

## REVIEW OF PREMISES LICENCE –

### Licensing Sub-Committee

Monday 18<sup>th</sup> December 2018

#### 1.0 Purpose of Report

- 1.1 To consider a request from Northamptonshire Police for the Review of the Premises Licence Number PL1159 for Red Hot Pizza and Grill at 59-61 Gold Street, Northampton, NN1 2LU. A copy of the review application is detailed in **Appendix A**

#### 2.0 Summary

- 2.1 The review application was received on the 1<sup>st</sup> November 2018 and submitted in accordance with licensing objective(s) for;
- The Prevention of Crime and Disorder
- 2.2 The licence holder at the time of the review application was Oksana Ali Ltd. Companies House web check confirms that company (registration number 10895882) directors are Pervez Ali and Oksana Naidionova. The company status is currently shown as “active proposal to strike off”.
- 2.3 On the 5<sup>th</sup> November 2018 Pervez Ali surrendered the Premises Licence Number PL1159. **Appendix B**
- 2.4 On the 12 November 2018 a letter was hand delivered to the current management of the premises advising that the licence had been surrendered and that they are required to make a licence application for sale of hot food/drink between 11pm-05:00am. The review notice was also reinstated on the inside of the shop window and Mr Gjinaj advised to seek legal advice with regards to the review and relevant application process. A copy of the letter is detailed in **Appendix C**
- 2.5 Since the surrender of the premises licence there has been no application received to request a reinstatement/ transfer of the Premises Licence to the current management.

#### 3.0 Consultations/Representations

- 3.1 When a request for the review of a premises licence or club premises certificate is received, the licensing authority must display a notice at or near the premises, and on the council’s website. This gives responsible authorities and any other interested parties a 28 day period for the opportunity to make representations in relation to the review application. It is the responsibility of the applicant to serve a copy of the review application onto the licence holder and the responsible authorities.
- 3.2 The local authority displayed the obligatory notice on the 2<sup>nd</sup> November 2018.

3.3 During the 28 day period there have been no representations received from any other parties.

#### **4.0 Attendance**

4.1 The local authority is required to request confirmation of attendance from all interested parties. As the licence has been surrendered there is currently no licence holder or interested party to invite to the hearing.

#### **5.0 Premises Licence Details**

5.1 Licence Number: PL1159

**The Licence Holder of the premises was:**

Oksana Ali Ltd

**The premises were licensed for the following activities and times:**

**Late Night Refreshment:**

|                   |                   |
|-------------------|-------------------|
| Monday – Thursday | 11:00pm – 02:00am |
| Friday-Saturday   | 11:00pm – 04:00am |
| Sunday            | 11:00pm – 02:00am |

**Opening Hours:**

|                   |                |
|-------------------|----------------|
| Monday – Thursday | Noon – 02:00am |
| Friday-Saturday   | Noon – 04:00am |
| Sunday            | Noon – 02:00am |

#### **6.0 Options**

6.1 As the premises licence has been surrendered and there has been no application for a reinstatement of the licence, there are no options available other than to formally record the current position.

#### **7.0 Policy Considerations**

7.1 Northampton Borough Council Statement of Licensing Policy

7.2 s.182 Guidance Licensing Act 2003

Section 11 & 13 gives guidance for determination of this application.

Subsections 11.16 to 11.28 highlights the elements of the Guidance that are most relevant with respect to this application. This is not exhaustive and guidance should be considered fully prior to making decisions with respect to applications.

Section 8.106 gives guidance with regards to the reinstatement of a premises licence following surrender.

### 8.0 Sub-Committee

A licence may only be reinstated under the 2003 Act in certain circumstances. Any application must be made within 28 days of the date on which the licence was surrendered. As the licence was surrendered on 5<sup>th</sup> November 2018, it is now too late for an application to be made. Accordingly, since the licence has been surrendered there is no licence to review and the Sub-committee must simply note the position. If any person wishes to carry on licensable activities on the premises they will need to submit an application for a new licence.

| <b>Appendix No</b>   | <b>Title</b>                             |
|----------------------|--|
| <b>A.</b>            | Application                              |
| <b>B.</b>            | Surrender Notice                         |
| <b>C.</b>            | Letter Gjinaj                            |
| <b>D.</b>            | Premises Licence                         |
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