

ASHFIELD DISTRICT COUNCIL



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

Agenda

Licensing Sub Committee

Date: **Thursday, 11th April, 2024**

Time: **10.30 am**

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

For any further information please contact:

Lynn Cain

lynn.cain@ashfield.gov.uk

01623 457317

Licensing Sub Committee

Membership

Chairman: Councillor Warren Nuttall

Councillors:
Paul Grafton
Dawn Justice
John Wilmott (Substitute Member)

FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

SUMMONS

You are hereby requested to attend a meeting of the Licensing Sub Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



Theresa Hodgkinson
Chief Executive

AGENDA

Page

1. To receive apologies for absence, if any.
2. **Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.**
3. **Application to Vary a Premises Licence - Top Drinks, 61 High Street, Hucknall.** 5 - 42

This page is intentionally left blank



Report To:	LICENSING SUB-COMMITTEE
Date:	11TH APRIL 2024
Heading:	APPLICATION TO VARY A PREMISES LICENCE: TOP DRINKS, 61 HIGH STREET, HUCKNALL
Executive Lead Member:	COUNCILLOR TOM HOLLIS, DEPUTY LEADER AND EXECUTIVE LEAD FOR STRATEGIC HOUSING AND CLIMATE CHANGE
Ward/s:	HUCKNALL CENTRAL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

For Members to consider the details contained within this report, alongside any evidence presented, and/ or representations made, at the hearing of an application to Vary a Premises Licence made by Falah Hassan Ibrahim in relation to Top Drinks, 61 High Street, Hucknall, Nottinghamshire, NG15 7AW; and to determine the application by taking such of the steps set out below as the Sub-Committee considers necessary for the promotion of the licensing objectives.

Recommendation(s)

Members having regard to the application and any relevant representations, take such of the following steps as they consider appropriate for the promotion of the licensing objectives:

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) Grant the licence in accordance with the application.**
- b) Modify the conditions of the operating schedule by altering or omitting or adding to them.**
- c) Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.**
- d) Reject the whole of the application.**

The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.

Reasons for Recommendation(s)

Members must consider all evidence offered at the Hearing and make an unbiased decision on the evidence offered. In making any decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 (which can be found online at):

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised guidance issued under section 182 of the Licensing Act 2003 April 2018 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018.pdf)

and the Council's own Statement of Licensing Policy (which can be found online at):

<https://www.ashfield.gov.uk/your-council/strategies-plans-policies/policies/>

Alternative Options Considered

None

Detailed Information

The Licensing Act 2003 came in to force in September 2005. It passed the powers to the Local Authority to licence premises for any of the following licensable activities:

- **The sale by retail of alcohol;**
- **The supply of alcohol by or on behalf of a club or to the order of a member of the club;**
- **The provision of regulated entertainment; and**
- **The provision of late night refreshment.**

The licensing objectives are:

- **The prevention of crime and disorder;**
- **The promotion of public safety;**
- **The prevention of public nuisance; and**
- **The protection of children from harm.**

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times. However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work.

Section 18 of the 2003 Act, allows Interested Persons, and Responsible Authorities, to make representations in favour or against applications for the grant of a Premises Licence. Should representations be made that cannot be resolved between the parties during any consultation period, then the application must be determined by a Licensing Committee or Sub-Committee Hearing.

Under the 2003 Act the Licensing Authority is itself a 'Responsible Authority' and can make representations in a formal capacity where it is considered necessary for the promotion of one or more of the licensing objectives. This role is separate from the general licensing functions of the Authority.

Other Relevant Considerations

The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in the Ashfield District) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the all parties to this Hearing.

Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.

When considering any representations, only those issues relating to the licensing objectives should be considered, and appropriate weight given to the importance and relevance of each representation.

Members should note that the applicant or persons making representations have the right of appeal against the decision made by the Sub-Committee.

Summary of Application

On 19th February 2024, the Licensing Authority received an application from Mr Ibrahim seeking to Vary the current Premises Licence for Top Drinks, 61 High Street, Hucknall, by extending the permitted hours for the off sales of alcohol from the premises.

A summary of the current licensable activities and the currently permitted times for these activities can be found detailed below.

Sale of Alcohol (off sales only):

Monday – Thursday	10:00	Until	23:00
Friday – Saturday	10:00	Until	24:00
Sunday	10:00	Until	20:00

A summary of the current licensable activities and the currently permitted times for these activities can be found detailed below.

Sale of Alcohol (off sales only):

Monday – Thursday	08:00	Until	24:00
Friday – Saturday	08:00	Until	02:00
Sunday	08:00	Until	23:00

The premises will not be open after 24:00 daily in relation to allowing customers into the shop.

The application (including the steps that the applicant intends to take to promote the licensing objectives) can be found at **Appendix One**. A copy of the current Premises Licence is attached at **Appendix Two**.

During the consultation period, the applicant agreed a condition with Nottinghamshire Police (attached at **Appendix Three**), and also with the Licensing Authority (attached at **Appendix Four**).

These two agreed conditions that will be imposed on any licence granted by the Licensing Sub-Committee (should the Sub-Committee grant the application as applied for) require the following of the licence holder:

- 1. Between the hours of 00:00 and 02:00 the front door to the premises will be locked so as to exclude customers from the licensed area and all service will be via a serving hatch.**
- 2. The Premises Licence holder shall when the sales of alcohol take place via the Service Hatch, place a notice in a prominent position for all customers to see, requesting that:**
 - Alcohol shall not be drunk on or in the immediate vicinity of the premises.**
 - Customers are reminded to be respectful to the needs of local residents when queuing to purchase alcohol and when departing from the premises.**
 - All bottles and cans purchased shall be disposed of in a responsible manner.**

Both Responsible Authorities (the Police and the Licensing Authority) believe that the imposition of the above conditions will be sufficient to promote the Licensing Objectives. Since the original grant of the Premises Licence on 19th March 2023, there has been no cause to take enforcement action against this premises by either the Licensing Authority or Nottinghamshire Police in relation to the current Premises Licence held.

One representation has been received from a local resident objecting to the application. Whilst a majority of matters raised do not fall within the context of what is relevant when considering an

application made under the Licensing Act 2003 and that such matters are dealt with by way of alternative legislation, the concerns about potential crime and disorder and public nuisance directly relating to this application may be considered. A copy of the representation is attached at **Appendix Five**.

A map of the local area detailing the general location of the premises is attached at **Appendix Six**.

Implications

Corporate Plan:

Licensing Act 2003 is a statutory duty of the Council.

Ensuring that Premises and Clubs operate with the correct Licence, having regard to the Council's Statement of Licensing Policy on alcohol, regulated entertainment, and late refreshment licensing, will contribute towards the reduction of crime and disorder within the district and to improve community safety and environmental quality.

Legal:

Legal advice will be given at the hearing.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
It is important that due process is followed in considering this application to ensure that the correct decision is reached which could not be challenged on the grounds that the specified procedures have not been followed.	The hearing has been organised to ensure that due process is followed, with appropriate support from the Council's legal representative to ensure this.

Human Resources:

There are no direct HR implications contained within this report.

Environmental/Sustainability:

There are no environmental/sustainability implications contained within this report.

Equalities:

Statutory requirement of the Licensing Act 2003, there no diversity or equality implications.

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

- Appendix One:** Application to Vary a Premises Licence
Appendix Two: Current Premises Licence
Appendix Three: Agreed Conditions with Nottinghamshire Police
Appendix Four: Agreed Condition with Licensing Authority
Appendix Five: Representation from Interested Party
Appendix Six: Map of general locality

Report Author and Contact Officer

Julian Alison
Licensing Manager - Place
julian.alison@ashfield.gov.uk
01623 457364

Sponsoring Executive Director

John Bennett
EXECUTIVE DIRECTOR - Place
john.bennett@ashfield.gov.uk
01623 457230

This page is intentionally left blank

APPENDIX ONE

Application to vary a premises licence 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 FALAH HASSAN IBRAHIM
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	PR/1790
-------------------------	---------

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
TOP DRINKS 61 High street HUCKNALL			
Post town	HUCKNALL	Postcode	NG15 7AW

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 4700

Part 2 - Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	N/A Same as Premises		
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD MM YYYY
[][] [][] [][][][]

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

2) ^{currently} I am selling alcohol in the Authority's area and I have brought a closed and and premises into a very viable business which is open for trade for the local people as well as tourists who visit Hucknall area. I have already seen customers demanding further extended hours to make it more successful business for working class people to match their work shift patterns. I have over 200 customers signed a petition to support my variactors in hours application. ~~At present my opening granted hours are from~~

10:00 AM to 23:00 hours on weekends and for other days 10 AM to 20 PM.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

my proposed hours are as under and these hours are very important for retaining my employees as well as making my business a complete success.

Monday — Thursday.. 8 AM to 00:00hrs -
Friday — Saturday . 8 AM to 02:00 AM.
Sunday — 8 AM to 23:00 hours.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) 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)
- NONE of these.*

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

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 5)</p> <p style="font-size: 2em; font-weight: bold;">N/A</p> <p>State any seasonal variations for performing plays (please read guidance note 6)</p> <p>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 7)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>N/A</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Please give further details here (please read guidance note 5)		
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
			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 7)		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			<p style="text-align: center; font-size: 2em;">N/A</p>
Tue			<u>State any seasonal variations for indoor sporting events (please read guidance note 6)</u>
Wed			
Thur			<u>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 7)</u>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<p><u>Please give further details here (please read guidance note 5)</u></p> <p style="font-size: 2em; opacity: 0.5;">N/A</p> <p><u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)</u></p> <p><u>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 7)</u></p>	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 5)</p> <p style="text-align: center; font-size: 2em; font-family: cursive;">N/A</p> <p>State any seasonal variations for the performance of live music (please read guidance note 6)</p> <p>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 7)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

N/A

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place (indoors or outdoors or both – please tick (please read guidance note 4))	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

N/A

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<p>Please give further details here (please read guidance note 5)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)</p>		
Fri					
Sat			<p>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 7)</p>		
Sun					

N/A

Late night refreshment Standard days and timings (please read guidance note 8)			Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Day	Start	Finish			
Mon			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)		
Tue					
Wed			Please give further details here (please read guidance note 5)		
Thur					
Fri			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Sat					
Sun					
			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 7)		

N/A

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
Mon	08:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	<input type="checkbox"/>
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)	
Fri	08:00	02:00			
Sat	08:00	02:00			
Sun	08:00	23:00			

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 10).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	00:00	<p>My Business will not serve no customers in the shop. The shop will close for the public at 00:00 hrs Monday to Thursday and same time again ^{Friday} on Saturday and the shop will close on Sunday but early. I will serve from a small window which I have</p> <p><u>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</u> (please read guidance note 7)</p> <p>The premises will not open to the public to come in the shop, instead, they will prebook and come to the shop door/window to collect their food items.</p>
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	23:00	

system in place for prebooking and the customer will take their items shopping from door only.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 11)

All my staff is fully trained and authorised to sell alcohol and other food items. I and my staff have training to comply with the licensing objectives including ID checking when serving to customers who look suspicious.

b) The prevention of crime and disorder

I have spent a considerable amount on a brand new CCTV system. This CCTV is a very vital source of information needed if any thing happen anyone in or around shop. CCTV will also help police

c) Public safety

I give high priority to public safety. I regularly check fire hazards, slippery floors and I have fire detection system installed and I have fire extinguisher available in case a fire broke out. I have health & safety policy in place. I have food hygiene manual. I record temperature. I have public liability insurance in place.

d) The prevention of public nuisance

To avoid public nuisance, I do not over crowd my shop. I have signs in place for prevention of public nuisance. I always ask customers to leave premises quietly which help to keep the noise low for the benefit for residents. I do not play loud music. My shop is very noise free shop.

e) The protection of children from harm

Check and challenge procedure is in place - A challenge 25 scheme has already in place and I keep a register - so far I have no issues. Any one seemy under 25 will be challenged, will be refused to serve unless he/she prove his/her age by any form of photo ID -

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	10/02/2024
Capacity	Proprietor and DPS.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p>			
Post town		Post code	
Telephone number (if any)			

**The Licensing Act 2003 (Premises Licence and Club Premises Certificates)
Regulations 2005
Schedule 12 – Part A**

PREMISES LICENCE

Premises Licence Number	PR/1790
Address	Top Drinks 61 High Street Hucknall Nottinghamshire
Postcode	NG15 7AW
Telephone Number	REDACTED
Where the Licence is time limited the dates	Not Applicable
Licensable activities authorised by the Licence	Supply of Alcohol
Times the Licence authorises the carrying out of the licensable activities	<u>Supply of Alcohol</u> Monday – Thursday: 10:00 – 23:00 Friday – Saturday: 10:00 – 00:00 Sunday: 10:00 – 20:00
Opening hours of the premises	Monday – Thursday: 10:00 – 23:00 Friday – Saturday: 10:00 – 00:00 Sunday: 10:00 – 20:00
Where the Licence authorises supplies of alcohol whether these are on and/or off supplies	Supply of Alcohol OFF the premises
Name (registered) address, telephone number and e-mail of the holder of the premises licence	Falah Hassan Ibrahim 61 High Street Hucknall Nottinghamshire NG15 7AW Tel: REDACTED Email: REDACTED
Registered number of holder (company/charity number) where applicable	Not Applicable

Name, address and telephone number of the designated premises supervisor, where the Premises Licence authorises for the supply of alcohol	Falah Hassan Ibrahim 61 High Street Hucknall Nottinghamshire NG15 7AW Tel: REDACTED Email: REDACTED
Personal licence number and issuing authority of personal licence held by the designated premises supervisor, where the Premises Licence authorises for the supply of alcohol	PA 0943 EAST STAFFORDSHIRE BOROUGH COUNCIL

ANNEX 1

Mandatory Conditions

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 / her 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.
3.
 - 1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - 2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - a) a holographic mark; or
 - b) an ultraviolet feature.
4.
 - 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - 2) For the purposes of the condition set out in paragraph 1:
 - a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b) permitted price is the price found by applying the formula: $P=D+(D \times V)$ where:
 - i) P is the permitted price,
 - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c) relevant person means, in relation to premises in respect of which there is in force a premises licence:
 - i) the holder of the premises licence,
 - ii) the designated premises supervisor (if any) in respect of such a licence, or
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. 1) Sub-paragraph 2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.
- 2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2

Conditions consistent with the Operating Schedule

- 1: A CCTV system shall be installed and operative in the premises when licensable activities are taking place. All recordings used in conjunction with CCTV shall:
 - be of evidential quality
 - indicate the correct time and date
 - be retained for a period of 31 days
 - Cover the point of sale, and entry and exit, as a minimum
 - At least one person trained and authorised to access the CCTV system shall be present during opening hours. They shall be able to perform basic operations such as reviewing and downloading recordings to removable media if required for Police or other authorised officers.

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

- 2: All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:
 - Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
 - Refresher/reinforcement training at intervals of no more than 6 months.
 - Training records will be retained at the premises for a minimum period of 12 months and available for inspection upon request by a Police Officer and/or authorised person
- 3: A bound and sequentially paginated incident book or electronic record shall be kept to record all instances of disorder, damage to property and personal injury at the premises. This book shall be made available for inspection and copying by the Police or any other authorised person upon request and all such books shall be retained at the premises for at least 12 months.
4. A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused. Such records shall show:
 - The basis for the refusal;
 - The person making the decision to refuse; and
 - The date and time of the refusal.

Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the Police or any other authorised person upon request.

5. A Challenge 25 scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (e.g. passport, driving licence, Military ID or PASS accredited card).
6. Challenge 25 notices shall be displayed in prominent positions throughout the premises.

ANNEX 3

Conditions attached after a hearing by the Licensing Authority

None

ANNEX 4

Plans

See attached

APPENDIX THREE

From :Adrian P aling >
S ent:T uesday, February 20, 2024 3:21 P M
T o:L icensing <[Licensing@ ashfield.gov.uk](mailto:Licensing@ashfield.gov.uk)>
Cc:Adrian P aling
S ubject:[EX T ER N AL]:FW :Variation application - T op Drinks. P lease reply by 27/02

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi

Please see below for agreed extra condition regarding variation application above.

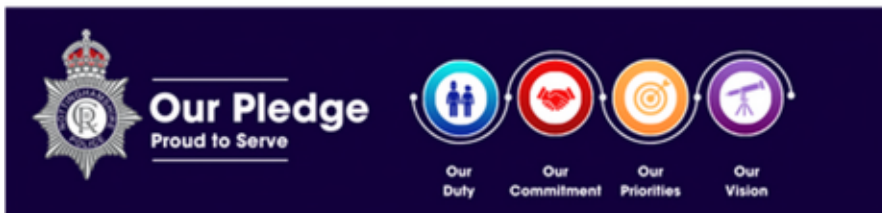
Proposed condition is in addition to existing conditions on licence.

Speak soon

A d r i a n P a l i n g
L i c e n s i n g E n f o r c e m e n t O f f i c e r
C o u n t y D i v i s i o n
Nottinghamshire Police
Mansfield Police Station
Great Central Road
Mansfield
NG18 2HQ

Tel: REDACTED
Mob: REDACTED

[www. nottingham shire. polic e.](http://www.nottinghamshire.police)



From :falah ibrahem <>
S ent:T uesday, February20, 20243:18 P M
T o:Adrian P alin
S ubject:R e:Variation application - T op Drinks. P lease replyby27/02

I agree thankyou

O n 20 Feb 2024, at15:13, Adrian P aling w rote:

Hi Falah

As per discussion by telephone earlier regarding the variation to extend your hours at Top Drinks, I would like to propose the following extra condition, which is in addition to the conditions already on your premise licence.

- Between the hours of 0000 and 0200 the front door to the premises will be locked so as to exclude customers from the licensed area and all service will be via a serving hatch.

If you agree to the conditions above, please reply to this email trail along with a copy of your proposed building layout, and add the following - **“I accept this email as agreement of proposed conditions and for the operating schedule to be amended, and agree not to have a hearing”**.

I will then inform the Licensing Authority at Ashfield District Council of our agreement and that we do not wish to make an objection to the granting of the licence.

Speak soon

Julian.Alison

From: falah ibrahem
Sent: 07 March 2024 17:27
To: Julian.Alison
Subject: [EXTERNAL]:Re: Objection received to Top Drinks Licence Variation Application

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I agree to your email thank you so much

On 7 Mar 2024, at 17:14, Julian.Alison <Julian.Alison@ashfield.gov.uk> wrote:

Dear Falah, as discussed, we have received a single objection to your application – I've attached a copy of it – the objector has asked that name and address be redacted.

As you will see it is a generic complaint about the availability of alcohol in general, and the negative impact the objector perceives this has on Hucknall, and that the granting of additional hours will add to these perceived concerns.

As mentioned when we spoke, the Police have no objection to the later hours applied for, and you have implemented a Service Hatch for use during the additional hours. I do not have any concerns as to the additional hours applied for, and from our records I find no evidence of your premises having ever given rise to any concerns to the Licensing Authority, and as such, the granting of later hours would not affect that.

However, in order to address the concerns of the objector, I think it prudent for you to adopt the following condition to be imposed on the licence. This will also enable the Licensing Sub-Committee to see that you appreciate the concerns the objector has raised, and are willing to put measures in place so that your premises is doing as best it can to not be one that contributes to the issues that the objector raises :

The Premises Licence holder shall when the sales of alcohol take place via the Service Hatch, place a notice in a prominent position for all customers to see, requesting that:

- **Alcohol shall not be drunk on or in the immediate vicinity of the premises**
- **Customers are reminded to be respectful to the needs of local residents when queuing to purchase alcohol and when departing from the premises**
- **All bottles and cans purchased shall be disposed of in a responsible manner**

If you are agreeable to the above please let me know, and I will be in touch with you again shortly to formally notify you of the Hearing, and to send you a Hearing Report. The Hearing will take place within 20 working days after the consultation closes on 18.03.2024.

Kindest regards

Julian Alison
Licensing Manager

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottinghamshire
NG17 8DA

Tel: 07989-531419

Web: www.ashfield.gov.uk/licensing

Web: www.ashfield.gov.uk/taxilicensing

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Ashfield District Council unless otherwise specifically stated.

If reasonable adjustments are needed to fully engage with the Authority please contact 01623 450000.

If you are not the intended recipient and you have received this e-mail in error you must not copy, distribute or take any action in reliance on it. Please notify the sender by e-mail or telephone and delete it from your system.

Please note that Ashfield District Council reserves the right, subject to compliance with legislation, to monitor emails sent or received. Under current legislation, such as, but not limited to, the Data Protection Act 2018 and the Freedom of Information Act 2000 the contents may have to be disclosed in response to a request for information.

We utilise an anti-virus system and therefore any files sent via e-mail will have been checked for known viruses. You are however advised to run your own virus check before opening any attachments received as we will not in any event accept any liability whatsoever once an e-mail and/or any attachment is received.

Printing this email? Please think environmentally and only print when essential. Thank you.

Did you know you can now report and request council services online, 24/7? Log into [Ashfield 24/7](#)

APPENDIX FIVE

From: REDACTED

Sent: Tuesday, March 5, 2024 12:03 PM

To: Julian.Alison <Julian.Alison@ashfield.gov.uk>

Subject: PR/1790 Top Drinks

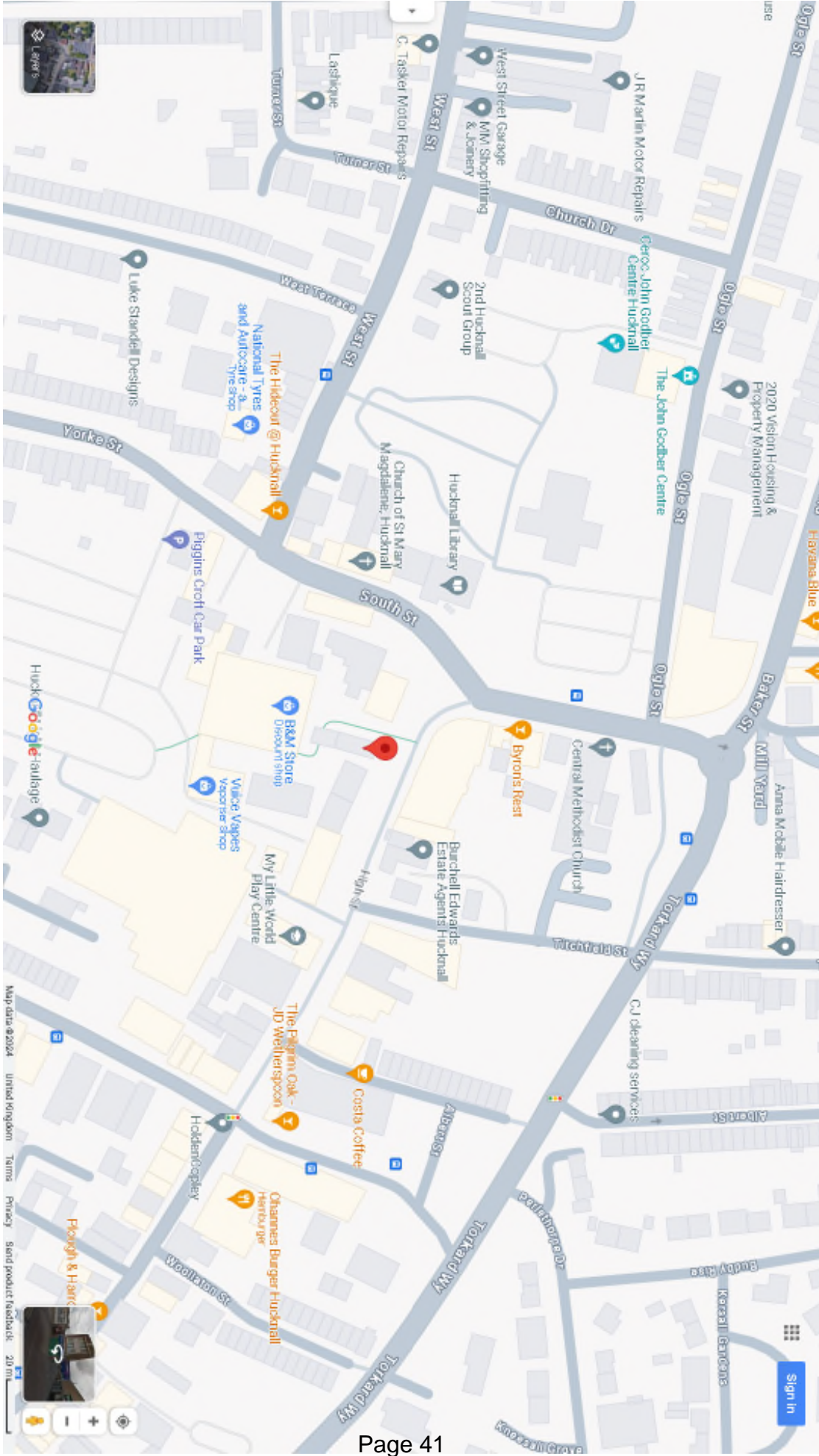
I wish to make representations regarding the above application for increases in off licensing hours.

Prevention of Crime and Disorder - unfortunately, I live close enough to the town centre so as to suffer because of antisocial behaviour caused by alcohol intoxication and the ingestion of, and the selling of illicit substances. In the environs where I live I frequently find smashed alcohol bottles, vomit in the street and areas of pavement where urination has taken place. These disgusting and hazardous occurrences are often in several places on the nearby streets. I prefer to sleep with my bedroom window open, but due to the noise and disturbance from the top of the High Street and that vicinity my sleep is frequently disturbed - so much so that have to close the bedroom window even on hot nights. The antisocial behaviour generally spreads up West Street and other streets close to my home as it gets later. The noise, disturbance, aggressive and threatening behaviour is sometimes so bad that I can hear it despite closing my double glazed bedroom window. As things stand, these antisocial behaviours go on until the early hours, particularly at weekends. Increasing the off licensing hours at this establishment will increase the opportunity to consume alcohol in the street and extend the time that the antisocial behaviour carries on.

Public Nuisance - as mentioned above, due to alcohol consumption in the streets there is quite often smashed alcohol bottles in the road and on the pavements close to my home. Extending off licensing hours will lead to more of this hazardous behaviour. In addition, noise nuisance will be prolonged.

Yours faithfully
REDACTED

APPENDIX SIX



This page is intentionally left blank