

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

IN HUSEYIN OZZENGIN

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	K/11/24565
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
23 ESKDAILL STREET	
Post town	KETTERING
Post code	NN16 8RA

Telephone number at premises (if any)	01536 520100
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	Postcode

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day Month Year

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Please describe briefly the nature of the proposed variation (Please see guidance note

1) TO INCREASE THE LICENSING HOURS TO ALLOW THE SALE OF ALCOHOL & PROVISION OF ENTERTAINMENT i.e. MUSIC, LIVE SPORTS, FROM 09:00 TO 02:00 MONDAY TO WEDNESDAY, & 09:00 TO 04:00 THURSDAY TO SUNDAY, & TO SERVE FOOD, & OTHER REFRESHMENTS IN THE FUTURE, INTENDING TO SERVE BREAKFASTS DURING THE MORNING HOURS & OTHER FOOD & SNACKS UNTIL CLOSE, i.e. LATE NIGHT REFRESHMENTS

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Tue					
Wed					
Thur					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)	
Tue				
Wed				
Thur				<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	12.00	0.00	LIVE BANDS			
Tue	12.00	0.00				
Wed	12.00	0.00	State any seasonal variations for the performance of live music (please read guidance note 4)			
Thur	12.00	0.00				
Fri	12.00	0.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	12.00	0.00				
Sun	12.00	0.00				

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) MUSIC CHANNELS VIA FREESAT		
Mon	0900	0200			
Tue	0900	0200			
Wed	0900	0200	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	0900	0400			
Fri	0900	0400	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0200			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	0900	0200			
Tue	0900	0200	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	0900	0200			
Thur	0900	0400	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0900	0400			
Sat	0900	0400			
Sun	0900	0400			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u></p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0200		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue	0900	0200	<p><u>Please give further details here (please read guidance note 3)</u></p>		
Wed	0900	0200			
Thur	0900	0400	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</u></p>		
Fri	0700	0400			
Sat	0900	0400	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>		
Sun	0900	0400			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> DS, KARAOKE, LIVE BANDS	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	0900	0200		
Tue	0900	0200		
Wed	0900	0200		
Thur	0900	0400		
Fri	0900	0400		
Sat	0900	0400		
Sun	0900	0400	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing DANCE FLOOR AREA.	
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	0900	0200		
Tue	0900	0200		
Wed	0900	0200		
Thur	0900	0400		
Fri	0900	0400		
Sat	0900	0400		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun	0900	0400		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0200		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0200	<u>Please give further details here (please read guidance note 3)</u>		
Wed	0900	0200			
Thur	0900	0400			
Fri	0900	0400	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)</u>		
Sat	0900	0400			
Sun	0900	0400			
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	0200	<u>Please give further details here</u> (please read guidance note 3) WE INTEND TO OPEN KITCHEN AND PROVIDE A TAKEAWAY SERVICE FOR FOOD SALES, ON AND OFF PREMISES	Both	<input checked="" type="checkbox"/>
Tue	0900	0200			
Wed	0900	0200	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	0900	0400			
Fri	0900	0400	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	0400			
Sun	0900	0400			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00	0200			
Tue	10.00	0200			
Wed	10.00	0200			
Thur	10.00	0400			
Fri	10.00	0400			
Sat	10.00	0400			
Sun	10.00	0400	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	0230	
Tue	0900	0230	
Wed	0900	0230	
Thur	0900	0430	
Fri	0900	0430	
Sat	0900	0430	
Sun	0900	0430	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

Kettering
env health

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

b) The prevention of crime and disorder

FULL CCTV SYSTEM INSTALLED TO PREVENT CRIME + DISORDER.

Will attend pubwatch

c) Public safety

Warning signs displayed for customers
Risk assessments carried out. Staff
trained for healthy and safety on
equipment. ~~staff~~ ~~cash~~

d) The prevention of public nuisance

KEEPING DOORS + WINDOWS CLOSED DURING LIVE PERFORMANCES

staff ensure customers leave premises
quietly and safely. Notice displayed.

e) The protection of children from harm

Photo i.D will be checked if the person looks
underage.

Notice is displayed in premises

Delivery of alcohol with food only and i.D

Will be checked if the person looks underage
sale of alcohol is refused. if photo i.D is
not shown.

Please tick yes		
•	I have made or enclosed payment of the fee	<input checked="" type="checkbox"/>
•	I have sent copies of this application and the plan to responsible authorities and others where applicable	<input checked="" type="checkbox"/>
•	I understand that I must now advertise my application	<input checked="" type="checkbox"/>
•	I have enclosed the premises licence or relevant part of it or explanation	<input checked="" type="checkbox"/>
•	I understand that if I do not comply with the above requirements my application will be rejected	<input checked="" type="checkbox"/>

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>[Handwritten Signature]</i>
Date	13/6/2012.
Capacity	PREMISES LICENCE HOLDER.

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature			
Date			
Capacity			
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

 COPY

Kettering

Borough Council

PART A

PREMISES LICENCE

**Kettering Borough Council
Council Offices
Bowling Green Road
Kettering
NN15 7QX**

Premises licence number **K/11/24565**

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description:

**The Challenge Arms
23 Eskdall Street**

Post town: Kettering

Post code: NN16 8RA

Telephone number: 01536 520100

The times the licence authorises the carrying out of licensable activities

Performance of live music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Playing of Recorded Music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Entertainment of a similar description to that falling within (e),(f) or(g)			Indoor	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of Facilities for making music				
Day	Start	Finish		Indoors X
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of facilities for dancing				
Day	Start	Finish		Indoors X
MON.	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Provision of facilities for Entertainment of a similar description to that falling within (J) or (K)				
Day	Start	Finish		Indoors X
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Sale of alcohol			On The Premises X
Day	Start	Finish	
Mon	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

The opening hours of the premises

Hours premises are open to the public			
Day	Start	Finish	
MON	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Huseyin Ozzengin

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Claire Louise Osbourne

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

11CO-34UE-524
Kettering Borough Council

Annex 1 Mandatory conditions

If this premises licence authorises the sale by retail or supply of alcohol to members or guests:-

1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relations to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

the outcome of a race, competition or other event or process, or the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to

customers where it is reasonably available.

5. No supply of alcohol may be made under the premises licence at times when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
6. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
7. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
8. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before served alcohol, identification bearing their photograph, date of birth and a holographic mark.
9. The responsible person shall ensure that
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - i. beer or cider: ½ pint
 - ii. gin, rum, vodka or whisky: 25ml or 35ml; and
 - iii. still wine in a glass: 125ml; and
 - (b) customers are made aware of the availability of these measures.

If this premises licence authorises the exhibition of films:-

10. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification.

If this premises licence details the use of door supervisors:-

11. All persons employed as door supervisors must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

Embedded Conditions Apply (The licence is granted on the condition that the restrictions contained within the enactments specified under Licensing Act 2003 Schedule 8 (6) are adhered to).

The maximum number of people permitted to be on the premises shall be 150.

All persons involved in security activities at the premises (as defined in the Private Security Industry Act 2001 Schedule 2) must hold a licence issued by the Security Industry Authority.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

Please see attached

Kettering

Borough Council

PART B

PREMISES LICENCE SUMMARY

Premises licence number **K/11/24565**

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description:

The Challenge Arms
23 Eskdail Street

Post town: Kettering

Post code: NN16 8RA

Telephone number: 01536 520100

The times the licence authorises the carrying out of licensable activities

Performance of live music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Playing of Recorded Music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Entertainment of a similar description to that falling within (e),(f) or (g)			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of Facilities for making music			Indoors	X
Day	Start	Finish		
Mon.	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of facilities for dancing			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Provision of facilities for Entertainment of a similar description to that falling within (J) or (K)			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Sale of alcohol			On The Premises X
Day	Start	Finish	
Mon	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

The opening hours of the premises

Hours premises are open to the public			
Day	Start	Finish	
MON	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

Part 2

Name, (registered) address of holder of premises licence

Mr Huseyin Ozzengin

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Claire Louise Osbourne

State whether access to the premises by children is restricted or prohibited

No

Signed:

Date: 10th November 2011

Name: Shirley Plenderleith

Position: Head of Environmental Health

For and on behalf of the Licensing Authority

**This premises licence has been issued by Kettering Borough Council,
Council Offices, Bowling Green Road, Kettering, NN15 7QX.
Tel 01536 410333 Fax 01536 315118
www.kettering.gov.uk**

Kettering

Borough Council

PART A

PREMISES LICENCE

**Kettering Borough Council
Council Offices
Bowling Green Road
Kettering
NN15 7QX**

Premises licence number **K/12/24399**

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description:

The Challenge Arms
23 Eskdall Street

Post town: Kettering

Post code: NN16 8RA

Telephone number: 01536 520100

The times the licence authorises the carrying out of licensable activities

Performance of live music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Playing of Recorded Music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Entertainment of a similar description to that falling within (e),(f) or(g)			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of Facilities for making music				
Day	Start	Finish	Indoors	X
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of facilities for dancing				
Day	Start	Finish	Indoors	X
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Provision of facilities for Entertainment of a similar description to that falling within (J) or (K)				
Day	Start	Finish	Indoors	X
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Sale of alcohol			On The Premises X
			Off The Premises
			Both
Day	Start	Finish	
Mon	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

The opening hours of the premises

Hours premises are open to the public			
Day	Start	Finish	
MON	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Huseyin Ozzengin

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Ibrahim Sal

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

05IS-34UE-9DMG-7KJ8
Kettering Borough Council

Annex 1 Mandatory conditions

If this premises licence authorises the sale by retail or supply of alcohol to members or guests:-

- 1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relations to the premises.**
- 2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-**
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-**
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or**
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);**
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);**
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;**
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-**

the outcome of a race, competition or other event or process, or the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.**
- 3. The responsible person shall ensure no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).**
- 4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.**

5. No supply of alcohol may be made under the premises licence at times when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
6. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
7. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
8. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before served alcohol, identification bearing their photograph, date of birth and a holographic mark.
9. The responsible person shall ensure that
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - i. beer or cider: ½ pint
 - ii. gin, rum, vodka or whisky:25ml or 35ml; and
 - iii. still wine in a glass:125ml; and
 - (b) customers are made aware of the availability of these measures.

If this premises licence authorises the exhibition of films:-

10. Admission of children must be restricted in accordance with any recommendation made by the British Board of Film Classification.

If this premises licence details the use of door supervisors:-

11. All persons employed as door supervisors must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

The maximum number of people permitted to be on the premises shall be 150.

All persons involved in security activities at the premises (as defined in the Private Security Industry Act 2001 Schedule 2) must hold a licence issued by the Security Industry Authority.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

Please see attached

Kettering *Borough Council*

PART B

PREMISES LICENCE SUMMARY

Premises licence number **K/12/24399**

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description:

**Challenge Arms
23 Eskdall Street**

Post town: Kettering

Post code: NN16 8RA

Telephone number: 01536 520100

The times the licence authorises the carrying out of licensable activities

Performance of live music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Playing of Recorded Music			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRI	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Entertainment of a similar description to that falling within (e),(f) or(g)			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of Facilities for making music			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Provision of facilities for dancing			Indoors	X
Day	Start	Finish		
MON	11:00	23:30		
TUE	11:00	23:30		
WED	11:00	23:30		
THU	11:00	23:30		
FRJ	11:00	00:00		
SAT	11:00	00:00		
SUN	11:00	23:30		

Provision of facilities for Entertainment of a similar description to that falling within (J) or (K)			Indoors	X
Day	Start	Finish		
Mon	11:00	23:30		
Tue	11:00	23:30		
Wed	11:00	23:30		
Thu	11:00	23:30		
Fri	11:00	00:00		
Sat	11:00	00:00		
Sun	11:00	23:30		

Sale of alcohol			On The Premises X
			Off The Premises
			Both
Day	Start	Finish	
Mon	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

The opening hours of the premises

Hours premises are open to the public			
Day	Start	Finish	
MON	11:00	23:30	
TUE	11:00	23:30	
WED	11:00	23:30	
THU	11:00	23:30	
FRI	11:00	00:00	
SAT	11:00	00:00	
SUN	11:00	23:30	

Part 2

Name, (registered) address of holder of premises licence

Mr Huseyin Ozzengin

**Registered number of holder, for example company number, charity number
(where applicable)**

Not applicable

**Name of designated premises supervisor where the premises licence
authorises the supply of alcohol**

ibrahim Sai

State whether access to the premises by children is restricted or prohibited

No

Signed:

Shirley Plenderleith

Date: 14th June 2012

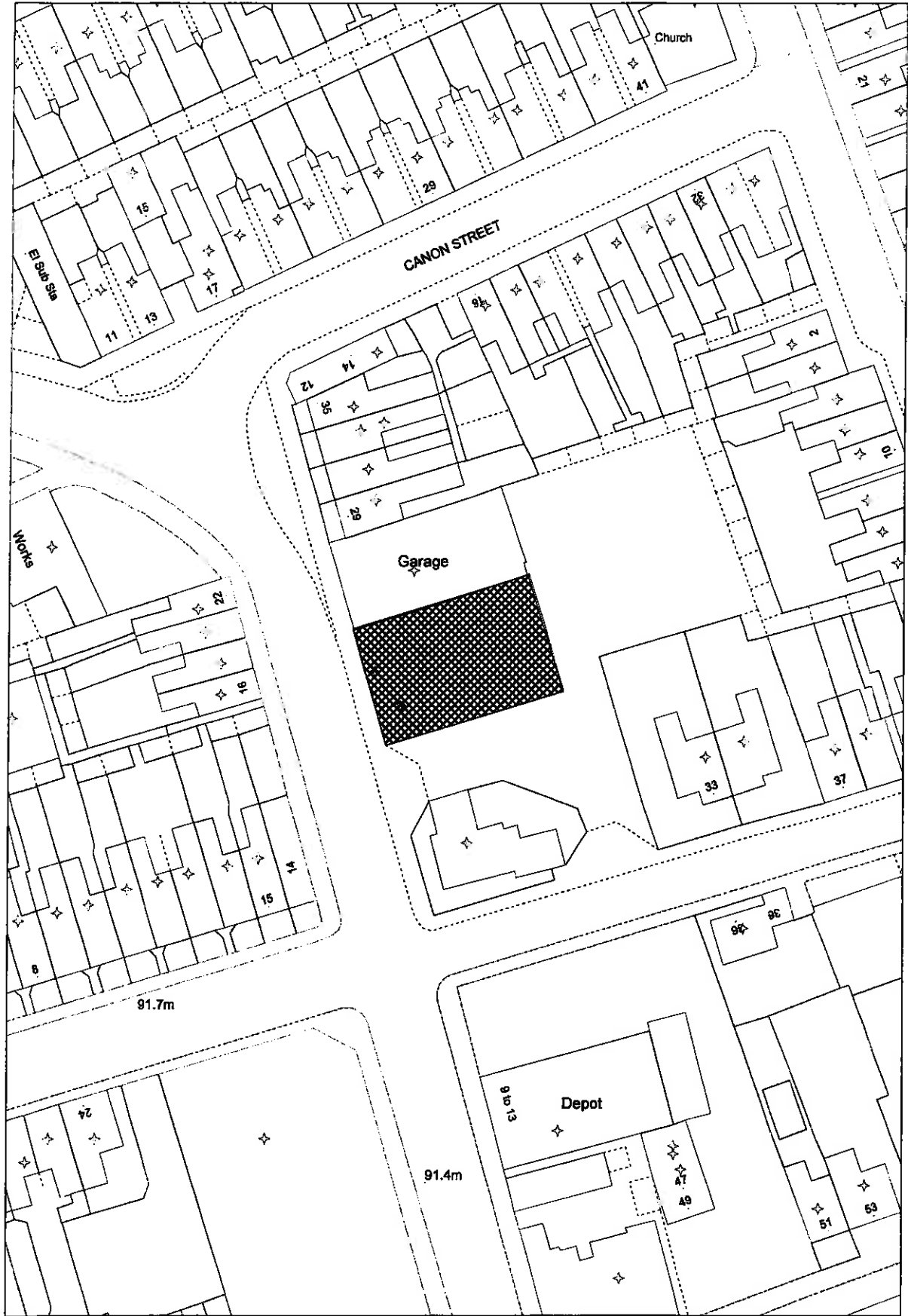
Name: Shirley Plenderleith

Position: Head of Environmental Health

For and on behalf of the Licensing Authority

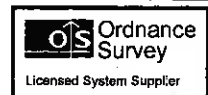
This premises licence has been issued by Kettering Borough Council,
Council Offices, Bowling Green Road, Kettering, NN15 7QX.
Tel 01536 410333 Fax 01536 315118
www.kettering.gov.uk

Challenge Arms, Eskdail Street



Kettering
Borough Council

Kettering Borough Council
Municipal Offices, Bowling Green Road
Kettering, Northamptonshire, NN15 7QX
Tel: 01536 410333 Fax: 01563 532424



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From PC 1048 Kevin Murphy ABII
Licensing Officer

Unit C
Diamonds Business Centre
Attley Way
Irthlingborough
NN9 5GF
Switchboard 101
Extension 5706

E-mail kev.murphy@northants.police.uk

12 September 2012

Russ Howell
Health Protection Manager
Kettering Borough Council
Bowling Green Road
Kettering
NN15 7QX

Notice of objection to the variation of Premises Licence K/11/24565 under Section 17 (5) of the Licensing Act 2003

I am currently in receipt of an application to vary the Premises Licence for the Challenge Arms, Eskdail St, Kettering. The application would appear to be not significantly different to that submitted in June of this year and to which we submitted a formal representation. As such I would ask that you again accept our representation opposing the proposed changes which continue to give us cause for concern around the likely effect on several of the Licensing Objectives.

The premises are located on the edge of the town centre in an area that has, since the demise of Club Rehab on Montagu Street, been much 'quieter' in terms of policing. A late night 'destination' venue in this location would undoubtedly extend the boundary of late night crime and disorder which is currently confined to a more central area of the town.

The premises have been trading for some time as the Beez Neez, with a latest time for the sale of alcohol set at around midnight throughout the week. There have been no particular incidents or concerns and as such the licence has not attracted any additional or imposed conditions. As part of the application the only measures offered in respect of promoting the prevention of crime and disorder are, the provision of CCTV and membership of Pubwatch. Although Northants Police will argue against any increase in hours beyond midnight, if an increase is permitted we would wish to see stringent conditions imposed on the licence around the following areas:

The management of any CCTV system around the provision of images and access by police
The provision of Doorstaff
A refusals register / incident reporting book
The provision and use of polycarbonate drinking vessels
Staff training and training records
The removal of open drinks containers from the premises

The use of and control over outside areas

There is also some concern around the application for late off-sales combined with the intention to trade simultaneously as a late night refreshment establishment (takeaway). We feel that some clarity needs to be provided around the operation of the business as a whole in order that the relevant steps can be taken to promote the licensing objectives effectively.

Yours Sincerely,

**Kevin Murphy
PC 1048, Licensing Officer**

Cc Huseyin OZZENGIN

Lisa Vaughan

From: Lisa Vaughan
Sent: 03 October 2012 08:24
To:
Cc: licensingunit@east-northamptonshire.gov.uk; Russ Howell
Subject: RE: [SPAM] Fwd: In regards to the Challenge Arms formally named the Bee's Kneei 23 Eskdail Street Kettering

Dear

Thank you for your e-mail below. We have accepted your e-mail as an objection to the Challenge Arms application, however, for the purposes of ensuring it is a valid objection we require you to write in to confirm your name and address with signature before the consultation period ends on the 05 October 2012.

I look forward to hearing from you.

Kind regards

Lisa Vaughan
Licensing Admin Officer
Kettering Borough Council
Bowling Green Road
Kettering
Northamptonshire
NN15 7QX
Tel 01536 534291

From:
Sent: 02 October 2012 17:35
To: Licencing Enquiries
Subject: [SPAM] Fwd: In regards to the Challenge Arms formally named the Bee's Kneei 23 Eskdail Street Kettering
Importance: Low

Licensing Dept
Kettering borough council

Dear Sir or Madam

In regards to the Challenge Arms formally named the Bee's Knees 23 Eskdail Street

My Husband and I viewed the plans at the challenge arms. which i must add is only displayed in 1 small area in the front window of the pub which is near the road, no one is allowed to use this entrance to get into out out of the pub so no one or very little people have seen this we also did not receive any information about this application AND MY WIFE ASKED FOR A COPY OF APPLICATION IN THE WINDOW OF THE CHALLENGE ARMS BUT THE OWNER SAID I DON'T KNOW WHERE MY SPARE COPY'S ARE YOU CAN LOOK AT IT HERE i feel that The Challenge Arms have tried to do this application without the area around knowing much about this as the amount of appeals this application had last time. We would like to object to the proposal to vary the premises license to increase the licensing hours Sun Mon Tue Wed Thurs Until 1.30 AM this is crazy we live in a residential Area I also Believe that the Pubs in town are only open to midnight on these days so why would we need a pub open on the outskirts of the town centre this late as we live on the main street the noise would be increased tremendously.also being open til 3.30am Friday and Saturday nights Consisting of live bands and DJ being able to play I think this is ridiculous hours. I would also like to add we do live on the town but this is a residential area with signs that are up saying (Quiet residential area). I feel like there is enough pubs already in the town center that have opening hrs to the same time as these I am not prepared for my six year old daughter and my 3 year old son of which their bedrooms are on the front of the house to be kept awake by loud music every night and rowdy noise from their customers not leaving quietly this will affect

03/10/2012

all of us a lot but most of all this will affect my little kids as I can see their concentration in school and their school work being affected due to the lack of sleep my kids would get with the amount of noise that would be going on from the challenge arms as for the prevention of noise from the challenge arms will be controlled by the staff who will just add to the problem that will occur. This application for these premises should be looked at in the respect of the residents that live around this particular area and my Husband and I object to this application. As do many of the other residents what live around this area we strongly object to this and would like the council to take into account the distraction what we would have to put up with if this was to be approved. We have lived at this address since May 2006 and have never had a problem the pub until now. we choose our house near a back street pub not club/nightclub!

br> Thanking for your time br> br> Yours faithful br> br>



04/10/12

I would like to register my objection to the current licensing application changes for the Challenge arms Eskdail St Kettering.

The noise levels from the music played at the venue already cause disturbance to ourselves and other residents in the area and I believe that simply to keep windows and doors shut during the extended opening hours will do nothing to stop constant thud and drumming of music.

As in my previous letter of objection I still feel that it is inappropriate to have a pub open to 3am in a mainly residential area with many of the properties occupied by parents with young children.

In the current climate of binge drinking and anti social behaviour I would suggest that to extend the opening hours of the challenge arms will cause a decrease in the quality of life of local residents.

Also as previously stated the area around the challenge arms is already a bit tatty and the extra litter and debris caused by late night drinking will do nothing to improve this situation.

Regards

24 SEP 2012

20/09/2012

Dear Sir/Madam,

Regarding the proposition to vary the premises license of The Challenge Arms pub, 23 Eskdail Street, Kettering, NN16 8RA, we are writing to strongly oppose those changes.

The Challenge Arms (known until recently as The Bees Knees) is situated directly opposite our house at Eskdail Street. Our bedroom window faces onto The Challenge Arms and its car park, and we are extremely worried about the impact that longer opening hours, a live music license, and a takeaway service would have on our lives. We are currently expecting our first child and we intend to convert our bedroom into the child's nursery, but the prospect of the child's nursery window facing onto a pub that will be open until 1.30am or 3.30am is incredibly upsetting.

We will attempt to go through each proposed change that I am opposed to, and explain why we are opposed to them:

1) "Live Music/Making Music". We believe the impact on the surrounding residential streets of live music at The Challenge Arms would be huge, and a real public nuisance in terms of noise. The pub has a smoking canopy outside its entrance where smokers gather, and as a consequence the entrance double doors are always wide open. The effect of this is that any music being played is very loud and can be heard from inside our house, particularly the bass. If live music were permitted (especially until midnight), then this music would be even louder and make resident's lives uncomfortable.

2) "Recorded Music/Sale of Alcohol/Opening Hours". The noise and public nuisance that extended hours would cause in a predominantly residential area would have a massive impact on resident's lives. Opening until 1.30am at the beginning of the week, and 3.30am at the weekend, would make it incredibly difficult to sleep, with loud music and drunken customers departing almost throughout the night. Smokers standing underneath the canopy by the entrance would also cause noise, likely to become louder and louder as they become more drunk the later it gets. There are houses opposite and adjacent to the pub along Eskdail Street, as well as the dozens of houses that back onto the pub along Canon Street, Club Street, and Eden Street. We are close to the town centre but it is still a residential area, and having a pub that operates like a "town centre bar" would have such a negative impact on the surrounding area. Allowing the proposed changes would encourage drinkers from the town centre into this residential area, in effect broadening the nightlife area within Kettering. This would be unwelcome and unnecessary, as there are plenty of bars and pubs with longer opening hours a short distance away. The increased chance of drunken crime would also surely stretch the policing of the town centre at weekends, as the late night drinkers would increase instances of assault and general drunken behaviour, particularly unwelcome in an area where many young families live.

We hope that we have explained our opposition to the proposed licence changes for The Challenge Arms. We have lived here for seven years and have not had any complaints about The Bees Knees, but we believe a "town centre bar" style pub would not be suitable for a residential area with so many people living close by. We think that the pub's opening hours should not be extended at all as it would be a big public nuisance to all those residents.

Thanks for taking the time to read our concerns. Please keep us informed of any developments regarding the proposed changes.

Kind Regards,

From: [REDACTED]
Sent: 03 October 2012 12:41
To: Mark Shipley
Subject: RE: Variation to Premises License at The Challenge Arms

Dear Mr Shipley,

In response to your e-mail and the conditions described there-in, we are willing to comply with these and will action them as soon as possible.

With regards

Mr H Ozzengin
The Challenge Arms
23 Eskdall Street
Kettering
Northants
NN16 8RA

From: MarkShipley@kettering.gov.uk
To: [REDACTED]
Subject: FW: Variation to Premises License at The Challenge Arms
Date: Wed, 3 Oct 2012 10:24:52 +0000

Licensing Act 2003

Variation to Premises License - The Challenge Arms, 23 Eskdall Street, Kettering NN16 8RA

Dear Mr Ozzengin

Further to our telephone conversation of the 3rd October 2012, please see the below conditions that Environmental Protection require to be attached to the premises license in order to protect the amenity of surrounding residential areas against possible instances of public nuisance.

If you agree with the conditions being attached please reply by e mail as soon as possible.

1. Prior to any regulated entertainment taking place an electronic sound limiting device shall be installed in the premises to control the level of noise breakout. The details of the device to be installed shall be submitted to the Licensing Authority for approval.
Once approved the device shall be installed and set up by a competent person. It shall be set at a level agreed with the Licensing Authority. The sound level once set shall not be adjusted without prior approval of the Licensing Authority and no regulated entertainment shall take place on the premises unless the device is used to control the level of sound.
Upon completion of the installation a report shall be issued to the Licensing Authority certifying the agreed levels have been set and evidence of its tamper proof integrity. The device shall thereafter be maintained by a competent person every twelve months. The results of this maintenance shall include a test of its normal operation and certification of the tamper proof integrity shall be recorded and forwarded to the Licensing Authority.
In the event of a malfunction of the sound limiting device/s, an entry shall be made in the premises log book/incident book. This book shall contain details of the fault and the corrective action taken. These records shall be retained for a period of no less than 12 months from the date of the malfunction.
2. All external doors and windows shall be kept closed when any noise generating entertainment or function is being provided except in the event of an emergency, and for ingress and egress to the premises.

3. Notices shall be displayed at appropriate positions advising patrons to not open windows or doors except in an emergency.
4. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly and to refrain from the unnecessary revving of engines or sounding of horns.
5. After 23.00hrs the entrance that leads onto Club Street be closed for access and egress (unless in an emergency) and patrons to enter and exit via Eskdail Street entrance only.
6. The handling of beer kegs, bottles and other similar items external to the fabric of the building, in particular the emptying of glass bottles into refuse containers, recycling bins or return crates and the stacking of such crates shall only be permitted between the hours of 08:00 and 21:30 hours daily.

Regards

Mark Shipley
Environmental Protection Officer
Kettering Borough Council
Municipal Offices
Bowling Green Road
Kettering
Northants
NN15 7QX
Tel: 01536 534277
E Mail: markshipley@kettering.gov.uk

Website: www.kettering.gov.uk

Central Administration Unit
East Northamptonshire Council
East Northamptonshire House
Cedar Drive
Thrapston
KETTERING
Northamptonshire
NN14 4LZ

Telephone: 01536 534316
Fax: 01536 532424
Email: planning@kettering.gov.uk
Our Ref: ENQ/2012/0171
Your Ref:
Date: 01 October 2012
LICENCING

Dear Sir/Madam

Application under Licensing Act 2003

Premises	The Challenge Arms
Address	23 Eskdail Street, Kettering
Application	Variation to licence.
Details	To increase/amend hours for existing licensable activities: Live music, Making Music, Dancing: Mon-Wed 11:00-23:00 Thurs & Sun 11:00-02:00 Fri & Sat 11:00-02:00. Recorded Music: Sun-Thurs 09:00-01:00 Fri & Sat 09:00- 03:00. Sale of Alcohol: Sun-Thurs 11:00-01:00 Fri & Sat 11:00- 03:00. To add the following new licensable activities: Late night refreshment Mon-Wed 23:00-00 Thurs & Sun 23:00-01:00 Fri & Sat 23:00-03:00. Performance of Dance Sun-Thurs 09:00-01:00 Fri & Sat 09:00-03:00. Hours open to the public: Sun-Thurs 09:00-01:30 Fri & Sat 09:00-03:30

The premises benefits from planning permission KET/2004/0006, a number of conditions were imposed in this permission which sought to protect neighbouring amenity. It appears to the Council that the applicant has not sufficiently addressed the concerns raised by his previous licence application. I therefore wish to reiterate the OBJECTION on the grounds of preventing a public nuisance.

The licence seeks to extend the use of the premises to include providing a takeaway service. Condition 2 states:

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the ground floor of the premises shall only be used as a bar/restaurant as set out on the approved floor plan and application particulars and shall not be used for any other purposes within class A3 of the above Order, including as a takeaway.

Working with and on behalf of local people



REASON: *In the interests of residential amenity in accordance with policies 12 and 47 of the Local Plan for Kettering Borough.*

Condition 4 states:

No development shall take place on site until a scheme has been submitted and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. The measures as approved shall be implemented in full prior to the use of the site commencing.

REASON: *To prevent annoyance and disturbance to nearby residents in particular sleep disturbance from noise emissions from the premises in accordance with policies 12 and 47 of the Local Plan for Kettering Borough.*

Condition 4 was discharged on the 8th April 2009 subject to the work being carried out on site in accordance with the details provided within the noise assessment and the following measures being implemented and maintained for the duration of the approved use of the premises:

The operation of the kitchen extractor fan must either cease at or before 23:00hrs daily, or the higher speeds beyond that at which the fan is normally operated, and on which the assessment is based, must be permanently disabled on the variable speed controller.

The proposed takeaway use will result in a **breach of planning control**. The applicant would therefore need to apply to vary conditions 2 and 4 of planning permission KET/2004/0006

The licence application seeks to extend the opening hours.

Condition 7 states:

The premises shall not be open to members of the public except between the hours of 11:00am to 11:00pm Sunday to Thursday and 11:00am to 11:30pm Friday to Saturday.

REASON: *In the interests of the amenity of nearby residents in accordance with policy 47 of the Local Plan for Kettering Borough.*

Opening the premises to the public outside of the permitted hours will result in a **breach of planning control**. The applicant would therefore need to apply to vary condition 7 of planning permission KET/2004/0006 if they wished to open the premises to members of the public during the hours proposed in the licence application.

To avoid the possibility of enforcement action being taken, application for all the above conditions would need to be made prior to the use commencing. The impact of any development in terms of noise on neighbouring residential properties will be a material consideration in determining the application.

The licence application also refers to the provision of a dance floor area and performances of live music etc. In the event that the premises licence application is approved, it is strongly recommended that the applicant discuss this with the Local Planning Authority, in order to establish whether a change of use application needs to be made prior to the use commencing.

If you require any further information, please do not hesitate to email planning@kettering.gov.uk

Yours faithfully

Julie Randle
Development Services