



Licensing Sub-Committee

A meeting of the Licensing Sub-Committee will be held as a Virtual Meeting via Zoom on Wednesday 5 January 2022 at 10.00 am

Agenda

1.	Appointment of Chairman for the meeting of the Sub-Committee
2.	<p>Declarations of Interest</p> <p>Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.</p> <p>Note: Any Member with a disclosable pecuniary interest will not be able to participate in the hearing, and should therefore notify Democratic Services in advance so that arrangements may be made for an alternate Member to attend.</p>
3.	<p>Review of Premises Licence (Pages 5 - 26)</p> <p>Report of the Senior Licensing Enforcement Officer</p> <p>Purpose of Report</p> <p>To consider an application for a review of a premises licence in accordance with section 51 of the Licensing Act 2003 made by Northamptonshire Police in respect of Monopol at 42a Barrack Road, Northampton, NN1 3RL.</p> <p>Recommendations</p> <p>1.1 To determine the application for a review of a premises licence in accordance with the Licensing Act 2003.</p>

Catherine Whitehead
Proper Officer
23 December 2021

Licensing Sub-Committee Members:

Councillor Janice Duffy
Councillor Winston Strachan
Councillor Mike Warren

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

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

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

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

Evacuation Procedure

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

Access to Meetings

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

Mobile Phones

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

Queries Regarding this Agenda

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

Tel: 01327 322043

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

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

**Application to Review Premises Licence – Monopol Deli, 42a
Barrack Road, Northampton NN1 3RL**

Alcohol and Gambling Licensing Sub-Committee

Date 10.00am 5th January 2022

Remote Hearing via ZOOM

1.0 Purpose of Report

- 1.1 To consider an application for a review of a premises licence in accordance with section 51 of the Licensing Act 2003 (“the Act”) made by Northamptonshire Police (“the Applicant”) in respect of Monopol at 42a Barrack Road, Northampton, NN1 3RL (“The Respondent”)

2.0 Summary

- 2.1 The Application, which can be found at **Appendix A**, was received by West Northamptonshire Council on 5th November 2021.

3.0 Application Details

- 3.1 The review is made on the ground of The Prevention of Crime & Disorder and follows a review that was heard by an Alcohol and Gambling licensing sub-committee from Northampton Borough Council in February 2021. The licence (see **Appendix B**) for this premises relates to the sale of alcohol off premises only between the hours of:

Monday – Saturday 09.00 – 23.00

Sunday 10.00 – 22.00

Bank Holidays 10.00 – 22.00

The Premises Current Licence Holder is Mr Mafbin Aras Zada

There is currently no DPS at the premises as the last person in that role was removed following the aforementioned previous review hearing in February 2021 and has not been replaced.

4.0 Consultations/Representations

- 4.1 When an application for a review of a premises licence or club premises certificate is received, the applicant must serve the licence holder and all the responsible authorities with the application. It is then the responsibility of the local authority to place the blue public notice (“the Notice”) at or near the premises.

This gives responsible authorities and any member of the public the opportunity to make written relevant representations in relation to the application to the local authority within 28 calendar days of receiving the notice or the date on which the notice was first displayed at or near the premises. In this case the notice was displayed on 8th November 2021 and a photograph of it in situ is shown at **Appendix C**. The last date for making relevant representations in relation to this Application was 6th December 2021.

No other representations have been received during that consultation period.

5.0 Attendance

5.1 The Council is also required to send a notice of hearing to all interested parties and responsible authorities that have submitted a relevant representation and request confirmation of their intention to attend that hearing. A notice of hearing was sent to the following persons on 8th December 2021:

- Mr Mr Mafbin ZADA (Licence Holder)
- PC Sandy Tracey (on behalf of the Chief Officer of Northamptonshire Police)

6.0 Options

6.1 Upon application of a review at the end of the consultation period the licensing authority must hold a hearing to consider it and any other representations made. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

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

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

- to modify the conditions of the licence;
- exclude a licensable activity from the scope of the licence;
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding three months;
- revoke the licence;

7.0 Financial & Resource Implications

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

Comments checked by Antony Russell, Finance Business Partner

8.0 Legal Implications

8.1 Any decision made with regard to an application for the review of a premises license made in accordance with section 51 of the Licensing Act 2003 (“the Act”), must comply with the requirements of section 52. It must also take into account the revised statutory guidance issued under section 182 of the Act (April 2018 version) and, as of the date of the Sub-Committee hearing on 5th January 2022, the Northampton Borough Council Licensing Act 2003 Statement of Licensing Policy (2020).

8.2 In accordance with section 51 of the Act, where relevant representations are made by a responsible authority or other person, and which are about the likely effect of the grant of the application on the promotion of the four licensing objectives, a hearing must be held to consider them, unless the Members of the Sub-Committee, the Applicant and each person or responsible authority that has submitted a relevant representation agree that a hearing is unnecessary or all representation are withdrawn.

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

- modify the conditions of the licence;
- to exclude a licensable activity from the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding 3 months;
- to revoke the licence
- or take no action

8.4 A decision must be made by the Sub-Committee within the period of five working days beginning the day on which the hearing was held. Once the decision has been made, a written notice containing the full reasons for that decision must be supplied forthwith to the Applicant and any person or responsible authority that submitted a relevant representation

- 8.5** In accordance with section 181 and Schedule 5 of the Act, only the Applicant and any person or responsible authority that submitted a relevant representation may appeal to a Magistrates' Court if they are aggrieved at the decision of the Sub-Committee. Any such appeal must be submitted by way of complaint to the Court within 21 days commencing with the day on which the person in question **received** a copy of the written notice of the Sub-Committee's decision.

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

9..0. Committee

Each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed, may be unlawful where they cannot be shown to be necessary for the promotion of the licensing objectives in any individual case.

Additional Documents	Title
A.	Review Application from Northants Police
B.	Current Premises Licence
C.	Blue Notice
Report Author	Martin O'Connell Senior Licensing Enforcement Officer

APPENDIX A – REVIEW APPLICATION

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Police Constable 0010 TRACEY

(insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description
Monopol Convenience Store,
42A Barrack Road,

Post town Northampton

Post code (if known) NN1 3RL

Name of premises licence holder or club holding club premises certificate (if known)
Mr Mafbin Aras ZADA

Number of premises licence or club premises certificate (if known)
PL0696

Part 2 – Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC 0010 S TRACEY Northamptonshire Police Wellingborough Police Station Midland Road Wellingborough Northamptonshire NN8 1HF
Telephone number (if any) 101 EXT 346307
E-mail address (optional) Sandy.tracey@northants.pnn.police.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

X

Please state the ground(s) for review (please read guidance note 2)

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

Northamptonshire Police call for the Review of the Premises Licence for Monopol under the Licensing Objective of the Prevention of Crime and Disorder.

This Review relates to the offence of:

- 1. Sale of Non-Duty paid Tobacco. (Tobacco Products Duty Act 1979)**
- 2. Non-compliance of conditions shown on operating schedule (PL 0696) contrary to Schedule 8 (1&6)**

Please provide as much information as possible to support the application (please read guidance note 3)

Details of recent visits to these premises conducted by Northants Police and Trading Standards. Please see below details of previous Review information (February 2021)

1. Northamptonshire Police and Northampton Trading Standards had received information that these premises are continuing to sell non UK duty paid cigarettes despite being Reviewed by Northamptonshire Police for the same matter 8 months previously.
2. On Thursday 2nd September, 2021 at around 11.30am police and trading standards officers attended the venue to conduct a search for smuggled, non-duty paid cigarettes Whilst stood outside waiting for the search dog PC Tracey witnessed a sale of non-duty paid cigarettes through the open door of the shop. Please see her statement and photo (New exhibit SAT/1) The male who made the purchase was stopped by PC Tracey once he left the shop and asked how much he'd paid for the cigarettes, he said £5. He allowed PC Tracey to photograph the packet of cigarettes (SAT/1) but would not provide his details or talk to her any further. She had no powers to detain him further. He had purchased a 20 pack of Winston cigarettes that has a blue and white packet.
3. During the search by the authorities on Thursday 2nd September nothing of note was located by the tobacco detection dog.
4. It was noted by the authorities during this search that the premises had ceased selling, displaying or storing alcohol at the premises. There were two members of staff who were present during this search a male who was a refugee with leave to remain in the UK and a right to work. Also present was another male who was a UK citizen. Neither male was able to give an explanation as to why there was no alcohol offered for off sales.
5. On Thursday 14th September, PC Tracey and PC Bryan conducted a further visit to the premises to check for compliance with the premises licence operating schedule. New conditions were imposed on the venue and agreed by the Licence holder, Mr Mafbin ZADA during the Review hearing held on 2nd February, 2021.
6. On their arrival at around 10:45hrs there were two males present, the same males that were present during the search on 2/9/21. There were no other staff members at the shop or in the storage areas.
7. One of the males was quick to attempt to close the shop whilst we were present as he walked to the door, locked it and turned the open/closed sign around from open to closed. I instructed him not to do this; I told him to turn the sign back around to open and unlock the door. I then told him to stand behind the counter whilst we conducted our visit. He was extremely reluctant

to do this as he argued it would be easier for us if the door was locked and closed. I explained to him I wanted to see whether any customers entered the shop while we were there and ask for cheap cigarettes. While we were present at the shop 2 customers entered the shop within a few minutes of each other. When the first customer entered I was stood at the counter taking notes in my book. As the male customer entered I saw one of the males look at the customer and shake his head. The customer turned around and walked out of the shop making no comment or purchase of any other goods.

8. When the second customer entered a few minutes later he had a £5 note in his hand. He said something in a language I neither understood nor recognised. One of the males shook his head and said something in his language to the male. The male then walked to the fridge adjacent to the counter and removed a can of pop from the fridge. He placed the £5 note back in his pocket and paid for the can using change. I believe both customers had entered the premises with the sole intention of buying non duty paid, cheap cigarettes.
9. Police found the following breaches of the premises operating schedule during our visit on 14th September:
 - Both males were unable to operate the venue's CCTV system. It was also unclear whether it was recording and functioning correctly (Breach of condition 2)
 - Neither of the males held or had applied for a Personal Licence (Breach of condition 3)
 - There was no incident log kept at the venue or available to show police. Both males stated that they did not have one. (Breach of condition 10)
 - There was no Premises Right to Work register held at the venue and available to us for inspection. Both males stated that they did not have one (Breach of condition 12)
 - Both males stated they have been employed by Mr ZADA since February 2021. They stated that neither of them had received any kind of staff training since they had been employed at the venue. They both stated that during the 3 month period of suspension post Review neither of them received any kind of training. (Breach of condition 13&14)
 - No training records were kept at the venue or available to police both males stated that they did not have one (Breach of condition 15)
 - There was no evidence available to show police that a Compliance Auditor had attended the premises to conduct an audit at any point during 2021 (Breach of condition 16, 17, 18 & 20)
 - Northamptonshire Police have not been contact by anyone from the premises or it's licence holder to provide details of a Compliance Audit. Neither have they contacted Northampton Borough Council. (Breach of condition 19)

Northamptonshire Police respectfully request that the Licensing Sub-Committee of Northampton Borough Council now revoke the Premises Licence, it is our assertion that the manner in which the premises is being operated does not promote the Licensing Objectives. It is now clear from recent evidence collated during visits to this venue that non duty paid cigarettes continue to be sold from Monopol. Those responsible for these premises have a blatant disregard towards UK laws and procedures relating to the sale of tobacco products.

When making this application Northamptonshire Police have consulted the statutory section 182 Guidance that accompanies the Licensing Act 2003, specifically paragraphs 11.24 – 11.28, which relates to Reviews in connection with crime.

11.27 stipulates certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously with their use. Two criteria within this list are for the sale or storage of smuggled tobacco and alcohol, and for employing a person who is disqualified from work by reason of their immigration status in the UK.

Northamptonshire Police Policing Priorities for 2019/20 details certain criminal activity that will be focused on. Serious and Organised Crime is an identifier tackling modern slavery and human trafficking offences. Persons who have no right to work in the UK are not protected by employment legislation and are more open to exploitation.

R (Bassetlaw District Council) v Worksop Magistrates Court outlines the case that the action(s) taken by the Licensing Committee can be punitive. Northamptonshire Police ask the Licensing Committee to consider Revocation of this particular Premises Licence in the interests of the wider community for reasons detailed in the above case, who are involved or considering engaging in this illegal activity.

This is Northamptonshire Police's initial submission to the Licensing Authority further details regarding the visit will be submitted in accordance with the Licensing Act 2003 Hearing Regulations.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
0	2	0
2		2
		2
		0
		2
		1

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

Below is the information contained within the review papers dated February, 2021 submitted by Northamptonshire Police. A record of these papers should be retained by the local authority.

- A Transfer application dated the 22/01/2019 was made in the name of Shaho Rahman Abdulla, an application to vary the DPS was also dated the 22/01/2019 nominating Shaho Rahman Abdulla as the new DPS.
- On the 19/09/2019 a Multi-Agency operation (HMRC, Trading Standards Officers, LA Officers and Northants Police) targeting a number of premises in Northamptonshire relating to duty not paid tobacco products was conducted, Monopol was one of the premises visited. A search was conducted and no smuggled tobacco products were discovered, however on entering the premises a male who was behind the counter was serving a customer, this male provided identification to state that he did not have the right to work in the UK, when the male was challenged about this he denied he was working. The Immigration Service was contacted by phone at the time of the visit and the male details were logged, Northants Police were directed by the Immigration Service to give the male a verbal warning that he could not work. It should be noted that this male was also encountered working in the shop on the 29/10/2020, 10/11/2020, 25/11/2020 and the 11/12/2020 by police.
- On the 03/03/2020 Officers from HMRC and Northants Police visited the premises, a search of the premises was conducted, no smuggled tobacco products were discovered inside the premises, however a set of car keys were found that belonged to a car parked in a nearby street. This car was registered to the Premises Licence Holder and the DPS who was not present at the time. A search of the vehicle was conducted and a quantity of Hand Rolling tobacco was discovered in the boot, 0.75 kilos of non-duty paid a member of staff was present during the search and stated that the tobacco belonged to him, he was requested to pay £228.00 to cover the duty lost or the vehicle was going to be seized, this was paid on the spot, the tobacco was seized.

- During all visits conducted by the authorities, Mr Shaho Rahman Abdulla has not been present.
- A transfer application was submitted for the premises on the 01/07/2020 in the name of Mafbin Aras Zada, however the DPS remained as Shaho Rahman Abdulla
- On Thursday 29th October, 2020 at approximately midday, Northamptonshire Police Licensing Officers conducted a Test Purchase (TP) for Tobacco at Monopol Convenience Store, 42A Barrack Rd, Northampton, the premises were open and trading at the time. A sale of non-UK duty paid cigarettes was made to the officer. The officer paid £5 for a packet of 20 cigarettes
- A second test purchase was conducted by the same officer on Tuesday 10th November at 13:30hrs the premises were open and trading. A different male member of staff to the one who had made the cigarette sale during the previous TP sold to her a packet of non UK Duty Paid cigarettes. The officer paid £5 for a packet of 20 cigarettes
- A third test purchase was conducted by the same officer on Wednesday 25th November at 12:30hrs the premises were open and trading. The same male member of staff who had made the cigarette sale during the second previous TP sold to her again a packet of non UK Duty Paid cigarettes. The officer paid £5 for a packet of 20 cigarettes
- A forth test purchase was conducted by the same officer on Wednesday 2nd December at 23:25hrs the premises were open and trading. The same male member of staff who had made the cigarette sale during the first TP (On the 29/10/20) sold the officer a packet of non UK Duty Paid cigarettes. The officer was also sold a bottle of 330ml 5.0% Alcohol Volume beer which was sold whilst not in accordance to their hours of trading shown on their premises licence. The alcohol sale was made 25 minutes past their terminal hour. The sales assistant was aware of the hours of trading as he made comment to the officer that he shouldn't be selling her the alcohol as they were due to stop alcohol sales at 23:00hrs. When the officer suggested he shouldn't make the sale as he may get into trouble, he still went ahead and sold her the beer knowing this. The officer paid £5 for a packet of 20 cigarettes
- Plain clothes officers from the police and Her Majesties Revenue and Customs (HMRC) attended the venue on Friday 10th December at 13:00hrs where a further test purchase for cigarettes

was made to the same officer by the same 2 male members of staff who had made the previous sales of alcohol and cigarettes on 29/10/20, 10/11/20 & 2/12/20. A further packet of non UK Duty paid cigarettes was sold to the officer. Police and HMRC officers then entered the premises under S 180 Licensing Act 2003 and seized the non-duty paid cigarettes that were in the store. The seizure was made under the power of S19 PACE 1984. A total of 260 cigarettes of various Non-Duty paid brands including a number of banned menthol cigarettes were located behind the counter. Both males who had been present and working at the shop during previous Test Purchase Operations were found to be working illegally (via immigration checks) in the store in breach of their conditions of entry into the UK. Contact details of the Officer's seizing the cigarettes were left at the premises. The premises licence holder, Mr Mafin Aras ZADA was spoken to on the telephone that day, he was told what had been undertaken at his shop and that enforcement action would follow. To date he has made no attempt to contact Northamptonshire Police about this matter. The officer paid £5 for a packet of 20 cigarettes

- One of the males who was found to be working at the premises illegally had been found at the same premises on 19.9.2019 during a Police Operation where the Immigration Service instructed for him to be given a warning by police regarding him working illegally. This served me on the 10th and 25th November. The other male working illegally served the TP officer on the 29/10/20 and the 2/12/20.
- During each test purchase conducted by police the member of staff spoke into a device located behind the counter and requested the cigarettes ordered to the staff member in the rear of the premises. The cigarettes were always bought up from a store room at the rear of the premises up to the counter where they were handed to the officer. The rear of the shop was separated from the main area by a green curtain.

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature L Tracey PC10

Date 19/10/2021

Capacity Northamptonshire Police Licensing Constable

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Appendix B – Current Premises Licence



West Northamptonshire Council

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Licensing Act 2003 - Premises Licence Register as at 12:09 on 9 December 2021

Monopol

42a Barrack Road, Northampton, NN1 3RL

Premises Licence PL0696 from from 27/10/2021 to indefinite

Licence holder(s)

Full Name:	Mr Maftin Aras ZADA
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Designated Premises Supervisor

Full Name:	Pending
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Permitted Activities

- the sale by retail of alcohol

Premises Open Hours Granted

	Time From	Time To
Monday-Saturday	09:00	23:00
Sunday	10:00	22:00
Bank Holiday	10:00	22:00

Activities - Times Granted

	Time From	Time To
M. The sale by retail of alcohol for consumption OFF the premises only		
Monday-Saturday	09:00	23:00
Sunday	10:00	22:00
Bank Holiday	10:00	22:00

Additional Conditions

ANNEX 1 - MANDATORY CONDITIONS

Mandatory conditions where licence authorises supply of alcohol

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

ADDITIONAL MANDATORY CONDITIONS

The following mandatory conditions are to be applied to the licence stated above in accordance with The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 as amended by the The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014.

The following conditions shall come into force on 1st October 2014

3. (1) The premises licence holder or club premises certificate 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.

The following mandatory conditions are to be applied to the licence stated above in accordance with The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014.

The following conditions shall come into force on 28th May 2014

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) "value 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.

Licensing Objectives following Review Hearing on 2nd February 2021

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of a Responsible Authority officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Responsible Authority officer copies of recent CCTV images or data 24hrs when requested, in line with current Data Protection legislation.

3. *There shall be a personal licence holder on duty on the premises at all times when the premises are open for Licensable Activities.*

4. *All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*

5. *The Premises Licence Holder will install and maintain an intruder alarm system.*

6. *The Premises Licence Holder shall ensure that customer areas are well lit and kept free from obstruction at all times when the Premises is open to members of the public.*

7. *A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

8. *The Premises Licence Holder will prominently display signage at the entrance to the Premises and at point of sale advising customers of the Challenge 25 proof of age scheme in operation at the Premises.*

9. *The Premises Licence Holder will prominently display signage at the entrance to the Premises and at point of sale advising that it is illegal to purchase alcohol on behalf of persons under the age of 18.*

10. An incident log shall be kept at the premises, and made available on request to a Responsible Authority officer. It must be completed within 24 hours of the incident and will record the following:

- a) all crimes reported to the venue,
- b) any ejections of patrons,
- c) any complaints received concerning crime and disorder,
- d) any incidents of disorder,
- e) any faults in the CCTV system, searching equipment or scanning equipment,
- f) any refusal of the sale of alcohol; and
- g) any visit by a relevant authority or emergency service.

11. Mr Shaho Rahman Abdulla, Mr Aras Shawkat and Mr Sam Rayan Hussain shall not be involved in any way with the day-to-day management or operation of the Premises, nor are they permitted to enter the Premises at any time that it is open to the public and/or Licensable Activities are taking place.

12. Prior to undertaking any work at the Premises, paid or unpaid, the Premises Licence Holder shall undertake a right to work check on any prospective employee to make sure that he or she has the right to work in the UK. The Premises Licence Holder will record this check in the Premises' Right to Work register a copy of which shall be kept at the Premises and made available for inspection by a Responsible Authority officer on request. It shall record the following:

- a) The name of the employee.
- b) The date of birth of the employee.
- c) A copy of the employee's photographic ID document proving his or her right to work in the UK.
- d) The date upon which the employee's status is to be reviewed and his or her right to work in the UK re-confirmed.

13. Prior to undertaking any work at the Premises, paid or unpaid, the Premises Licence Holder shall ensure that any prospective employee is trained in the following:

- a) The Licensing Act 2003 and the Licensing Objectives.
- b) The Conditions of this Premises Licence.
- c) Underage sales of alcohol and tobacco and the Premises' Challenge 25 policy.
- d) Proxy sales and sales of alcohol to persons who are drunk.
- e) Identifying non-duty paid products.

14. Employee training shall be repeated every six (6) months and must take place at least twice in every calendar year.

15. The Premises Licence Holder shall record all employee training in the Premises' Employee Training Register a copy of which shall be kept at the Premises and made available for inspection by a Responsible Authority officer on request.

16. An independent Compliance Auditor, to be instructed and paid for by the Premises Licence Holder, must carry out a minimum of four (4) compliance audits of the Premises per year.

17. The independent compliance audits shall not be pre-arranged with the Premises Licence Holder or any employee or agent of the Premises Licence Holder.

18. The independent compliance audits shall cover and include:

- a) The right to work in the UK of all employees employed by the Premises Licence Holder.
- b) Checking the training records of all employees employed by the Premises Licence Holder to make sure that they have been trained in accordance with the training condition set out in this Premises Licence.
- c) Compliance with the Conditions of this Premises Licence.
- d) Test purchases of alcohol and tobacco products

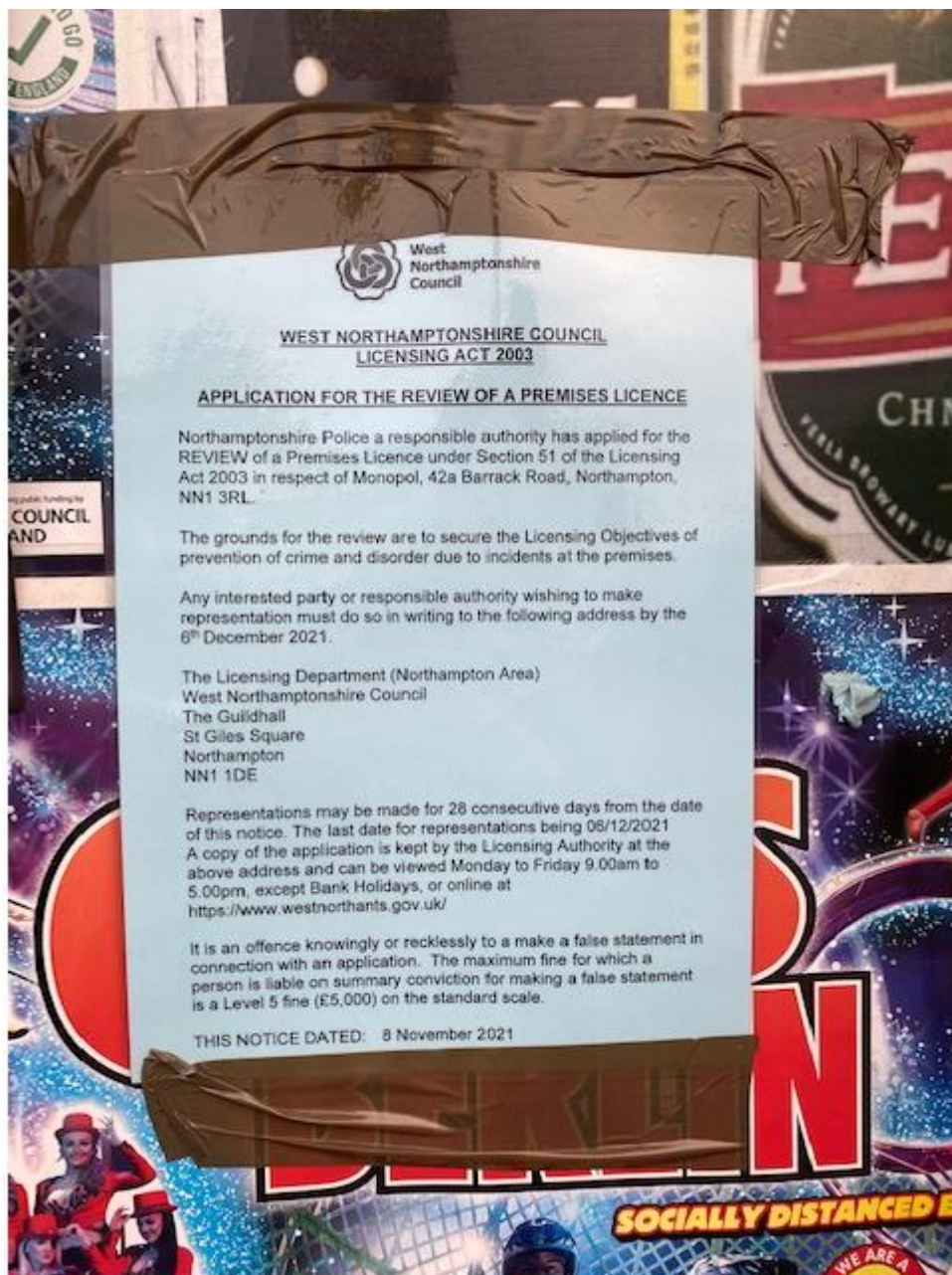
19. A copy of a report arising from each independent compliance audit shall be forward to the Premises Licence Holder, the Northampton Police Licensing Team, and the Northampton Council Licensing Team at the following e-mail addresses:

- Mr Mafbin Zada - mafbinzada@gmail.com
- Northamptonshire Police Licensing Team - liquorlicensing@northants.pnn.police.uk
- Northampton Council Licensing Team - licensing-NBC@westnorthants.gov.uk

20. *A copy of the last four (4) independent compliance audit reports shall be kept at the Premises and and made available for inspection by a Responsible Authority officer on request.*

21. *There shall be no self-service of spirits on the Premises.*

Appendix C – Blue Notice



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