

Application for the review of a premises licence or club premises certificate 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 P.C 1432 Chris Stevens on behalf of the Chief Officer of Police for Northamptonshire

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Millenium Pizza and Kebab 8 Abington Square	
Post town Northampton	Post code (if known) NN1 4AA

Name of premises licence holder or club holding club premises certificate (if known) Nusret SEMSOGLU
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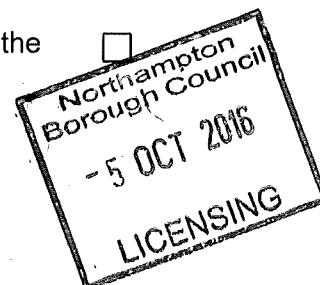
Number of premises licence or club premises certificate (if known) PL0790

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises



2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address P.C 1432 Chris Stevens, Northamptonshire Police C/O The Guildhall St Giles Street Northampton NN1 1DE
Telephone number (if any) 101 ext 345730
E-mail address (optional) Chris.Stevens@northants.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

On behalf of the Chief Officer of Northamptonshire Police Mr EDENS, I call for Review of the Premises Licence for Millenium Pizza and Kebab Abington Square Northampton. I call for the Review under the Licensing Objective of the Prevention of Crime and Disorder.

The basis for this review stems from the illegal carrying out of licensable activities outside of the times specified by the premises licence, namely the provision of hot food after 04:00hrs. This is an offence under Section 136 Licensing Act 2003. There is also an offence of Section 57(4) Licensing Act 2003 which is the failure to display the premises licence summary.

The investigation into these offences began following contact from the local response Sgt Steve ROFFE who contacted the police licensing department on the 28th August 2016. His email stated that he had received a report from the CCTV control room that the premises were still open and trading at 06:04hrs. When he rang the premises, they stated that they were still serving, apologised and informed him that they would close. He recommended that a visit was conducted.

Following this report, officers were tasked to go and visit the premises after 4am for several weeks and although they didn't manage this, they did communicate this task to the CCTV control room. As a result, footage from the 4th, 10th and 11th September has been produced. This footage shows the premises clearly open and members of the public coming and going with food in their hand.

The body worn video footage of P.C ATTER was recorded on the 17th September 2016 and captures the premises open past the licensable hours and staff members serving hot food to customers.

As a result of this footage, three people have been interviewed in relation to this including the Premises Licence Holder Nusret SEMSOGLU and the Designated Premises Supervisor Enis SEMSOGLU plus a person in charge of the premises on the 17th September.

The person in charge has been issued with an adult caution having admitted the Section 136 Licensing Act 2003 offence. During this, he said that it was the Premises Licence Holder that has told him to open the premises for the hours that it was opened. This was confirmed by the DPS who states that he had no knowledge of this as he finishes at around midnight on a normal shift. He also said that when he leaves it is normally the PLH who is in charge.

The Premises Licence Holder Nusret SEMSOGLU has been interviewed and has admitted the offences stating that between 04:00hrs - 06:00hrs he will take over £200 whereas at other times it is considerably less than this. His motivation to stay open has been to make money and he has stated that he is fully aware of the hours he is permitted to carry on licensable activities. As a result of this admission and the evidential package against him, the Crown Prosecution Service have authorised that Nusret SEMSOGLU is charged with four counts of Section 136 Licensing Act and one count of 57(4) Licensing Act.

Given the fact that it is the person with the most authority for this licence that has breached the licence on numerous occasions, the police view this in a particularly dim light. This is the second time in just under two years that a review in respect to this premises licence has been brought before the committee and it is argued that this needs to be considered when reaching a determination.

It is the position of the police therefore that due consideration be given to revoking this premises licence on the basis that the PLH has willfully broken licensing laws and placed financial gain above operating a compliant business. The problems in relation to this premises have come from the poor and illegal management from the top down and there can be no confidence that the PLH will stop putting profit before the law.

Please provide as much information as possible to support the application
(please read guidance note 2)

As part of the review, the Police wish to disclose the following information:

- 1) The premises licence in its current form.
- 2) The opening hours of the premises as per the website for the premises
- 3) CCTV and body worn video footage from the 4th 10th 11th and 17th September 2016
- 4) Statements of James ATTER and Steve ROFFE

The arguments from the police are based on the Section 182 guidance and case law and shall be outlined in the hearing.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

1	5	1	2	2	0	1	4
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If you have made representations before relating to this premises please state what they were and when you made them

The previous review related to a serious assault that was committed against a customer by a member of staff at the premises in 2014. On this occasion, the member of staff went into the public area and attacked a customer with a kebab knife inflicting GBH injuries. The notice of determination for this review will be included in the evidential bundle.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 3rd October 2016

.....

Capacity Police Licensing Officer

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

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

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.