

Mr John Cutmore

Re Objection to a licence for No

28 High Street  
Burton Latimer  
Northants  
NN15 5LB

9. January 2012

Dear committee members.

As the house holder next door to No 28 High Street I must strongly object to this building having a licence to play music from 8.30 am till 1 am.

I have sent photos to show just how close to this building I live, just 4 feet away and as you will see from the photos there are windows from No 28 all along my house and garden

And to have music playing all day will not be very good for me as I am a heart patient and am disabled, so I will have music inside, and more so when I wish to sit in my garden.

The idea of having a alcohol licence until 1 am means that noise will be worse with coming and going car and taxi doors banging.

All other restaurants in the town have licences till 11 pm this seems to be the norm and if you give this building a licence till 1 am you will open the flood gates and all the other restaurants will be asking for the same.

And as only 3 doors away is a pre school to have alcohol being sold from 10 am will not be well received by the residents of Burton Latimer.

I really think that you should look further into this application and take into account the points I have made.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Cutmore".

John Cutmore



**No 28 High Street Burton Latimer Showing that it is in a residential area with Houses on both sides and in front on the other side of the road**





My House on the right No High St .With No 28 on the left just 4 feet apart





**My house High Street and 28 High Street just 4 feet away\***



**My back garden . With No 28 High Street backing onto it**

**Lisa Vaughan**

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**From:** cutmore barbara  
**Sent:** 09 January 2012 21:31  
**To:** Lisa Vaughan  
**Subject:** Re: proposed license for music and alcohol 28 High Street Burton Latimer \northants  
My address as requested

Barbara Cutmore Mrs

On 9 January 2012 14:51, Lisa Vaughan <[LisaVaughan@kettering.gov.uk](mailto:LisaVaughan@kettering.gov.uk)> wrote:

Dear Mrs Cutmore

Thank you for your e-mail below. Could you please supply your address so that we may regard this as an objection to the application.

Many thanks

Lisa Vaughan

Licensing Admin Officer

Kettering Borough Council

Bowling Green Road

Kettering

Northamptonshire

NN15 7QX

Tel 01536 534291

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**From:** cutmore barbara [mailto:[cutmore\\_barbara@kettering.gov.uk](mailto:cutmore_barbara@kettering.gov.uk)]  
**Sent:** 06 January 2012 23:02  
**To:** Licencing Enquiries  
**Subject:** proposed license for music and alcohol 28 High Street Burton Latimer \northants

||| Re the above I wish to object to the proposals for music and alcohol for the

30/01/2012

following reasons

Music being played from 8am until 1am is totally unacceptable in a residential area, my house is four foot away from no 28 and most windows

are adjacent to my property therefore any music will be heard all through the day which is an infringement to my privacy.

Grand children often stay with me and are all of school age continuous noise and music will be detrimental to them during the late opening hours

as it will be for myself and family.

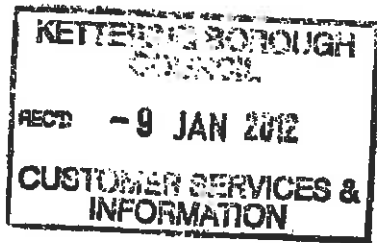
Opening hours for the sale of alcohol will encourage all day drinking , drunkenness and unacceptable behaviour outside my house this is

not a retail area but a residential part of Burton Latimer.

Continuous parking dropping off and picking up will be an added problem generating more noise and inconvenience also parking etc

will be problematic due to parking restrictions. .

Barbara Cutmore Mrs



6<sup>TH</sup> January 2012

Re: 26 High Street, Burton Latimer.

Dear Sir or Madam,

I am writing in objection to the new licensing hours at the new restaurant at 26 High Street, Burton Latimer.

As a local business woman in the town, I would like to see the property being used again, although I would like to object to the late licensing/ music hours.

One of the reasons is that I have a commercial property, 3 buildings away, at High Street and I am concerned that damage could be made to my property as has happened in the past, with broken windows etc.

The other reason is that I have two flats above the commercial property that I rent out to tenants that have children and I feel that this will almost certainly make a difference to them with the noise at 'turning out time'.

I don't say this lightly as I have experienced this personally and been in this situation myself as I used to own and live at 30 High Street, Burton Latimer (next to the above restaurant) when the restaurant was the 'China Palace'. A concoction of the noise of the music, customers leaving and standing outside waiting for taxis was an absolute nuisance and after a horrible spell of falling out with the owners, we decided to sell up and move on.

I hope my objections will be taken into consideration.

Many thanks

A handwritten signature in black ink, appearing to read "Gaynor Hearn".

Gaynor Hearn

Dated 5<sup>th</sup> Jan 2012-01-05

### **Zambah Restaurant License Application**

To whom it may concern,

I wish to oppose the proposed licence application for the Zambah Restaurant 26 High St Burton Latimer for the following reasons.

For your information as I am not sure you would have been made aware, my property borders and is surrounded by the restaurant to the side and rear aspects, my rear garden is totally overlooked by the restaurant. The yard and accessway the restaurant will use is actually my property. We are currently seeking legal advice because the agreement in place on our deeds regarding access and locking up times we feel will be broken by the new proposed operating hours.

The new licence if granted means that the only time we can expect uninterrupted peace is likely to be between 1.30am and 6am, and that will be even less on certain occasions. This is totally unacceptable to us.

As my property is surrounded by the restaurant and they are both 3 storey buildings any noise made in the enclosed yard seems to reverberate off the walls of both buildings and can be heard with surprising clarity throughout my house, the main areas involved being my lounge, dining room and three out of four of the bedrooms, this can be very invasive at times, and the noise reduction offered by our windows is minimal as my property is fitted with period single glazed sash windows (to the rooms mentioned) but at least with the last restaurant there actual opening times meant the disturbance was limited to substantially less time than these proposed new hours, we bought our property on the assumption that the current licensing hours would remain unchanged.

The new hours will also mean that effectively from the moment we awake till after we have gone to bed there will be absolutely no privacy in the garden at all.

When the previous licence was issued my property was part commercial part private residence, we bought the property in 2005 as a residential property, in fact at present the restaurant is surround on all sides by residential properties, the area now does not have the commercial presence it had it bygone years with more and more residential and less commercial properties it does seem confusing as to why residential planning applications have been accepted, then when the area is full of residents the commercial building in the middle wants to be open from 6am till 1am.



I am also very concerned that as the restaurant want to serve alcohol till 1am that it will become the main focus for late night drinking in the town.

The last owners of the restaurant use to stop serving alcohol at 11pm even though they were licensed till midnight.

Since the smoking ban came into effect the anti social aspect increased dramatically for us, particularly small constant groups of smokers standing on the accessway I own. This was unbearable and it was not uncommon for me personally to spend a substantial amount of my evening time at weekends asking smokers to stop gathering on my drive smoking, particularly unpleasant were the frequent occasions that smokers could not be bothered to go back into the building to use the toilet and seemed to prefer to urinate against my front door or side wall, presents of vomit were left for us on occasion but thankfully not as often as the urination problem.

What is of concern is that with the new hours we will have to deal with this sort of thing more and more frequently, with a clientele that are likely to be even more intoxicated.

Parking is of great concern to me, parking has always been an issue, the problem I think arises because the driveway I own looks to be part of the restaurant property, customers used to pull up my drive, park on it, block the access to my property, there really is very limited parking in the immediate area and since the last restaurant closed down there has been the addition of a mini roundabout outside my neighbouring property. This has had the impact of reducing parking even less, so more often my access is blocked. Once the new restaurant is open I fully anticipate suffering increased problems with access and this will be over a very much longer period on a daily basis.

In fact 90% of my contact with the new owners so far has been me having to find them and ask them to move a vehicle so I can get in or out of my property, things are not looking good if even the new owners cannot respect the parking arrangements.

My two children (boys aged 16 and 13) stay at the property 3 out of 4 weekends, there bedroom is located above mine at the front of the house, my concern is that there sleep will be disturbed by the late night traffic/smokers and general disturbance associated with late night drinking on a property that is in very close proximity to my house.

My wife and I are also currently planning a family and are obviously concerned about the implications of doing this next to a drinking establishment that will be possibly open all day every day until 1am.

Our house as said earlier is no longer in the main commercial area of the town and with the exception of the nearby pizza place there are no other businesses open after tea time until you get to the Kushboo restaurant.

If possible we would like the new hours to be the same in length as the old license, but would ask you to consider the fact that as the area is now mainly residential in the evening would it not be more in keeping with the area to allow alcohol sales till 11pm Sunday to Thursday and 12pm Friday and Saturday. We have no objection to living next door to a restaurant, we knew the pitfalls when we bought the property.

But these proposed changes and vastly increased operating hours will have such a detrimental effect on our daily lives and privacy that I honestly do not know what we will do.

These new proposed hours will really impact my family and I far far more than it used to, to the point we would have to move, quite how that would be possible I do not know as surely nobody will want to live in my property with the proposed opening times of the new business.

Please do not hesitate to contact me if you require clarification on any of the matters listed or if you would like to visit and inspect my property to better gain a view of just how intrusive the new restaurant would become.

Yours Sincerely

R F Parr

**Rita Groves**

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**From:** Russ Howell [RussellHowell@kettering.gov.uk]  
**Sent:** 16 January 2012 16:30  
**To:** Rita Groves  
**Subject:** FW: Zambar Restaurant

**Attachments:** Zambar Objections.doc



Zambar  
bjections.doc (24 Ki  
and another.....

Russ Howell  
Health Services Manager - Environmental Health

Kettering Borough Council  
Environmental Health  
Bowling Green Road  
Kettering  
NN15 7QX

Tel: 01536 410333  
DD: 01536 534323  
Fax: 01536 410795  
www.kettering.gov.uk

-----Original Message-----  
From: Cllr Derek Zanger  
Sent: 16 January 2012 16:29  
To: Russ Howell  
Subject: Zambar Restaurant

Russ  
Please see attached re Burton Latimer Town Council objection to the above application and i wish to attend the licensing meeting to represent the Town Council and as Ward Councillor.

Regards

Cllr Derek Zanger

Home 01536 505240  
Mobile 07973 289786  
Email derekzanger@kettering.gov.uk

**Burton Latimer Town Council wishes to object to the above application for the following reasons.**

- 1. Excessive licensing hours are not in line with the conditions imposed on neighbouring businesses.**
- 2. Off Sales should be restricted to those purchasing Take Away meals.**
- 3. No person under 18yrs of age to be served after 11pm unless accompanied by an adult.**

**These conditions to be added to the license so as to.**

- 1. Protect Children from harm**
- 2. To prevent public nuisance**
- 3. To prevent Crime and Disorder**

**Rita Groves**

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**From:** Penny Westley  
**Sent:** 10 January 2012 15:05  
**To:** Licensing Unit  
**Subject:** Extended Drinking Licence - Old China Palace Restaurant

Dear Sirs

I am writing to express my concern over the application made by the Old China Palace restaurant to allow drinking on their premises from 10 a.m. until 1 a.m. and, I understand, sometimes occasionally until 3 a.m.

We live at No. Church Street and already experience problems with people banging the knocker on our front door very loudly and for no particular reason (we are situated directly on the street with no front garden). The extended drinking licence will almost certainly result in even more unruly behaviour from people passing our house on their way to the car park outside the Old Victoria as the Old China Palace does not have car parking facilities.

I trust you will take my concerns into account when you are considering their application.

Yours faithfully

Nicholas Westley

Rita Groves

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Subject: FW: Proposed Licensing Application for Zambar, 26 High Street, Burton Latimer

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From: LISA IGO [mailto:  
Sent: 13 January 2012 14:17  
To: Licensing Enquiries  
Subject: Proposed Licensing Application for Zambar, 26 High Street, Burton Latimer

I am writing with regard to the above premises licence application. My home backs onto these premises and I wish to make clear my concerns about the proposed extended licensing hours.

I have lived at my current address for 8 years and was aware of The China Palace using the hours listed

Recorded music and dancing:  
Monday - Sunday 12:00 - 00:00  
New Year's Eve until 02:00 New Year's Day  
Chinese New Year until 02:00 following day

Late night refreshment:  
Monday - Sunday 23:00 - 00:00  
New Year's Eve until 02:00 New Year's Day  
Chinese New Year until 02:00 following day

Supply of alcohol:  
Monday - Sunday 12:00 - 00:00  
New Year's Eve until 02:00 New Year's Day  
Chinese New Year until 02:00 following day

We did hear loud drumming and music on these occasions but as it was extra late just 2 times a year and not a continuous disturbance, did not formally complain.

The high conservation area wall that belongs to 26 High Street is badly crumbling and causing concern as it means it is falling into my garden. I cite this as a concern as the barrier between the premises' conservatory, which backs onto our garden is deteriorating. As it is has a glass roof and walls and is on the second floor, I am concerned that the proposed building will not be insulated enough to contain the proposed continuous late night music satisfactorily. We back directly onto this and live in a bungalow and our privacy would completely disappear as well as contending with a high, continuous level of noise and light pollution.

The main concerns are for my young family, our three young boys, my husband (who has been seriously ill with a brain haemorrhage and aneurysm) as well as to myself. We were able to hear noise from the China Palace's music previously, and this raises concerns for noise and light pollution that will affect us and our sleep patterns continuously. Also the concerns for my elderly Mother and father in law who are also direct neighbours, my other neighbours who suffer ill health and to other neighbours backing onto the premises.

My next point is that 26 High Street is directly surrounded on all sides by residential housing and not commercial properties, even though it is on the High Street. I also wish this to be considered and taken into account.

30/01/2012

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I look forward to hearing from you.

Yours sincerely,

Mrs Lisa Igo, BA Hons Primary Education with QTS

30/01/2012

**Rita Groves**

**To:** Russ Howell

**Subject:** FW: Objection : Licence Application Zambar, 26 High Street, Burton Latimer, Northants, NN15 5LB, Ref LIC201111433

Hi Russ

Happy New Year!

Please see attached objection to Zambar and advise if you accept it as valid.

Many thanks  
Regards

**Rita Groves**  
Licensing Administrator  
Northants Licensing Partnership  
01832 742102  
[www.northantslicensing.gov.uk](http://www.northantslicensing.gov.uk)

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**From:** Susan Forster On Behalf Of Licensing Unit

**Sent:** 03 January 2012 10:33

**To:** Rita Groves

**Subject:** FW: Objection : Licence Application Zambar, 26 High Street, Burton Latimer, Northants, NN15 5LB, Ref LIC201111433

Representation for you.

Susie Forster  
Central Unit Manager  
Northants Licensing Partnership  
01832 742050  
[www.northantslicensing.gov.uk](http://www.northantslicensing.gov.uk)

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**From:** kirk igo [mailto:k.igo@ntlworld.com]

**Sent:** 31 December 2011 08:51

**To:** Licensing Unit

**Subject:** Objection : Licence Application Zambar, 26 High Street, Burton Latimer, Northants, NN15 5LB, Ref LIC201111433.

20120103R9002  
added to 4/F10 03/01/2012

Kirk Igo

31/12/11

Objection : Licence Application Zambar, 26 High Street, Burton Latimer, Northants, NN15 5LB, Ref LIC201111433

03/01/2012



My objection is purely based on the requested times. This is a restaurant not a late night club! I fully appreciate the need to be licenced as a restaurant but in my view the licence timings should reflect the proximity of the establishment and the precedent of the area. The establishment and its owners should also consider local residents and the impact the establishment could pose.

Recent blue notices (now removed EARLY) stipulate that the owner of the above premise has requested a licence for the following general trading licence

Until 1:00 am all days

**Objection 1:**

No mention on the blue notice was made that seasonal variations also request a licence to extend sales of alcohol until 3 am and 2 am

Zambar is suited in a mainly domestic setting surrounded on all sides by residential properties.

**Objection 2:**

Recent searches of nearby premises show a distinct precedent in opening times and none are licenced to continue sales until such early hours (even what is considered a drinking only establishment *not a restaurant* is restrained far greater than this application)

Attached in appendix 1 overviews of nearby premise licence details

**Objection 3: The prevention of crime and disorder**

Being located in such a residential area and running until the early hours of the morning will raise disorder issues already controlled for example at the nearby Pizza Sales establishment by the prevention of under age sales after 11pm. Running until 1am or 3 am contradicts the current work put in place with previous applications to trade.

There is also no way the establishment can control its clientele from leaving the premise, straight into or past domestic buildings which raises further concerns of drunken disorder occurring immediately outside the premise.

There are no other establishments open at that time of day and no provision of taxi, buses or public transport. This can only lead towards the use of personal vehicles and the rise in the possibility of use whilst under the influence or a wholesale departure of guests walking through the small town at 1 am or 3am after consuming alcohol. This is outside of the precedents currently set and will raise the risk of further disorder.

**Objection 4. Public safety**

Entrance to the establishment is directly (within 4 meters of a front door), exit is the same or via unlit rear exits once again passing within 4 meters of front doors. Leading rise to the general concern of safety of the domestic premise owners.

There is no provision for the safety of clientele as they leave the rear of the building in terms of uneven ground and lack of lighting.

There is no provision for the safety of disabled clientele with reference to their ability to enter or exit the building.

The front entrance is directly situated on a footpath where there is no ability to queue to enter or safety barriers in place to prevent clientele or passers by being forced onto a main road.

The likelihood of this is unknown as the reason for such late night opening is unclear.

Previously Fire Safety especially for disabled was questionable due to the unusual layout of the premise.

**Objection 5: The prevention of nuisance**

The premise is situated within a residential setting.

Noise and Light Pollution will be increased and adversely affect the residents living within close proximity.

The premise is old and relies on the second floor as an entertainments area. This means the noise and light will directly flood the gardens and housing of a minimum of 5 close by houses with all others suffering from the possibility of noise pollution.

Having this premise as the only one (known) in Burton Latimer as opening so late will clearly increase clientele numbers and raise further nuisance issues raised by excess alcohol. This not only relates to the locality but the whole town. There is no provision as mentioned earlier or infrastructure to allow quick and quiet departure from such a premise, there are no taxi ranks, minimal police presence and no other forms of public transport

**Objection 6. The protection of children from harm**

The premise is old and dilapidated with external walls crumbling currently into 2 known garden areas where youngsters play. Previous owners failed to make repairs and nothing has been done following the recent purchase.

It raises questions over how other parts of the building fabric is maintained? and whether it affects the Childs Nursery nearby.

Children have been discouraged from a nearby premise which is not licenced to sell to children after 11 pm. This precedent clearly discourages late night revelry which the 1 am or 3 am flies in

the face of.

**Appendix 1 Current Licences and Restrictions**

03/01/2012

**Kettering Family Bar (Mainly Residential)**

11:00 hours and 23:00 hours on Monday to Saturday

Extended until 00:00 midnight on the Friday, Saturday, Sunday and Monday of any recognised Bank Holiday, December 24th, December 26th and December 27th, January 1st and January 2nd; and extended until 11:00 the following morning on New Years; and at no other time.

**Shaad (Mainly Commercial)**

Generally 00:00

The prime trading style will provide for the sale of alcohol ancillary to the provision of food and use of the premises solely for the purchase of alcohol will be discouraged

Not to empty or handle beer kegs, bottles, cases and similar items outside the premises between 21:00 and 08:00.

To ensure that noise or vibration does not emanate from the premises so as to become a nuisance to nearby properties, to maintain a system of air-conditioning so that when musical entertainment is taking place, doors and windows are kept closed.

**VIVO restaurant ( Mixed Commercial and Residential)**

Generally 23:30

A CCTV system will be installed and work to the satisfaction of the Police and/or the Local Authority

**Brittania Working Mens Club ( Residential)**

Weekdays 23:30

Weekends 00:30

CCTV surveillance with exterior lighting monitor arrivals and departures at the club entrance.

The location of the stage area and double glazing prevents any disturbance to neighbouring properties when live or recorded music is played.

**Kushboo Restaurant ( Mixed Domestic& Commercial)**

Mainly 23:00

03/01/2012

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Kirk Igo (Prof. Dip SHEM)

CMIOSH, MIAI, AIEMA

OSHCR Registered Consultant

Tel:



Rita Groves

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**Subject:** FW: Extended licence at the old china palace

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**From:** Chris Willis [mailto:  
**Sent:** 15 January 2012 20:54  
**To:** Licensing Unit  
**Subject:** Extended licence at the old china palace

I am emailing you with regards to the extended drinking licence at the Old China Palace in Burton Latimer.

My concerns are living across the road at number 10 high street is that we will get more drunken behaviour outside our house, we have two young children both of which sleep at the front of the house and any noise may wake them.

When it was a restaurant on new years eve we could hear the music being played, I mention this as I see the licence is also for music, with house within meters of the building I don't think it would be fair.

If it does get approved and problems arise I will take every opportunity to complain.

many thanks  
Mr Willis

30/01/2012

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**Rita Groves**

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**Subject: FW: china palace**

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**From: Patrick McDonald [mailto:✉]**

**Sent: 10 January 2012 17:01**

**To: Licensing Unit**

**Subject: china palace**

Dear Sir,

There is an applied application for the restuarant known as the China Palace In the High Street in Burton Latimer.

I have no objection to the building re-opening as a restuarant but I object in the strongest possible terms to the new owners having a drinks licence beyond normal public house times. There can be no justification for granting such a licence. It will disadvantage the other restuarants and public houses in the town.

Plus, it is very unfair on local residents to have people leaving the said premises after normal closing time. Please acknowledge receipt of this email.

yours faithfully  
P G McDonald

30/01/2012

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Rita Groves

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Subject: FW: Old China Palace

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From: HEATHER PLATT [mailto:  
Sent: 09 January 2012 16:46  
To: Licensing Unit  
Subject: Old China Palace

As a resident of the High Street already living opposite one premises that opens late and doesn't sell alcohol. I would like to know my concerns for an extended licence for the above named property.

There is no parking outside these premises so cars will park on Pioneer Avenue, large groups are likely to gather and when alcohol is involved it is likely to be loud. Car radios will be played at an excessive volume and this will disrupt the sleep of the children that have their bedrooms at the front of the houses.

As the request is for everyday including late on a Sunday I would like to object to this strongly.

Yours sincerely,

Heather Platt

30/01/2012

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**WE THE UNDER SIGNED STRONGLY OBJECT TO A LICENCE AT 28 HIGH STREET, BURTON LATIMER. FOR THE SALE OF ALCOHOL FROM 10 AM TILL 1 AM AND FOR MUSIC FROM 8.0 AM TILL 1 AM**

**FOR THE FOLLOWING REASONS NEARNESS TO HOUSING IN A RESIDENTIAL AREA , AND NOISE OF MUSIC AND LEAVING LATE IN THE EARLY MORNING POTENTIAL FOR ANTI SOCIAL BEHAVIOUR ., AND TO START DRINKING ALCOHOL FROM 10AM WHEN ONLY TWO DOORS AWAY FROM A CHILDREN'S NURSERY IS NOT APPROPRIATE.**

**INSUFFICIENT CAR PARKING, SO MORE NOISE WITH PICKING UP AND DROPPING OFF FROM VEHICLES**