



## Licensing Sub-Committee

**A meeting of the Licensing Sub-Committee will be held as a Virtual Meeting via Zoom on Tuesday 14 December 2021 at 10.00 am**

### Agenda

<b>1.</b>	<b>Appointment of Chairman for the meeting of the Sub-Committee</b>
<b>2.</b>	<b>Declarations of Interest</b>  Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.  <b>Note:</b> Any Member with a disclosable pecuniary interest will not be able to participate in the hearing, and should therefore notify Democratic Services in advance so that arrangements may be made for an alternate Member to attend.
<b>3.</b>	<b>Premises Licence Application - Sofra Mediterranean Deli (Pages 5 - 20)</b> Report of the Senior Licensing Enforcement Officer  <b>Purpose of Report</b>  To consider an application for a new premises licence in accordance with section 16 of the Licensing Act 2003 ("the Act") made by Mr Aqif Hoti ("the Applicant") in respect of Sofra Mediterranean Deli at 53 Harborough Road Northampton NN2 7SH ("the Application").  <b>Recommendation</b>  1.1 To determine the application for a new premises licence in accordance with the Licensing Act 2003.

Catherine Whitehead  
Proper Officer  
6 December 2021

**Licensing Sub-Committee Members:**

Councillor Andrew Kilbride  
Councillor Keith Holland-Delamere  
Councillor Mike Warren

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Evacuation Procedure**

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

### **Queries Regarding this Agenda**

If you have any queries about this agenda please contact Richard Woods, Democratic Services via the following:

Tel: 01327 322043

Email: [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
One Angel Square  
Angel Street  
Northampton  
NN1 1ED

**PREMISES LICENCE APPLICATION – Sofra Mediterranean Deli, 53  
Harborough Road, Northampton NN2 7SH**

**Licensing Sub-Committee**

**Date 10.00am 14th December 2021**

**Remote Hearing via ZOOM**

**1.0 Purpose of Report**

- 1.1 To consider an application for a new premises licence in accordance with section 16 of the Licensing Act 2003 (“the Act”) made by Mr Aqif Hoti (“the Applicant”) in respect of Sofra Mediterranean Deli at 53 Harborough Road Northampton NN2 7SH (“the Application”).

**2.0 Summary**

- 2.1 The Application, which can be found at **Appendix A**, was received by West Northamptonshire Council on 11th October 2021.

**3.0 Application Details**

- 3.1 The premises is intended for use as a coffee and pizza establishment offering a wide range of Mediterranean products including wine and beverages as well as pizza from a wood burning oven. The premises is jointly owned by Mr Hoti and Mr Gentian Shahollari.

The licensable activities applied for in the Application are:

- **The Sale of Alcohol by Retail (On the premises only)**

Monday - Sunday 12.00 – 22.00hrs

The designated premises supervisor will be Mr Hoti who holds a personal licence issued by Northampton Borough Council

- **Opening Hours**

Monday – Saturday 06.00 – 22.00hrs

Sunday 09.00 – 22.00hrs

**4.0 Consultations/Representations**

- 4.1 When an application for a new premises licence or club premises certificate is received, the applicant must display a “Blue Site Notice” (“the Notice”) at or near the premises and serve a copy of the application on the responsible

authorities defined under the Act. For electronic applications it is a requirement of the local authority to serve a copy of the Application on the responsible authorities.

This gives responsible authorities and any member of the public the opportunity to make written relevant representations in relation to the application to the local authority within 28 calendar days of receiving the notice or the date on which the notice was first displayed at or near the premises. The last date for making relevant representations in relation to this Application was 18th November 2021. This later consultation end date was due to delays in newspaper advertising by the applicant.

- 4.2. The Notice was displayed at the premises and notification of the Application was published in the Northants Chronicle and Echo, as verified by licensing officers.
- 4.3. West Northamptonshire Council received one relevant representation from Northamptonshire Police. This came with a number conditions all of which can be seen at **Appendix C** and which have yet to be agreed by the applicant.

## **5.0 Attendance**

- 5.1 The Council is also required to send a notice of hearing to all persons and responsible authorities that have submitted a relevant representation and request confirmation of their intention to attend that hearing. A notice of hearing was sent to the following persons, as well as the Applicant on 18th November 2021:

- Mr Aqif Hoti (Applicant)
- PC Sandy Tracey (on behalf of the Chief Officer of Northamptonshire Police)

## **6.0 Plan of Premises Layout & Location**

Please see a copy of a premises plan submitted with the Application at **Appendix B**.

## **7.0 Options**

- 7.1 If relevant representations are received, then at the end of the consultation period the licensing authority must hold a hearing to consider them. 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.

7.2. The options available to the Sub-Committee are to;

- Grant the Application,
- Grant it and add appropriate conditions to the new Premises License or
- refuse it.

## **8.0 Financial & Resource Implications**

8.1. There are no financial implications arising directly from this report.

Comments checked by Antony Russell, Finance Business Partner

## **9.0. Legal Implications**

9.1. The decision made with regard to an application for a new premises license under section 16 of the Licensing Act 2003 (“the Act”) must comply with the requirements of section 17 the Act. It must take into account the revised statutory guidance issued under section 182 of the Act (April 2018 version) and, as of the date of the Sub-Committee hearing, the Northampton Borough Council Licensing Act 2003 Statement of Licensing Policy (2020).

9.2. In accordance with section 17 of the Act, where relevant representations are made by a responsible authority or other person, and which are about the likely effect of the grant of the application on the promotion of the four licensing objectives, a hearing must be held to consider them, unless the Members of the Sub-Committee, the Applicant and each person or responsible authority that has submitted a relevant representation agree that a hearing is unnecessary or all representation are withdrawn.

9.3. Having regard to the relevant representations, the Sub-Committee must take such reasonable and proportionate steps as it considers appropriate, if any, for the promotion of the four licensing objectives. These steps are restricted to either;

(a) Granting the licence subject to—

- i. Such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers [appropriate] for the promotion of the licensing objectives, and

- ii. Any condition which must under section 19, 20 or 21 be included in the licence;
  - (b) Excluding from the scope of the licence any of the licensable activities to which the application relates;
  - (c) Refusing to specify a person in the licence as the premises supervisor;
  - (d) Rejecting the application.
- 9.4. A decision must be made by the Sub-Committee within the period of five working days beginning the day on which the hearing was held. Once the decision has been made, a written notice containing the full reasons for that decision must be supplied forthwith to the Applicant and any person or responsible authority that submitted a relevant representation
- 9.5. In accordance with section 181 and Schedule 5 of the Act, only the Applicant and any person or responsible authority that submitted a relevant representation may appeal to a Magistrates' Court if they are aggrieved at the decision of the Sub-Committee. Any such appeal must be submitted by way of complaint to the Court within 21 days commencing with the day on which the person in question **received** a copy of the written notice of the Sub-Committee's decision.

Comments checked by James Chadwick, Senior Licensing and Litigation Solicitor.

#### 10.0. 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.

Additional Documents	Title
A.	Application for new premises licence (redacted of personal information)
B.	Premises Plans
C.	Police Relevant Representation and Proposed Conditions

<b>Report Author</b>	Martin O'Connell Senior Licensing Enforcement Officer

## APPENDIX A – APPLICATION

# Application for a premises licence to be granted under the Licensing Act 2003

Reference	PL368740937
Date	2021-10-07 19:39:46
<b>Introduction</b>	
<p>Before completing this form <a href="#">please read the guidance notes</a></p> <p>Please also ensure the proposed DPS completes and submits the Designated Premises Supervisor Consent form, your application will not be complete, and consultation will not start until we have this. There are two ways to do this:</p> <ol style="list-style-type: none"><li>1. You can <a href="#">download the word document form</a> and attach it to this form.</li><li>2. You can <a href="#">complete our online form</a></li></ol> <p>You will also need to upload a site plan of the area to be licensed, for information on what this should contain please visit <a href="#">the gov.uk legislation site</a>.</p> <p>If you are applying as an individual or individuals, you will need to upload proof of your right to work in the UK within this form.</p>	
<b>Data protection</b>	
<p>In this form, we will ask for some personal information (such as name, address, postcode) in order to fulfil your request for information or services.</p> <p>This information will be held securely and will be used to provide you with the service you have requested.</p> <p>Any processing will be performed in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation.</p> <p>West Northamptonshire is registered as a Data Controller with the Information Commissioner's Office under the reference number ZA896620.</p> <p>Further details about how we process personal data can be found in our <a href="#">privacy notice</a>.</p>	
Do you agree with the above?	I agree
Which area does the premises to be licensed fall in?	Northampton
<b>Premises details</b>	
Premises trading name	Sofra Mediterranean Deli



Does the premises have a postcode?	Yes
Address	53,Harborough road,Northampton,Nn2 7Sh
As the premises doesn't have a postal address please included details description and where possible Ordnance Survey Grid Reference	
Premises telephone number	
Non-domestic rateable value of premises	8400
Property band	Band B (£4301.00 to £33,000.00)
Is your primary function the sale of alcohol?	Yes
Please state who you are applying for a premises licence as	A person other than an individual
Please specify	As a limited company/limited liability partnership
Please specify why you are completing this form	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

<b>Application details</b>	
Name	Aqif Hoti
Are there other applicants?	Yes
Name	Aqif Hoti, Gentian Shahollari
Address	53,Harborough Road ,Northampton,Nn2 7Sh

Applicant description	Sofra Mediterranean Deli Limited. Sofra Mediterranean deli will be a Coffee and Pizza shop offering a wide range of Mediterranean products including Wine and beverage as well as pizza from our wood burner pizza oven,we aim to bring something new to our town and our customers which they will have the chance to enjoy and relax. Sofra Mediterranean Deli will be owned by Mr Aqif Hoti & Mr Gentian Shahollari
Registered number	13092283
Telephone number	

<b>Operating schedule</b>	
Do you want the premises licence to start as soon as possible?	Yes
Do you want the licence to be valid only for a limited period?	No
Give a general description of the premises	The premises will occupied as a Coffee and Pizza shop where we will be serving alcohol as well as other Mediterranean products.
Please specify how many people are expected to attend	100
Please select range of the number people expected to attend the premises at any one time?	Less than 5000
What licensable activities do you intend to carry on from the premises	Provision of late-night refreshment, Supply of Alcohol
Are there any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children?	No
<b>Late-night refreshment</b>	
Will the activity take place indoors or outdoors or both?	Both
Please give any additional information	The premises will also have an Outdoor sitting area where people can sit and drink outside also.
What days will your activity take place?	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
Monday - Start and end times	06:00-22:00
Tuesday - Start and end times	06:00-22:00
Wednesday - Start and end times	06:00-22:00
Thursday - Start and end times	06:00-22:00
Friday - Start and end times	06:00-22:00
Saturday - Start and end times	06:00-22:00
Sunday - Start and end times	09:00-22:00

/div>

State any seasonal variations for late-night refreshment	Not
Please state any non-standard timing where you intend to use the premises for late-night refreshment at different times to those listed	No
<b>Supply of alcohol</b>	
Will the supply of alcohol be of consumption on premises, off the premises or both?	On the premises
Please give any additional information	The supply of alcohol will be used on premises only.
What days will your activity take place?	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
Monday - Start and end times	12:00-22:00
Tuesday - Start and end times	12:00-22:00
Wednesday - Start and end times	12:00-22:00
Thursday - Start and end times	12:00-22:00
Friday - Start and end times	12:00-22:00
Saturday - Start and end times	12:00-22:00
Sunday - Start and end times	12:00-22:00
State any seasonal variations for supply of alcohol	No
Please state any non-standard timing where you intend to use the premises for supply of alcohol at different times to those listed	No
<b>Designated premises supervisor</b>	
State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor. Please see the declaration about the entitlement to work in the checklist at the end of the form.	
First name	Aqif
Last name	Hoti
Date of birth	03/09/1986
Personal licence number	PA3274

Issuing licensing authority	Northampton Borough Council
Do you want to upload your completed Designated premises supervisor form or complete our online form?	Complete online DPS form

<b>Opening times</b>	
What days will your premises be open to the public?	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
Monday - Start and end times	06:00-22:00
Tuesday - Start and end times	06:00-22:00
Wednesday - Start and end times	06:00-22:00
Thursday - Start and end times	06:00-22:00
Friday - Start and end times	06:00-22:00
Saturday - Start and end times	06:00-22:00
Sunday - Start and end times	09:00-22:00
<b>Operating schedule conditions</b>	
General – all four licensing objectives	We will make sure to reach all four licensing objectives such as Preventing crime and disorder, Public safety, Preventing public nuisance and protecting children from harm.
The prevention of crime and disorder	To prevent crime and disorder we will make sure that we sell alcohol within the limit consumption on the premises and we will co-operate with the police department for people with bad behavior and dangerous to the public.
Public safety	Public safety is very important to us and we will make sure that in our premises and around our premises there is nothing hazardous or harmful to the public and our customers.
The prevention of public nuisance	To prevent public nuisance we will work hard and make sure that our waste is correctly recycling and safe for our environment.
The protection of children from harm	To protect children from harm we will make sure that nothing hazardous is within reach of children.
Please upload the site plan	<b>Document uploaded successfully.</b>

## Declaration

Upon submitting this form I:

- will make payment on the next section of this form.
- have enclosed the plan of the premises.
- understand that this application and supporting documents will be sent to the responsible authorities and a redacted version will be published on the council's website.
- have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- understand that I must now advertise my application.
- understand that if I do not comply with the above requirements my application will be rejected.
- have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15) (Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships)

It is an offence, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

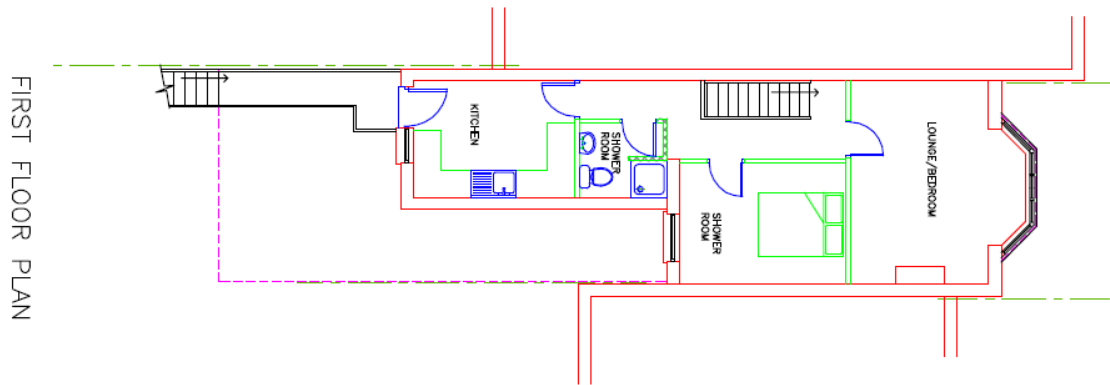
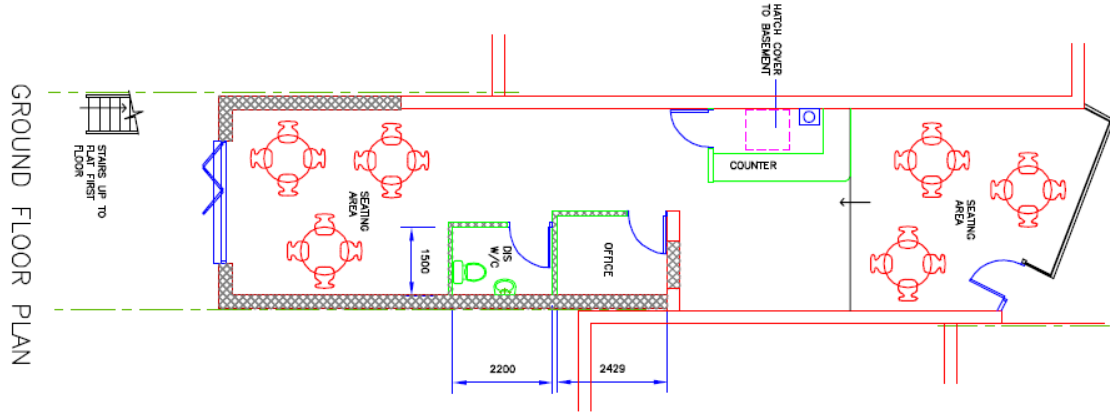
## Declaration

- [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- I/We apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)



Name	Aqif Hoti
Date	08/10/2021
Capacity	Owner
Second applicant name	Gentian Shahollari
Date	08/10/2021
Second applicant capacity	Owner
<b>Contact details</b>	
First name	Aqif
Last name	Hoti
Correspondence postal address	53, HARBOROUGH ROAD, NORTHAMPTON, WEST NORTHAMPTONSHIRE, NN2 7SH
<b>Payment</b>	
Total amount to pay today	190.00
Prepayment Timestamp	08/10/2021 17:28:40
Transaction status	successful
Transaction reference	0000380985
Postpayment Timestamp	08/10/2021 17:35:11

# APPENDIX B – Premises Plans



## APPENDIX C – Police Representation & Proposed Conditions

**From:** Tracey Sandy

**Sent:** 10/11/2021 16:05:10

**To:** Liquor Licensing <LiquorLicensing@northants.pnn.police.uk>; NBC Licensing <Licensing.NBC@westnorthants.gov.uk>;

**Subject:** Premises licence application. Reference: PL368740937 Sofra Mediterranean Deli

Dear Mr Hoti,

I act on behalf of the Chief Officer of Police, Mr Adderley, he has delegated responsibility and has authorised me to act on his behalf with regard to representations made by Northamptonshire Police to Licensing Authorities across the county of Northamptonshire.

As I have not heard back from you regarding the correspondence shown below sent on the 12<sup>th</sup> October, I am placing an objection to your Premises Licence variation application. There have not been any suitable conditions submitted within your application supporting the prevention of crime and disorder and the protection of children from harm Licensing Objectives. For this application to do so we would like you to consider the suitably worded police conditions which are shown below as per the email I sent you in October. Please let me know whether they are agreeable as this would enable me to withdraw our representation.

I look forward to hearing from you.

Kind regards,

Sandy

**Police Constable 0010 TRACEY**

Northamptonshire Police Licensing Constable (WEST)

Wellingborough Police Station

Midland Road, Wellingborough. NN8 1HF.

Telephone [101](tel:101) Ext. [346307](tel:346307)

**From:** Tracey Sandy

**Sent:** 12 October 2021 12:43

**To:** Liquor Licensing <LiquorLicensing@northants.pnn.police.uk>; NBC Licensing <Licensing.NBC@westnorthants.gov.uk>;

**Subject:** Premises licence application. Reference: PL368740937 Sofra Mediterranean Deli



Dear Mr Hoti,

Apologies for not getting in touch with you sooner. In relation to your application, we would like you to consider the following conditions that would be added to your operating schedule:

1. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
  
5. All staff involved in the retail of alcohol will be trained in relation to the law regarding its sale. This training must be completed prior to them being authorised to sell alcohol and refreshed every 12 months as a minimum. A record of this training must be kept, maintained and made available to an officer from a responsible authority upon reasonable request.
6. A Challenge 21 or 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
  
7. No glass will be removed from the premises by customers and taken outside of the Licensable Area.
  
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received concerning crime and disorder
  - (d) Any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) Any refusal of the sale of alcohol
  - (h) Any visit by a relevant authority or emergency service
  
11. Signs will be displayed at the exit points of the venue requesting that customers respect local residents by leaving and dispersing from the premises and immediate area quietly.

Please let me know whether they are agreeable or if you have any questions or queries. I'll look forward to hearing from you.

Many thanks

Sandy

**Police Constable 0010 Sandy TRACEY**

Northamptonshire Police Licensing Constable (WEST)

Wellingborough Police Station

Midland Road, Wellingborough. NN8 1HF.

Telephone 101 Ext. 346307