

# **REVIEW OF PREMISES LICENCE**

## **Alcohol & Gambling Licensing Sub-Committee**

### **Tuesday 14<sup>th</sup> July 2020**

#### **1.0 Purpose of Report**

- 1.1 To consider a request from Northamptonshire Police for the Review of the Premises Licence for Les Olives, 18A & 18B Sheep Street, Northampton (each of which are separately licensed).

#### **2.0 Summary**

- 2.1 The review application was received on the 13<sup>th</sup> February 2020 and submitted in accordance with licensing objective(s) for;
- The Prevention of Crime and Disorder
- 2.2 The current licence holder and designated premises supervisor for each licence is Alex Sefolli.
- 2.3 On 2<sup>nd</sup> April 2020 the sub-committee opened the hearing on this matter which was done remotely due to the Covid-19 pandemic and decided that they would adjourn the matter until 2<sup>nd</sup> July so that processes for full remote hearings could be put into place.
- 2.4 Since then, on 9<sup>th</sup> June 2020 Northampton Borough Council Licensing was notified by the solicitor acting for Mr Alex Sefolli that he was surrendering the two premises licences for Les Olives. There was thereafter a 28-day period before the licences were officially lapsed during which it was possible for further activity on these licences could occur such an application to transfer them. That period ends on after the 7<sup>th</sup> July when the licences will be lapsed. To date there has been no further activity in respect of these licences. If on 8<sup>th</sup> July the licences are lapsed then the sub-committee and all relevant parties have already agreed that this hearing can be dispensed with.
- 2.5 During this period also Mr Sefolli has surrendered his personal licence meaning that he is no longer eligible to be premises supervisor at Les Olives.

#### **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 during which they may 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 14<sup>th</sup> February 2020.
- 3.3 During the 28 day period representations were received from the following responsible authorities and interested parties.

Environmental Health  
Business Rates  
Licensing Authority  
Ermir Seffoli – Property Owner

#### **4.0 Attendance**

- 4.1 The local authority is required to invite the licence holder, responsible authorities and other interested parties to a hearing to consider the application. Notification of this current hearing date was sent to the licence holder and interested parties in the notice of determination that resulted from the remote hearing on 2<sup>nd</sup> April. All relevant parties, including the sub-committee, were then consulted when Mr Seffoli surrendered the two premises licences and agreed that, if during the 28 period no further activity on the premises licences was to take place, this hearing could be dispensed with. To date the licence holder has not acknowledged that he will be attending the hearing. The following have confirmed that the hearing can be dispensed with at that stage. However, should we receive any applications in respect of one or both of the premises licences in the 28-day period, such as a transfer application, then the review on the affected licence(s) would need to take place and the following would attend.

Northamptonshire Police  
Environmental Health  
Business Rates  
Licensing Authority

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

- 5.1 Licence Number: PL0572

**The current Licence Holder of the premises is:**

Alex Seffoli

**The current Designated Premises Supervisor is:**

Alex Seffoli  
Personal Licence Number PA1585 (surrendered)  
Issued by Northampton Borough Council  
Issuing Date 8<sup>th</sup> April 2009

**The premises PL0572 is licensed for the following activities and times:**

**On Sales of Alcohol:**

Monday – Sunday	11:00am – 3:00pm
Monday – Thursday	6:00pm – 01:00am
Friday & Saturday	6:00pm – 02:00am
Sunday	6:00pm – 01:00am

**Live Music:**

Friday & Saturday	8:00pm – 02:00am
Non-Standard Timings	Live music every night from 1st - 31st December.

**Recorded Music:**

Monday - Sunday	11:00am – 03:00pm
Monday - Thursday	6:00pm – 01:00am
Friday & Saturday	6:00pm – 02:00am
Sunday	6:00pm – 01:00am

**Late Night Refreshment:**

Monday - Sunday	6:00pm – 01:00am
Friday & Saturday	6:00pm – 02:00am
Sunday	6:00pm – 01:00am

**Opening Hours:**

Monday – Sunday	11:00am – 3:00pm
Monday – Thursday	6:00pm – 01:00am
Friday & Saturday	6:00pm – 02:00am
Sunday	6:00pm – 01:00am

5.2 Licence Number: PL0661

**The current Licence Holder of the premises is:**

Alex Sefolli

**The current Designated Premises Supervisor is:**

Alex Sefolli  
Personal Licence Number PA1585 (Surrendered)  
Issued by Northampton Borough Council  
Issuing Date 8<sup>th</sup> April 2009

**The premises PL0661 is licensed for the following activities and times:**

**On Sales of Alcohol:**

Monday – Sunday                      12:00pm – 00:00 midnight

**Opening Hours:**

Monday – Sunday                      07:00am – 00:00 midnight

## **6.0 History of Premises & Licence Holder**

- 6.1 Licence records show that 18A (Ground Floor) Sheep Street was first issued licence number PL0661 in May 2008 and 18B (First Floor) was first issued licence number PL0572 in February 2006.

Alex Sefolli applied to transfer the licence for 18A (Ground Floor) in November 2012 and subsequently applied to transfer 18B Sheep Street in September 2009.

At some point since 2012 both 18A and 18B merged into one establishment known as Les Olives. To date there has not been a variation application submitted to request that the licences are merged.

## **7.0 Options**

- 7.1 At the end of the consultation period the licensing authority must hold a hearing. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- a. the prevention of crime and disorder;
- b. public safety;
- c. the prevention of public nuisance; and,
- d. the protection of children from harm.

The steps the Sub-Committee can take are to:

- a. to modify the conditions of the licence;

- b. to exclude a licensable activity from the licence;
- c. to remove the designated premises supervisor;
- d. to suspend the licence for a period not exceeding 3 months;  
and/or,
- e. to revoke the licence.

For the purpose of a. a condition is modified if any of them are altered or omitted or if a new condition is added.

## **8.0 Policy Considerations**

8.1 Northampton Borough Council Statement of Licensing Policy

8.2 s.182 Guidance Licensing Act 2003

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

Paragraphs 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.

## **9.0 Committee**

- 9.1** Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case.
- 9.2** Due to the measures in place to protect the public from the risk of spread of the Coronavirus it is intended that this hearing take place through a conference telephone call between members of the Licensing Sub-committee and officers. In this respect the Sub-committee may wish to consider their powers to hold the meeting in private meaning that it is not necessary for the parties to gather in a room and compromise their health.
- 9.3** Further, in order to ensure that the parties do have the opportunity to exercise their right to a hearing and present their case to members, the Sub-committee may wish to consider its power to adjourn this application to a future date at which time a full hearing may take place.

<b>Appendix No</b>	<b>Title</b>
<b>1.</b>	Application
<b>2.</b>	Premises Licence PL0572 & PL0661

<b>3.</b>	Additional documents – Representations
<b>Report Author</b>	Martin O’Connell Senior Enforcement Officer