



Monday, 17 July 2023

Dear Sir/Madam

A meeting of the Alcohol and Entertainments Licensing Hearing Panel will be held on Tuesday, 25 July 2023 in the Council Offices, Foster Avenue, Beeston, NG9 1AB, commencing at 10.00 am.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors: R Bullock
B C Carr

S Paterson (Substitute)
D D Pringle

AGENDA

1. APPOINTMENT OF CHAIR

2. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

3. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

4. APPLICATION TO VARY A PREMISES LICENCE

(Pages 3 - 40)

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ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE

Date and Time 25 July 2023 @ 10.00
Location Council Chamber
 Broxtowe Borough Council
 Foster Avenue
 Beeston
 Nottingham
 NG9 1AB

Applicant:	Zeon Group Limited
Premises applied for:	Zeon Café and Bar 23-27 Main Street Kimberley Nottingham NG16 2NG
Type of application:	S34 Licensing Act 2003 Application to vary a premises licence
Date application received	31.05.2023
Consultation period end	28.06.2023
Licensable Activities applied for:	Recorded Music Provision of Late Night Refreshment Supply of Alcohol
Variation(s) applied for:	Amendment to operating hours to increase by one hour on Friday and Saturday evenings as set out below
Hours applied for:	<p>Recorded Music: Sunday – Thursday 23.00 - 00.00 (No Change) Friday – Saturday 23.00 - 01.30 (exempt until 23.00)</p> <p>Provision of Late Night Refreshment: Sunday – Thursday 23.00 - 00.00 (No Change) Friday – Saturday 23.00 - 01.00</p> <p>Supply of Alcohol: Sunday – Thursday 11.00 - 00.00 (No Change) Friday – Saturday 11.00 - 01.00</p>
Hours open to Public:	Sunday – Thursday 11.00 - 00.30 Friday – Saturday 11.00 - 01.30
Steps applicant proposes to take to promote the Licensing Objectives.	See existing Licence (Attached) See letter from Police re Door Supervisors See application: <ul style="list-style-type: none"> • Active member of Pubwatch • Last door entry policy • Notice at exit asking departing customers to leave quietly • All windows closed at 21.00 to reduce noise breakout

Representations by Responsible Authorities	Comments			
<ul style="list-style-type: none"> • Police • Planning • Environmental Health Health & Safety • Environmental Health Noise • Fire Service • Safeguarding Children Board • Trading Standards • Health 	No Objection No Representation See Planning response re current planning permission. None None None None None None			
	Licensing Objectives			
Representations by Interested Parties:	Crime and Disorder	Public Safety	Public Nuisance	Protection of Children from harm
Mr P Saunders	X		X	
Mr I Wilson	X		X	
Mr P Dennis	X		X	
Ms J Wickham	X		X	
Attendances on behalf of the Applicant:	Mr J Towle			
Attendances on behalf of Interested Parties	TBC			
Attached documents	<ul style="list-style-type: none"> • Application • Current Licence • Plan • Comments from Planning • Letter from Police - agreed door supervisor conditions • Relevant representations 			

Focus of hearing:

The Panel may first need to consider whether the public should be excluded during part or all of the hearing of this matter under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

14. Hearing to be public

(1) Subject to paragraph (2), the hearing shall take place in public.

(2) The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

(3) For the purposes of paragraph (2), a party and any person assisting or representing a party may be treated as a member of the public.

Representations have been received relating to the licensing objectives as follows:

- **Prevention of crime and disorder**
- **Prevention of public nuisance**

Those making representations may wish to consider any conditions that they would like the Licensing Committee to consider attaching to the licence if they are minded to grant it.

The issues coming before the panel should be addressed as follows:

Relevance of representations.

All representations are relevant

Consideration of the application

Whether upon consideration of the facts, that the grant of an application by Zeon Group Limited in the terms applied for and subsequently amended in consultation with Nottinghamshire Police Licensing, will undermine the above mentioned licensing objectives.

In considering this application, the Alcohol and Entertainment Sub-Committee will have regard to:

The representations from the Interested Parties (Attached)

Additional conditions volunteered by the applicant

The Licensing Act 2003, and in particular:

S4 General duties of licensing authorities

- (1). A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives.
- (2). The licensing objectives are—
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- (3). In carrying out its licensing functions, a licensing authority must also have regard to—
 - (a) its licensing statement published under section 5, and
 - (b) any guidance issued by the Secretary of State under section 182.

S35 Determination of application under section 34

- (1) This section applies where the relevant licensing authority—
 - (a) receives an application, made in accordance with section 34, to vary a premises licence, and

- (b) is satisfied that the applicant has complied with any requirement imposed on him by virtue of subsection (5) of that section.
- (2) Subject to subsection (3) and section 36(6), the authority must grant the application.
 - (3) Where relevant representations are made, the authority must—
 - (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.
 - (4) The steps are—
 - (a) to modify the conditions of the licence;
 - (b) to reject the whole or part of the application;and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
 - (5) In this section “relevant representations” means representations which—
 - (a) are about the likely effect of the grant of the application on the promotion of the licensing objectives, and
 - (b) meet the requirements of subsection (6).
 - (6) The requirements are—
 - (a) that the representations are made by an interested party or responsible authority within the period prescribed under section 17(5)(c) by virtue of section 34(5),
 - (b) that they have not been withdrawn, and
 - (c) in the case of representations made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
 - (7) Subsections (2) and (3) are subject to sections 19 to 21 (which require certain conditions to be included in premises licences).

The guidance issued under 182 of the Licensing Act 2003 (As updated)

The council’s “Statement of Licensing Policy” 2019 – 2024 and in particular:

- Policy statements 1 & 2 and
- Sections 2, 5 & 6

POLICY 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

POLICY 2

When preparing or considering applications, applicants, responsible authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.**
- (ii) The precise nature, type and frequency of the proposed activities.**
- (iii) Any measures proposed by the applicant in the Operating Schedule.**
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.**
- (v) Means of access to and exit from the premises.**
- (vi) The provision and availability of adequate seating and the restriction of standing areas**
- vii Noise from the premises or noise arising from persons visiting the premises**
- (viii) The potential cumulative impact**
- (ix) Other means and resources available to mitigate any impact.**
- (x) Such other matters as may be relevant to the application.**

REASON: To ensure that all relevant matters are taken into consideration during the application process.

Their duties under section 17 of the Crime and Disorder Act 1998.

ALCOHOL AND ENTERTAINMENT LICENSING PANEL

The overall intention is to hold a “directed discussion” on the issues

Procedure for hearing of application

1. The Chair will welcome everyone to the meeting
2. The Chair or Legal Advisor will explain the reason for the hearing and explain the protocol.
3. Legal Adviser will identify each of the parties to the hearing and inquire whether the parties have understood the hearing procedure and are able to see/hear and be seen/heard.
4. Chair considers requests for witnesses to be called by each of the parties (If any).
5. Chair assesses and then agrees the maximum period of time in minutes to be permitted for each party to address the relevant representations.
6. Chair invites the Applicant to outline his application and address the relevant representations and call any witnesses as agreed
7. After The applicant has spoken the Chair will invite each interested party to ask questions through the Chair
 - Interested parties
 - Licensing Committee members
8. After each speaker the Chair will invite the Applicant or his representative to respond through the Chair
9. The Chair invites the Interested parties to address the relevant representations and call any witnesses (if any) as agreed

10. After each speaker the Chair will invite the Applicant to respond through the Chair
11. The Chair asks the parties in the following order whether they have anything further to add as a closing statement.
 - Interested Parties;
 - Applicant.
12. Having clarified that all parties have had a fair hearing, the meeting will be closed and the panel will meet forthwith to determine the matter
13. The decision together with notification of the right to appeal will be given in writing to all parties within 5 working days of the meeting.

NB The Chair may vary the procedure as necessary to ensure that a “directed discussion” takes place.



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 **Zeon group ltd**

(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

21/00278/PREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
23-27 Main Street
Kimberley
Nottingham

Post town

Nottingham

Postcode

Ng16 2ng

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£10,000

Part 2 – Applicant details

Daytime contact
telephone number

██████████

E-mail address (optional)

██████████████████

Current postal address if different
from premises address

██████████
██████████
██████████

Post town

Nottingham

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

I have been granted by the planning dept to extend the opening hours of the premises on a Fri and sat till 01:30 am from its current 00:30 am , I made this application to try and maintain our bussiness viable during these tough times of cost of living etc and increased prices , we only currently operate on a Fri and sat as the other days are commercially not viable , we end up closing while the bar is busy . The venue next door serves untill 1 am which we would like to match , we do operate a last entry on the door which will stay in place and we will only allow the customers already in the bar to continue enjoying their night .

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:

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)

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)	
Day	Start	Finish		
Mon				
Tue				<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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</u> (please read guidance note 7)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<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</u> (please read guidance note 7)		
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon	23:00	24:00						
Tue	23:00	24:00						
Wed	23:00	24:00				<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	23:00	24:00						
Fri	23:00	01:30				<u>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</u> (please read guidance note 7)		
Sat	23:00	01:30						
Sun	23:00	24:00						

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	23:00	24:00			
Tue	23:00	24:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	23:00	24:00			
Thur	23:00	24:00	<u>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</u> (please read guidance note 7)		
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	11:00	24:00			
Tue	11:00	24:00	<u>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</u> (please read guidance note 7)		
Wed	11:00	24:00			
Thur	11:00	24:00			
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	24:00			

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).

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	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 7)
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	01:30	
Sat	11:00	01:30	
Sun	11:00	00:30	

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.

The stopping of serving at 24:00 and moved to 01:00 on the two busy evenings of the week

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.

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)

We already operate a last door entry policy , so unless you have visited the bar previously that evening it will be no entry , within our licence we have a door supervisor who checks if on entry , however a second check at point of sale is carried out also . We are the only venue in town with door supervisors

b) The prevention of crime and disorder

We are active members of pubwatch for Kimberley and eastwood and can see on our main road any trouble heading from other venues and refuse entry

c) Public safety

Actively on the watch and guard of our customers . Zeon is a safe space for anyone and everyone of all ages , gender , race and sexuality . We are also part of the ask angels scheme . Understanding when someone has had enough to drink and not allowing anymore

d) The prevention of public nuisance

noticed on exiting the venue asking our customers to be curtious to our neighbours and be mindful of noise and active door staff to control noise outside if people are smoking and control the door being closed after 9 pm . All windows are closed at 9 pm to reduce noise .

e) The protection of children from harm

Children are only permitted in the bar untill 8 pm , any private functions operate a door closed policy

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	James Towle
Date	30/05/2023
Capacity	Licencee

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)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.



PREMISES LICENCE

LICENSING ACT 2003, SI 2005/42 Regulation 33 & 34

Premises Licence Number	21/00278/PREM	Type: New
Date of Grant	22 July 2021	
Address	Zeon Café and Bar 23-27 Main Street Kimberley Nottingham NG16 2NG	
Telephone number	[REDACTED]	
Licensable activities authorised by the licence	Sale by retail of alcohol Recorded Music Late Night Refreshment	
Times the licence authorises the carrying out of the licensable activities	Sale and supply of alcohol: Monday – Sunday 11:00 – 24:00 Recorded Music Monday – Sunday 23:00 – 24:00 Late Night Refreshment Monday – Sunday 23:00 – 24:00	
Opening hours of the premises	Monday – Sunday 11:00 – 00:30	
Whether the supplies of alcohol are on and/ off the premises	Supply of alcohol ON and OFF the premises.	
Name (registered) address, telephone number and e mail of the holder of the premises licence	Zeon Group Ltd 8 Regent Street Langley Mill Nottinghamshire NG16 4BZ [REDACTED] (Change of Details 10.03.2022)	
Registered Company No.	13333008	
Name, address and telephone number of the designated premises supervisor	James Towle 8 Regent Street Langley Mill Nottingham NG16 4BZ (Varied: 29.06.2022)	
Personal licence number and issuing authority of the personal licence	22/00328/PELIC Amber Valley Borough Council	

Annex 1 – Mandatory conditions
Licensing Act 2003

Supply of alcohol:

No supply of alcohol may be made under this licence –

- a. At a time when there is no Designated Premises Supervisor in respect of it or,
- b. At a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended

Every sale or supply of alcohol made under this premises licence must be made or authorised by a person who holds a personal licence.

Annex 1(a)
The Licensing Act 2003 (Mandatory Conditions) Order 2014
Conditions in force from 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. In this condition:–
 - a. “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 amount 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;
 - b. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - 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 would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.
4. Where the permitted price 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, 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.

The Licensing Act 2003
(Mandatory Licensing Conditions) (Amendment) Order 2014
In force from 1st October 2014
Mandatory Licensing Conditions

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
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.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Annex 2 – Conditions consistent with the Operating Schedule
(As agreed 23.06.2021)

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
 - shall display accurate time and date stamps all year round to account or day light savings.
 - be retained for a period of 30 days
 - Cover the point of sale, and entrance and exit
 - The CCTV System should be installed in a location that is safe and accessible.

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

At least one person trained and authorised to access the CCTV system shall be present during opening hours. They shall be able perform basic operations such as reviewing recordings and download recordings to removable media (USB) if required for Police or other authorised officers.

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/refusal 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 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). Challenge 21/25 notices shall be displayed in prominent positions throughout the premises.
5. Two suitably trained and licensed SIA door supervisors shall be on duty on Friday and Saturday evening from 20:00 until the premises close. A bound and sequentially paginated book or electronic record containing names, addresses and full SIA license number(s) of door supervisors shall be maintained and kept for a period of twelve months and be available for inspection by the police or any other authorized person upon request. This condition may be amended by written agreement with the Police at least 1 to 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises.
6. SIA licensed door supervisors tasked with monitoring and controlling access to the premises, and management, shall to be aware of the occupancy figures for the entire premises and where appropriate. Specific areas within the premises and action are to be taken when the maximum occupancy figure is reached.
7. Children and Under 18 shall not be allowed to remain or gain access to the premises after 20:00hrs.
8. Any adult entertainment shall not take place prior to 20:00 when all children under 18 years have left the premise.
9. Maximum of 11 adult entertainment performances (semi-nudity) in any 12 month period with a minimum of 1 calendar month between each performance. (Agreed DWB)
10. A list of forthcoming events shall be supplied to the police at least four weeks prior to the event and shall contain the following information:
 - The timings of the events.
 - The name, address and telephone contact details of the organiser of the event, or hirer of the premises/ part of the premises.
 - The anticipated number of persons attending the event.
 - Any other information requested by the police sufficient to determine whether there is a risk of public disorder.

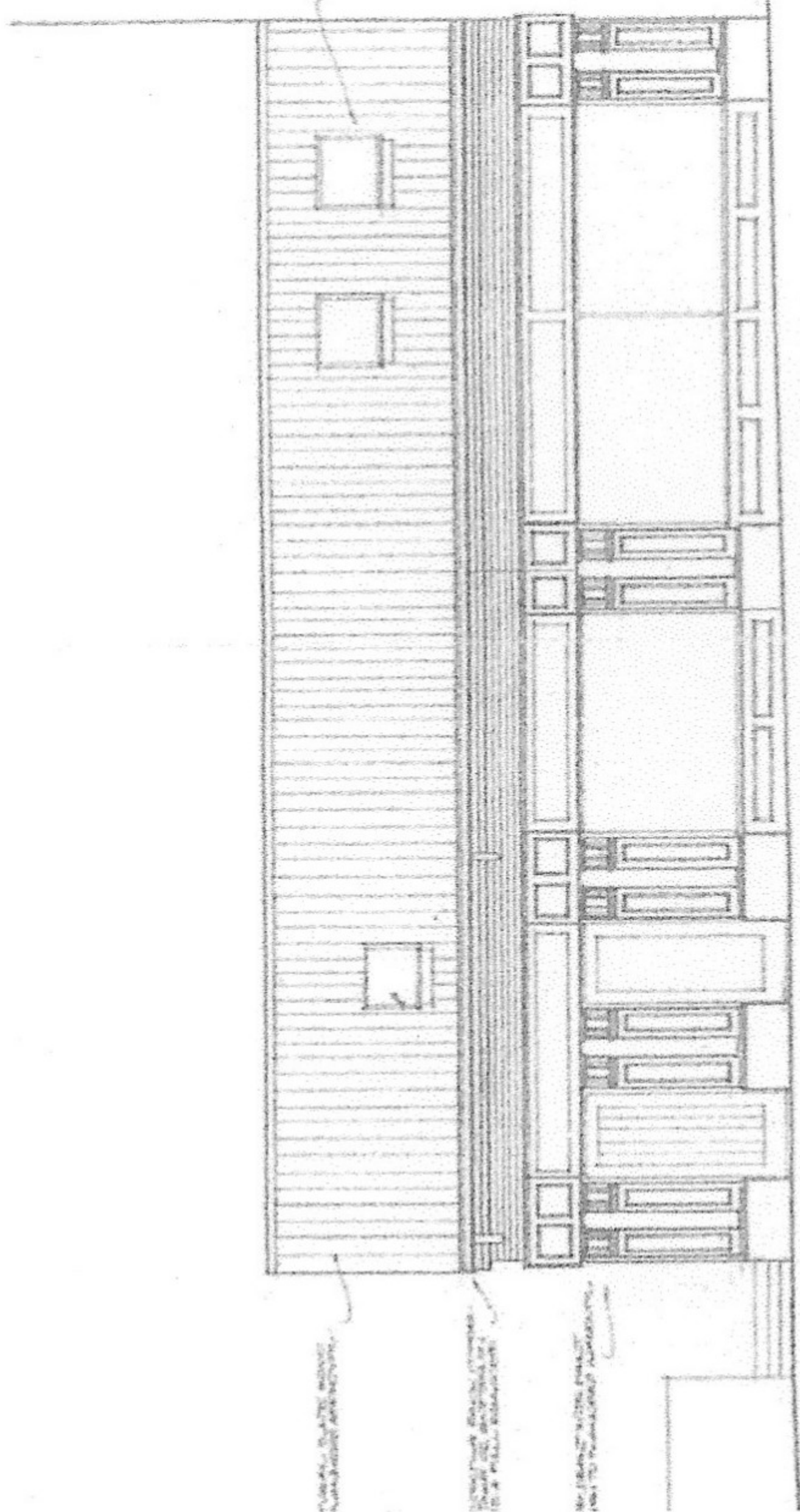
- Pre ticket sales only for Adult Entertainment.
11. Where either the management at the premises or the police consider that a forthcoming event has a risk of disorder, the management at the premises shall, in consultation with the police, undertake a risk assessment. If the police are not satisfied with the management proposals contained in the risk assessment, the event shall not proceed so long as the police have given written notice seven days prior to the date of the event.
 12. There shall be no advertising or display outside of the premises to the general public, of photographs or other images displaying adult entertainment, or any written or visual advertisement material, posters, signage, window display at or for the premises must not be of a sexually explicit and or suggestive nature, thus ensuring (minimising) that children are not exposed to unsuitable material which may harm their emotional or physical wellbeing.
 13. The adult entertainment when provided at the venue shall not be visible from the street. Any person who can be observed from outside the premises should be decently dressed and fully clothed.
 14. Whilst performing, the performer shall at all times wear at least a G-String(female)/pouch (male) covering the genitalia.
 15. During the performance of striptease there shall not be any physical contact, by the performer, with any person in the viewing audience.
 16. Performers/dancers not performing must not be in the licensed area in a state of nudity.
 17. There shall be a safety policy in place for when performers are leaving the premises.
 18. Customers shall remain fully dressed at all times.
 19. Performers must never be in the company of a customer except in an area open to the public within the premises. (except toilet area).
 20. Performers may not accept any telephone number, email address, address or contact information from any customer.
 21. Performers must not when performing, intentionally touch the genitals or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals or breasts.
 22. Nothing shall be done, recited, sung or exhibited, or performed which is likely to cause a breach of the peace.
 23. No performance shall include any sex act with any other performs, persons in the audience or with the use of any objects.
 24. No persons carrying open vessels shall be admitted to the premises at any time.
 25. No persons shall be permitted to remove open vessels form the premises save for the purpose of consumption within an external area provided for the purpose and situated directly next to the premises.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

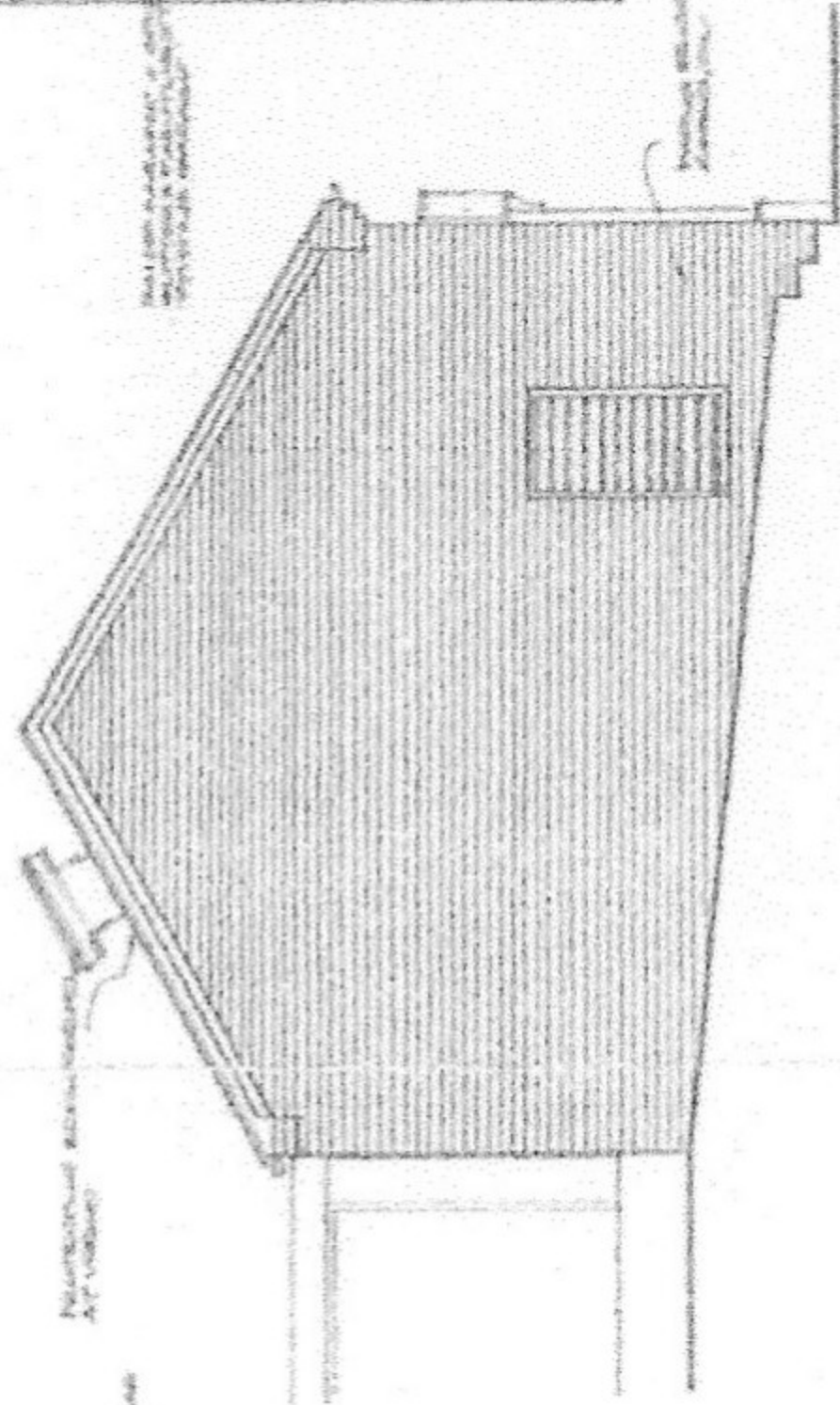
No hearing

Annex 4 – Plans

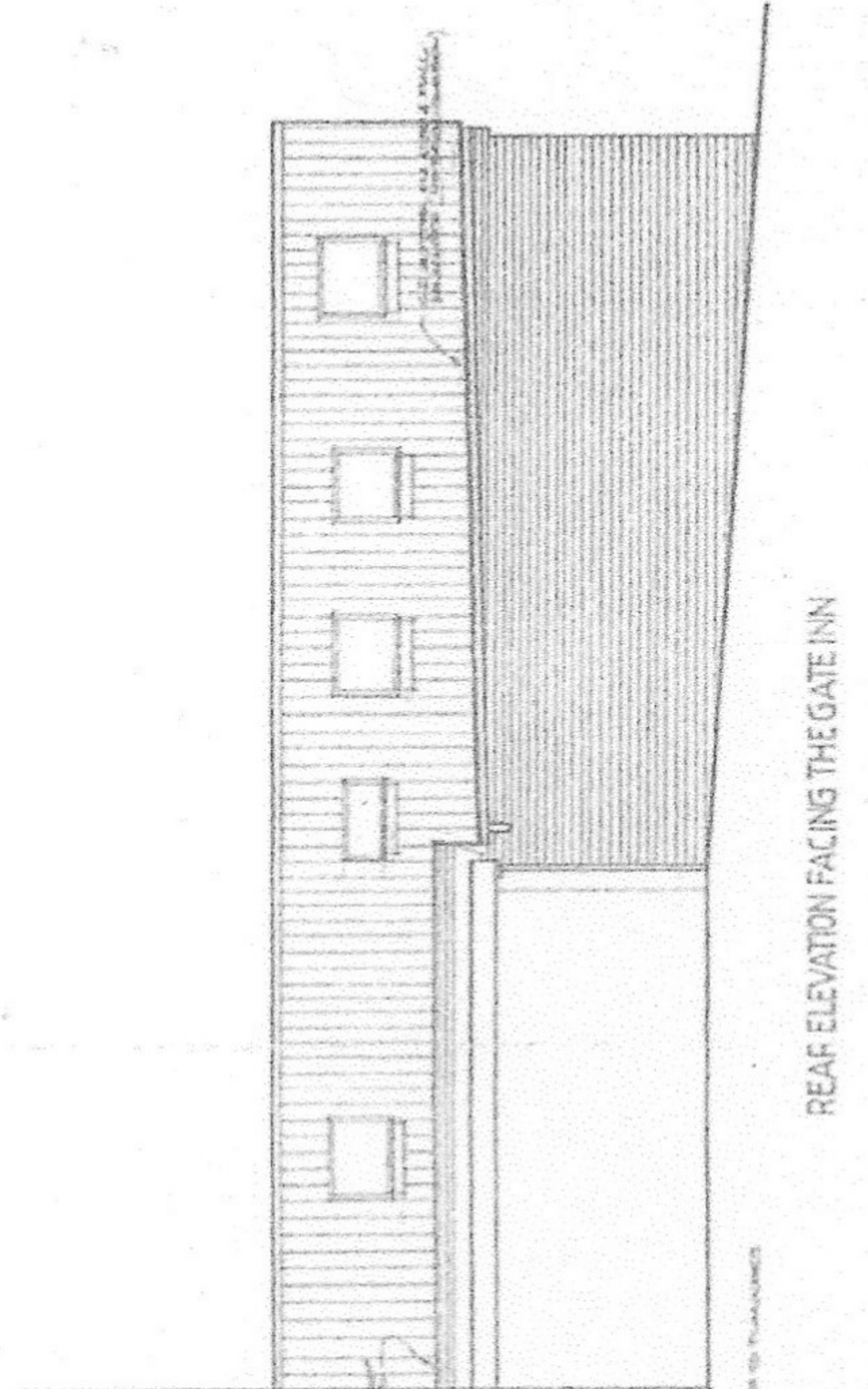
21/00278/PREM/22/07/2021-1
21/00278/PREM/22/07/2021-2
21/00278/PREM/22/07/2021-3
See attached



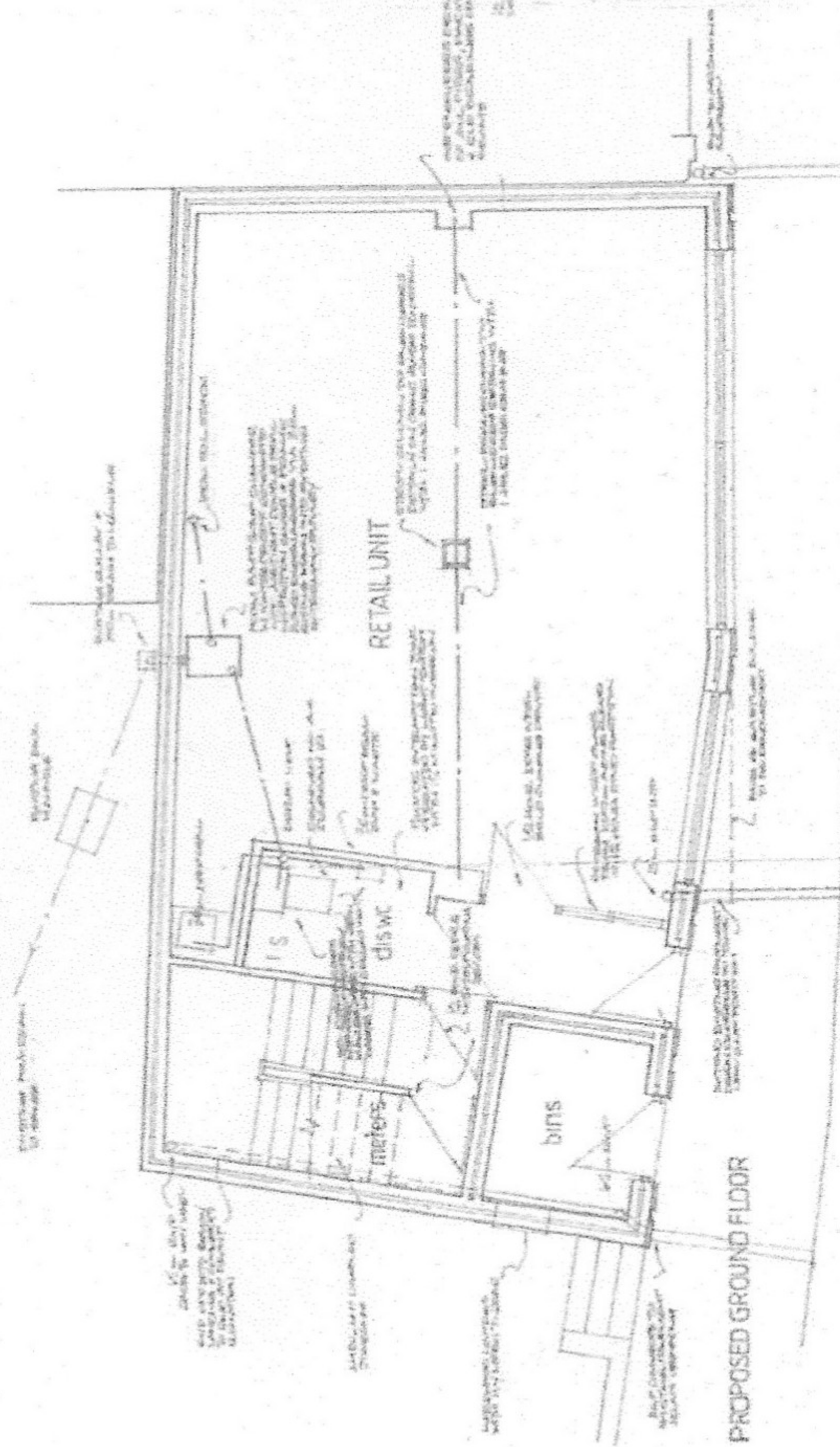
FRONT ELEVATION TO MAIN STREET



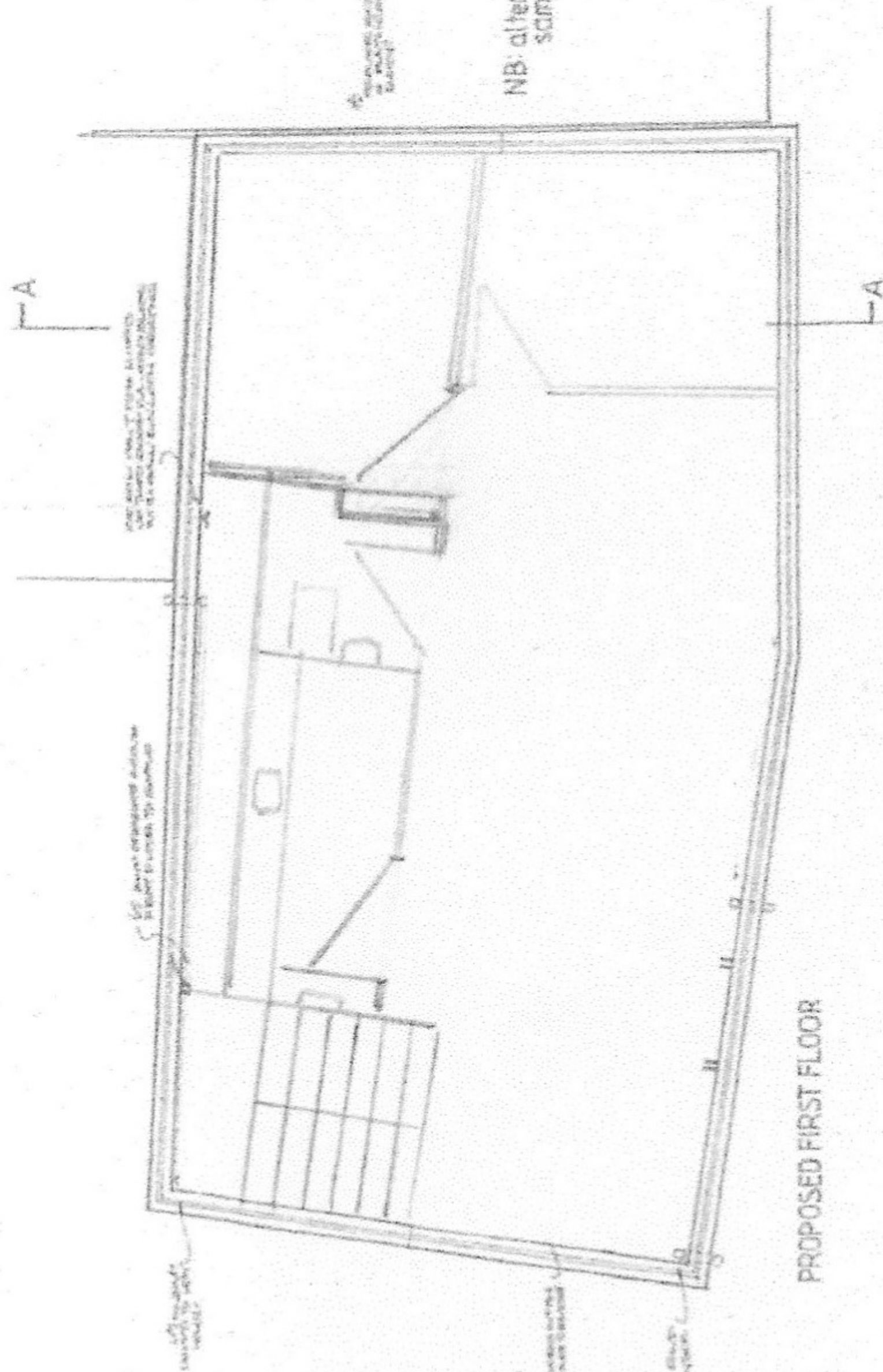
SIDE ELEVATION TO PUB FORECOURT



REAR ELEVATION FACING THE GATE INN



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

NB: alternative office use retains same partition layout

PROPOSED REDEVELOPMENT OF FORMER LOCK UP PREMISES AT 23-27 MAIN STREET KIMBERLEY TO NEW RETAIL UNIT WITH APARTMENT/OFFICES OVER 1:50

21/00278/PREM/22/07/2021-1

GROUND FLOOR

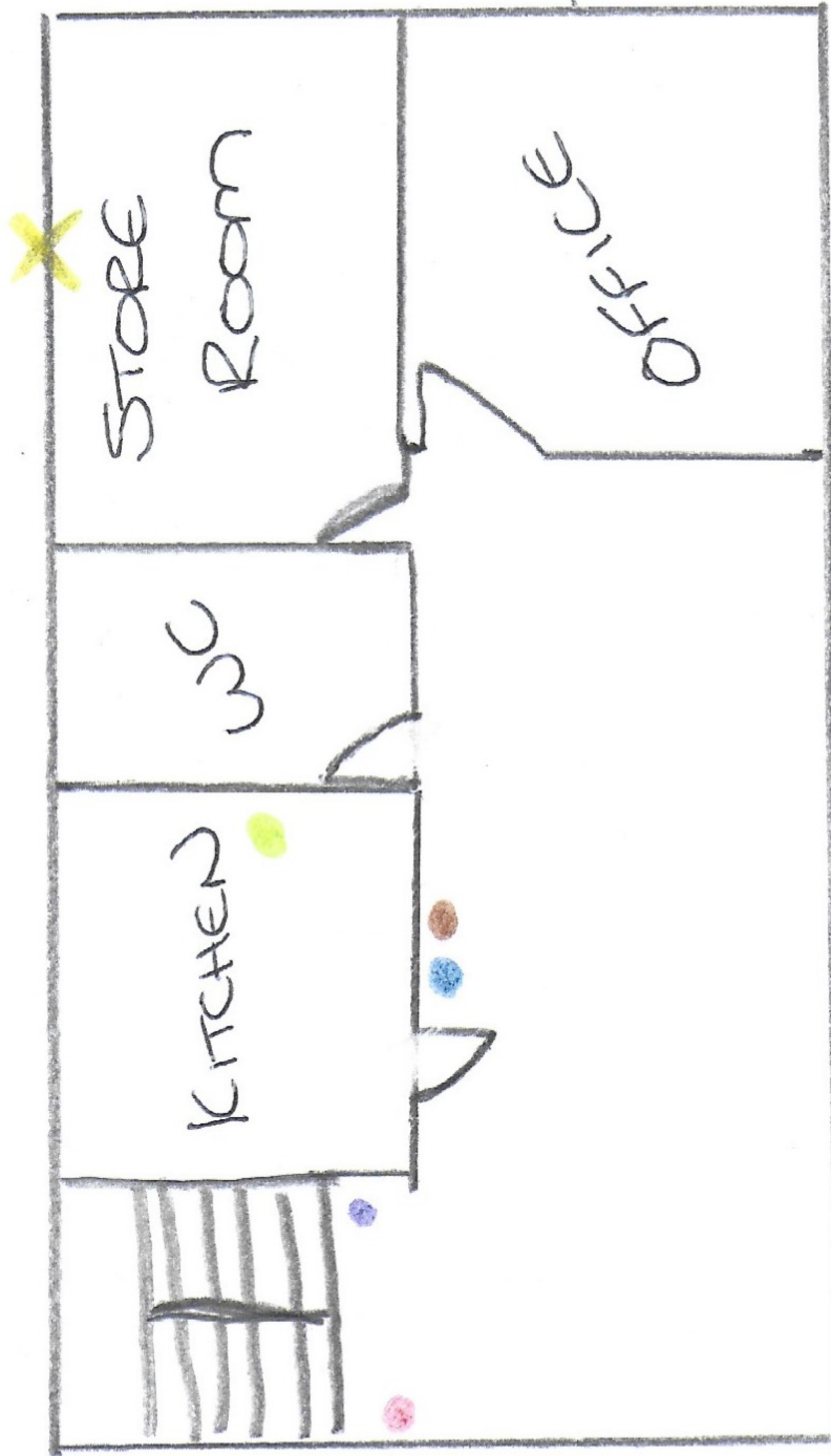
- SMOKE ALARMS
- WATER FIRE EXTINGUISHER
- CO₂ FIRE EXTINGUISHER
- FIRE EXIT DOORS



21/00278/PREM/22/07/2021-2

SCALE - 1mm = 140mm

FIRST FLOOR



- - SMOKE ALARMS
- - FIRE ALARM POINT
- - FIRE BLANKET
- - WATER FIRE EXTINGUISHER
- - CO₂ FIRE EXTINGUISHER
- ✕ - FIRE EXIT THROUGH WINDOWS ONTO FLAT ROOF.

21/00278/PREM/22/07/2021-3

SCALE - 1mm = 100mm

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DIRECTORATE OF LEGAL AND PLANNING SERVICES

M E M O R A N D U M

To: Licensing Manager
FAO: Mr John Miley

Your Ref:

From: Claire McLoughlin

Our Ref: 23/00374/PREM

Date: 9 June 2023

Tel Ext:

APPLICATION FOR PREMISES LICENCE

Bar Zeon 23 - 27 Main Street Kimberley Nottinghamshire NG16 2NG

I refer to the licence application for the above premises.

I have looked through the planning records and can confirm there are planning conditions which restrict the time of operation, these are as follows:

23/00259/VOC - Variation of condition 1 of planning reference 21/00551/ROC - change to opening times on Friday and Saturday to between 09.00am - 01.30am.

There are the following conditions attached to the variation of condition specifically for the hours of operation.

Condition 1

The A4 premises including any licensable activities shall be open for business between 07:00-01.30 hours Friday and Saturdays for a limited period of one year expiring on 31 May 2024, when such use shall revert back to between 07.00 - 00.30, unless prior permission has been obtained in writing from the Local Planning Authority. In addition, any licensable activities shall be open for business except between 07.00 - 00.30 hours Monday to Thursday, Sunday, Bank Holidays and Public Holidays without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

It should be noted the following conditions are attached to the decision notice:

Condition 3

All doors and windows shall remain closed and any terminal hour shall be operated at a reduced volume when amplified speech and or music is provided on the premises. Adequate alternative means of ventilation shall be provided

Reason: To protect nearby residents from excessive operational noise

Condition 4

External areas are not to be used by the patrons in conjunction with the A4 Use at any time.

Reason: To protect nearby residents from excessive operational noise.

These conditions relate to the protection of nearby residents from excessive operational noise.

I trust this is of use to you.

Regards



Claire McLoughlin
Planning Officer

James Towle (DPS)
John-Benjamin Porter (PLH)
c/o Zeon Bar
23 – 27 Main Street
Kimberley
Nottingham
NG16 2NG



Mansfield Police Station
Great Central Road
Mansfield
NG18 2HQ
Tel 101
Ext 310 1987
13 March 2023

Dear James

Premises Licence 21/00278/PREM

With regard to the above premise licence issued to you by Broxtowe District Council and the specific condition in relation to SIA registered door staff.

The current condition states (as per annex 2 of your Premises Licence):

- 5. Two suitably trained and licensed SIA door supervisors shall be on duty on Friday and Saturday evening from 20:00 until the premises close. A bound and sequentially paginated book or electronic record containing names, addresses and full SIA licence number(s) of door supervisors shall be maintained and kept for a period of twelve months and be available for inspection by the police or any other authorised person upon request.**

This condition may be amended by written agreement with the Police at least 1 to 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises and kept with the premises licence.

Following a discussion with Adrian Paling and James Towle (DPS) on 13 March 2023 in relation to SIA door supervisors working at your premise I formally agree the following with immediate effect. Police would also expect that responsible management policies and procedures are in place and the management should consider employing extra door supervisors for any night where they believe this is relevant. I.e. Planned event nights

- 5. Minimum of one suitably trained and licensed SIA door supervisors shall be on duty on Friday and Saturday evening from 20:00 until the premises close. A bound and sequentially paginated book or electronic record containing names, addresses and full SIA licence number(s) of door supervisors shall be maintained and kept for a period of twelve months and be available for inspection by the police or any other authorised person upon request.**

This condition may be amended by written agreement with the Police at least 1 to 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises and kept with the premises licence.

This agreement is subject to review/removal at the discretion of Nottinghamshire Police with 1 to 2 working days' notice and is valid from the date of this letter until **31 March 2024**. At least 4 weeks prior to this date you will need to contact us to request any further extension, which will be based upon any issues/concerns at that point. If no agreement is made, then the original condition highlighted in bold as per Annex 2 of your licence will be reapplied automatically. No other conditions in relation to door staff as detailed in the licence are varied at this time.

Please note this is not a change to your premise licence condition, but a written agreement to temporarily amend/disapply it. This letter now forms an annex to your licence and as such a copy must be kept with your licence and be available for inspection by any statutory authority.

A copy of this letter will be forwarded to the Licensing Authority for their information.

Please do not hesitate to contact me should you have any further queries.

Yours sincerely

A Paling
Licensing Enforcement Officer
Mansfield

- CC Inspector Mike Ebbins
Local Area Commander (Broxtowe)
- Cc Licensing Department
Broxtowe District Council
- Cc Christian Simnett
Notts Police Licensing Officer (Broxtowe)

Representations Received re ZEON Application to vary hours of premises licence.

Mr Peter Dennis 15.06.23

Sirs

I write with respect to the current licensing extension application of
Zeon Group Limited,
23-27 Main Street,
Kimberley,
Nottingham
NG16 2NG

I object to the extension of the current licensing hours.

I live close to the premises concerned and have been directly affected by previous premises in the area remaining open this late in the past. This has included excessive drunken behaviour, public urination (including in my front garden), fighting and general disturbance long after I have gone to bed. There are a large number of residential properties close to the premises concerned many of whom have been subject to similar nuisance. Such late opening hours are not appropriate for a residential area. The late opening of the premises will likely attract a different type of customer, often from out of the area and already drunk, who will have no concern for the well-being of those who live nearby. Door security will not be able to control these people once they have left the premises. I note that no other premises in Kimberley open this late (although they may have a licence to do so) which I understand is due to the risk that this late opening incurs

I trust that this objection to the hours will be taken into consideration when reviewing the application.

Mr P Saunders 18.06.23

I am writing to object to the application to increase the licensable activities on Friday and Saturday night at Zeon Cafe and Bar (23-27 Main Street, Kimberley, Nottingham, NG16 2NH) on the following grounds:

- This establishment is in the heart of Kimberley and there are many residential streets nearby (including Newdigate Street, Regent Street, Chapel Street and Victoria Street). The proposed recorded music extension from 11pm to 1.30am, which represents a further 2.5 hours of music being played into the early hours, will greatly disturb local residents such as me at a time when most will be asleep. Likewise, the likely rowdy revellers leaving this establishment as late as 1.30am will greatly disturb local residents in these early hours.
- No other pub in Kimberley currently stays open till after 12am. The Dog House and The Gate have late licences, but they do not use these. Zeon Café and Bar was previously turned down for a late licence in 2021 due to significant opposition on the grounds which I outline here – nothing has changed, so why should the extension be granted this time.
- Extended alcohol licences have previously caused significant anti-social behaviour and criminal damage in Kimberley. Dillinger's Bar, which rang till 2007, had a late licence to around 1am and late-night violence and disturbances created by

customers leaving this venue forced Trent Barton to stop its buses passing through Kimberley on weekend evenings. As local residents, my partner and I suffered many instances of criminal damage to our cars and were regularly awoken by Dillinger's customers shouting, singing, urinating and fighting outside our house on Chapel Street at its closing time. All of this was reported to Nottinghamshire Police during 2004-2007. The problem was so significant, Broxtowe Borough Council erected CCTV on the railway bridge over The Sidings and paid for private security to roam the town centre on Friday and Saturday evenings. It is important to note, these issues ceased when this venue closed down. Likewise, significant anti-social behaviour was created when the Queen's Head on Main Street had a late licence in recent years, which resulted in the licensee losing their licence.

- Zeon Café and Bar is the only drinking establishment in Kimberley to have door staff, which suggests that it has issues concerning customer behaviour. This will be exacerbated by the proposed longer drinking hours.
- I have concerns that the current Zeon licensee currently does not follow their venue's planning condition restrictions to keep its entrance door closed. I have seen on many occasions this door being propped open, particularly on warmer days as the establishment currently does not have air conditioning. This is a significant concern if this establishment will be playing loud music till 1.30am.
- Its close location to the main road presents a road safety risk, particularly if customers are more inebriated due to the longer licensing hours. Large groups of drunk customers often stand outside on the narrow pavement outside smoking, blocking access for pedestrians. I am concerned that if these customers have access to more alcohol over a longer period, some of these customers could become unstable and fall into the road. They will also be more rowdy at a much later time, which will further disturb the sleep of nearby residents.

Ms J Wickham 23.06.23

I object to the licence extension application as I think late opening in principle is inappropriate for a small town like Kimberley. In detail:

1. The proximity of the venue to Victoria Street and Newdigate Street, which are residential streets let alone the overspill to other streets in the vicinity such as mine. The sale of alcohol and the passage of people leaving the premises at times up to and after 1:00 am (and quite possibly later) would undoubtedly generate significant noise, as would the proposed live and recorded music. Planning restrictions require doors and windows at the venue to be closed and our understanding is there is no air conditioning; a recent AC installation was removed as permission had not been obtained. Therefore, there is more likelihood of noise disturbance for the local residents with subsequent adverse effects.
2. While other nearby establishments, for example The Gate and The Doghouse, have late licences they both close at 12 midnight on a Friday and Saturday. These licences have been in place for many years but have not been utilised. I believe that there should be a level of uniformity in the town centre as regards late night opening. Moreover, if Zeon were granted a late licence, there is a

strong possibility that other venues would open later in order to compete and before we know it, there would be a night time economy operating in Kimberley.

3. Past experience has shown that late-opening venues are likely to attract people who have left other venues and who will see this as a means of extending their drinking. In the past such people have come from both within and beyond Kimberley. Many local residents remember the withdrawal of public transport after 8:00 pm at weekends because of violence towards bus drivers, which appeared to be related to customers of the former Dillingers venue. When Dillingers closed, the trouble ceased (although the loss of bus services continued for a very long time).
4. There is a potential for anti-social and criminal behaviour associated with late opening. The recent problems associated with the Queens Head public house on the Main Street are a case in point, and the Queens Head subsequently lost its licence. Personally, I do not wish to have another late night opening experiment inflicted on nearby residents. As we know for the Queens, these things can take months to resolve and in the meantime residents have to put up with disturbance every weekend.

In conclusion, I believe that there needs to be a balance between the needs of residents and businesses; a single establishment opening later than the others would upset this balance. I hope that Broxtowe Borough Council will consider my objections carefully when making a decision in this case.

Mr I Wilson 25.06.23

I wish to object to the above licence extension application on several grounds. Whilst I welcome all business ventures in principle I have concerns regarding the application for the sale of alcohol to be extended to 1:00 am on Friday and Saturday. My concerns are:

1. The proximity of the venue to Victoria Street, Chapel Place, Regent Street and Newdigate Street, which are residential streets. The sale of alcohol and the passage of people arriving and leaving the premises at times up to and after 1:00 am (and quite possibly later) would undoubtedly generate significant noise, as would the proposed live and recorded music. Planning restrictions require doors and windows at the venue to remain closed and my understanding is that there is no air conditioning; a recent AC installation was removed as permission had not been obtained. Therefore, there is more likelihood of noise disturbance for the local residents with subsequent adverse effects if doors and windows are opened to ventilate the internal rooms.
2. While other nearby establishments, for example The Gate and The Doghouse, have late licences they both close at 12 midnight on a Friday and Saturday. These licences have been in place for many years but have not been utilised. I believe that there should be a level of uniformity in the town centre as regards late night opening.
3. Past experience has shown that late-opening venues are likely to attract people who have left other venues and who will see this as a means of extending their drinking time. In the past such people have come from both within and beyond

Kimberley. Many local residents remember the withdrawal of public transport after 8:00 pm at weekends because of violence towards bus drivers, which appeared to be related to customers of the former Dillingers venue. When Dillingers closed, the trouble ceased (although the loss of bus services continued for a very long time).

4. There is a potential for anti-social and criminal behaviour associated with late opening. The recent problems associated with the Queens Head public house on the Main Street are a case in point, and the Queens Head subsequently lost its licence.

In conclusion, I believe that there needs to be a balance between the needs of residents and businesses; a single establishment opening later than the others would upset this balance. I hope that Broxtowe Borough Council will consider my objections carefully when making a decision in this case.