

## LICENSING SUB-COMMITTEE

Wednesday 24th February 2021 at 2.30pm  
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Committee Administrator: David Pope  
Direct Line: (01536) 535661  
Email: [davidpope@kettering.gov.uk](mailto:davidpope@kettering.gov.uk)

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# AGENDA

1. Apologies.
2. Any matters of urgency which the Chair decides should be considered.
3. Declarations of Interest\*
  - Disclosable Pecuniary Interests
  - Personal Interests
4. The Chair to ask members of the public present if they wish to speak on any public items on the agenda which are not of a quasi-judicial nature.
5. Committee Reports

A1	To consider an application for a premises licence in relation to Europlus Kettering limited, 6-10 Montagu Street, Kettering NN16 8XG	Russ Howell
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\* *Members are asked to make any declarations of financial or other interests they may have in relation to items on this agenda. Members are reminded to make a declaration at any stage throughout the meeting if it becomes apparent that this may be required when a particular item or issue is considered.*

***The membership for this meeting is:-  
Councillor Lloyd Bunday, Councillor Clark Mitchell and Councillor Margaret Talbot (Chair)***

*The full membership of the Committee is:-  
Councillors Margaret Talbot (Chair), Lloyd Bunday, June Derbyshire, Jenny Henson, Ian Jelley, Anne Lee, Clark Mitchell, Cliff Moreton, Lesley Thurland and Greg Titcombe*

*Substitutes:- Councillors Linda Adams, Duncan Bain, John Currall, Maggie Don and Jan O'Hara*

BOROUGH OF KETTERING

<b>Committee</b>	<b>LICENSING SUB COMMITTEE</b>	Item A1	Page 1 of 3
<b>Report Originator</b>	Russ Howell	<i>Fwd Plan Ref No:</i>	
<b>Wards Affected</b>	William Knibb	24 <sup>th</sup> February 2021	
<b>Title</b>	<b>TO CONSIDER AN APPLICATION FOR A PREMISES LICENCE IN RELATION TO EUROPLUS KETTERING LIMITED, 6-10 MONTAGU STREET, KETTERING, NN16 8XG</b>		

**1. PURPOSE OF REPORT**

1.1 To consider an application for a premises licence in relation to Europlus Kettering Limited, 6-10 Montagu Street, Kettering, NN16 8XG

**2. INFORMATION**

2.1 An application for a premises licence under the Licensing Act 2003 has been received in relation to Europlus Kettering Limited (previously known as Alma Express), 6-10 Montagu Street, Kettering.

2.2 A copy of the application is attached at **Appendix A.**

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

**3. CONSULTATION AND CUSTOMER IMPACT**

3.1 The application has been out for consultation as required by the Licensing Act 2003 and a representation has been received from Northamptonshire Police. (**Appendix C**). No other representations have been received.

3.2 The representation from Northamptonshire Police is under the Licensing Objective of the Prevention of Crime and Disorder and relates to illegal tobacco products being sold during a test purchase at the premises.

3.3 Alcohol was also sold after the previous licence was revoked by this Committee and after the time period for appeal had elapsed. However, an appeal has since been lodged and was accepted by the Courts. An appeal against this acceptance has been lodged on the grounds that it was out of time.

## BOROUGH OF KETTERING

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### **4. POLICY AND RESOURCE IMPLICATIONS**

4.1 The Committee must have regard to the Authority's Statement of Licensing Policy, the relevant legislation and the national Section 182 guidance made under the Licensing Act 2003.

4.2 The Section 182 guidance in relation to illegal tobacco states for review hearings:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- **for the sale or storage of smuggled tobacco and alcohol.**

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

4.3 Clearly this guidance relates to reviews whereas this hearing is in the unusual position of considering these matters on a new application. Notwithstanding this the severity to be weighted on such matters is considered to be the same.

### **5. LEGAL AND EQUALITY IMPLICATIONS**

5.1 Any decision of the Licensing Committee may be subject to an appeal to Magistrates Court.

### **6. CLIMATE CHANGE IMPLICATIONS**

6.1 There are no climate change implications.

**BOROUGH OF KETTERING**

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**7. RECOMMENDATION**

7.1 The Committee's decision is requested.

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Background Papers:

Title

Date

Contact Officer

Previous Minutes/Reports:

Ref:

Date:

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Applicant's position in the business      Director

Home country      United Kingdom

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name      C/o Rh&Co

Street      254-256 Lincoln Road

District

City or town      Peterborough

County or administrative area

Postcode      PE1 2ND

Country      United Kingdom

**Agent Details**

\* First name      Paul

\* Family name      Byatt

\* E-mail      licensedinntuition@hotmail.com

Main telephone number      01553630993

Include country code.

Other telephone number      07704656469

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

Are you:

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

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

**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.

Is your business registered outside the UK?       Yes       No

Business name      Licensed Inn-Tuition

If your business is registered, use its registered name.

VAT number      -      None

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

Legal status      Sole Trader



*Continued from previous page...*

Your position in the business    Owner  
Home country                      United Kingdom

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name    56  
Street                              Brow of the Hill  
District                            Leziate  
City or town                      Kings Lynn  
County or administrative area   Norfolk  
Postcode                         PE32 1EN  
Country                          United Kingdom

**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    6 - 10  
Street                              Montagu Street  
District  
City or town                      Kettering  
County or administrative area   Northamptonshire  
Postcode                         NN16 8RU  
Country                          United Kingdom

**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 Euro Plus Kettering Ltd

#### Details

Registered number (where applicable) 12951596

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



*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

#### Section 6 of 21

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

#### Section 7 of 21

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

#### Section 12 of 21

##### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

### Section 13 of 21

#### 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

### Section 14 of 21

#### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

### Section 15 of 21

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes  No

#### Standard Days And Timings

##### MONDAY

Start 08:00 End 00:00

Start End

##### TUESDAY

Start 08:00 End 00:00

Start End

##### WEDNESDAY

Start 08:00 End 00:00

Start End

##### THURSDAY

Start 08:00 End 00:00

Start End

##### FRIDAY

Start 08:00 End 00:00

Start End

##### SATURDAY

Start 08:00 End 00:00

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...

SUNDAY

Start 08:00

End 00:00

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 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.

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

**Name**

First name                      Soran Hawez

Family name                      Hamad

Date of birth                       /  /   
   dd                      mm                      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name [redacted]  
Street [redacted]  
District  
City or town [redacted]  
County or administrative area [redacted]  
Postcode [redacted]  
Country [redacted]  
Personal Licence number (if known) [redacted]  
Issuing licensing authority (if known) [redacted]

**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'.

**Section 16 of 21**

**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.

None

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start 08:00

End 00:00

Start

Page 15  
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 08:00 End 00:00

Start End

WEDNESDAY

Start 08:00 End 00:00

Start End

THURSDAY

Start 08:00 End 00:00

Start End

FRIDAY

Start 08:00 End 00:00

Start End

SATURDAY

Start 08:00 End 00:00

Start End

SUNDAY

Start 08:00 End 00:00

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 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.

**Section 18 of 21**

**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)



*Continued from previous page...*

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

- Spirits will be displayed and secured behind the sales point and will not be available for self-service.
- The licence holder shall operate and maintain a refusals register in respect of declined sales of alcohol where the attempted purchaser was suspected of being under 18 years of age or drunk.
- The refusals register shall be kept on the premises and be made available immediately upon request to an authorised officer of the Police or Local Authority.
- The licence holder will ensure that any appointment of a member of staff, they receive adequate training in responsible alcohol retailing and refreshed every 12 months.
- No alcoholic drinks will be purchased by the store owners or staff from sellers calling at the store.

b) The 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 the premises is open to the public and images must be stored for a minimum of 28 days with date & time stamping. As a minimum this must cover all entry and exit points, both sides of all areas where the sale/ supply of alcohol takes place.
- All recordings must be made available to an officer from a responsible authority upon reasonable request and in line with the provisions of the Data Protection Act 1998.
- All staff involved in the retail of alcohol will be trained in relation to the law regarding its sale. This training must be completed prior to them being authorised to sell alcohol and refreshed every 12 months as a minimum. A record of this training must be kept and maintained with a copy of the syllabus attached. The recipient of the training must sign to state that they have received and understood the training and this should be dated. Training records must be kept on the premises at all times and made available to an officer from a responsible authority upon reasonable request.
- The premises will operate and adhere to an age verification scheme with the minimum standard of Challenge 25. Signs advertising the policy must be displayed in all areas where alcohol is for sale.
- A refusals register will be kept on the premises for the recording of any incidents involving the refusal of a sale of alcohol due to age or drunkenness. The register will be made available to an officer from the local authority for inspection upon reasonable request
- No person will be allowed to enter or leave the licensed premises with an open vessel of alcohol and the licensee will actively discourage and prevent anyone congregating or drinking outside the premises.

c) Public safety

- The premises will conform to all statutory Health and Safety Requirements

d) The prevention of public nuisance

- Persons shall be discouraged from congregating outside of the premises.
- A notice will be placed immediately outside the main entrance reminding persons that no alcohol to be consumed directly outside the main entrance to the shop.
- Waste collection contractors will not collect refuse between 23:00 and 07:00 hours. Any litter or refuse generated must be contained within the boundaries of the premises and regularly cleared (the boundaries of the premises are taken to be those indicated on the plan
- Receptacles for waste shall be emptied regularly to avoid causing a public nuisance through smells or odours and shall be maintained in a clean condition.
- Trade waste containers will only be left out for collection of waste on the day of collection and will be stored off the public right of way at all other times.
- Clear and legible notices will be prominently displayed at all exits asking customers to respect local residents and to leave the area quietly.

*Continued from previous page...*

e) The protection of children from harm

- The challenged 25 scheme will be implemented
- To ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder follows the guidelines of the Challenge 25 scheme and asks for photo ID proof of age where they have reason to suspect that the individual may be under 25 years of age and to ensure that signs relevant to this condition are prominently displayed at the premises.

**Section 19 of 21**

**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:
  - 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 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](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 (£) 190.00

**DECLARATION**

*Continued from previous page...*

\* 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 Paul Byatt  
\* Capacity Licensing Agent acting on behalf of  
\* Date 25 / 11 / 2020  
dd mm yyyy

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**



**OFFICE USE ONLY**

Applicant reference number Euro plus Kettering

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

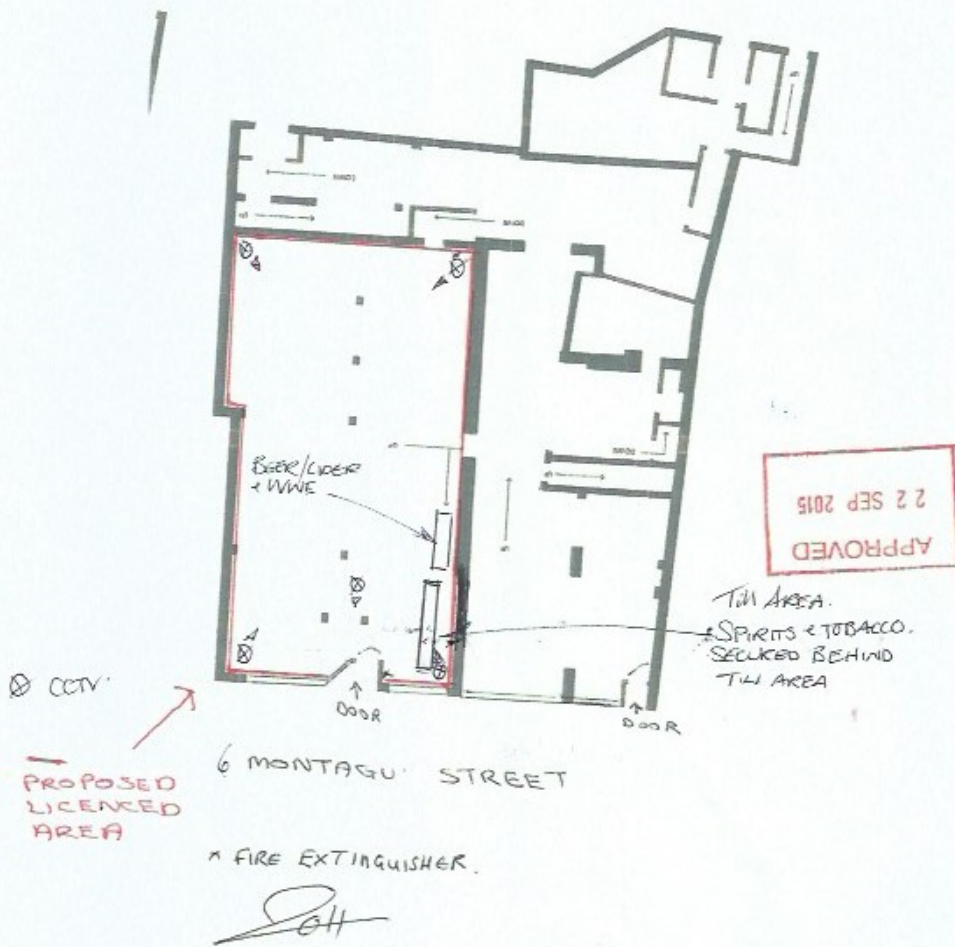
Error message

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EXISTING FLOOR PLANS - SCALE 1:100 @ A2



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Street Plan – Europlus Kettering Limited, 6-10 Montagu Street, Kettering

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**From:** Bryan David (PC) <[david.bryan@northants.pnn.police.uk](mailto:david.bryan@northants.pnn.police.uk)>

**Sent:** 07 December 2020 14:19

**To:** Russell Howell <[Russell.Howell@kettering.gov.uk](mailto:Russell.Howell@kettering.gov.uk)>

**Subject:** 6-10 Montagu Street, Kettering, NN16 8RU

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 Licence for 6-10 Montagu Street, Kettering, NN16 8RU under the licensing objective of the Prevention of Crime and Disorder, the applicant is a Mr Soran HAMAD who has also nominated himself to be the Designated Premises Supervisor.

Northamptonshire Police object to this application for the following reasons.

The previous premises licence for this location was revoked on the 28<sup>th</sup> of October 2020, this was following a Review instigated by Northamptonshire Police detailing the sale of duty not paid illicit tobacco products and illegal working at the premises. During the hearing the previous premises licence holder and Designated Premises Supervisor detailed that he was selling the business and that he would be employed by the new owner as the DPS.

A Companies House check reveals the applicants business Euro Plus Kettering Ltd as being incorporated on the 14<sup>th</sup> of October 2020 two weeks before the Hearing date of the 28<sup>th</sup> of October 2020. The applicant Mr Soran HAMAD is the sole director and his correspondence address is 6-10 Montagu Street, Kettering, NN16 8RU.

This would indicate or suggest that the applicant may have had knowledge of the criminal activity that was taking place at the business under the previous owners stewardship.

As already stated the premises licence was revoked and it has been confirmed that no appeal to the revocation was lodged with Northamptonshire Magistrates, on the 26<sup>th</sup> of November 2020 the current application was submitted.

On the 30<sup>th</sup> of November 2020 Northamptonshire Police conducted a Test Purchase at the premises and purchased a packet of Richmond duty not paid cigarettes for £5.00, it was also witnessed that alcohol was on display and a purchase of alcohol was witnessed.

On the 1<sup>st</sup> of December 2020 Northamptonshire Police conducted a Test Purchase at the premises and a single can of lager was purchased for £1.39.

On the 3<sup>rd</sup> of December 2020 Northamptonshire Police conducted a Test Purchase at the premises and purchased a packet of Richmond duty not paid cigarettes for £5.00.

On the 4<sup>th</sup> of December 2020 Northamptonshire Police conducted a Test Purchase at the premises and purchased a packet of Richmond duty not paid cigarettes for £5.00.

The sellers were different on more than one occasion, this would indicate that this is not one member of staff acting on their own.

I would recommend that the Licensing Sub-Committee of Kettering Borough Council do not grant this application as the Licensing Objectives in Northamptonshire Police's opinion would not be promoted.

I submit for your consideration

Kind Regards

Police Constable 113 David Bryan



Northamptonshire Police  
Alcohol Licensing Constable  
Wellingborough Police Station  
Midland Road  
Wellingborough  
NN8 1HF

 Telephone: 101 Extension 343409

 Mobile: 07766 768576

 [david.bryan@northants.pnn.police.uk](mailto:david.bryan@northants.pnn.police.uk)

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



[www.northants.police.uk](http://www.northants.police.uk)



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