gov.uk



Northamptonshire County Council

**Gin Palace
The Old Bakehouse
19 Market Hill
Rothwell
Northamptonshire
NN14 6BW**

**Please ask for: Miss Linda Cartwright
Tel: 01604 382448
Our ref: C/351754
Your ref:
Date: 31 July 2019**

Dear Lee Thom

**Licensing Act 2003
The Old Bakehouse.Gin Palace**

Further to our telephone conversation on the 9th July 2019 regarding the above, I have not received a reply concerning the licensing objective to protect children from harm.

Trading Standards require confirmation in writing confirming you will adopt procedures that meet the principles I listed in my letter of the 8th July 2019. You can email me at Lcartwright@northamptonshire.gov.uk

Yours sincerely

**Linda Cartwright
Fair Trading Officer**

**Northamptonshire Trading Standards
Woodton Hall Park
Northampton
NN4 0GB**

w. www.northamptonshire.gov.uk

t. 01604 388100

f. 01604 382425

e. lcartwright@northamptonshire.gov.uk

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Appendix H

Pat Mackness

From: Rothwell Town Council <clerk@rothwelltowncouncil.gov.uk>
Sent: 10 July 2019 11:49
To: Licensing Unit
Subject: RE: New premises Old Bakehouse/Gin Palace Rothwell

Good Morning

The application was discussed last night at the Town Council meeting. Rothwell Town Council have no objections to this application, however, Council were very concerned that the application was put out for consultation with section 18 of 21 not being completed and left totally blank.

Kind regards

Mrs Philippa Page

Town Clerk
Rothwell Town Council
Market House
Market Hill
Rothwell
Northamptonshire NN14 6BW
T: 01536 713252
M: 07494 175082
E: clerk@rothwelltowncouncil.gov.uk
W: www.rothwelltowncouncil.gov.uk

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The sender cannot accept liability for any loss or damage caused by software viruses.

From: ~~licensing unit@east-northamptonshire.gov.uk~~ <~~licensing unit@east-northamptonshire.gov.uk~~>
Sent: 25 June 2019 15:16
To: clerk@rothwelltowncouncil.gov.uk
Subject: New premises Old Bakehouse/Gin Palace Rothwell

Good afternoon,

Please see attached consultation for your comments.

Regards
Pat
Licensing Administrator

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