



## LICENSING SUB-COMMITTEE

### NOTIFICATION OF DETERMINATION

**Application for a Review of the Premises Licence at Millenium Pizza & Kebab, 8 Abington Square, Northampton, NN1 4AA**

**Hearing date: Monday 15<sup>th</sup> December 2014**

#### **RESOLVED:**

Having regard to the Licensing Act 2003 and the guidance thereunder; the Council's Licensing Policy statement and the representations made, the following decision was reached:

The committee considered the detailed representations of the police, and the representative for Millenium Pizza and Kebab and decided unanimously that on a balance of probability the current operation of the premises is not promoting the licensing objective of the prevention of crime and disorder and public safety. It is considered by the committee that the following are appropriate and proportionate;

- 1) to suspend the premises licence for 5 weeks
- 2) to modify the conditions of the licence to :

condition 2 on page 16 of the application **(detailed in Appendix 1)**

condition 3 on page 17 of the application **(detailed in Appendix 1)**

condition 4 on page 17 of the application save that after "at" insert "04:00 hrs" instead of 05: 00 hrs **(detailed in Appendix 1)**

- 3) the opening hours of the premises be noon to 4 am and late night refreshment cease at 4am

The committee received legal advice in terms of:

- 1) the legal test to be applied
- 2) the four licensing objectives albeit this review was under the prevention of crime and disorder
- 3) the options available to the committee under section 52 licensing act 2003
- 4) section 182 guidance

The reasons for the decision are:

- 1) the serious nature of the assault against a member of the public caused on balance by severe fatigue which was accepted by the representative of the premises licence
- 2) The catastrophic failure to abide by the current licence conditions relating to cctv.
- 3) The introduction of SIA staff will alleviate staff involvement in disputes.

Any persons aggrieved by this decision may appeal to the magistrate's court no later than 21 days from the date of receiving this decision

**Notice of Determination given in person on Monday 15<sup>th</sup> December 2014**  
**This notice dated Wednesday 17<sup>th</sup> December 2014**

## **Appendix 1**

**Condition 2.** A CCTV system must be maintained that conforms to the provisions of the Data Protection Act 1998 and meets the requirements and expectations of the Licensing and Police Authorities. The system must operate at all times that the premises are open. Recordings must be kept for a minimum of 28 days. A responsible member of staff must be trained in how to use the system and be on the premises at all times it is trading so that reasonable requests for retrieval of recordings by a Police officer, or authorised officer from a Responsible Authority, can be met.

**Condition 3.** At no time whilst the premises is open must a sharp implement be taken into the customer area by a member of staff or other person going about their business in the premises. All sharp implements are to be kept within the confines of the area used for preparing food only.

**Condition 4.** For a period of at least 6 months from 23.00hrs until close of business at 04.00hrs on Friday & Saturday nights and bank holiday Sundays, Christmas Eve & New Years Eve, an SIA registered door supervisor will be employed at the premises.