

**REVIEW OF PREMISES LICENCE –
Alcohol & Gambling Licensing Sub-Committee
Monday 21st January 2019**

1.0 Purpose of Report

- 1.1 To consider a request from Northamptonshire Police for the Review of the Premises Licence for Kubus General Stores, Kettering Road, Northampton.

2.0 Summary

- 2.1 The review application was received on the 22 November 2018 and submitted in accordance with licensing objective(s) for;

- The Prevention of Crime and Disorder

A copy of the application is attached (**Appendix A**).

- 2.2 The current licence holder is Pedram Farzeneh, 163 Balfour Close, Northampton, NN2 6LL. The premises licence is recorded as PL0211 (**Appendix B**).
- 2.3 The council also received on the 9 January 2019 an application to request the transfer of Premises Licence number PL0211. The police have raised a formal representation in respect of the transfer application, which must be considered at a separate hearing in accordance with the applicable statutory timescales and therefore cannot be considered today.

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 26 November 2018 (**Appendix C**).
- 3.3 During the 28 day period no representatives have been received.

4.0 Attendance

- 4.1 The local authority is required to request confirmation of attendance from all interested parties. The following have confirmed attendance at today's hearing;

PC Chris Stevens, Northamptonshire Police

To date the licence holder has not confirmed if he will attending and there has not been any notification from a representative acting on behalf of the licence holder.

- 4.2 In addition to confirming his attendance, PC Stevens has provided copies of a number of documents which are relevant to the application for review. Copies are attached as Appendix D.

5.0 Premises Licence Details

- 5.1 Licence Number: PL0211

The current Licence Holder of the premises is:

Pedram Farzeneh

The current Designated Premises Supervisor is:

Mr Pedram Farzeneh

Personal licence number: PA2792

Issued by Northampton Borough Council

The premises is licensed for the following activities and times:

Off Sales of Alcohol:

Monday – Saturday 08:00 – 23:00

Sunday – 10:00- 22:30

Seasonal Variations:

Good Friday/Bank Holiday 08:00 to 22.30,
Christmas Day Noon to 15:00 & 19:00 to 22.30

6.0 History of Premises & Licence Holder

- 6.1 Mr Pedram Farenzeh became the licence holder of Kubus General Stores licence number PL0211 on the 11 February 2015 and the designated premises supervisor on the 2 September 2016. Mr Farenzeh was issued the annual fees invoice for PL0211 on 14 November 2018 for the period of 10 October 2018 – 9 October 2019 but to date, has failed to pay the fee.
- 6.2 There have been no notifications of a change of address for the licence holder.
- 6.3 Mr Farenzeh is not currently the licence holder and/or DPS for any other premises within this local authority area. We do not have information if he is the licence holder/DPS for any premises within a different licensing area.

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:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance; and,
- the protection of children from harm

The steps the Sub-Committee can take are to:

- to modify the conditions of the licence;
- to exclude a licensable activity from the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding 3 months; and/or,
- to revoke the licence.

7.2 For the purpose of a) above, the conditions are modified if any of them are altered or omitted or a new condition is added. Further, if the Sub-committee takes either of the steps at a) or b) above it may provide that the step only has effect for a limited period of up to 3 months.

8.0 Policy Considerations

8.1 Northampton Borough Council Statement of Licensing Policy

8.2 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.

9.0 Committee

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.

Appendix No	Title
A. B. C. D.	Review application Premises Licence PL0211 Blue Notice Additional documents
Report Author	Louise Faulkner Licensing Team Leader