

**ASHFIELD DISTRICT COUNCIL**



Council Offices,  
Urban Road,  
Kirkby in Ashfield  
Nottingham  
NG17 8DA

## Addendum

## Licensing Sub Committee

Date: **Monday, 19th August, 2019**

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Time: **10.00 am**

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Venue: **Council Chamber, Council Offices, Urban Road,  
Kirkby-in-Ashfield**

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For any further information please contact:

**Rachel Newton**

[r.newton@ashfield.gov.uk](mailto:r.newton@ashfield.gov.uk)

01623 457316

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## **ADDITIONAL PAPERS**

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Police evidence documentation.

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**NOTICE OF REPRESENTATION AND  
EVIDENCE BUNDLE BY  
NOTTINGHAMSHIRE POLICE  
REGARDING  
APPLICATION FOR A NEW PREMISE  
LICENCE AT  
127 OUTRAM STREET  
SUTTON IN ASHFIELD**

**DATE: 19<sup>TH</sup> AUGUST 2019**

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**Notification to Licensing Authority of Representation under Licensing Act 2003**

**1. Name of Responsible Authority making representation:**

- a. Your name: **M Turner**  
**[Deputy Head of Legal Service, East Midlands Legal Services Unit, for and on behalf of the Chief Constable]**
- b. Your address: **Nottinghamshire Police Headquarters**  
**HQ (CJ) Liquor Licensing**  
**Mansfield Police Station**  
**Great Central Road**  
**Mansfield**  
**Nottinghamshire**  
**NG18 2HQ**
- c. Your phone number: **101 extn 3104862**
- d. Your e-mail address: **kate.ansty4862@nottinghamshire.pnn.police.uk**  
**[Contact at county licensing]**

**2. Please identify the application you wish to make a representation about.**

**a. Name and address of application premises:**

**127 Outram Street**  
**Sutton In Ashfield**  
**Nottinghamshire**  
**NG17 4BG**

**b. Nature of application: Grant of Premises Licence**

**3. Which of the licensing objectives does your representation relate to? Please delete as appropriate <sup>2</sup>.**

**a. The Prevention of Crime and Disorder.**

**Details of the representation(s)**

- 4. Please give details of your representation(s) including details as to why you feel the application would be unlikely to promote the objective(s) you have ticked above and including as much evidence as possible in support of your representation. Please continue on a separate sheet if necessary.**

The application is for a takeaway to be open to the public from 6pm until 2am the following day. The application requests the sale of alcohol for the times to reflect the opening hours and late night refreshment to allow the sale of hot food and drinks from 11pm until 2am the following day, all the times are to cover Monday to Sunday.

The applicant, Mr David Mattis described in box K details that the premises intends to be primarily a fast food outlet with selective alcohol sales only.

The Premises are located on Outram Street which is within Sutton Town Centre and a main thoroughfare for the town.

Outram Street is made up of several different retail premises, of those there are a number of licensed premises which includes 5 restaurants with a takeaway service, 4 public houses, 5 off licences, a florist with a alcohol licence and 4 late night refreshment venues known as takeaways.

These premises already cater for sit down meals, alcohol, dancing and takeaway food.

it is the view of Nottinghamshire Police that this part of the town has adequate provisions for takeaways and off licence premises, although Ashfield District Councils statement of licensing policy states (7.28) that there is no Cumulative Impact policy currently in place, it also states that there is potential for a change in this situation. Nottinghamshire Police do not feel the area is yet to a point of saturation, but we do feel that that any additional premise licences granted within this immediate area need to be carefully and individually considered and conditioned to ensure they promote the licensing objectives and as in 2.8 of the Councils statement of licensing policy, do not have a negative impact on members of the public who live and work within that area.

Having had regard to the nature, style and location of the premises, the Police have concerns over the increase in alcohol related anti-social behaviour, crime, disorder and nuisance that the grant of this premises licence will cause.

The very style and nature of a late night pubs and takeaways creates problems of crime and disorder. These types of venues attract patrons later in the evening, many of whom have been drinking alcohol in the pubs and bars within the town centre. People have a tendency to become more disorderly and anti-social as the night progresses on account that they become increasingly intoxicated and therefore prone to engage in disruptive behaviour.

Ashfield District Council's statement of licensing policy states at 2.1 in exercising their functions under the licensing act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the act.

Ashfield District Council's policy also states at 2.6 the promotion of the licensing objectives is paramount consideration for the authority.

Ashfield District Councils Statement of licensing policy states at 5.2 that in the Licensing Authority are to remain impartial but in exceptional



circumstances they can take on the role of a responsible authority. Nottinghamshire Police has been informed by Ashfield District Council Licensing Section that the applicant has agreed to some conditions proposed by Ashfield District Council in the form of a document called 'Operational Policies'.

Some of the conditions within 'Operational Policies' do address issues that Nottinghamshire Police would have requested become conditions, CCTV in particular and a Challenge 25 policy to tackle underage sales of alcohol. However, we are of the opinion that this application in its entirety does not promote the licensing objectives, in particular the prevention of crime and disorder, and will add to the negative impact already experienced in Sutton Town Centre in respect of the later times requested for licensable activity to take place, mainly the sale of alcohol.

Nottinghamshire Police would like to see the operating schedule address alcohol sales, and how the applicant will ensure that the premises is predominantly food led as stipulated within the application form in box K.

It is a concern of Nottinghamshire police that a member of the public could leave a local public house and purchase alcohol in the early hours from this premises without the necessity of a food purchase. We do not want to restrict business by requesting alcohol sales are for home delivery only, but instead would like alcohol to accompany food.

Nottinghamshire Police has had contact with Mr Mattis to request a condition be placed upon the licence, unfortunately Mr Mattis declined the condition, he felt that 'due to the fact we have already accepted without cause, addition(sic) stipulations which add to our running costs. Hence. With respect I reject this condition. As no other takeaway I know of has a minimum price for selling food'.

In view of this and the interests of the wider community, it is the opinion of the Police that the only way that this premises will not have a negative effect, and will not undermine the licensing objectives, is if the condition below is placed on the premise licence.

The Police reserve the right to:

- bring further evidence of the Licensing Objectives being undermined to any subsequent panel hearing and to provide live oral evidence to this effect.
5. If you are suggesting that conditions should be attached to any licence granted please give the wording of the proposed condition(s) and state why you feel they are necessary and proportionate. Please continue on a separate sheet if necessary.

**The supply of alcohol shall be restricted to those placing an order for food, either by telephone or in person at the premises. The value of the food will be in excess of £5**

6. Please indicate any parts of the Licensing Authority's Statement of Policy that you feel may be relevant to your representation<sup>3</sup>.

Indication of those relevant parts will be given in addition to those above, in a Panel Hearing.

7. Please indicate any parts of the Guidance issued under S 182 of the licensing Act 2003, which you feel may be relevant to your representation <sup>4</sup>.

Indication of those relevant parts will be given within a Panel Hearing.

8. As you have made a representation the Application may need to be determined at a hearing of the Licensing Committee or one of its Panels. At this stage would you intend to attend such a hearing<sup>5</sup>? Please circle as appropriate.

Yes

No

9. If you intend to attend any hearing that may be held it would be helpful at this stage if you could give an indication as to how long you think you would need to make your representation(s).

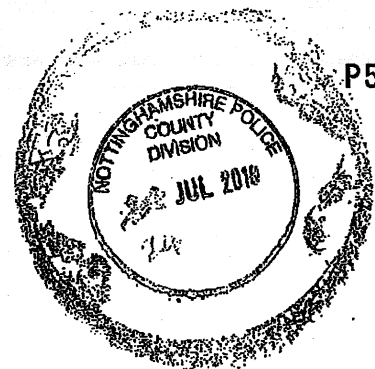
Not Known

Signed: M Turner [Deputy Head of Legal Service, East Midlands Legal Services Unit,  
for and on behalf of the Chief Constable]

Date: 19<sup>th</sup> July 2019

c.c. ~~XXXXXXXXXXXXXXXXXXXX~~ Applicant

PR / 1739



Application for a premises licence to be granted  
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/WE Mr & Mrs Charles Morris

(Insert name(s) of applicant)

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

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description		
127 OUTRAM STREET		
Post town	SUTTON - IN ASHFIELD	Postcode NG17 4BB
Telephone number at premises (if any)		
Non-domestic rateable value of premises		£ 2,850

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |  |   |
|--|---|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *               |   |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B)            |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> please complete section (B)            |
| iii as an unincorporated association or              | <input type="checkbox"/> please complete section (B)            |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                                 | <input type="checkbox"/> please complete section (B)            |
| d) a charity   | <input type="checkbox"/> please complete section (B)            |
| e) the proprietor of an educational establishment    | <input type="checkbox"/> please complete section (B)            |

- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes or one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surnames <b>MATTIS</b>		First names <b>DAN</b>		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes
Nationality <b>BRITISH</b>				
Current residential address if different from premises address				
Post town	<b>MANFIELD</b>		Postcode	
Daytime contact telephone number				
E-mail address (optional)				

**SECOND INDIVIDUAL APPLICANT (if applicable)**

When do you want the premises licence to start?

DD	MM	YYYY
01	07	2020

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS A GROUND FLOOR SPACE CONSISTING OF TWO ROOMS FRONT (BAR/CLUB) AND BACK ROOM (KITCHEN). THE BAR IS LOCATED ON THE MAIN STREET CORNER ST. THERE WILL BE NO CONSUMPTION OF ALCOHOL ON THE PREMISES.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☐

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality				
Current postal address if different from premises address		<div style="text-align: center; font-size: 2em;">N/A</div>		
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				

### (B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place</b> <b>indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

B

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors          or outdoors or both – please tick (please read          guidance note 3)</b>		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 4)</b>		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films (please          read guidance note 5)</b>		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for          the exhibition of films at different times to those listed in the          column on the left, please list (please read guidance note 6)</b>		
Fri					
Sat					
Sun					



C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue			N/A	
Wed				
Thur			Since any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Fri				
Sat			Non standard timings: Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sun				

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place</b> <b>indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**Recorded music**  
Standard days and timings (please read guidance note 7)

**Will the playing of recorded music take place indoors or outdoors or both – please tick**  
(please read guidance note 3)

Indoors ☐

Outdoors ☐

Both ☐

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Please give further details here (please read guidance note 4)

State any seasonal variations for the playing of recorded music (please read guidance note 5)

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 4)</u>  		
Mon					
Tue			<u>Please give further details here (please read guidance note 4)</u>  		
Wed					
Thur			<u>Please give further details here (please read guidance note 4)</u>  		
Fri					
Sat			<u>Please give further details here (please read guidance note 4)</u>  		
Sun					
			<u>Non standard timings: Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)</u>		

FF

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon.			Please give further details here (please read guidance note 4) <div style="text-align: center; font-size: 2em; transform: rotate(-45deg);">N/A</div>	
Tue				
Wed				
Thor			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</u>	
Fri			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</u>	
Sat				
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors <input type="checkbox"/>
			<i>To serve alcohol for consumption off premises.</i>	Outdoors <input checked="" type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	16.00	02.00		
Tue	16.00	02.00		
Wed	16.00	02.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Thur	16.00	02.00		
Fri	16.00	02.00		
Sat	16.00	02.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)	
Sun	16.00	02.00		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> <u>- please tick (please read guidance note 8)</u>	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol (please read</u> <u>guidance note 5)</u>		
Mon	8.00	02.00			
Tue	18.00	02.00			
Wed	18.00	02.00			
Thur	18.00	02.00	<u>Non standard timings. Where you intend to use the premises for</u> <u>the supply of alcohol at different times to those listed in the</u> <u>column on the left, please list (please read guidance note 6)</u>		
Fri	18.00	02.00			
Sat	18.00	02.00			
Sun	18.00	02.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name		MR DAVID CHARLES MATTU	
Date of birth			
Address			
Postcode			
Personal licence number (if known)			
Issuing licensing authority (if known)		MANFRED DISTRICT COUNCIL	

□□□□



K

Please highlight 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 (please read guidance note 9).

Premises would be operating primarily as a bar/club outlet with selective alcoholic sales only.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	15:00	02:00
Tue	15:00	02:00
Wed	15:00	01:00
Thur	15:00	02:00
Fri	15:00	02:00
Sat	15:00	02:00
Sun	15:00	02:00

State any seasonal variations (please read guidance note 5)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

**a) General - all four licensing objectives (b, c, d and e) please read guidelines ante 10:**

To promote all licensing objectives and with the following strong management control and effective staff training so that they are all aware of the premises licence and the requirements:

- A NO selling of alcohol to underage customers.
- B NO drunk and disorderly on the premises.
- C No violence or threatening behaviour on the premises.
- D NO violent and anti-social behaviour. No harm to children.

**b) The prevention of crime and disorder**

A CCTV system will be installed to monitor entrance exits and other parts of premises in order to prevent crime and disorder. A clear and legible indication of the terms of the premises licence will be displayed in a prominent place in the premises. No selling of alcohol to drunk or intoxicated customers, not allowing the consumption of alcohol on the premises.

**c) Public safety**

Good lighting both internal & external to promote the public safety objective. Trapping staff to adhere to environmental health requirements. Training and implementation of underage ID checks. Food system will be kept on the premises which will record entered particulars of rejection as those required by Statute. All parts of the premises and all fittings, lights, heating, electrical, air conditioning will be maintained at all times in good order.

**d) The prevention of public nuisance**

Prominent, clear and legible notices will be displayed at the exit, requesting the public to respect the needs of nearby residents and to have the premises enjoyed quietly. Deliveries of goods will be carried out in such a manner as to prevent nuisance and disturbance to nearby residents. Any lighting on outside the premises will be positioned in such a way as not to cause a disturbance to nearby residents.

**e) The protection of children from harm**

Well trained staff will undertake specific training with the legal obligations of protecting children from alcohol. This training will be given to all delivery drivers also. All details provided in training records Book kept at the premises.

**Checklist:**

Please tick to indicate agreement

- ☐ I have made or enclosed payment of the fee.



- ☒ I have enclosed the plan of the premises.
- ☐ I have sent copies of this application and the plan to responsible authorities and others where applicable.
- ☒ I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- ☒ I understand that I must now advertise my application.
- ☒ I understand that if I do not comply with the above requirements my application will be rejected.

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 153 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.**

#### Part 4 – Signatures (please read guidance note 11)

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	<ul style="list-style-type: none"> <li><input type="checkbox"/> [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).</li> <li><input type="checkbox"/> 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, if appropriate (please see note 15)</li> </ul>
Signature	

Date	25/08/2019
Capacity	Dedicated Premises Supervisor

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

#### Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.

## WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.2)

URN

Statement of:  
Craig Anthony  
Hall

Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Police Inspector

This statement (consisting of      pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature:

Date: 5/8/19

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

I am a Police Inspector with Nottinghamshire Police currently based at the Kirkby Integrated Partnership Hub, Ashfield District Council, Urban Road, Kirkby In Ashfield. I am the District Commander for the Ashfield District which includes Sutton In Ashfield.

I have been an officer within Nottinghamshire Police for over fifteen years and as a result I am fully conversant with the issues of crime and anti social behaviour that have been, and continue to be, addressed by partners, stakeholders, the community and those within the policing family.

As the District Commander I am responsible for managing the policing response to crime and disorder within the district. This includes identifying crime trends of and working with partners across the community safety partnership to set policing priorities. These priorities are set by analysing police incidents and intelligence on a daily basis and comparing these with concerns regularly raised by the local community. It is my aim to set policing strategies that help Nottinghamshire Police to deliver a service that works for local people, with my primary focus being to keep people safe. As a result I have an interest in the operation of all the licensed premises within in the district, particularly those where the sale of alcohol contributes to the high levels of crime, disorder, anti social behaviour and public nuisance that exists within that and adjacent communities.

I have been made aware that an application has been submitted for a premise licence to be granted for 127 Outram Street, Sutton In Ashfield, Nottinghamshire, NG17 4BG. It is my understanding that the applicant, Mr MATTIS seeks to use it as a fast food takeaway, with the additional facility to also serve alcohol.

Outram Street runs from the town centre and through the heart of the New Cross area. It is already host to a high number of licenced premises and food outlets and in a recent analysis of

Signature:

Signature witnessed by:

Continuation of Statement of: Craig Anthony Hall

Page No. 2 of 2

policing demand in Ashfield, it was found to be one of the five highest streets for police incidents, attracting approximately 800 calls between 1<sup>st</sup> August 2018 and 31<sup>st</sup> July 2019.

Sutton in Ashfield presents significant policing challenges. The town features within top five neighbourhoods in Nottinghamshire for anti-social behaviour, violence and domestic abuse and as a result I am currently leading multi-agency problem solving plans in the areas of the town centre and the New Cross area.

These plans include representatives from across the Police, District Council and community and have been used to target the crime types identified previously and have so far been successful in reducing problems there. This is thanks to tactics including increased patrols, increased alcohol licencing checks and work targeting persistent offenders. It appears from our problem solving activities that have been taken that there is a clear link between alcohol misuse, anti-social behaviour and violent crime. When considering this in view of the existing problems in the area and having considered the nature, style and location of the intended premise, I have serious concerns that the granting of the application will:

- a) have a negative effect on the community
- b) have a negative impact on the already significantly high levels of anti-social behaviour, crime, disorder and nuisance; and
- c) undermine what we and our partners are trying to achieve

I understand Mr MATTIS has agreed to have CCTV installed and operational, amongst other conditions however, I cannot support the application in its submission and it is my considered opinion I respectfully recommend that the application be supported by an additional condition to limit and restrict alcohol sales without the purchase of food, with a minimum food cost being £5 for reasons outlined above

Signature: 

Signature witnessed by: \_\_\_\_\_

RESTRICTED (when complete)

## WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of: Catherine Ansty

Licensing Enforcement  
Officer

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation:

This statement (consisting of      pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature:

Date: 6<sup>th</sup> August 2019

Tick if witness evidence is visually recorded

☐

(supply witness details on rear)

1. I am the Senior Licensing Officer for Nottinghamshire based at Mansfield Police Station. I have been in this role Since January 2018, prior to this I was the Enforcement Officer for Nottinghamshire Police covering Mansfield and Ashfield areas for the previous 5 years. My role is to monitor incidents of crime and disorder occurring at licensed premises and through working with partner agencies, to ensure we are encouraging premises to uphold the licensing objectives. My priority is to reduce alcohol related violence and disorder incidents within licensed premises across Nottinghamshire County.
2. On 24<sup>th</sup> June 2019 I received a copy of the application form for a new premises licence to be granted at 127 Outram Street, Sutton In Ashfield; The application does not state what the premises would be called. After reading through the application form, I understood the premise to be a fast food takeaway requesting licensable activities to allow late night refreshment and the sale of alcohol from 1800 hours to 0200 hours the following day, Monday to Sunday. This caused an immediate concern for me as I felt if the application lead to a grant of licence as it was submitted with the details upon the application, it would have a negative impact upon the immediate vicinity in Sutton in Ashfield. Due to this concern I felt that I would need to propose conditions to the applicant, Mr Mattis to alleviate my concerns.

Signature:

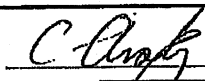
Signature witnessed by: \_\_\_\_\_

Continuation of Statement of: Catherine Ansty

Page No 2 of 4

3. I had been informed by Julian Alison, Licensing Team Leader at Ashfield District Council that the applicant had agreed to their 'Operational Policies', and through my experience of working with Mr Alison I was aware of this document, and some of the conditions that it included. The only conditions I felt necessary from a prevention of crime and disorder perspective to be applied to the licence were around CCTV, a Challenge 25 scheme to prevent underage sales, and a minimum pricing on food in order to be able to purchase alcohol; to prevent alcohol only sales and encourage a larger amount of food to be purchased. These conditions are mostly covered within Operational policies. Due the Mr Mattis stating in box K of the application form 'Premises would be operating primarily as a fast-food outlet with selective alcoholic sales only' I was of the opinion that the conditions I wanted to propose would be relevant and support the applicants statement that alcohol will be selective and food will be the primary purpose.
4. On 24<sup>th</sup> June 2019 I received an email from Julian Alison to Mr David Mattis proposing conditions be added upon the premises licence at the request of Mr Alison as a responsible Authority, along with a copy of those conditions that were not in the familiar style of the Operational policies, but rather an attachment and list of conditions. Mr Mattis replied to Mr Alison and myself the following day agreeing to those conditions. This is attached for your information as CA01.
5. On 18<sup>th</sup> July 2019 I emailed Mr Mattis to confirm Nottinghamshire Police had received his application form and that I wanted to propose a further condition. I have provided a copy of this email and a reply from Mr Mattis that I received the following day declining the proposal. This is provided as CA02.
6. Although the Mr Mattis had already accepted a condition with Mr Alison similar to the one I requested, I felt it necessary to make the condition more specific to place additional control measures on the sale of alcohol. The condition proposed by Mr Alison is as follows:

Signature:



Signature witnessed by: \_\_\_\_\_



Continuation of Statement of: Catherine Ansty

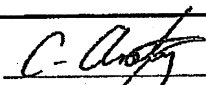
Page No 3 of 4

*'The sale of alcohol shall be restricted solely to such persons purchasing late night refreshment from the premises'.*

It is the opinion of Nottinghamshire Police, that this condition is not specific enough. It is feared that a customer could purchase a small amount of food, for example a cone of chips, a naan bread etc at a small cost so that they were able to purchase alcohol when most of the other premises selling alcohol in the vicinity are closed. Nottinghamshire Police believe that if a minimum food purchase price of £5 was instigated, this would discourage and prevent sales to those individuals who are mainly interested in purchasing alcohol and not food when leaving local licensed premises. The nearest Public House is the New Cross, which has a licence to serve alcohol until 0100 on a Saturday and Sunday. It is a concern of Nottinghamshire Police that individuals could leave the New Cross and go to this premises to purchase additional alcohol to continue drinking in the street, this has the potential to cause disruption to local residents as they would be under the influence of alcohol and have the potential to commit crime and/or disorder, further being a detriment to the area. By having the condition proposed by Nottinghamshire Police upon the licence, customers would be purchasing a larger amount of food, therefore upon leaving the takeaway will likely either be eating a more substantial food purchase or be more inclined to go home sooner to eat the food they have purchased before it goes cold. A table of times for other premises in the locality is attached for reference as CA03.

7. Nottinghamshire Police is confident the condition we have proposed has the same enforceability as the one agreed by Mr Mattis from Ashfield District Council. This condition has been agreed by other applicants, and placed on premise Licences in other parts of the county, an example of this is a licence issued by Mansfield District Council which I have provided as CA04.
8. Nottinghamshire Police, along with partners, have a responsibility to ensure Sutton Town Centre is not only vibrant but is an environment that is safe, and only by licensed venues promoting the four licensing objectives, can crime and disorder be minimised. Nottinghamshire Police is aware that some conditions may restrict lawful business by

Signature:



Signature witnessed by:

Continuation of Statement of: Catherine Ansty

Page No 4 of 4

imposing additional requirements, and the profits made by a premises cannot be a primary consideration, however it is felt that this conditions imposing a minimum cost of food would not restrict the profits of a premises and would allow growth.

END

Signature:



Signature witnessed by: \_\_\_\_\_

# Exhibit of Catherine Ansty

Reference: CA01

**Ansty, Catherine**

---

**From:** david mattis  
**Sent:** 25 June 2019 10:28  
**To:** J.Alison  
**Cc:** Brown, Daveen; Ansty, Catherine  
**Subject:** Re: Conditions for New Premises Licence Application - 127 Outram Street

Dear Mr Alison,  
With regards to your conditions for the premises licence regarding 127 Outram street. I formally agree to the conditions stated.

Kind regards

David mattis

**Get Outlook for iOS**

---

**From:** J.Alison <J.Alison@ashfield.gov.uk>  
**Sent:** Monday, June 24, 2019 1:29:32 PM  
**To:**  
**Cc:** 'Brown, Daveen'; 'Ansty, Catherine'  
**Subject:** Conditions for New Premises Licence Application - 127 Outram Street

Dear David

Further to our telephone conversation re: your recent application for a New Premises Licence, please find attached the conditions I propose which will replace those entered by yourself on your application.

I have copied my Police colleagues into this email so that they are also aware of the proposals.

If you agree to the attached conditions, please respond to myself and copy in my Police colleagues with your response.

Many thanks.

Kindest regards

Julian Alison

Licensing Team Leader  
Places & Communities  
Ashfield District Council  
Urban Road  
Kirkby-in-Ashfield  
NG17 8DA

E: [j.alison@ashfield.gov.uk](mailto:j.alison@ashfield.gov.uk) | T: 01623 457364 (Int: 4364) | M: 07989 531419 | W:  
[www.ashfield.gov.uk/business/licensing/](http://www.ashfield.gov.uk/business/licensing/)



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1. A CCTV system with recording equipment shall be installed prior to the premises carrying out licensable activities and maintained in accordance with the scheme.

All recordings used in conjunction with CCTV shall:

- be of evidential quality
- indicate the time and date
- be retained for a period of 31 days

Recordings shall be made available for inspection when requested by the Police or any other authorised person.

2. The sale of alcohol shall be restricted solely to such persons purchasing late night refreshment from the premises.
3. The Premises Licence holder shall ensure that a dedicated area is provided for vulnerable patrons (i.e. through alcohol, drugs isolation, underage, etc.) that have come to the attention of staff employed at the premises. This area will be for the safeguarding and appropriate support and first aid (if required) of such persons.
4. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
  - The need to ensure the responsible sale and supply of alcohol
  - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
  - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 18 years old

Records of the training programme shall be maintained and made available to Authorised Officers upon request.

The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.

5. A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:
  - The name of the person responsible for the premises on each given day.
  - The name of the person authorising the sale of alcohol each day.
  - All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the

incident about which the call is made and any actions taken to deal with the call.

- Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)
- Any calls to or visits by Nottinghamshire Police or the Licensing Authority in relation to any crime and disorder / public nuisance or like related matter.

The Designated Premises Supervisor shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer throughout the trading hours of the premises.

6. The Premises Licence holder shall participate in the designated local Pubwatch / Licensed Premises Partnership scheme (should one be in operation) and ensure that a representative of the licensed premises attend all of the arranged meetings or such a person has made all reasonable endeavours to attend the arranged meetings.
7. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces.
8. Signage shall be displayed advising customers to be respectful to residents and to leave the area in a quiet and orderly manner.
9. Waste receptacles shall be provided in the external areas immediately outside of the premises for customer to deposit any waste material relating to their purchase of late night refreshment from the premises.
10. Challenge 25 notices shall be displayed in prominent positions throughout the premises.
11. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

Exhibit of Catherine

Ansty

Reference: CA02



**Ansty, Catherine**

---

**From:** david mattis <  
**Sent:** 19 July 2019 05:00  
**To:** Ansty, Catherine  
**Subject:** Re: FW: Application for a premise licence - 127 Outram Street, Sutton In Ashfield

Good Morning Ms Ansty,

Thank you for for email regarding our application for a premises licence for 127 Outram street in Sutton-in-Ashfield.

Due to the fact we have already accepted without cause, addition stipulations which add to our running costs.

Hence. with respect I reject this condition. As no other takeaway I know of has a minimum price for selling food.

Kind regards  
 David Mattis.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

**From:** "Ansty, Catherine" <[kate.ansty4862@nottinghamshire.pnn.police.uk](mailto:kate.ansty4862@nottinghamshire.pnn.police.uk)>

**Date:** 18/07/2019 14:05 (GMT+00:00)

**To:** "

**Subject:** FW: Application for a premise licence - 127 Outram Street, Sutton In Ashfield

Good Afternoon Mr Mattis,

I can confirm Nottinghamshire Police has received your application for a premises licence at 127 Outram Street, Sutton In Ashfield. I have been made aware by the Licensing Authority that you have agreed operational policies with them and they will be placed as conditions upon your licence. I would also like to propose a condition to address the alcohol sales as below:

**The supply of alcohol shall be restricted to those placing an order for food, either by telephone or in person at the premises. The value of the food will be in excess of £5**

If you agree to this condition, please state your agreement by replying to this email before 3pm Friday 19<sup>th</sup>, if you do not agree or wish to speak to me further please feel free to contact me on the details provided below,

Kind regards

Kate Ansty

Senior Licensing Officer

County Licensing

Local Policing Unit (Licensing)

Nottinghamshire Police

Mansfield Police Station

Great Central Road

Mansfield

Nottinghamshire NG18 2HQ

Direct Dial: 101 extn 3104862

Mobile: 07595074403

[kate.ansty4862@nottinghamshire.pnn.police.uk](mailto:kate.ansty4862@nottinghamshire.pnn.police.uk)

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Exhibit of Catherine

Ansty

Reference: CA03

**Licensed Premises on Outram Street and Terminal Times of Licensable Activity**

<b><u>Name and Address</u></b>	<b><u>Premises Type</u></b>	<b><u>Licensable Activity</u></b>	<b><u>Terminal Time of Licensable Activity</u></b>	<b><u>Terminal Closing Time</u></b>
Oasis 2 Outram Street	Pub	Supply of Alcohol	23.30 hours	23.30 hours
New Cross 167 Outram Street	Pub	Supply of Alcohol Late Night Refreshment	0100 hours 0100 hours	0100 hours 0100 hours
Amigos 134 Outram Street	Take Away	Late Night Refreshment	0000 hours	0000 hours
New Cross Spice and Grill Mansfield Road	Take Away	Late Night Refreshment	0200 hours	Not stated
Bekash Tandoori Restaurant	Restaurant	Sale of Alcohol	0000 hours	Discretion of Licensee
83 Outram Street				
Efes Restaurant 77 Outram Street	Restaurant	Sale of Alcohol Late Night refreshment	0000 hours 0000 hours	Discretion of licensee
Kwang Tung Chinese Restaurant	Restaurant	Sale of Alcohol Late Night Refreshment	0200 hours 0200 hours	0200 hours
95 Outram Street				
Nazran Food & Wine 101 Outram Street	Off Licence	Sale of Alcohol	2300 hours	Discretion of Licensee
Rose Bower 182 Outram Street	Off Licence	Sale of Alcohol	2300 hours	Discretion of the Licensee
Local Choice 160 Outram Street	Off Licence	Sale of Alcohol	2200 hours	2200 hours
Outram Street Food and off Licence	Off Licence	Sale of alcohol	2330 hours	2330 hours
Casa Nostra 19 Outram Street	Off Licence	Sale of Alcohol	2200 hours	2200 hours

Exhibit of Catherine

Ansty

Reference: CA04



# PREMISES LICENCE

Licensing Act 2003  
SI 2005/42 Regulations 33,34 &  
Schedule 12 Part A

**Mansfield District Council**  
*Creating a District where People can Succeed*

<b>Premises licence number</b>	013669
<b>Part 1 - Premises details</b>	
<b>Postal address of premises</b>	Pizza Stop 36 High Street
<b>Post town:</b>	Warsop
<b>Post code:</b>	Mansfield NG20 0AE
<b>Telephone number</b>	01623 847084
<b>Where the licence is time limited the dates</b>	Not applicable
<b>Licensable activities authorised by the licence</b>	<ul style="list-style-type: none"><li>• Provision of Late Night Refreshment</li><li>• Sale of Alcohol by Retail</li></ul>
<b>The times the licence authorises the carrying out of licensable activities</b>	Provision of Late Night Refreshment – Indoors  Sunday – Thursday 23:00 – 01:00 Friday – Saturday 23:00 – 03:00  Sale of Alcohol by Retail: Sunday – Thursday 17:00 – 00:00 Friday – Saturday 17:00 – 02:00
<b>The opening hours of the premises</b>	Monday – Sunday 17:00 – 03:00 (following day)
<b>Where the licence authorises supplies of alcohol whether these are on and off supplies</b>	Off only

Part 2

**Annex 1 - Mandatory conditions**

None

**Annex 2 - Conditions consistent with the operating Schedule****The Prevention of Crime and Disorder**

1. A CCTV system with recording equipment shall be maintained at the premises and operated with cameras in positions agreed with the Police. All recordings used in conjunction with CCTV shall:
  - Be of evidential quality
  - Indicate the time and date
  - Be retained for a period of 31 days
  - Sufficient staff will be trained to use the system
  - The images will be made available for inspection immediately upon request to officers of Responsible Authorities.
2. The sale of alcohol shall be restricted to those placing an order for food, either by telephone or in person at the premises for home delivery only. The value of the food will be in excess of £5.00
3. All deliveries of alcohol will be recorded in a legible written log.
 

The log will:

  - be in possession of the delivery person and their details be recorded in the log
  - Identify the name and address of the person placing the order
  - Identify the delivery address and the details of the person receiving the alcohol
  - Identify the time and date of delivery and the details of what was delivered
  - If recipient was believed to be under 25 at point of delivery, details of identification shown to satisfy the supply of alcohol

The log will be retained for a period of 12 months and made available for immediate inspection when requested by any person of a responsible authority.

**The Prevention of Public Nuisance**

1. Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

**Annex 3 - Conditions attached after a hearing by the licensing authority.**

No hearing

**Annex 4 - Plans**

See attached  
Plan Number: A/1  
Dated: January 2010

Licensing Division, Mansfield District Council, Civic Centre,  
Chesterfield Road South, Mansfield, Nottinghamshire, NG19  
7BH

Telephone: (01623) 463463

e-mail: [Environmental.licensing@mansfield.gov.uk](mailto:Environmental.licensing@mansfield.gov.uk)

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>	Miss Dilek Ates
<b>Registered number of holder, for example company number, charity number (where applicable)</b>	Not applicable
<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	Miss Dilek Ates
<b>Personal licence number and issuing authority of the personal licence held by the designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	Licence Number: Issuing Authority: