

LICENSING ACT 200

PROCEDURE TO BE FOLLOWED AT CONTESTED HEARINGS

In relation to applications for:

- (a) Premises Licences - new applications (s17), variations (s34 & s37) and transfers (s42)
- (b) Club Certificates - new applications (s72) and variations (s84)
- (c) Personal Licences - new applications and renewals (s117)
- (d) Counter Notices following a Temporary Event Notice (s104)

1. The Chairman will introduce himself, other members and officers.
2. The Chair will also ask the Applicant, Interested Parties and the Responsible Authorities to introduce themselves, and any witnesses they may wish to call.
3. The Chair/relevant officer will explain to the parties the procedure to be followed. (See points 4 - 10 inclusive)
4. The proceedings will commence with Legal Adviser outlining the reason(s) for the hearing, and stating whether any representations have been withdrawn.
5. The Applicant will be asked to present their case. The order for asking questions at the end of the Applicant's presentation will be:
 - Responsible Authorities;
 - Interested Parties;
 - Members of the Sub-Committee, either on their own behalf or through the Legal Adviser.
6. Where witnesses are called each witness will give their evidence and then be open to questioning in the order as above.
7. Other parties, i.e. Responsible Authorities and Interested Parties, if applicable, and in that order, will then be given an opportunity to present their representations.
8. Once the objection(s) have been presented and any evidence given, there will be an opportunity for questions to be asked, by;
 - Responsible Authorities to each other (only exceptionally if needed for clarification);
 - Interested Parties;
 - The Applicant;
 - Members of the Sub-Committee, either on their own behalf or through the Legal Adviser;
9. Once all the evidence has been presented the Responsible Authorities and Interested Parties, if applicable, will have the opportunity to sum up their objections in the same order as they presented their case. No new evidence may be presented at this point.
10. Finally the applicant(s) will sum up their case. Again no new evidence may be presented.

11. The Chair will enquire if all parties have said everything they wish to and ask if there are any legal matters that need to be clarified. The Sub-Committee will then withdraw to deliberate in private, and will be accompanied by the Legal Adviser. The decision shall be arrived at by the Sub-Committee alone.
12. In most cases the Sub-Committee will make its determination at the conclusion of the hearing, and the pronouncement of that determination shall be made in public. This will be subsequently notified in writing with reasons in accordance with the Regulations.
13. Where the Sub-Committee is not required to make its decision at the conclusion of the hearing, and it chooses not to do so, it will make its decision within 5 working days of the last day of the hearing, and will notify that decision without unreasonable delay.

NB: There are now only two instances where a decision is required at the conclusion of the hearing; firstly a counter notice in relation to a Temporary Event Notice (s105), and secondly a review following a closure order (s167).

In all other cases the Sub-Committee has up to 5 working days to reach its decision, but for practical purposes it will generally be made immediately following the hearing.

Report To:	LICENSING COMMITTEE	Date:	THURSDAY 18TH MAY 2017
Heading:	HEARING FOR REVIEW OF A PREMISES LICENCE		
	THE CHEQUERS INN, HIGH STREET, HUCKNALL, NOTTINGHAMSHIRE, NG15 7HD		
Applicant	THE CHIEF CONSTABLE, NOTTINGHAMSHIRE POLICE		
Portfolio Holder:	ENVIRONMENT		
Ward/s:	HUCKNALL CENTRAL		
Key Decision:	NO		
Subject To Call-In:	NO		

Purpose of Report

For Members to consider evidence produced at a public hearing taking into account the details contained within this report and any representations made at this meeting for an application to Review a Premises Licence in relation to The Chequers Inn, High Street, Hucknall, Nottinghamshire, NG15 7HD; and to determine the application by taking such of the steps set out below as the Committee considers necessary for the promotion of the licensing objectives.

Recommendation(s)

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

- a) **to modify the conditions of the Premises Licence;**
- b) **to exclude a licensable activity from the scope of the Premises Licence;**
- c) **to remove the Designated Premises Supervisor;**
- d) **to suspend the Premises Licence for a period not exceeding three months;**
- e) **to revoke the Premises Licence.**

and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

Where the Sub-Committee decide to take a step mentioned in (a) or (b) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Otherwise the modification of conditions or the exclusion of a licensable activity will be permanent.

Reasons for Recommendation(s)

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

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf

and the Council's own Statement of Licensing Policy (which can be found online at):
<http://www.ashfield.gov.uk/media/1605/adc-licensing-policy-la03-2014.pdf>.

Alternative Options Considered (With Reasons Why Not Adopted)

None

Detailed Information

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

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

The licensing objectives are:

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

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

Section 51 of the 2003 Act, allows interested persons, and responsible authorities, to make representations in favour or against the review of a premises licence. All review applications must be determined by a Licensing Committee or Sub-Committee Hearing.

Other Relevant Considerations

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

Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.

Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.

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

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

Summary of Application

On 17th February 2017, the Licensing Authority received an application from Nottinghamshire Police to review the Premises Licence for The Chequers Inn, High Street, Hucknall, Nottinghamshire, NG15 7HD, following an accumulation of incidents that have occurred at the licensed premises alleged to have arisen from the repeated failures by the Premises Licence holder and Designated Premises Supervisor to uphold all four of the licensing objectives and comply with the conditions attached to the current Premises Licence.

The application submitted by Nottinghamshire Police is attached at **Appendix A**.

During the 28 day representation period the Licensing Team received no representations either for or against the application. The Premises Licence holder (who is legally represented) will make representations at this Hearing.

The current Premise Licence (Ref: **PR05122v4**) is attached at **Appendix B**.

A map detailing the general location of the premises is attached at **Appendix C**.

Implications

Corporate Plan:

Licensing Act 2003 is a statutory duty of the Council.

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

Legal:

Legal advice will be given at the hearing.

Finance:

Information Only

No financial implications for the Council.

This report is effective from 18/05/2017 and has the following financial implications:

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

Human Resources / Equality and Diversity:

Information Only

There are no direct HR implications contained within this report

Information Only

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

Other Implications:

None

Reason(s) for Urgency (if applicable):

Not applicable

Background Papers

Nottinghamshire Police Evidence Bundle

Report Author and Contact Officer

Julian Alison
Licensing Team Leader

Tel: 01623 457364

Email: j.alison@ashfield.gov.uk

Rob Mitchell
CHIEF EXECUTIVE



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I Helen Guest (Senior Licensing Enforcement Officer, for and on behalf of the Chief Constable)
(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Chequers High Street Hucknall	
Post town Nottinghamshire	Post code (if known) NG15 7HD

Name of premises licence holder or club holding club premises certificate (if known) Punch Taverns Plc
--

Number of premises licence or club premises certificate (if known) PR/05122V4

Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

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

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

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

The Chief Constable
Nottinghamshire Police
Sherwood Lodge
Arnold
Nottingham
NG5 8PP

[Please see Part 3 of this application for correspondence address]

Telephone number (if any)

101 extension 8053203

E-mail address (optional)

Kate.ansty4862@nottinghamshire.pnn.police.uk

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

- | | Please tick one or more boxes ✓ |
|---|---------------------------------|
| 1) the prevention of crime and disorder | ✓ |
| 2) public safety | ✓ |
| 3) the prevention of public nuisance | ✓ |
| 4) the protection of children from harm | ✓ |

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

There have been several serious incidents take place at the premises since the DPS lan FLINT has been in place at the premises which includes a stabbing that occurred in the rear outside area.

The premises have been on an action plan since June 2016, which they have failed to adhere to. They have continued to breach the conditions in place upon the premises licence over a prolonged period resulting in written warnings being issued.

Nottinghamshire Police have no confidence in the management to ensure that the licensing objectives are not undermined.

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

The licensing objectives of the prevention of crime and disorder; public safety; protection of children from harm, and prevention of public nuisance have all been undermined at this venue.

The premises are situated in Hucknall Town Centre, with a premises licence that allows the sale of alcohol both on and off the premises, in addition to other licensable activities.

Premises Licence Holder is Punch Taverns. Ian Flint is the Designated Premises Supervisor.

Incidents (not a comprehensive list – All incidents are included in the Police evidence bundle).

27/01/2017 Police and Council Licensing Enforcement Officers visited the premises and identified breaches of conditions upon the premises licence. Also highlighted concern to DPS of a person highly intoxicated and underage at the premises. Warning letter issued

7/01/2017 report door staff were assaulting a male over the bonnet of a vehicle, blood found on vehicle, IP unknown. Officers visited premises to find DPS in drink.

11/11/2016 Police and Council Licensing Enforcement Officers visited the premises and identified breaches of conditions upon the premises licence. Also highlighted concern to door staff of a person highly intoxicated. Warning letter issued.

6/11/2016 female very intoxicated throwing glasses and furniture inside the premises.

29/08/2016 male reporting fight at the premises and a bottle has been thrown at his girlfriend's head, male heard arguing with Door staff,

21/08/2016 male causing problems inside the premises, threatening to assault a female.

16/07/2016 fight involving up to 20 people, spilled out in to the street. Female tried to leave to walk home and was assaulted by a male causing facial injuries. A male has been charged and is currently being heard at Crown Court.

26/06/2016 ambulance call to a male who has facial injuries and is unconscious. IP underwent two surgeries which placed metal plates into his face, no offender identified. CCTV did not cover the area where the assault took place.

25/06/2016 ambulance call to a female who had facial injuries due to being assaulted. IP did not see who assaulted her and did not want to take the matter further.

11/06/2016 ambulance call to a male who had been stabbed three times in the rear outside area of the premises.

9/05/2016 two males fighting, both assaulted each other.

9/05/2016 fight in the car park.

12/02/2016 female attacked by male in the rear outside area of the premises. Caused facial injuries and injuries to both ears after earrings were pulled out.

31/01/2016 ambulance call to a male who had been assaulted to his face, and gone into cardiac arrest.

24/01/2016 report of underage males in the premises. Staff asked for Police to attend to remove the males from the premises.

01/01/2016 Officers needed to remove a group of males from the premises due to their disorderly behaviour.

28/12/2015 female reporting she was assaulted by another female. IP refused to follow up with the complaint.

25/12/2015 report that a male had been assaulted by who he believed to be Door Supervisors. This investigation led to officers identifying several breaches of licensing conditions relating to CCTV and Door Supervisors.

13/12/2015 male assaulted which resulted in possible broken jaw. IP refused to follow up with the complaint and refused further details.

6/12/2015 door staff detained a female for assaulted another female. IP refused to provide a statement.

14/11/2015 fight involving males and females. One person arrested for Drunk and Disorderly.

28/09/2016 report that the DPS has been assaulted. Offender given caution for common assault.

20/09/2015 report by a male that his group of friends have been attacked by a group of approximately 10 males. Wouldn't continue with complaint of assault.

21/08/2015 male punched to the head by two males in the outside area. IP refused to make a complaint.

26/07/2015 males fighting inside the premises. Male smashed a glass and was asked to leave by staff.

28/06/2015 male reporting an argument broke out and he was chased out of the premises by some males. IP wouldn't provide any more information.

27/06/2015 male assaulted in the rear outside area. Staff were not aware that an assault had taken place when officers arrived.

Warning Letters

On 14th July 2015 a letter was sent regarding an assault that took place involving a glass bottle. Advised to consider non glassware such as polycarbonate glasses and plastic bottles.

On 26th May 2016 a warning letter was sent regarding breaches of door supervisor and CCTV licensing conditions.

On 26th May 2016 the premises was visited by both Police and Ashfield District Council Licensing Enforcement Officers, a warning letter was sent regarding breaches of conditions upon the premises licence relating to CCTV, incorrect summary on display and no plan which is attached to the licence at the premises.

On 29th July 2016 a warning letter was sent regarding breach of the door supervisor licensing condition.

Summary

Due to the nature and amounts of incidents, the premises were placed on a voluntary action plan in June 2016. The purpose of the action plan is to highlight areas of concerns that need improvement and offer solutions and support. The action plan identifies some improvements but highlights constant failings in upholding licensing objectives, breaches of the premises licence over a prolonged period and a reluctance to raise standards and adopt best practice.

The Police have concerns that the management of the premise is undermining the licensing objectives. Mr Flint has continued to operate the premise whilst breaching his premise licence demonstrating a blatant disregard for not only the law but also authority.

Mr Flint has failed to take notice of advice given by different responsible authorities and that of his area manager Mark Gardner from Punch Taverns. Punch Taverns have also failed to act on advice and to respond to correspondence in relation to a minor variation. This is not what we would expect of responsible licence holders and designated premises supervisors.

The Police support premises and encourage well managed, safe premise to thrive. The Designated Premise Supervisor has demonstrated a disregard for the licensing objectives and licence conditions despite support and advice being given.

Nottinghamshire Police are of the opinion that in order to rectify the issues surrounding crime and disorder, public nuisance and public safety and to ensure the premises is able to fully uphold all four licensing objectives we would request the Licensing Authority consider the following:

- A minimum two month suspension of the premises licence in order to re-brand the premises.
- Remove Ian Flint as the Designated Premises Supervisor.
- Add additional conditions to promote and uphold the licensing objectives:
 - Employ three SIA registered door supervisors to work at the premises on Friday and Saturday nights, and that those door supervisors are easily identifiable in some sort of uniform and non-casual clothing. Consider a different SIA Door Supervisor provider than the one current employed;
 - Ensure an incident book is used and kept at the premises for 6 months and is available for inspection upon request by Police and authorised Local Authority Officers;
 - That the gate at the side of the premises giving access to the premises car park does not allow customer vehicular access between 9pm – 6am and is kept closed between these times;
 - Improvement of CCTV cameras to ensure they are of evidential quality, additional cameras to cover outside the front entrance and other main public areas within the premises.

A revocation has been considered, but, due to the uncertainties around the effect of the Hucknall Town Centre Improvement Scheme and the pedestrian zone along the High Street, we do not request a revocation even though we are of the opinion that Punch Taverns have contributed to the problems by their inactions.

However, given the serious nature of some of the incidents, should the panel be of the mind to revoke the premises licence we would fully support this decision.



Please tick ✓ yes

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

Day Month Year

If yes please state the date of that application

If you have made representations before relating to the premises please state what they were and when you made them
Not applicable.

Please tick ✓ yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

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

Signature

.....

Date

14th February 2017

Capacity

Senior Licensing Enforcement Officer, for and on behalf of the Chief Constable

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

Kate Ansty
Mansfield Police Station
Great Central Road
Mansfield

Post town Notts

Post Code NG18 2HQ

Telephone number (if any) 101 extension 8053203

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) kate.ansty4862@nottinghamshire.pnn.police.uk

Notes for Guidance

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



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

PREMISES LICENCE

Premises Licence Number	PR/05122V4																																	
Address	Chequers Inn High Street Hucknall Nottinghamshire																																	
Postcode	NG15 7HD																																	
Telephone Number	0115 8403952																																	
Where the Licence is time limited the dates	Not Applicable																																	
Licensable activities authorised by the Licence	Sale by Retail of Alcohol Provision of Regulated Entertainment Provision of Entertainment Facilities Provision of Late Night Refreshment																																	
Times the Licence authorises the carrying out of the licensable activities	<p><u>Supply of Alcohol</u></p> <table> <tr> <td>Monday to Friday</td> <td>00.00 to 00.30</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Saturday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Sunday</td> <td>00.00 to 01.00</td> <td>11.00 to 00.00</td> </tr> </table> <p><u>Provision of Regulated Entertainment</u></p> <p>Films.</p> <p>Live Music, Recorded Music, Performances of Dance & anything similar</p> <table> <tr> <td>Monday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Tuesday to Friday</td> <td>00.00 to 00.30</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Saturday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Sunday</td> <td>00.00 to 01.00</td> <td>11.00 to 00.00</td> </tr> </table> <p><u>Provision of Entertainment Facilities</u></p> <p>For Making Music, Dancing & anything of a similar description</p> <table> <tr> <td>Monday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Tuesday to Friday</td> <td>00.00 to 00.30</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Saturday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Sunday</td> <td>00.00 to 01.00</td> <td>11.00 to 00.00</td> </tr> </table>	Monday to Friday	00.00 to 00.30	10.00 to 00.00	Saturday	00.00 to 01.00	10.00 to 00.00	Sunday	00.00 to 01.00	11.00 to 00.00	Monday	00.00 to 01.00	10.00 to 00.00	Tuesday to Friday	00.00 to 00.30	10.00 to 00.00	Saturday	00.00 to 01.00	10.00 to 00.00	Sunday	00.00 to 01.00	11.00 to 00.00	Monday	00.00 to 01.00	10.00 to 00.00	Tuesday to Friday	00.00 to 00.30	10.00 to 00.00	Saturday	00.00 to 01.00	10.00 to 00.00	Sunday	00.00 to 01.00	11.00 to 00.00
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	<p>Provision of Late Night Refreshment Monday to Saturday 23.00 to 23.30</p> <p>Seasonal Variations & Non-Standard Timings for all the above activities EXCEPT the Provision of Late Night Refreshment Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Maundy Thursday, Christmas Eve, Boxing Day, St. George's Day, St. Patrick's Day, St. David's Day, St. Andrew's Day the terminal hour is extended by 1 hour.</p> <p>New Year's Eve terminal is extended until the commencement hour the following day.</p>									
<p>Opening hours of the premises</p> <p><i>(Opening hours are at the discretion of the Licence Holder except licensable activities may only take place during the hours listed above.)</i></p>	<table border="0"> <tr> <td>Monday to Friday</td> <td>00.00 to 01.00</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Saturday</td> <td>00.00 to 01.30</td> <td>10.00 to 00.00</td> </tr> <tr> <td>Sunday</td> <td>00.00 to 01.30</td> <td>11.00 to 00.00</td> </tr> </table> <p>Seasonal Variations & Non-Standard Timings The premises will close ½ an hour after the end of the Seasonal Variations & Non-Standard Timings above.</p> <p>New Year's Eve terminal hour is extended until the commencement hour the following day.</p>	Monday to Friday	00.00 to 01.00	10.00 to 00.00	Saturday	00.00 to 01.30	10.00 to 00.00	Sunday	00.00 to 01.30	11.00 to 00.00
Monday to Friday	00.00 to 01.00	10.00 to 00.00								
Saturday	00.00 to 01.30	10.00 to 00.00								
Sunday	00.00 to 01.30	11.00 to 00.00								
<p>Where the Licence authorises supplies of alcohol whether these are on and/or off supplies</p>	<p>Sale by Retail of Alcohol ON & OFF the premises</p>									
<p>Name (registered) address, telephone number and e-mail of the holder of the premises licence</p>	<p>Punch Taverns Jubilee House Second Avenue Burton-upon-Trent Staffordshire DE14 2WF</p> <p>01283 501600</p>									
<p>Registered number of holder (company/charity number) where applicable</p>	<p>03752645</p>									
<p>Name, address and telephone number of the designated premises supervisor, where the Premises Licence authorises for the supply of alcohol</p>	<p>Ian Flint</p>									

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

PE/1437

Ashfield District Council

ANNEX 1

Mandatory Conditions

SUPPLY OF ALCOHOL (Section 19)

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

EXHIBITION OF FILMS (Section 20)

1. The admission of children to any exhibition of any film is restricted as follows:
 - U Universal – suitable for audiences aged four years and over.
 - PG – Parental Guidance. Some scenes may be unsuitable for young children.
 - 12A – Passed only for viewing by persons aged 12 years or older, or persons younger than 12 when accompanied by an adult.
 - 15 – Passed only for viewing by persons aged 15 years and over.
 - 18 – Passed only for viewing by persons aged 18 years and over.
2. Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds, in such a manner so as to be easily read by all persons in the auditorium, a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

DOOR SUPERVISION (Section 21)

Each individual at the premises to carry out a security activity must be licensed by the Security Industry Authority.

EMBEDDED RESTRICTIONS

All conditions which reproduce the effect of any restriction imposed on the use of the premises for the existing licensable activities under the relevant existing licence or licences or under any enactment specified for the purposes of schedule 8 of the Licensing Act 2003, as issued by the Department of Culture, Media and Sport in May 2005.

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.”

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 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:
 - (i) P is the permitted price
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol:
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

- (i) The holder of the premises licence,
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by the 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 takes place before the expiry of the period 14 days beginning on the second day.

CONDITIONS CONSISTENT WITH FORMER PUBLIC ENTERTAINMENTS LICENCE 21

1. Power of entry

- 1.1. The Licensee shall allow any authorised officer of the Licensing Authority, Fire Authority or Police to enter all parts of the licensed premises at all reasonable times.
- 1.2. The Licensee shall conform with any reasonable request of an authorised officer of the Licensing Authority, Fire Authority or Police.

2. Noise

- 2.1. Any noise produced by, or associated with the entertainment shall not be of such intensity or of such character, or occur on such number of occasions as will unreasonably disturb persons in the vicinity of the premises to which the licence applies.
- 2.2. The Licensee shall take all reasonable steps to ensure the patrons waiting entry to the premises or leaving the premises do not cause annoyance or nuisance to people living in the vicinity of the premises.
- 2.3. Sound insulation or control equipment installed to prevent noise nuisance to the occupiers of neighbouring premises shall be maintained in satisfactory working order.

3. Occupancy

- 3.1. The total number of persons allowed on the premises at any one time should be restricted to the following:

Area	Maximum number of persons
Ground Floor	250
First Floor	50

- 3.2. Should you wish to increase the occupancy you MUST contact the Fire Authority and the Licensing Authority.
- 3.3. To ensure the maximum occupancy is not exceeded, there should be an effective system for determining the number of persons on the premises.

4. Order

- 4.1. The Licensee shall, to the best of his ability, maintain and keep good order and decent behaviour on the premises.
- 4.2. No public music, dancing, exhibition, recitation or entertainment of a like kind shall be permitted or suffered to take place in licensed premises which is offensive, obscene, immoral, licentious, indecent or likely to produce riot, tumult or breach of the peace and the operation of the premises shall be carried out in such a way to prevent such conduct.

5. Control

- 5.1. The Licensee shall take all reasonable precautions for the safety of the public, performers and employees and, except with the consent of the Council, shall retain control over all aspects of the premises to which the licence applies.

6. Responsible Persons

- 6.1. A Licensee, or some responsible person nominated by him in writing for the purpose, must be in charge of and on the licensed premises during the whole time they are open to the public.
- 6.2. A responsible person should be appointed to give constant oversight and attention to the licence conditions.
- 6.3. The person in charge shall, throughout the whole time the premises are open to the public, be assisted by a sufficient staff of competent attendants specially instructed by the Licensee or a person nominated by him or her as to their duties in the event of a fire or other emergency.

7. Gaming

- 7.1. The Licensee shall not knowingly allow any unlawful game of any kind to be played on the licensed premises.

8. Structural alterations to premises

- 8.1. No structural alterations to the premises shall be made during the period of licence without the consent of the Licensing Authority. **NB Structural alterations may be considered as 'substantial' alterations under the Licensing Act 2004 and therefore require an application for a new licence.**

9. Liquid Petroleum Gas (LPG) Appliances

- 9.1. Where it is proposed to use LPG appliances you must contact the one of the Council's Environmental Health Officers before their installation or use.

10. Equipment – General

- 10.1. The Licensee shall ensure that all plant and equipment used on the premises to which the licence relates shall be maintained in a safe condition.
- 10.2. All plant and equipment within the premises to which this licence applies shall at all times, except for any necessary maintenance, be securely fenced or other wise guarded so as to preclude any danger. The Licensee shall comply with any reasonable requirement made by an authorised officer of the Licensing Authority, Fire Authority or Police, in respect of the fencing or guarding of any plant or equipment upon the licensed premises.

11. Electrical Safety and Inspection

- 11.1. The electrical installation shall be kept maintained in accordance with the current regulations of the Institution of Electrical Engineers (IEE).
- 11.2. Where electrical energy is used for lighting, the installation generally shall be in accordance with the current regulations of the IEE for the electrical equipment of the buildings (from time to time revised).
- 11.3. A certificate, signed by a qualified Electrical Engineer who is a member of the National Inspection Council for Electrical Installation Contracting (NICEIC), to the

effect that the installations have been examined and tested in accordance with the current edition of the IEE Regulations and are in a safe working condition shall be submitted to the Licensing Authority every 12 months upon payment of the annual fee.

- 11.4. The certificate should also include the fire alarm system, emergency lighting, RCD protection and stand-by generators where applicable.

12. Toilets

- 12.1. Sanitary provision has been approved in accordance with BS6465 Part 1, 1984.
- 12.2. You should contact the relevant Environmental Health Officer should you wish to make any alterations.
- 12.3. All sanitary conveniences should be kept in good order and repair and should be kept properly and effectively cleansed and ventilated.

13. Structural repair of premises

- 13.1. The Licensee should ensure that every part of the premises to which the licence applies is maintained in a good state of structural repair and stability.

14. Cleanliness/Decoration

- 14.1. The Licensee should ensure that in every part of the premises to which the licence applies:
- (a) floors, walls, ceilings, windows, doors and fixtures are maintained in a clean condition.
 - (b) walls, ceilings, windows and doors are maintained in a reasonable state of decoration.
 - (c) no accumulation of dirt, rubbish or flammable material should be allowed in any part of the licensed premises or in any other place under the control of the Licensee and adjacent to the licensed premises.

15. Refuse

- 15.1. Refuse should be stored in proper dustbins or other suitable receptacles with close-fitting lids in a manner approved by the Licensing Authority.

16. Prevention of Accident, Obstruction of Exits

- 16.1. All persons responsible for the premises shall take all due precautions for the prevention of accident and shall not carry out any act which is likely to cause fire.
- 16.2. All gangways, staircases, and exits shall be kept clear of obstructions during the hours of operation of the premises.

17. Props, Costumes and Special Effects

- 17.1. Any use of props, costumes and special effects e.g. fireworks, foam parties etc. other than as discussed at the time of inspection by the Fire Officer should be notified to the Fire Authority and the Licensing Authority.

18. Dangerous Performances or Entertainments

- 18.1. Performances involving danger to the public shall not be given.
- 18.2. No person shall give at the licensed premises (otherwise than as provided for by Section 5 of the Hypnotism Act, 1952) any performance involving any form of

hypnotism or process producing or intending to produce any form of induced sleep or trance in which the susceptibility of the mind to suggestion or direction is increased or is intended to be increased.

19. Door Supervisors (where employed)

- 19.1.** The Licensee shall maintain on the premises a log book in which the names, addresses and dates of birth of all registered door supervisors and the registration number of registered door supervisors shall be entered for each day they are engaged at the premises.
- 19.2.** The log book shall be kept for a period of at least three months from the date of the last entry and be readily available for inspection by an authorised officer of the Licensing Authority or Police.



NOTTINGHAMSHIRE FIRE & RESCUE SERVICE

LICENSEE'S RESPONSIBILITIES

1. The Licensee or an authorised deputy should be present on and in charge of the premises at all times members of the public are on the premises.
2. The Licensee should ensure that he/she is fully conversant with the conditions of any licence he/she may be operating under.
3. The Licensee should be immediately available in the event of an alarm of fire.
4. The Licensee should be aware of any person or persons who, through disability may require assistance in the event of an emergency.
5. The Licensee should be aware that certain functions could present additional danger for the audience, largely from the effects of excitement, irrational behaviour, noise levels and flashing lights.
6. Before the public are admitted to any performance the Licensee should check the following:
 - a) Exits to ensure they are unlocked and ready for use.
 - b) Escape routes are free or clear of any obstruction.
 - c) The premises to ensure there are no obvious fire hazards.
 - d) Furnishings coverings in good repair (exposed foam is a serious hazard).
7. The Licensee should also ensure the following are provided and maintained to a satisfactory standard.
 - a) Fire Instruction Notices.
 - b) Fire fighting Equipment
 - c) A Fire Alarm System.
 - d) Emergency Lighting.
 - e) Electrical and Gas Installations.
8. The Licensee is responsible for staff training in respect of fire precautions and evacuation procedure. (If assistance is required please contact the Fire Safety and Education and Training Unit, Nottinghamshire Fire and Rescue, Bestwood Lodge, Arnold, Nottingham. Tel. (0115) 967 0880.

In particular the Licensee should ensure that where staff are transferred to another part of the premises these staff are made aware of the fire safety procedures for their new work area.

- 9.** The Licensee should ensure the following comply with the current safety standards:
- a) Floor coverings
 - b) Furniture and Furnishings
 - c) Scenery Props
 - d) Curtains and Drapes
- 10.** The Licensee should keep up to date records of staff training. Matters which may need to be included in such a record are :
- a) Date of the instruction and exercise.
 - b) Duration.
 - c) Name of person giving instruction.
 - d) Name of person receiving instruction.
 - e) The nature of the instruction.

ANNEX 2
Conditions consistent with the Operating Schedule

1. All external doors and windows in the premises must be closed after 23.00 or when the nature of regulated entertainment may give rise to a public nuisance (as defined in section 7.40 of the guidance issued under section 182 of the Licensing Act 2003), except for the duration of access and egress or in an emergency.
2. Noise from regulated entertainment will be inaudible at the nearest noise sensitive property after 23.00.
3. Signs are to be erected and placed in a prominent position to remind customers to leave in a quiet and considerate manner.
4. The outside area should not be used after 23:00 except for access and egress for customers.
5. To maintain CCTV cameras, monitors and recording equipment in accordance with Police recommendations. All video tapes or digital images to be retained for a minimum of 31 days and made available for inspection by the police or relevant officers of the Licensing Authority at all reasonable times.
6. No unaccompanied children are permitted on the premises at any time.
7. No accompanied children are permitted on the premises after 19.00.
8. No adult entertainment containing nudity is permitted at the premises.
9. The premise will continue to participate in the local Pubwatch Scheme and signs to this effect will be displayed in the premise.
10. Door supervisors will be in place from 20.00 to close on Fridays & Saturdays.
11. A noise survey will be carried out regularly especially when entertainment is provided.

ANNEX 3

Conditions attached after a hearing by the Licensing Authority

None

ANNEX 4
Plans

See attached

APPENDIX C

