



Corby

THE MNU
COMMENDED

Borough Council

12 OCT 2012

Application for a premises licence to be granted
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.

I/we POTBELLY BREWERY LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance survey map reference or description
POTBELLY BREWERY
25-31 DURBAN ROAD

Post town	<u>KETTERING</u>	Post code	<u>NN16 0JA</u>
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Telephone number at premises (if any)	<u>01536 410818</u>
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Non-domestic rateable value of premises	<u>£ 17,500</u>
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Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes.

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	POTBELLY BREWERY LTD.
Address	25-31 DURBAN ROAD KETTERING NORTHANTS NN16 9SA
Registered number (where applicable)	Company No 5158362
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	01536 410818
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year
ASAP

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

Please give a general description of the premises (please read guidance note 1)
TWO STOREY BRICK BUILT BUILDING WITH LIMITED ACCESS TO THE GENERAL PUBLIC ON THE GROUND FLOOR ONLY.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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)

Supply of alcohol (if ticking yes, fill in box M)

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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 4 – Signatures (please read guidance note 10)

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

Signature	
Date	10/10/2012
Capacity	DIRECTOR

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

IAN JAMES LOASBY
POTBELLY BREWERY LTD
25-31 DURBAN ROAD

Post town	KETTERING	Post code	NN16 0SH
Telephone number (if any)	01536 410818		

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 5)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	9.00	0.00	Please give further details here (please read guidance note 3) NO PLAYS ARE ANTICIPATED AT PRESENT BUT MAY BE REQUIRED IN THE FUTURE		
Tue	9.00	0.00			
Wed	9.00	0.00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	9.00	0.00			
Fri	9.00	0.00	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) BANK HOLIDAYS 1.00 FINISH		
Sat	9.00	0.00			
Sun	9.00	0.00			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	9.00	0.00	Please give further details here (please read guidance note 3) NO FILMS ARE ANTICIPATED AT PRESENT BUT MAY BE REQUIRED IN THE FUTURE		
Tue	9.00	0.00			
Wed	9.00	0.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	9.00	0.00			
Fri	9.00	0.00	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)		
Sat	9.00	0.00			
Sun	9.00	0.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6):			Please give further details (please read guidance note 3) PROVISION FOR DARTS, TABLE FOOTBALL, AND ASSOCIATED GAMES OF ENTERTAINMENT
Day	Start	Finish	
Mon	9.00	0.00	
Tue	9.00	0.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	9.00	0.00	
Thur	9.00	0.00	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 (please read guidance note 5)
Fri	9.00	0.00	
Sat	9.00	0.00	
Sun	9.00	0.00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place Indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3) NOT REQUESTED	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	0.00	Please give further details here (please read guidance note 3) WITH OR WITHOUT AMPLIFICATION	Both	<input type="checkbox"/>
Tue	9.00	0.00			
Wed	9.00	0.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	9.00	0.00			
Fri	9.00	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) BANK HOLIDAY MONDAYS, CHRISTMAS EVE AND NEW YEARS EVE 1.00 FINISH.		
Sat	9.00	0.00			
Sun	9.00	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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	9.00	0.00	<u>Please give further details here</u> (please read guidance note 3) PRIMARILY INDOORS, WITH THE PROVISION FOR OUTDOOR DANCING & DISPLAYS IE MORRIS DANCING, AND BACKGROUNDS AT BBQ		
Tue	9.00	0.00			
Wed	9.00	0.00			
Thur	9.00	0.00			
Fri	9.00	0.00			
Sat	9.00	0.00			
Sun	9.00	0.00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
			<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) BANK HOLIDAY MONDAYS, CHRISTMAS EVE AND NEW YEARS EVE 1.00 FINISH.		

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 type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	9.00	0.00	Please give further details here (please read guidance note 3) PREDOMINANTLY INDOORS, BUT POSSIBILITY OF OUTDOORS FOR MORRIS/IRISH DANCING	Both	<input checked="" type="checkbox"/>
Tue	9.00	0.00			
Wed	9.00	0.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	9.00	0.00			
Fri	9.00	0.00	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) BANK HOLIDAY HOLIDAYS, CHRISTMAS EVE AND NEW YEARS EVE 1.00 FINISH		
Sat	9.00	0.00			
Sun	9.00	0.00			

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> CHILDRENS PLAYS, WHICH MAY INCLUDE TALENT SHOW TYPE.</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	9.00	0.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	9.00	0.00	<p><u>Please give further details here (please read guidance note 3)</u></p>		
Wed	9.00	0.00			
Thur	9.00	0.00	<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	9.00	0.00			
Sat	9.00	0.00	<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	9.00	0.00			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing POSSIBLE USE OF SELF CONTAINED PA SYSTEM FOR KARAOKE, OR TALENT SHOW		
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)		Indoors
			Outdoors	<input type="checkbox"/>	
			Both	<input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	9.00	0.00			
Tue	9.00	0.00			
Wed	9.00	0.00			
Thur	9.00	0.00			
Fri	9.00	0.00			
Sat	9.00	0.00			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			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 (please read guidance note 5)		
Sun	9.00	0.00			

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"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing GENERAL DANCING TO MUSIC AS PLAYED OR PERFORMED	
Mon	9.00	0.00	Please give further details here (please read guidance note 3)	
Tue	9.00	0.00		
Wed	9.00	0.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	9.00	0.00		
Fri	9.00	0.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	9.00	0.00		
Sun	9.00	0.00		

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)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			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)		
Fri					
Sat			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)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	9.00	0.00	Please give further details here (please read guidance note 3) HOT DRINKS AND FOOD BROUGHT INTO THE VENUE		
Tue	9.00	0.00			
Wed	9.00	0.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	9.00	0.00			
Fri	9.00	0.00	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 (please read guidance note 5) BANK HOLIDAY MONDAYS; CHRISTMAS EVE AND NEW YEARS EVE 1.00 FINISH.		
Sat	9.00	0.00			
Sun	9.00	0.00			

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	8.00	0.00			
Tue	8.00	0.00			
Wed	8.00	0.00			
Thur	8.00	0.00			
Fri	8.00	0.00			
Sat	8.00	0.00			
Sun	8.00	0.00	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) BANK HOLIDAY MONDAYS, CHRISTMAS EVE AND NEW YEARS EVE 1.00 FINISH.		

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

Name		IAN JAMES LOASBY	
Address			
Postcode			
Contact Telephone Numbers		(daytime)	
		(evening)	
		(mobile)	
Personal Licence number (if known)		APPLIETS FOR	
Issuing licensing authority (if known)		KESTERING BOROUGH COUNCIL	

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)

NONE

O

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	8.00	1.00	<p>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)</p> <p>BANK HOLIDAYS, CHRISTMAS EVE, NEW YEARS EVE 2.00</p>
Tue	8.00	1.00	
Wed	8.00	1.00	
Thur	8.00	1.00	
Fri	8.00	1.00	
Sat	8.00	1.00	
Sun	8.00	1.00	

P Describe the steps you intend to take to promote the four licensing objectives:

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

POTBELLY BREWERY LTD. INTENDS TO SUPPLY ALCOHOL IN SEALED CONTAINERS TO THE LICENSED TRADE AND PUBLIC, AND TO RUN OCCASIONAL FUNCTIONS WITH INVITED GUESTS, BUT DOES NOT INTEND TO OPEN TO THE GENERAL PUBLIC.

b) The prevention of crime and disorder

ALL EVENTS WILL BE ORGANISED / SANCTIONED BY THE MANAGEMENT OF POTBELLY BREWERY WHO WILL BE IN ATTENDANCE, AND ARE AWARE OF THE LICENSING OBJECTIVES

c) Public safety

THE CARPARK, ENTRANCE, AND EMERGENCY EXITS ARE WELL ILLUMINATED, AND ALL EVENTS ARE ATTENDED BY MANAGEMENT, AND INVITED GUESTS ONLY.

d) The prevention of public nuisance

THE PREMISES IS PRIMARILY TO BE USED AS A RETAIL OUTLET, WITH INFREQUENT PRIVATE FUNCTIONS ATTENDED BY STAFF, AND INVITED GUESTS. THE PREMISES ALSO HAS ITS OWN PRIVATE CAR PARK.

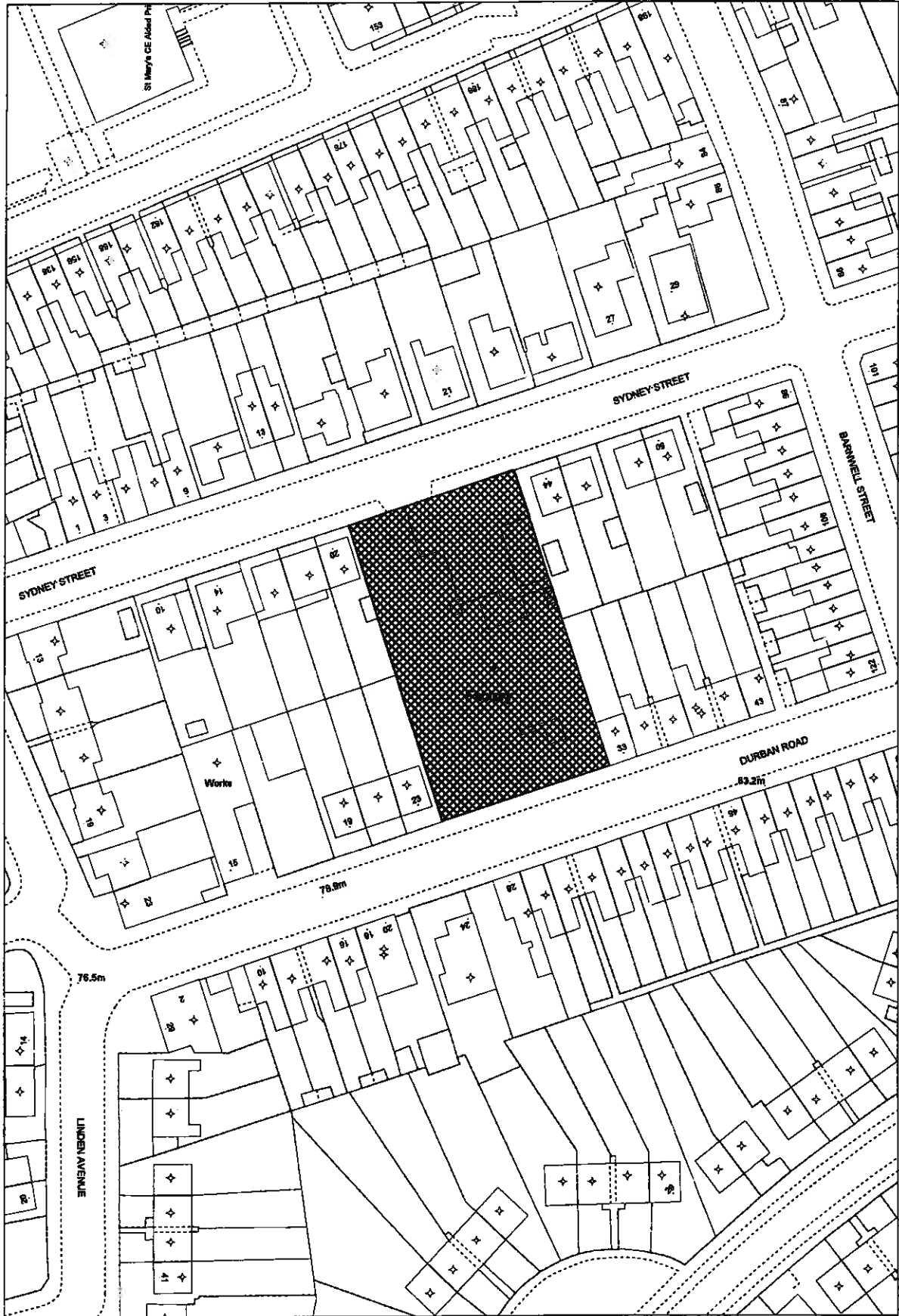
e) The protection of children from harm

ALL CHILDREN MUST BE ACCOMPANIED WITH AN ADULT OVER 18 YEARS OF AGE AT ALL TIMES. ALL FUNCTIONS WILL BE ORGANISED IN ADVANCE, AND STAFF WILL BE MADE AWARE OF THE NUMBER OF CHILDREN, AND AGES IN ATTENDANCE

Pot Belly Brewery, Durban Rd, Kettering

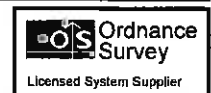
Licensing Committee 04.12.12

Appendix B



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: keli [mailto:.....]
Sent: 06 November 2012 08:00
To: Russ Howell
Subject: Licence application Potbelly Brewery, Kettering

Colleagues,

I would like to comment on the application made by Potbelly Brewery, Durban St., Kettering. My comments are made following both a meeting with 2 of the Directors of Potbelly, and then a meeting with the same directors and approximately 25 residents held Monday November 5, 2012.

Neither I nor the residents are entirely against the application for Potbelly to have a Function Room. Indeed many residents, and myself, except that business is important in the ward, and any business person would obviously look to ways of making the most of their business, particularly in tough economic times. It is this understanding that worries residents; as a group they can see an application submitted with maximum hours applied for, 7 days each week. The residents fear, therefore, the "occasional use", as described by Mr. Hooper, will turn into frequent use, and possibly constant use as he works hard to expand his business.

Although this is the primary concern, there are other concerns, some of which are briefly summarised as:

1. Noise- the building is brick with a partial glass roof and a huge boarded floor with a deep void underneath it. The Directors said they have no plans to make attempts to soundproof the room, and when used at the moment it is very noisy especially for the neighbours on either end of the building.
2. The application is until midnight and on some holidays, beyond midnight. This isn't appropriate in this densely populated residential street.
3. The smoking area is in the forecourt only metres from local houses. On a nice evening there would be nothing stopping the party coming outside increasing the noise and disturbance.
4. There is a fear that there will be increased traffic in the area adding to noise and disturbance and also putting pressure on parking. The Directors, however, rightly said they do not encourage driving to any event they hold, and would continue to do so.

I would like to see the following considered as conditions:

1. The residents are concerned that granting a licence for a 7 day function room might result in 7 days of functions per week. Would it be possible to limit the number of events per week, per month or per year?
2. The events should finish at 10:30pm. Even this earlier finish is late for children, the elderly, and people who must work early the following day.
3. Improvements should be made to the smoking area so that the noise is as contained as possible through fencing and a roof.
4. Could it be conditioned that drinks can't be taken outside by smokers so that there is no loitering about outside?

06/11/2012

5. In fact could it be conditioned so that no drinking can take place outside at all after say, 7pm?

6. I would like to see the request to supply refreshments after midnight on special days, refused completely.

In short, I am not against the spirit of this application. Activities contained to the brewing industry, such as brewery tours, are a real enhancement to the business. I do feel, however, and have been further convinced by the 2 meetings I have attended, that this application asks too much in this particular part of my ward. I respectfully ask that the Committee carefully consider the extent of this application, and bear in mind the strong feelings of those living so close to the venue.

Thank you for you time.

Keli Watts

I'm proud to represent William Knibb Ward as Borough Councillor
07583 693 262

I'm cycling 350 Miles across Cuba to raise money for charity!

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/2012/0199
Your Ref:
Date: 05 November 2012
LICENCING

Dear Sir/Madam

Application under Licensing Act 2003

Premises	Potbelly Brewery
Address	25-31 Durban Road, Kettering
Application	New Premises Licence.
Details	Plays; Films; Indoor sporting events; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music and performance of dance: Monday to Sunday 09:00-00:00. Late night refreshment: Monday to Sunday 23:00-00:00. Sale of alcohol: 08:00-00:00. Hours open to the public: Monday to Sunday 08:00-01:00

Kettering Borough Council Planning department wishes to object to the above application on public nuisance grounds. The premises benefits from planning permission KET/04/0673.

Condition 4 states:

The buildings hereby granted shall be used as a "mini brewery" and storage area only and for no other purpose within Class B2 (General Industry) of the Schedule to the Town and Country Planning (Use Classes) Order 1987.

REASON: To retain control of the use of the premises in the interests of the reasonable amenity of nearby residential occupiers.

Condition 10 states:

No retailing of brewery products shall take place anywhere within the application site.

REASON: To control the number of vehicles visiting the site in the interests of highway safety and the reasonable amenity of nearby residential occupiers.

The licence application seeks to change the use of the premises and also proposes the sale of alcohol; these changes will result in a breach of planning control. The applicant would therefore need to apply to vary conditions 4 and 10 of planning permission KE/04/0673 if they wished to open the premises to members of the public during the

Working with and on behalf of local people



hours proposed in the licence application. This application would need 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

From: toni [mailto:toni@potbelly-brewery.co.uk]
Sent: 19 October 2012 14:52
To: Mark Shipley
Subject: RE: Application for a premises license

Re:

Application for a New Premises License - Potbelly Brewery Ltd, 25-31 Durban Road, Kettering NN16 0JA

Dear Mr Shipley

Further to our meeting earlier, I confirm that I agree to the conditions outlined in your email that are to be attached to our Premises License.

Regards, Toni Hooper

Potbelly Brewery
25-31 Durban Road
KETTERING
NN16 0JA

<http://www.potbelly-brewery.co.uk/>

TEL. 01536 410818 MOB. 07834867825 FAX. 0870 7065804

From: Mark Shipley
Sent: Thu 18/10/2012 14:23
To: 'toni@potbelly-brewery.co.uk'
Subject: Application for a premises license

Licensing Act 2003

Application for a New Premises License - Potbelly Brewery Ltd, 25-31 Durban Road, Kettering NN16 0JA

Dear Mr Hooper

Further to my visit of the 16th October 2012, and discussion concerning your application for a premises license at the above premises, please see the below conditions that Environmental Protection seek your agreement for, to be attached to the premises license. This 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 by the 22nd October 2012.

1. No music (amplified or unamplified) shall be played or a PA system used in any outside area of the premises after 21.00hrs.

- 2 All external doors and windows shall be kept closed when any regulated 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.

If you have any concerns or further questions concerning the conditions please contact me to discuss.

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

Kettering Borough Council

Environmental Health

Internal Memorandum

To: Mr R. Howell
Copy to: Licensing Unit
East Northants Council
Your ref:
Date: 19th October 2012

From: Mr Mark Shipley
Environmental
Protection Officer
Our ref: 92022
Tel: (01536) 534277

LICENSING ACT 2003
Potbelly Brewery Ltd, 25-31 Durban Road, Kettering NN16 0JA

Thank you for consulting me on this application for a new Premises Licence.

The premises are located within a residential area and therefore there is considered a need to protect the amenity of the surrounding residential premises against possible instances of public nuisance.

I therefore recommended the following conditions be added to the variation of the premises license, to which the applicant has agreed (see attached e mail response)

1. No music (amplified or unamplified) shall be played or a PA system used in any outside area of the premises after 21.00hrs.
2. All external doors and windows shall be kept closed when any regulated 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

Should you wish to discuss this further, please contact me.

Regards

M Shipley

Mr Mark Shipley
Environmental Protection Officer

✓
conditions
added

22/10/2012

RG

Sydney Street
WATERLOO

NORTHAMPTON

NN16 0HY

2nd November 2012

2107 NOV 50

The Licensing Department.

We strongly object to the application put forward for a licence at the Potbelly Brewery 25-31 Darton Road

WATERLOO

Northampton NN16 0JA

The entrance of which is opposite our house on Sydney Street.

On the grounds that the late night noise, anti social ~~behaviour~~ ^{behaviours} associated with late night drinking, the parking problems, the coming and going of people, cars, taxis etc.

This is on the whole a quiet friendly street one of a few in this area and will be spoilt if the

P.T.O

for Belly Brewery get its licence.

We as residents also have a concern as our house is up for sale we had wanted to leave our large house to move to a smaller one as all our children have left home. But what chance will we have of selling it if the Brewery gets its licence. We have already marketed it at a very reasonable price and cannot afford to drop the price any more. Will Kettering Borough Council back the residents of the street if we all ask for a rateable band reduction if the Brewery gets its licence?

05 NOV 2012

2/11/12

Dear Sir / Madame

I am writing to you about the licence application by the Potbelly pig brewery 25-31 Durban Road Kettering.

I live directly across from the brewery and whilst I have no objections to its current state, I am very concerned to hear that they may be granted a licence to play live music until after midnight.

Having lived in a quiet street for over 30 years I feel this licence will lead to an increase in vandalism, noise disturbance, litter and anti social behaviour to name but a few.

I would therefore like to advise that I am against this application

Regards.

Kettering
Northants
NN16 8HY

07 NOV 2012

The licencing Department
Kettering Borough Council
Bowling Green road
KETTERING
NN15 7QX
licensing@kettering.gov.uk

Sydney Street
Kettering
NN16 0HY

RE: Licence Application: Pot Belly Brewery

Dear Sirs / Madam

I am writing with regard to the application for a 'Premises Licence' at Pot Belly Brewery, I would like to ensure that my objection is taken very seriously to this application for the following reasons:

1 I am a single mother of a young child; I live 2 houses away from the main entrance/exit to the brewery. This would mean I would be dealing with all manner of anti-social behaviour associated with alcohol at all times of the night. I would not feel safe to venture out of my own house with my young child with drunken men around 7 days a week, morning till night.

2 The noise pollution will seriously affect the quality of my life. Other 'events' have been held at the Brewery, and have impacted greatly on the peace at my home. This on a regular basis would be unacceptable. I have a child that needs restful sleep, (as do I) entertainments and music playing will disturb and disrupt our lives to the detriment.

3 The devaluation of my property, let's face it who wants to live next to a 'Pub'? The property market is already 'challenging' Sydney Street would no longer be the quiet family residential area, and therefore I would lose a substantial amount of value from my property. This is unacceptable, as I would feel no option than to move should this application is granted. I will be seeking substantial compensation from the council on this subject.

4 I notice that the application has been made to Durban Road, I also object to this. As it is Sydney Street that is the main exit and entrance and would be the most/worst affected.

5 Parking would also be a massive issue. As most of the residents along Sydney Street have no private drive ways, the parking would become an issue.

6 There are numerous other questions with regards to the health and safety of the brewery itself. Fire safety, amenities, the waste disposal???

7 The littering and anti-social behaviour i.e., property vandalism and violation (urinating in the doorways). Yes this does happen, would you like it on your door step!

I am hoping that good sense will win out and the council will consider the lives that will be blighted on a daily basis by this application.

Yours Sincerely 

✓

05 NOV 2012

Sydney Street.
Kettering
NN16-0HY.

3/11/2012

Dear Sir or Madame

I object to the application
for Potbelly Brewery.

As I'm O.H.P age 82.

I live right opposite the
Brewery.

I'm a little concern about
loud music, and what
might happen after they
come out

Yours sincerely

Russ Howell,
Env. Health

Licensing Committee 04.12.12

~~11/11/12~~

13 NOV 2012

Durban Road

Kettering

Northants

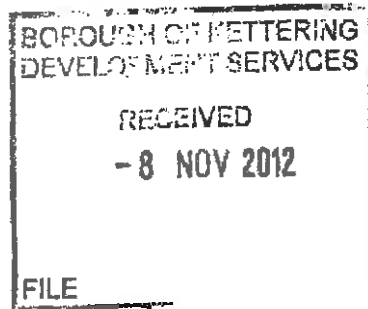
NN16 0JA

Reference: Potbelly Brewery,
25-31 Durban Rd,

Kettering,

NN16 0JA

Date: 7/11/12.



To whomever it may concern,

With reference to the above

application for a premises license at the above address, I have a number of concerns which I feel should be taken into consideration.

The license states that the brewery can serve alcohol and play music/have live bands etc from 8am - 12am Monday - Sunday. I feel this is excessive and should come with some limitations, i.e. music to be stopped at 10pm Sunday - Thursday with the Friday and Saturday being a later time of 12pm. If they are to be given any form of license to play music, I think it would be advisable to install a sound db restrictor used in many pubs and clubs in residential areas.

Whilst we are not opposed to the application, we do feel that as our property adjoins the applicants address noise levels would be heard through our property.

I have lived next to the brewery for a number of years, and

have had no issues/problems previously, with the ~~Appendix~~ ^{Appendix} ~~being~~
having a very good track record up to date

I hope our concerns are taken into consideration, when this application is taken into your review panel.

I look forward to hearing from you in the future, regarding this matter.

My email address is: mat@thomdathomes.co.uk

Many thanks

—)

07 NOV 2012

**Sydney Street
Kettering
Northants
NN16 0HY**

Date 5th November 2012

Dear Sir/ Madam

**(Re: Objection to application to premises Licence for Potbelly Brewery,
25-31 Durban road, Kettering, Northants. NN16 0JA).**

Myself and my wife have this evening attended a meeting at the Potbelly Brewery registered in Durban Road, Kettering on their application for a Premises Licence. The meeting was called by the owner of the establishment to put forward his proposals for the running of the business to the local residence of the area. We feel the licence that he has applied for is too much for the nature of the business. So we wish to object to this application. He should have applied for an On/Off Licence for the sale of his products during his business hours and Licensed hours : Friday's, Saturday's and Sunday's for his proposed functions. Also we feel the Licensing hours along with also the Refreshment hours he has applied for is too long for a residential area, with regards to our local residence being of an older age and some with medical conditions. Also in the vicinity of the premises we have parents of young children of school age. We also have in the same street two registered child minders

running their businesses, one of which is directly next door to the Brewery. The owner has also intentions of putting on functions which will involve Entertainment with live bands and recorded music. On questioning the owner, he say's there is no form of soundproofing in any part of the building. from previous experience of previous functions the noise levels are extreme. The external part of the building (The yard) is where all visitors to the Brewery congregate when entering /exiting, this is where people smoke and drink their alcohol. There is no lighting to the yard in the evening, also the noise levels of people that have congregated outside can become very loud. Also when people leaving the premises late at night can be very roudeous. Waiting for cabs, lifts ,etc. This will only become worse in the summer months.

Yours Sincerely

Sig

. Date: 05.11.12

S.

..... Date: 5.11.2012

From: [redacted]
Sent: 08 November 2012 15:43
To: Licencing Enquiries
Subject: Re: FW: brewery licence application - Durban Road

Thank you Mr Howell, I shall send the objections to you in writing today. Unfortunately there will only be my signature as my husband is working away, I hope this won't be a problem

On 8 November 2012 11:57, Licencing Enquiries <LicencingEnquiries@kettering.gov.uk> wrote:

Dear

I write further to your e-mail of which I confirm receipt. For the purposes of ensuring it is a valid objection we require you to write in to confirm your name and address with a signature. Please forward this to the address below.

I look forward to hearing from you.

Licensing Enquiries
Kettering Borough Council
Bowling Green Road
Kettering
Northamptonshire
NN15 7QX

Tel 01536 534291

www.kettering.gov.uk

From: [redacted]
Sent: 07 November 2012 16:44
To: Russ Howell
Cc: Cllr Keli Watts

08/11/2012

Subject: brewery licence application - Durban Road

Dear Mr Howell

I am writing to put forward the concerns/objections that my husband and I have regarding the application for a full licence for the brewery located on Durban Road, Kettering. They are :-

1. Excessive noise through the day and late on into the evening. This is a residential area with several public houses in the near vicinity. There are child minders here, and on a personal level, my husband has to be up for work at five o'clock, and obviously the proposed licence would not be conducive to a restful sleep, especially if after event refreshments were permitted
2. Parking is an issue already in the street
3. Potential littering and bad behaviour from those who have been drinking will also be an issue
4. If drinks are allowed outside, and smoking not permitted on the premises it will lead to people loitering outside and causing a nuisance
5. Our own properties would de-value in price

As a result we are both opposed to the licence being granted as per its current application, and we would be grateful for any feedback that you could give us regarding this matter

Yours sincerely

XXXXXXXXXX

Melissa Haughton

From: Lisa Vaughan
Sent: 08 November 2012 08:22
To: Melissa Haughton
Subject: FW: brewery licence application - Durban Road

Hello Melissa

Can you process this please.

Many thanks

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

From: Russ Howell
Sent: 07 November 2012 17:36
To: Lisa Vaughan
Subject: FW: brewery licence application - Durban Road

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

From:
Sent: 07 November 2012 16:44
To: Russ Howell
Cc: Cllr Keli Watts
Subject: brewery licence application - Durban Road

Dear Mr Howell

I am writing to put forward the concerns/objections that my husband and I have regarding the application for a full licence for the brewery located on Durban Road, Kettering. They are :-

08/11/2012

1. Excessive noise through the day and late on into the evening. This is a residential area with several public houses in the near vicinity. There are child minders here, and on a personal level, my husband has to be up for work at five o'clock, and obviously the proposed licence would not be conducive to a restful sleep, especially if after event refreshments were permitted
2. Parking is an issue already in the street
3. Potential littering and bad behaviour from those who have been drinking will also be an issue
4. If drinks are allowed outside, and smoking not permitted on the premises it will lead to people loitering outside and causing a nuisance
5. Our own properties would de-value in price

As a result we are both opposed to the licence being granted as per its current application, and we would be grateful for any feedback that you could give us regarding this matter

Yours sincerely

KETTERING

NN16 044.

7.11.12

D.9 NOV 2012

LICENSING ENQUIRIES
KETTERING BOROUGH COUNCIL
BOWLING GREEN ROAD
KETTERING
NORTHANTS
NN15 7QX

Dear Mr Howell,

As requested by email I have put our concerns/objections that my husband and I have regarding the application for a full licence for the brewery located on Durban Road, Kettering, in writing. They are:-

1) Excessive noise through the day and late on into the evening. This is a residential area with several public houses in the near vicinity.

There are child minders here, and on a personal level, my husband has to be up for work at five o'clock in the morning and obviously the proposed licence would not be conducive to a restful sleep, especially if after-event refreshments were permitted

2) Parking is already an issue in Sydney St

3) Potential littering and bad behaviour from those who have been drinking will also be an issue

D.T.O

4. If drinks were allowed outside, and smoking not permitted on the premises, it will lead to people loitering outside and causing a nuisance

5. OUR OWN PROPERTIES WOULD DE-VALUE IN PRICE.

As a result we are both opposed to the licence being granted as per its current application. We would be grateful for any feedback that you could give us regarding the application.

Yours Sincerely,

ET

16

Melissa Haughton

From: Melissa Haughton
Sent: 07 November 2012 08:28
To:
Subject: RE: letter re licensing application

Dear

I write further to your e-mail and attachment of which I confirm receipt. For the purposes of ensuring it is a valid objection we require you to write in to confirm your name and address with a signature. Please forward this to the address below.

I look forward to hearing from you.

Licensing Enquiries
Kettering Borough Council
Bowling Green Road
Kettering
Northamptonshire
NN15 7QX
Tel 01536 534291

www.kettering.gov.uk

From: C
Sent: 07 November 2012 06:48
To: Licencing Enquiries
Subject: letter re licensing application

Dear Sir

Please find attached a letter re a licensing application from the Potbelly Brewery in Durban Road, Kettering

I will also be hand delivering a printed version of this letter within the next hour.

Thank you for your help.

Yours faithfully

Kettering
Northamptonshire
NN16 0JF

6th November 2012

The Licensing Department
Kettering Borough Council
Bowling Green Road
Kettering
NN15 7QX

Dear Sir

I am writing in respect of the application by the Potbelly Brewery Ltd (25-31 Durban Road) to apply for a Premises Licence under section 17 of the Licensing Act 2003. The address of the applicant is 25-31 Durban Road but I am led to believe that the access to the premises is predominantly from Sydney Street.

My main concern in respect of this application is the effect of increased traffic and parking within the local area. There is very little off road parking in the immediate vicinity of the premises and I feel granting a licence would exacerbate the increasingly difficult problem of parking for local residents.

My own premises has access from Sydney Street and with some street lighting having been removed I have a real concern about the safety of individuals as well as vehicles that a premises licence would bring – again due to a potential increase in traffic volumes.

Additionally, extending the hours and entertainment options to those proposed, leaves me to question the potential levels of noise that will accrue later at night – again impacting the lives of local residents. With smoking being illegal indoors it is inevitable that, on occasions, some people will stand outside – potentially creating further noise disruption within a residential area.

As a person who has extensive experience of attending live music events I really do feel that the compact area of these premises has the potential to negatively impact on local residents not only in Sydney Street but also Linden Avenue and Durban Road for the reasons stated.

The meeting, arranged with local residents, was at a time when, a significant number of interested individuals were unable to attend due to being at work. I, therefore, would like to formally state my objection to the proposed change of these premises until more facts and information are readily forthcoming.

Yours faithfully

To whom it may concern

05 Nov 2012

This letter is written in the form of a unanimous representation of the objections of the residents of Sydney Street to the proposed application by Potbelly Brewery for a licence to present various public activities within their premises.

Our initial objections to an application of a licence to brew ale in our street was casually overruled as though it was the norm. Since that decision was made matters have become rather a little more than the inconvenience of the ramifications and production of an ale making establishment.

Periodically, to the annoyance of the local and immediate residents other additional and unsocially timed 'activities' have been taking place; late night bus loads of revelers who inconvenience the peace and tranquility, that is expected of a community like ours. To add to that, the proposed application will inevitably make matters worse by the mere fact that what is suggested as an acceptable proposition can and will only add to the already exasperated state of mind of the immediate residents.

This kind of establishment surely does not constitute to the wellbeing of local residents not does it take into consideration their rights as tax-(local or national) paying customers is - absolutely paramount. The local authority's initial decision to permit the application for a brewery

only seems to have intensified the applicant to 'rub salt into our wounds' so to say, and go one step further with this kind of application.

Once upon a time one could say 'An Englishman's home was his castle'; not today it appears.

We, as a community, hope that you can view our objections with rational fairness when making your decision on such an important matter.

Yours Sincerely

On behalf of the residents of Sydney Street.

Sydney Street
Kettering,
Northants
NN16 0Y.

Sydney Str
Kettering
NN16 8HY

2012 NOV 9 11

Re: Notice of Application for a Premises Licence

Dear Sir / madam, In response to this application by Pot Belly Brewery, Kettering (Durban Rd / Sydney Str). I have deep concerns for the Brewery to be turned into a fully licenced premises. I have lived in Sydney Str for the last 11 years and find the street a reasonably quiet and friendly place to live. My only upset is when the Brewery have parties, causing a large amount of noise and people drunk in the street shouting & swearing etc. On these occasions it has caused me a lot of stress & worry being a single woman, quite frightening when men are drunk sitting on my garden wall and actually falling into my garden. I have tried to wave them off only to be met by a barrage of abuse. This may become a regular occurrence if the brewery obtain the licence.

Another worry is that this would become an undisturbable street to live in and the value of my property would de-value - who wants to choose to live so close to licenced premises that is selling alcohol all day & night! We already have two licenced premises within close enough proximity, why allow another one in such a quiet residential area ???

As a registered childminder, I worry my business will be affected - parking and fear parents may have bringing their children to childcare which is so close to a licenced premises. In the present economical climate this is now an extremely worrying situation.

I hope you take my worries seriously when deciding the Pot Belly Brewers application

Thanking you

Barnwell Street
 Kettering
 Northants

06 NOV 2012

4th November 2012

To whom it may concern

I am writing to you to voice my concerns over the application from 'Potbelly Brewery Ltd'.

I am a single working mum with a four year old daughter living on the corner of Barnwell/Sydney Street. It has worried me greatly by their application to turn their premises into a fully licenced establishment and enable them to serve alcohol 7 days a week up until midnight.

I have had many disturbed evenings already, when parties have been held on the 'Potbelly Brewery' premises. The noise has woken my daughter (closing time) when the people have spilled out of the parties/gatherings into the street shouting and generally being rowdy. It has not been pleasant and at times quite scary. At the present time this only happens occasionally but my fear is it will become much more regular if a full licence is granted.

One particular occasion, after one of their 'gatherings' I came out to find my car had been damaged. It was parked just above the brewery on Sydney Street of which is the usual place I park my car for access to my garden gate. It seems the party goers use the Sydney Street as the exit.

Finally the wording of the application leaves it wide open for them to hold absolutely any event/party everyday of the week up to midnight. I moved to this area because it was a nice quiet place and it could ^{now} become a much noisier, disturbed and fearful place.

I hope you decide not to grant the application.

Yours faithfully

05 NOV 2012

①

3-11-12.SYDNEY STREET
KETTICKING
NN16 0HY

With reference to POT BELLY BREWERY notice of application for a premises licence under section 17 of the Licensing Act 2003.

As residents living next door to the Brewery we are most concerned about the types of activities and the hours applied for from Monday to Sunday and also sale of alcohol Monday to Sunday 08-00 a.m. to 00:00 and late night refreshments Monday to Sunday 23-00 - 00:00.

This means that we will be subject to noise and late night traffic + people leaving the premises.

②

We feel that this type of activity has no place in a quiet residential area.

We have already had visitors disturbed by late night activities after tours that have gone on well beyond midnight.

Yours sincerely

05 NOV 2012

FW: re - notice of application for a premises licence concerning POT BELLY BREWERY 25 - 31 DURBAN RD KETTERING NN16 0JA

From:
Sent: 02 November 2012 10:44:25
To: licensing@kettering.gov.uk
1 attachment
Scan.pdf (178.9 KB)

From: n
To: philliphollobone@btconnect.com
Subject: re - notice of application for a premises licence concerning POT BELLY BREWERY 25 - 31 DURBAN RD KETTERING NN16 0JA
Date: Thu, 1 Nov 2012 21:56:31 +0000

Dear Sir / Madam I have forwarded you an attachment to which the residents including ourselves are objecting to this licence being granted. Many of the residents who live in Sydney Street including ourselves who live directly next door to the brewery are extremely worried that POT BELLY BREWERY may be granted this licence. The main entrance to it is not DURBAN ROAD as suggested (this is only a mailing address) but SYDNEY STREET. We experience all the lorries and traffic associated with the brewery, the noise and of late, people who have been attending the brewery on Friday and Saturday night for entertainment. The brewery as you can see from the attachment are trying to not only do this on a regular basis but also to operate till late at night. We know now that TONY HOOPER who owns and operates the brewery also wants to have live bands etc performing on a regular basis. THIS CANNOT BE ALLOWED TO HAPPEN, PLEASE HELP US. Many of the residents of Sydney Street are elderly and others who have small children. This street is a wonderful community and while most of us have no objection to the former factory operating as a brewery we DO FEEL this is a step TOO far, this has always been a quiet residential area up till now. TONY HOOPER has held a few now and again private parties and we have had to complain a few times about the people attending and the noise level coming from the brewery, but can you imagine what it will be like for all of us here in SYDNEY STREET if he gets the go ahead with the licence.

Mr TONY HOOPER has arranged a meeting in the brewery on the 5th Nov at 5 o'clock with ward councillor KELLY WATTS attending.

We ourselves are trying to arrange a meeting down at our house for local residents on Sat 3rd Nov at 6.30 aiming for 7.00PM

The impact of this proposal not only affects quality of life but will make our homes difficult to sell in the future, after all would you like to buy a house that is adjacent to a club/pub, with a licence till midnight
The other possible side effects from this licence being granted are :-

1. Noise from building (there is wooden vents down the side and all the way along and a glass roof) so there is no soundproofing
2. Unsocial behaviour resulting from brewery, people attending occasional entertainment evenings already, are using profanity and are loud with no respect for local residents. So the situation would become much worse

3. Parking

4. litter

5. Noise from people congregating in and outside of property during functions and noise from fish and chip van whilst queing

6. No guarantee that the brewery would not be sold later on as a viable buisness to someone else resulting in future and further complications for residents

7. People not vacating the brewery till much later on and people hanging around outside to talk

8. Persitant heavy traffic from people being picked up and dropped off by taxi's etc.

9. An imposition on my business as a registered childminder (who will want to bring thier children to my setting if they know that I live next door to a club/pub)

THIS FORMER FACTORY HAS ALWAYS EXISTED PRIMARILY AS A FACTORY NOT AS A LICENSED PREMISES AND WE STRONGLY FEEL THIS IS NOT IN KEEPING WITH THE AREA AND TO THE REASON WHY OURSELVES AND OTHER LOCAL RESIDENTS PURCHASED THEIR PROPERTIES IN THE FIRST PLACE.

Please note also why has TONY HOOPER arranged a meeting at 5 o'clock in the evening when most people have not yet returned from work and it is held on bonfire night too.

Yours Sincerey

Sydney St
Kettering
Northants NN16 0HY
01536

06 NOV 2012

5 / 11 / 2012

Dear Sir / Madam

We attended the meeting last night with Mr Tony Hooper and Councillor Kelly Watts outlining Mr Tony Hooper's plan for Potbelly Brewery, which concerns the residents of Sydney St, Kettering

Far from allaying our fears and worries I am afraid this meeting only intensified our concerns and worries for the proposed licence application for next door.

- ① Our greatest concerns are and still remain hours of operation. People will still hang around outside to talk etc long after the venue is over
- ② Alcohol and smoking outside in the yard and even proposed Bar-b-Que outside. How long are these to go on? What about fire risks from cigarettes, bar-b-Que to neighbours cars and houses?
- ③ What about the noise pollution from music/entertainment, isn't there by law supposed to be a restriction on this
- ④ Tony Hooper is proposing that he will hire out his venue, without anyone from

the brewery over seeing it, as they only need to be contactable by licensing laws. So this means that we could have ~~the~~ teenagers hiring the venue as long as someone 18 and above are present. GREAT would you as a licensing panel want this next door to you.

5) Should any refurbishment work carried out on the Potbelly Brewery roof or inside please do be aware that there are a protected species there i.e. BATS that live there, which we have enjoyed along with other neighbours for many, many years watching them fly around in our gardens.

6) Last night we had to be escorted out of the factory (Pot Belly Brewery) owing to the lack of lighting by torchlight. So if Mr Tony Neoper puts lights out there for his customers is that also going to be a problem for us?

Lastly I or both of us wish to say that we cannot believe this licence would ever be considered as a full licence and only hope that common sense will prevail.

I would also like to add from our point of view the factory wall (Potbelly Brewery) is less than ~~more~~ 1 metre from our property with 6 underfloor air vents which are in line with our downstairs windows and 5 roof vents which are in line with our bedroom windows, so we have no protection from noise concerning his planned functions

Please be aware that any restrictions placed
on Mr Tony Hooper / Potbelly Brewery licence
will be closely monitored by ourselves and
other residents to make sure that the
licence if any are granted will be adhered too.

Yours Sincerely

Date 28/10/2012

30 OCT 2012

Re - POT BELLY BREWERY

SYDNEY ST/DURBAN RD

APPLICATION FOR LICENSE TO SELL ALCOHOL

Dear Sir/Madam,

We would like to formally register our objection to this license being granted due to the following:-

NOISE

UNSOCIAL BEHAVIOUR

PARKING

DEVALUATION OF PROPERTIES (RESULTING IN THOUSANDS OF POUNDS BEING WIPED OFF THE NEIGHBOURING PROPERTYS)

LITTER

NOISE FROM ABOVE CUSTOMERS CONGREGATING IN PROPERTY SMOKING AND QUEING FOR FISH AND CHIP VAN

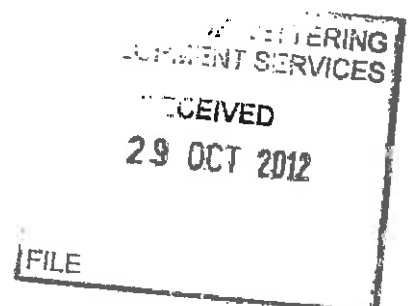
NO GUARANTEE THAT THE PROPERTY WOULD NOT BE SOLD LATER ON RESULTING IN FURTHER COMPLICATIONS FOR LOCAL RESIDENTS

This former factory has always existed primarily as a factory not as licensed premises and we strongly feel this is not in keeping with the area and to the reasons why local residents purchased their properties in the first place.

Yours Sincerely

Address

Sydney Str
KATERING



Date 28/10/2012

30 OCT 2012

Re - POT BELLY BREWERY

SYDNEY ST/DURBAN RD

APPLICATION FOR LICENSE TO SELL ALCOHOL

Dear Sir/Madam,

We would like to formally register our objection to this license being granted due to the following:-

NOISE

UNSOCIAL BEHAVIOUR

PARKING

DEVALUATION OF PROPERTIES (RESULTING IN THOUSANDS OF POUNDS BEING WIPED OFF THE NEIHBOURING PROPERTYS)

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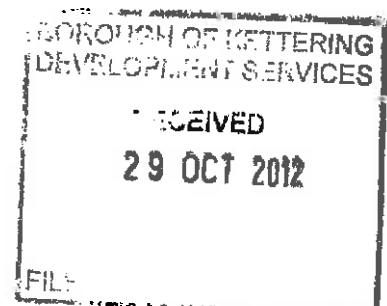
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SYDNEY ST
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Address

SYDNEY STREET

KETTERING

NN16 0HY.



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SYDNEY ST/DURBAN RD

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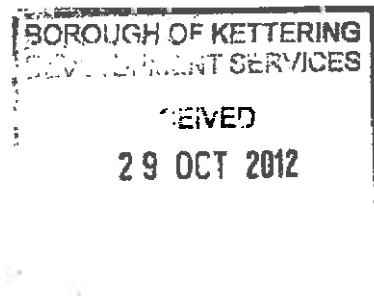
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Address

Sydney St
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Northants
NN16 0HY



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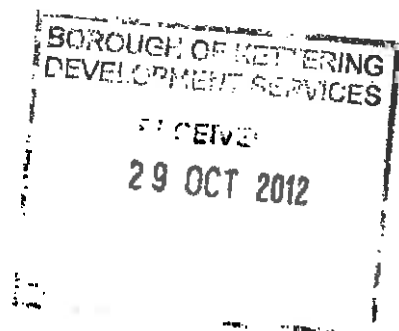
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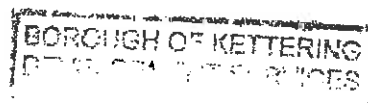
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29 OCT 2012

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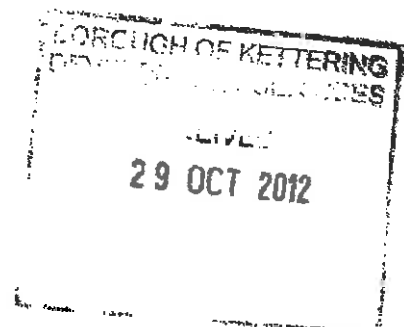
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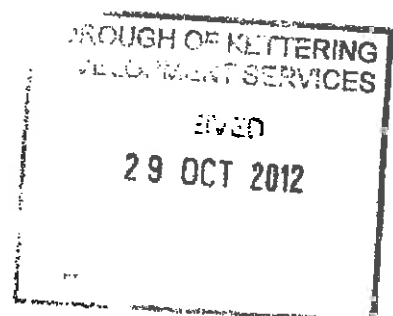
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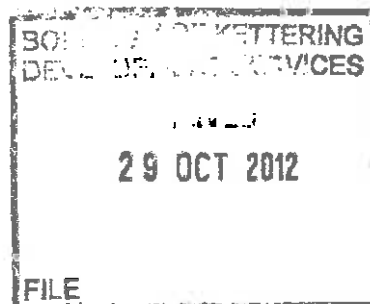
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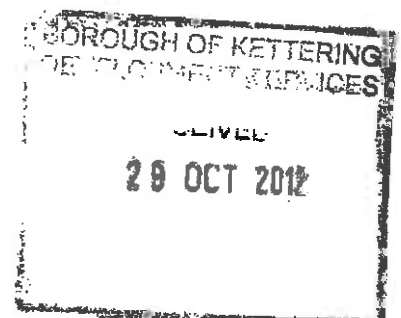
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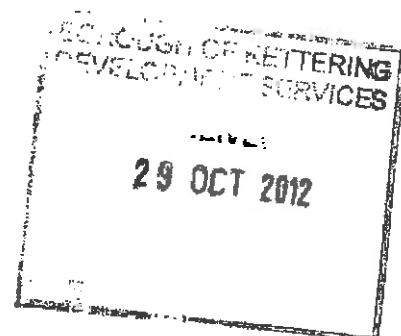
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Yours Sincerely

Address

Sydney St
Kettering
NN16 0HY



KETTERING BOROUGH COUNCIL **Kettering**
STATEMENT OF WITNESS *Borough Council*

(CJ Act 1967.s9; MC Act 1980.s102; MC Rules 1981 r.70)

STATEMENT OF (full name)	PAUL RONALD BAKER
AGE OF WITNESS (if over 21 enter "over 21")	Over 21
OCCUPATION OF WITNESS	NIGHT TIME ENFORCEMENT OFFICER
ADDRESS	KETTERING BOROUGH COUNCIL, ENVIRONMENTAL PROTECTION SECTION, COUNCIL OFFICES, BOWLING GREEN ROAD, KETTERING, NORTHAMPTONSHIRE NN15 7QX


This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 13th day of November 2012

Signed : 

I am the Night Time Enforcement Officer for Kettering Borough Council and part of my responsibilities is the enforcement of the Licensing Act 2003 and the Environmental Protection Act 1990. I have been in this post for the last 7 years and have been the Out of Hours Officer for the same period of time.

This role involves responding to calls received from Kettering Borough Council's out of hour's service to investigate noise complaints. I have attended many out of hour's calls for many different reasons, ranging from domestic noise, commercial noise and noise emanating from licensed premises. For my continuing professional development I have attended various courses organised by the National Association of Local Enforcement Officers with regard to Noise issues and have approximately 100 hours training.

On Saturday 10th November 2012 I was on duty when I received a call from our Out of hours team at 20.45hrs informing me that they have received numerous complaints 

Signed : 

NOTE: Statements to be signed at the bottom of each page and immediately after the last word of the statement. If statements are typed, double line spacing should be used. One side only of the paper should be used. The margin must be kept clear for use by the Court

KETTERING BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967.s9; MC Act 1980.s102; MC Rules 1981 r.70)

CONTINUATION SHEET NUMBER:Page 3 of 3
STATEMENT OF: PAUL BAKER

from the residents of Sydney Street Kettering about loud music emanating from the Potbelly Brewery of Sydney Street, Kettering.

The complainants were at 13, 16, 17, 23 and 26 Sydney Street. At 21.30hrs I arrived at Sydney Street. I had to drive from the top of Sydney Street to the bottom of Sydney Street before I managed to find a parking spot. Throughout this journey the radio in my car was drowned out by the volume of music emanating from the Potbelly Brewery. All of my vehicles windows were shut. The hands free kit for my mobile phone in my vehicle was also drowned out and I was unable to hear the messages enabling me to "book in" with our Out of Hours Service. I noticed that 7 people were standing outside their properties looking into the direction of the Brewery. I also noticed somebody standing by the entrance of the Brewery car park. I entered number 16 and went into the living room. I could hear the same music but not enough for a Statutory Nuisance. From here, as I was walking to No. 20 the music emanating from the Brewery just stopped, in a matter that I would describe as abrupt?

The music, which on arrival I would describe as being performed by a live band, was then replaced by quieter music which appeared to be coming from recorded music rather than live.

I visited all of the other complainants and throughout these visits the music could not now be heard. One of the residents informed me that the person that was standing by

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KETTERING BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967.s9; MC Act 1980.s102; MC Rules 1981 r.70)

CONTINUATION SHEET NUMBER:Page 3 of 3
STATEMENT OF: PAUL BAKER

the entrance of the Brewery was connected to the Brewery and therefore there was a good chance that I was "spotted" which is why the music stopped abruptly.

At 22.20hrs I left the area.

After discussion with Mr Chris Stopford, Environmental Protection Manager, I issued a Noise Abatement Notice against the Potbelly Brewery.

On 13th November 2012 I sent the original copy of this Notice to Potbelly's registered office, Headlands House, 1 Kings Court, Kettering Parkway, Kettering, NN15 6WJ. I also hand delivered a copy of this Notice to 52a St Peter's Ave, Kettering and at 10.50hrs on the 13th November 2012, personally served a copy of this Notice on a Mr T Hooper at Potbelly Brewery, 25-31 Durban Road, Kettering. 

Signed : 

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KETTERING BOROUGH COUNCIL **Kettering**
STATEMENT OF WITNESS *Borough Council*

(CJ Act 1967.s9; MC Act 1980.s102; MC Rules 1981 r.70)

STATEMENT OF (full name)	PAUL RONALD BAKER
AGE OF WITNESS (if over 21 enter "over 21")	Over 21
OCCUPATION OF WITNESS	NIGHT TIME ENFORCEMENT OFFICER
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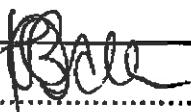
Dated the 19th day of November 2012

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On Saturday 17th November 2012 I was on duty when I received a call from our Out of hours team at 20.30hrs informing me that they have received a complaint from the 

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KETTERING BOROUGH COUNCIL
STATEMENT OF WITNESS
(CJ Act 1967.s9; MC Act 1980.s102; MC Rules 1981 r.70)

CONTINUATION SHEET NUMBER:Page 2 of 2
STATEMENT OF: PAUL BAKER

resident of 20 Sydney Street Kettering about loud music emanating from the Potbelly Brewery of Sydney Street, Kettering.

I arrived at 21.00hrs and on arrival I could hear what sounded like Irish folk music being played. I could also hear a lot of foot stamping. Due to the parking problems in Sydney St I had to park my car in Linden Ave. On walking to No. 20 I noticed 2 males on the opposite side of Potbelly drinking from pint glass vessels. One of these I identified as Mr Hooper .On arrival at No.20 I entered and the music stopped. Mr R said that earlier it was so loud that the volume drowned out the TV.

At 23.00hrs I received further complaints. The complainants were at 20 and 23 Sydney Street. At 23.10hrs I arrived at Sydney Street. I had to drive from the top of Sydney Street to the bottom of Sydney Street before I managed to find a parking spot. On driving past Potbelly I noticed that band equipment was being loaded into a white transit van. I could hear no music at this stage. The only thing I could hear was the voices of people leaving and milling around the car park and entrance of Potbelly. These voices could be heard from the junction with Durban St and as far as the junction of Linden Ave. I did see people leaving the venue dressed as leprechaun's with there large top hats on. This confirms the music as being Irish.

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