

007487800401024

The Licensing Team Communities Environment and Regulatory Services  
Derby City Council The Council House Corporation Street Derby DE1 2FS

Application to vary a premises licence to specify an individual as designated  
premises supervisor 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 EWELINE LATH  
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify  
the individual named in this application as the premises supervisor under  
section 37 of the Licensing Act 2003

Premises licence number

PL055107

**Part 1 - Premises details**

Postal address of premises or, if none, ordnance survey map reference or  
description

216 LINA ZATKA  
15.17 - INFIN LANE

Post town

DERBY

Post code (if known)

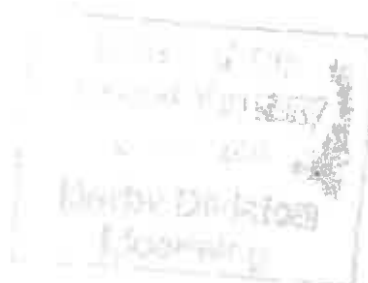
DE24 9GP

Telephone number (if any)

0784569 6809

Description of premises (please read guidance note 1)

FF LICENCE



**Part 2**

Full name of proposed designated premises supervisor	
Nationality	EWELINA HARY POLISH
Place of birth	MILK 2
Date of birth	161061 1983

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)
Dorothy PALISS 3440

Full name of existing designated premises supervisor (if any)	RIZGAR LATIF
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**Please tick yes**

I would like this application to have immediate effect under Section 38 of the Licensing Act 2003 (please read guidance note 2) ☒

I have enclosed the premises licence or relevant part of it ☐

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it
--

**Please tick yes**

- I have made or enclosed payment of the fee ☒
- I will give a copy of this application to the chief officer of police (please read guidance note 3) ☒
- I have enclosed the consent form completed by the proposed premises supervisor ☒
- I have enclosed the premises licence, or relevant part of it or explanation ☒
- I will notify the existing premises supervisor (if any) of this application (please read guidance note 4) ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

Signature

*Kat*

Date

*12/06/18*

Capacity

*manager*

For joint applicants signature of second applicant, second applicant's solicitor or other authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

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

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. Right to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships.

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued on or after 6 April 2017 will lapse if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity.

**They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).**

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport apply].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A current **Biometric Immigration Document (Biometric Residence Permit)** issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- A current **Residence Card** issued by the Home Office to a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current **Immigration Status Document** containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **Certificate of Application**, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the EEA family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the EEA national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of EEA nationals who are studying or financially independent must also provide evidence that the EEA national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
  - (ii) any page containing the holder's photograph;
  - (iii) any page containing the holder's signature;
  - (iv) any page containing the date of expiry; and
  - (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.
- If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance

3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
6. This is the address which we shall use to correspond with you about this application.

Please send copies of this form to:

Licensing Team Derby City Council Council House Corporation Street Derby DE1 2FS  
Email: [licensing@derby.gov.uk](mailto:licensing@derby.gov.uk)

Derbyshire Constabulary C/o Licensing Officer St Mary's Wharf Prince Parkway Chester Green Derby DE1 3AB  
Email: [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)

Home Office Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY  
Email: [alcohol@homeoffice.gsi.gov.uk](mailto:alcohol@homeoffice.gsi.gov.uk)

Consent of individual to being specified as premises supervisor

I Ewelina Lohf  
[full name of prospective premises supervisor]

of

4 PROVIDENT STREET DEARB DEAR 6 WS  
[home address of prospective premises supervisor]

heraby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

V Vary DU  
[type of application]

by

Ewelina Lohf  
[name of applicant]

relating to a premises licence

PL105 1077  
[number of existing licence, if any]

for

ZIGLALA 203KA 15-17 SUMMIT Lane DEARB DEAR 9 CP  
[name and address of premises to which the application relates]





Tel: 101  
Text Relay: 18001 101  
www.derbyshire.police.uk

Contact: PC 2188 Sultar  
Direct Tel: 0300 122 5836  
Ext: .  
Fax:  
Our ref: LA03/19907  
Your ref:

The Licensing Team  
Environmental & Regulatory Services  
Derby City Council  
The Council House  
Corporation Street  
DERBY, DE1 2FS

Monday, 25 June 2018

Dear Sirs

**RE: APPLICATION FOR A TRANSFER DPS AND PREMISES LICENCE TRANSFER  
ZIELONA ZABKA, 15-17 SINFIN LANE, DERBY**

I write with reference to the above applications received by the Police on 12 June 2018

I would be grateful if you would accept this correspondence as formal notification that the Chief Officer of Police wishes to make a representation to these applications.

The Licensing Authority will be aware that the application is to transfer the Premise Licence and to transfer the Designated Premise Supervisor to Ewelina Latif

It is the view of the Chief Officer of Police the granting of these applications will undermine the Licensing Objective, Prevention of Crime and Disorder. The above premise has been involved in criminal activity. On 26th January 2018 I attended the Premises along with Derby City Council Fair Trading Officer. Illicit tobacco products were seized. The current Premise Licence Holder and then Designated Premises Supervisor, Rizgar Latiff was summonsed to court over the matter. Mr Latif pleaded guilty to the offences and was sentenced on 21<sup>st</sup> June 2018.

The current applicant to become the new Premise Licence and Designated Premises Supervisor is Ewelina Latif.

She is believed to be the current partner of Rizgar Latiff and share the same home address.

The Premises itself was also the subject of an illicit tobacco and alcohol seizure in January 2016. Latif was the PLH and DPS the time He was found guilty at court in October 2016.



D Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB

At the moment there is no confidence that there has been any separation of the business and its previous criminal activity and the new applicant. The police have no confidence that Rizgar Latiff will not continue to have complete control over the premise and that the criminality will not continue. He has been convicted of two offences at Zielona Zabka in the last two years.

The applications were received after Rizgar pleaded guilty to the offences at court but prior to him being sentenced. It is the Police's belief that the current applications were submitted to prevent any negative outcome on the Premises Licence. Due to the two convictions linked to the Premises a full review may be undertaken.

For the reasons given above, the Chief Officer of Police submits that the proposed applications be refused.

Please take this correspondence as notification of a formal objection to the two applications for Zielona Zabka, 15-17 Sinfin Lane, Derby. A full file will be submitted for any hearing, if granted.

Yours faithfully



Mark Sulter  
PC 2168  
Licensing Enforcement Officer  
'D' Division Licensing Department  
St Mary's Wharf Police Station  
Chester Green  
Derby

[mark.sulter.2168@derbyshire.pnn.police.uk](mailto:mark.sulter.2168@derbyshire.pnn.police.uk)



Derby City Council

## APPENDIX 4

Licensing Team  
Communities Environment and Regulatory  
Services  
The Council House  
Corporation Street  
Derby  
DE1 2FS

Licensing Act 2003

# Premises Licence

# PL10551037

## Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Zielona Zabka**

15-17 Sinfin Lane Derby DE24 9GP

Telephone 07888828742

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
<b>J. The sale by retail of alcohol for consumption OFF the premises</b>			
	Sunday	08:00	21:00
	Monday	07:00	22:00
	Tuesday	07:00	22:00
	Wednesday	07:00	22:00
	Thursday	07:00	22:00
	Friday	07:00	22:00
	Saturday	07:00	22:00

THE OPENING HOURS OF THE PREMISES

	Description	Time From	Time To
	Sunday	08:00	21:00
	Monday	07:00	22:00
	Tuesday	07:00	22:00
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Licensing Act 2003

**PL10551037**

## Premises Licence

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

- J The sale by retail of alcohol for consumption OFF the premises

### Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Rizgar Latif

4 Provident Street Derby DE23 6WS

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES AUTHORISES THE SUPPLY OF ALCOHOL

Rizgar Latif

4 Provident Street Derby DE23 6WS

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY THE DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No: PA10551698

Issued by: Derby City Council



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Licensing Act 2003

**PL10551037**

## **Premises Licence**

### **ANNEXES**

#### **ANNEX 1 – MANDATORY CONDITIONS**

##### **MANDATORY CONDITIONS - SUPPLY OF ALCOHOL**

1. No supply of alcohol may be made under the premises licence –
  - a. at any time when there is no designated premises supervisor in respect of the premises licence; or
  - b. at any 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.

##### **MANDATORY CONDITION IMPLEMENTED ON 28 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 — 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



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## **Premises Licence**

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **MANDATORY CONDITIONS IMPLEMENTED 1 OCTOBER 2014**

3. (1) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) holographic mark or
- (b) an ultraviolet feature

### **ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

1) Full training is provided to all staff on commencement of employment relating to all age restricted products sold and any system or procedures they are expected to follow in the course of dealing with these



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Licensing Act 2003

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## **Premises Licence**

goods.

- 2) Refresher training should be provided at regular intervals – at least every 6 months.
- 3) Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003.
- 4) All records will be written and shall be retained on the premise for a minimum of 12 months.
- 5) Any authorisation to sell alcohol will be in writing and this will be kept on the premises at all times.
- 6) A challenge 25 Proof of age scheme in relation to the sale of all age restricted products will be operated at all times.
- 7) Anyone attempting to purchase an age restricted product that appears under the age of 25 years will be asked to produce a proof of age.
- 8) Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation with regards to the sale of an age restricted product will be displayed at:
  - All points of sale.
  - Entrance/exits to the premise.
- 9) A system of recording sales refused under the proof of age scheme will be operated at all times.
- 10) At least once a week, the designated Premises Supervisor (or authorised person) will:
  - Examine the record and compare it against the normal operating pattern for the premises.
  - Indicate in writing any action taken in relation to the examination.
  - Sign off/endorse the record to indicate that the above points have been undertaken.
- 11) The refusal book/log shall be kept on the premises for production upon request of a Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003.
- 12) The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.
- 13) An incident log shall be kept on the premises for production upon request of a Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003.



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## **Premises Licence**

- 14) The records relating to the incident log shall be retained on the premises for a minimum of 12 months.
- 15) A CCTV system must be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
- 16) The CCTV recording system must be operating at all times when the premises are open for licensable activities.
- 17) All CCTV recordings must be retained for a minimum of 28 days. A Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003 can view the recording at any reasonable time and obtain a copy if required.
- 18) The premises holder, DPS and designated members of staff must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).
- 19) The CCTV will cover all areas to which the public have access.
- 20) All digital recordings to be made in real time and fit for purpose, time lapse not to be used.
- 21) Alcoholic Spirits will be located behind the counter.

### **ANNEX 3 - CONDITIONS SET BY LICENSING SUB-COMMITTEE**

None

### **ANNEX 4 – PLANS**

As per application





Derby City Council

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**PL10551037**

# **Premises Licence Summary**

## **Premises Details**

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Zielona Zabka**

15-17 Sinfin Lane Derby DE24 9GP

Telephone 07888828742

WHERE THE LICENCE IS TIME LIMITED, THE DATES

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## Premises Licence Summary

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

- J The sale by retail of alcohol for consumption OFF the premises

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Rizgar Latif

4 Provident Street Derby DE23 6WS

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES AUTHORISES THE SUPPLY OF ALCOHOL

Rizgar Latif

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

None

**Premises Licence Issued 17 September 2015**

**Signature of Authorised Officer**



