

REVIEW OF PREMISES LICENCE –
Alcohol & Gambling Licensing Sub-Committee
Thursday 21 February 2019

1.0 Purpose of Report

- 1.1 To consider a request from Northamptonshire Police for the Review of the Premises Licence for Level 4 (Passion) 39 Sheep Street, Northampton NN1 2NE.

2.0 Summary

- 2.1 The review application was received on the 4 January 2019 and submitted in accordance with licensing objective(s) for:

- The Prevention of Crime and Disorder; and,
- Protection of Children from harm.

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

- 2.2 The current licence holder is Akhtar Janjua, 21 Marriott Street, Northampton NN2 6AW. The premises licence is recorded as PL0546 (**Appendix B**).

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 5 January 2019. (**Appendix C**).
- 3.3 During the 28 day period no representations 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: PL0546

The current Licence Holder of the premises is:

Akhtar Janjua

The current Designated Premises Supervisor is:

Mr Akhtar Janjua

Personal licence number: PA0770

Issued by Northampton Borough Council

The premises is licensed for the following activities and times:

Premises opening hours

Monday – Wednesday	11:00 – 02:30
Thursday – Saturday	11:00 – 04:30
Sunday	11:00 – 02:30

Supply of Alcohol

Monday – Wednesday	11:00 – 02:00
Thursday – Saturday	11:00 – 04:00
Sunday	11:00 – 02:00

Recorded Music (Indoors)

Monday – Wednesday	11:00 – 02:00
Thursday – Saturday	11:00 – 04:00
Sunday	11:00 – 02:00

Dance (Indoors)

Monday – Wednesday	11:00 – 02:00
Thursday – Saturday	11:00 – 04:00
Sunday	11:00 – 02:00

Making Music (Indoors)

Monday – Wednesday	11:00 – 02:00
Thursday – Saturday	11:00 – 04:00
Sunday	11:00 – 02:00

Facilities dancing (Indoors)

Monday – Wednesday	11:00 – 02:00
Thursday – Saturday	11:00 – 04:00
Sunday	11:00 – 02:00

6.0 History of Premises & Licence Holder

- 6.1 Mr Akhtar Janjua became the licence holder of Level 4 (Passion) Premises Licence PL0546 on the 24 November 2005 and the Designated Premises Supervisor (DPS) on the same date. The premises was previously licensed as a Public Entertainment venue from 5 April 2003 until 4 April 2005, Mr Janjua was the applicant for this licence. According to licensing records the premises was unlicensed between April and November 2005.
- 6.2 The premises licence for Level 4 (Passion) was suspended on 31 March 2014 for non-payment of annual fees but this suspension was lifted on 17 April 2014 following payment of the outstanding fees.
- 6.3 Mr Janjua first became a Personal Alcohol Licence Holder (PA0770) and was issued with this licence on 29 November 2005. He is not currently the licence holder and/or DPS for any other premises within this local authority area. We do not have information to confirm 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;
Sections 18 and 19 give guidance in relation to this application.

- 8.2 s.182 Guidance Licensing Act 2003;
Section 11 gives guidance for determination of this application.

Subsections 11.16 to 11.28 highlight the elements of the Guidance that are most relevant with respect to this application. This is not exhaustive and the 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. Any action taken in relation to the application should be appropriate for the promotion of the licensing objectives and proportionate to the problems giving rise to the review.

Appendix No	Title
A. B. C. D.	Review application Premises Licence PL0546 Blue Review Notice Additional documents
Report Author	Ian Ellis Senior Licensing Enforcement Officer

Appendix A

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 Level 4 (Passion) 39 Sheep Street	
Post town Northampton	Post code (if known) NN1 2NE

Name of premises licence holder or club holding club premises certificate (if known) Mr Akhtar JANJUA
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Number of premises licence or club premises certificate (if known) PL0546
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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 | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<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 ADDERLEY, I call for Review of the Premises Licence under the Licensing Objectives of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

This review is being applied for following a series of stepped approach meetings that have been held with the current operators of Passion.

The current person on the Premises Licence and Designated Premises Supervisor for Passion is a male named Akhtar JANJUA however he is not currently involved in the business beyond being the landlord for the current operator Cleveland WALFALL. This has been the case since May 2016 and despite several attempts to meet with Mr Janjua during this time, he has always declined to meet with Police instead deferring to Mr WALFALL as the person in charge.

The Police believe that it is this lack of a person legally accountable having day to day control over the business that is contributing to some of the other concerns that the Police have with the current operation of the premises.

During the course of 2018, there have been several incidents that have taken place at the premises that, if taken on their own, would not necessarily have led to a review application. Taken together however, they paint a picture of a poorly run premises that is undermining the Licensing Objectives.

The first incident of note took place on the 17th June 2018. During this incident, the premises was holding an events night and had attracted a crowd of approximately 300 people. When the premises closed, these people were put out onto the street with no dispersal plan or supervision in place and as a result, a large number of police

officers were required to attend to disperse the crowd for approximately 40 minutes with no support or action from the venue staff. The attending Inspector described the behaviour of the crowd as hostile and extremely anti-police and that there would have been arrests made had there been any custody space to do so. As it was, one male was arrested and charged with an assault on a female who sustained a black eye and no support from staff at the premises.

On the 15th July 2018, Northants Police investigated two sexual assaults on two young females one of who was only 17yrs old and the other only just 18yrs old. On this occasion neither female had been subject to any form of ID checks despite being very young looking. They had both reported drinking alcohol in the venue and being befriended by male customers before leaving the venue in their company. This shows a lack of management direction when it comes to performing ID checks and a lack of staff awareness around vulnerability in the night time economy.

On the 24th November 2018 a visit to the premises was conducted in the early hours of the morning. As officers approached the premises, the smell of Cannabis emanating from inside was extremely strong and overpowering. When the door staff and the operator of the premises was spoken to about this, they all attempted to convince the attending officers that the smell was in fact incense that they were burning in the entryway however it was very clear that the incense was being used to try and mask the smell coming from inside. Although no walkthrough was conducted at the time of the visit. It was very clear that Class B drug use was taking place on the premises either with the knowledge or the consent of the operator.

On the 31st December 2018, two visits were conducted at the premises. During the first visit, the attending officer described the males on the door as being very anti-police and that they refused to speak to the officers. They also stated that there were no door staff on duty at the time of their visit.

A short time later other officers attended in order to try and establish how many people were present inside. Officers were again faced with people that refused to engage with them and describe the staff as evasive. They also state that they were told that the licence holder was not present despite it being apparent that the operator was present earlier. They also noted that a male they recognise and who does not hold an SIA licence was working as a door man on the door however when he saw officers, he has quickly taken off the jacket and run inside. The officer finally noted that one of the other males on the door who was directing people is heavily linked to drug supply and possession.

The Police believe that a review is necessary in order to establish who is legally responsible for this premises. It is clear that whoever is currently responsible for it is undermining the licensing objectives and that measures need to be put into place in the form of conditions to ensure that the management practices at the premises are fit for purpose.

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

When making this application, the Police intend to rely on:

- 1) Police Licensing Reports (Form 60a's)
- 2) Copies of the letters and correspondence sent to Mr WALFALL and Mr JANJUA outlining concerns associated with the premises.
- 3) Pictures of the young people from the 15th July incident.
- 4) The Section 182 Guidance paragraphs 10.46, 10.47, 10.48, 11.10, 11.18, 11.22
- 5) The Police also intend to submit a list of licence conditons that are deemed appropriate to promote the licensing objectives.

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

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- 3) Pictures of the young people from the 15th July incident.
- 4) The Section 182 Guidance paragraphs 10.46, 10.47, 10.48, 11.10, 11.18, 11.22
- 5) The Police also intend to submit a list of licence conditons that are deemed appropriate to promote the licensing objectives.

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

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If you have made representations before relating to this premises please state what they were and when you made them

- 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

.....

Capacity Police Licensing Officer

.....

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.

Appendix B

Licensing Act 2003 Premises Licence

PL0546

LOCAL AUTHORITY	
	Licensing Section The Guildhall St Giles Square NORTHAMPTON NN1 1DE

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
Level 4 (Passion) 39 Sheep Street, Northampton, Northamptonshire, NN1 2NE.

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - any playing of recorded music - a performance of dance - entertainment facilities for making music - entertainment facilities for dancing - the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES			
Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am
	Sunday	11:00am	2:00am
G. Performance of dance (Indoors)	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am
	Sunday	11:00am	2:00am
I. Provision of facilities for making music (Indoors)	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am
	Sunday	11:00am	2:00am
J. Provision of facilities for dancing (Indoors)	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am
	Sunday	11:00am	2:00am
M. The sale by retail of alcohol for consumption ON the premises only	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am



Licensing Act 2003 Premises Licence

PL0546

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only continued ...	Sunday	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday-Wednesday	11:00am	2:30am
Thursday	11:00am	4:30am
Friday-Saturday	11:00am	4:30am
Sunday	11:00am	2:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Akhtar Janjua
akhtarjanjua@hotmail.com

21 Marriott Street, Northampton, NN2 6AW.
Telephone 07956464699

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Akhtar JANJUA

21 Marriott Street, Northampton, NN2 6AW.
Telephone 07956464699

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0770

Issued by Northampton

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

Mandatory conditions where licence authorises supply of alcohol

- (1) No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.



Solicitor to the Council

LOCAL AUTHORITY



Licensing Section
The Guildhall
St Giles Square
NORTHAMPTON
NN1 1DE

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Level 4 (Passion)

39 Sheep Street, Northampton, Northamptonshire, NN1 2NE.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday-Wednesday	11:00am	2:00am
	Thursday	11:00am	4:00am
	Friday-Saturday	11:00am	4:00am
	Sunday	11:00am	2:00am
G. Performance of dance (Indoors)	Monday-Wednesday	11:00am	2:00am
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M. The sale by retail of alcohol for consumption ON the premises only	Monday-Wednesday	11:00am	2:00am
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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only continued ...			
	Sunday	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday-Wednesday	11:00am	2:30am
Thursday	11:00am	4:30am
Friday-Saturday	11:00am	4:30am
Sunday	11:00am	2:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Akhtar Janjua	21 Marriott Street, Northampton, NN2 6AW.
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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

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NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Akhtar JANJUA

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

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Appendix C

