

LICENSING SUB-COMMITTEE

21 AUGUST 2020

APPLICATION FOR A PREMISES LICENCE

1.0 Purpose of Report

1.1 For Members to consider an application for a premise licence for 18 Castle Gate, Newark, NG24 1BG.

2.0 Introduction

2.1 The application for a new premises licence has been submitted by Corn Exchange Newark Ltd and in summary the application seeks to licence the premise from 08:00 to 02:00 or 03:00 in the week and from 08:00 to 04:00 at weekends.

2.2 Set out below are the proposals contained within the application:

| Activity | Proposed timings |
|--|---|
| Plays (Both indoors and outdoors) | 08:00 to 23:00 (Daily) |
| Films (Both indoors and outdoors) | Monday to Thursday 08:00 to 02:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |
| Live Music (both indoors and outdoors) | Monday to Wednesday 08:00 to 02:00 following day Thursday 08:00 to 03:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |
| Recorded Music (both indoors and outdoors) | Monday to Wednesday 08:00 to 02:00 following day Thursday 08:00 to 03:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |
| Performances of dance (both indoors and outdoors) | Monday to Wednesday 08:00 to 02:00 following day Thursday 08:00 to 03:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |
| Anything of a similar description (both indoors and outdoors) | Monday to Wednesday 08:00 to 02:00 following day Thursday 08:00 to 03:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |
| Late night refreshment (both indoors and outdoors) | Monday to Wednesday 08:00 to 02:30 following day Thursday 08:00 to 03:30 following day Friday to Saturday 08:00 to 04:30 following day Sunday 08:00 to 03:30 following day |
| Supply of alcohol (both on premises and premises) | Monday to Wednesday 08:00 to 02:00 following day Thursday 08:00 to 03:00 following day Friday to Saturday 08:00 to 04:00 following day Sunday 08:00 to 03:00 following day |

2.3 A full copy of the application can be found at **Appendix 1**.

3.0 The Application Premises

- 3.1 The premises subject to this application is 18 Castle Gate, Newark, Notts., NG24 1BG
- 3.2 A plan and photographs showing the site in context of its surroundings is shown as **Appendix 2** to this report.

4.0 Licensing History

- 4.1 The Corn Exchange, which has been known under various names Time & Diva, Time & Arabesque, Time & Glitterball applied for a conversion and variation of their licence when the powers to licence a premise transferred from the magistrates court to the local authority in 2005. The original licence was granted following a hearing on 15.9.2005. A copy of this licence can be found at **Appendix 3A** to this report.
- 4.2 This licence lapsed on 24.12.2011 as the licence holder went into administration.
- 4.3 The licensing authority received an application for new premise licence on 8.7.2014, this was granted following a hearing on 28.8.2014. A copy of this licence can be found at **Appendix 3B** to this report.
- 4.4 A copy of the current licence for 18 Castle Gate, Newark can be found at **Appendix 3C** to this report. This licence was granted at a hearing on 26.1.2015 following an application for variation.
- 4.5 A summary of Appendix 3A, 3B, 3C licensable hours and activities are set out below:

| Licence | Licensable Activities/Timings |
|---|---|
| Licence 170 (full licence found at Appendix 3A) | <p>A Standard Times</p> <p>1. Regulated Entertainment (a) films, b) live music, c) recorded music, d) performance of dance e) provision of facilities for making music, f) dancing</p> <p>a. Categories a, b, d, e, and f above Monday to Sunday – 10:00 to 02:45 the following day</p> <p>b. Category c above Monday to Sunday – 00:01 to 00:00</p> <p>2. Late Night Refreshment Monday to Sunday – 23:00 – 02:45 the following day</p> <p>3. The supply of alcohol Monday to Sunday – 10:00 to 02:45 the following day</p> <p>B Non Standard Times</p> <p>1. All licensable activities 31st December 10:00 to 02:00 on 2nd January</p> <p>All of the above terminal hours are extended by one hour on the day when British Summertime commences.</p> <p><u>Opening hours</u></p> <p>A Standard Times Monday to Sunday – 10:00 to 03:00 the following day</p> <p>B Non Standard Times</p> <p>1. 31st December 10:00 to 02:20 on 2nd January</p> <p>The standard closing time will be extended by one hour on the day when British Summertime commences</p> |

| | |
|--|--|
| <p>Licence 1958 granted 28.8.2014 (full licence found at Appendix 3B)</p> | <p>A Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment (plays, indoor sporting events, live music, recorded music, performances of dance, anything similar to aforementioned) Sunday to Thursday: 08:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:30 the following day 2. Late night refreshment: Sunday to Thursday: 23:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:30 the following day 3. The Supply of alcohol Sunday to Thursday: 08:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:30 the following day <p>B Non Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment (categories c, d, e and f in the above box) New Years Day: 00:00 to 23:59 Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59 2. Late night refreshment: New Years Day: 00:00 to 05:00 and 23:00 to 23:59 Christmas Day: 00:00 to 05:00 and 23:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 23:00 to 23:59 3. The Supply of alcohol New Years Day: 00:00 to 23:59 Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59 <p><u>Opening hours</u></p> <p>A Standard Times Sunday to Thursday 08:00 to 01:00 the following day Friday to Saturday 08:00 to 03:00 the following day</p> <p>B None Standard Times New Years Day: 00:00 to 23:59 Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59</p> |
| <p>Licence 1958 granted 26.1.2015 (full licence can be found at Appendix 3C)</p> | <p>A Standard Times</p> <ol style="list-style-type: none"> 4. Regulated Entertainment(plays, indoor sporting events, live music, recorded music, performances of dance, anything similar to aforementioned): Sunday to Thursday: 08:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:45 the following day 5. Late night refreshment: Sunday to Thursday: 23:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:30 the following day 6. The Supply of alcohol Sunday to Thursday: 08:00 to 00:30 the following day Friday and Saturday: 08:00 to 02:30 the following day <p>B Non Standard Times</p> <ol style="list-style-type: none"> 4. Regulated Entertainment (categories c, d, e and f in the above box) New Years Day: 00:00 to 23:59 |

| | |
|--|---|
| | <p>Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59</p> <p>5. Late night refreshment: New Years Day: 00:00 to 05:00 and 23:00 to 23:59 Christmas Day: 00:00 to 05:00 and 23:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 23:00 to 23:59</p> <p>6. The Supply of alcohol New Years Day: 00:00 to 23:59 Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59</p> <p><u>Opening hours</u></p> <p>A Standard Times Sunday to Thursday 08:00 to 01:00 the following day Friday to Saturday 08:00 to 03:00 the following day</p> <p>B None Standard Times New Years Day: 00:00 to 23:59 Christmas Day: 00:00 to 23:59 Start of British Summer Time: 00:00 to 04:30 the following day and 08:00 to 23:59</p> |
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5.0 Premise with Licensable Activities in the Surrounding Area

5.1 There are a few premises within close proximity to the application site, the closest licensed premises being located at:

- Swan & Salmon, 34 Castle Gate, Newark, NG24 1BG
- Atrium, 69 Castle Gate, Newark, NG24 1BE
- Flying Circus, 53 Castle Gate, Newark, NG24 1BE
- Prince Rupert, 46 Stodman Street, NG24 1AW

5.2 This table shows the licensable activities for the above premise:

| Premise name | Licensing Hours |
|---|---|
| Swan & Salmon, 34 Castle Gate, Newark, NG24 1BG | <p>1. Regulated Entertainment Films – Monday to Sunday 07.00 to 02.00 the following day Live music – Monday to Sunday 07.00 to 02.00 the following day Recorded music – Monday to Sunday 07.00 to 02.00 the following day Provision of facilities for dancing – Monday to Sunday 07.00 to 02.00 the following day Provision of facilities for entertainment of a similar description to that falling within i or j – Monday to Sunday 07.00 to 02.00 the following day</p> <p>2. Late night refreshment – Monday to Sunday 23.00 to 02.00 the following day</p> <p>3. Supply of alcohol - Monday to Sunday 09.00 to 01.30</p> <p><u>Opening hours</u> Monday to Sunday 07.00 to 02.00 the following day</p> |
| Atrium, 69 Castle Gate, | A <u>Standard Times</u> |

Newark, NG24 1BE

1. Regulated Entertainment
 - a. All categories permitted by this licence except live music
Sunday to Wednesday 08:00 to 01:00 the following day
Thursday to Saturday 08:00 to 03:00 the following day
 - b. The provision of Live Music
Monday to Sunday – 08:00 to 00:00
 2. Late night refreshment
Sunday to Wednesday 23:00 to 01:00 the following day
Thursday to Saturday 23:00 to 03:00 the following day
 3. The supply of alcohol
Sunday to Wednesday – 08:00 to 01:00
Thursday to Saturday – 08:00 to 03:00 the following day
- B Non Standard Times
1. Regulated Entertainment – (all categories permitted by this licence except live music)
Where 24th December falls on a Sunday to Wednesday – 08:00 to 03:00 the following day
Where 26th December falls on a Sunday to Wednesday – 08:00 to 03:00 the following day
All Sundays preceding a Bank Holiday – 08:00 to 03:00 the following day
If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences.
Regulated Entertainment – all categories permitted by this licence
From the standard start timing on 31st December to the standard start timing on 1st January.
 2. Late night refreshment
Where 24th December falls on a Sunday to Wednesday – 23:00 to 03:00 the following day
Where 26th December falls on a Sunday to Wednesday – 23:00 to 03:00 the following day
All Sundays preceding a Bank Holiday – 23:00 to 03:00 the following day
If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences.
From the standard start timing on 31st December to the standard start timing on 1st January.
 3. The supply of alcohol
Where 24th December falls on a Sunday to Wednesday – 08:00 to 03:00 the following day
Where 26th December falls on a Sunday to Wednesday – 08:00 to 03:00 the following day
All Sundays preceding a Bank Holiday – 08:00 to 03:00 the following day
If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences.
From the standard start timing on 31st December to the standard start timing on 1st January.
- Opening hours
- A Standard Times
Sunday to Wednesday – 08:00 to 01:30 the following day
Thursday to Saturday – 08:00 to 03:30 the following day
- B Non Standard Times
An additional 30 minutes after the non-standard finish timings for the licensable activities.

| | |
|---|--|
| | On 24th and 26th December and Sundays preceding Bank Holidays – 08:00 to 03:30 the following day |
| Flying Circus, 53 Castle Gate, Newark, NG24 1BE | <p>A Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment (Live Music, Recorded Music, Anything Similar to aforementioned, provision of facilities for making music, films) <ol style="list-style-type: none"> a. All categories permitted by this licence except the provision of Live Music Sunday to Thursday –10:00 to 00:00 Friday & Saturday – 10:00 to 01:00 the following day b. The provision of Live Music Monday to Sunday – 10:00 to 00:00 2. The Supply of alcohol by retail Sunday to Thursday –10:00 to 00:00 Friday & Saturday – 10:00 to 01:00 the following day <p>B Non Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment – all categories permitted by this licence except the provision of Live Music Bank Holiday Mondays – 10:00 to 01:00 the following day 24th, 26th and 31st December 10:00 to 01:00 the following day 2. The supply of alcohol by retail Bank Holiday Mondays – 10:00 to 01:00 the following day 24th, 26th and 31st December 10:00 to 01:00 the following day <p><u>Opening hours</u></p> <p>A Standard Times</p> <p>Sunday to Thursday –10:00 to 00:30 Friday & Saturday – 10:00 to 01:30 the following day</p> <p>B Non Standard Times</p> <p>Bank Holiday Mondays – 10:00 to 01:30 the following day 24th, 26th and 31st December 10:00 to 01:30 the following day</p> |
| Prince Rupert, 46 Stodman Street, NG24 1AW | <p>A Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment (films, indoor sporting events, live music, recorded music, anything similar to the aforementioned) <ol style="list-style-type: none"> a. all categories permitted by this Licence except the provision of Live Music Sunday to Thursday – 10:00 to 00:00 Friday & Saturday – 10:00 to 01:00 the following day 31st December – 10.00 to 01.00 the following day b. The provision of Live Music Monday to Sunday – 10:00 to 00:00 2. The supply by retail of alcohol Sunday to Thursday – 10:00 to 00:00 Friday & Saturday – 10:00 to 01:00 the following day <p>B Non Standard Times</p> <ol style="list-style-type: none"> 1. Regulated Entertainment – all categories permitted by this licence except the provision of Live Music Sundays prior to Bank Holiday Monday and Bank Holiday Mondays – 10:00 to 01:00 the following morning 24th December and 26th December falling on Sunday to Monday – 10:00 to 01:00 the following morning 31st December – 10:00 to 00:00 on 1st January 3. The supply by retail of alcohol |

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| | <p>Sundays prior to Bank Holiday Monday and Bank Holiday Mondays – 10:00 to 01:00 the following morning 24th December and 26th December falling on Sunday to Monday – 10:00 to 01:00 the following morning 31st December – 10:00 to 01:00 on the following day</p> <p><u>Opening hours</u></p> <p>A Standard Times Sunday to Thursday – 08:00 to 00:30 the following day Friday & Saturday – 08.00 to 01:30 the following day</p> <p>B Non Standard Times Sundays prior to Bank Holiday Monday and Bank Holiday Mondays – 08:00 to 01:30 the following morning 24th December and 26th December falling on Sunday to Monday – 08:00 to 01:30 the following morning 31st December – 08.00 to 01:30 the following day</p> |
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6.0 Reason for Hearing

6.1 Representations have been received from:

- Nottinghamshire Police, HQ (CJ)Liquor Licensing, Mansfield Police Station, Great Central Road, Mansfield, NG18 2HQ
- Environmental Health, Newark & Sherwood District Council, Castle House, Newark, NG24 1BY
- Anthony Aspbury, 1-5 Mill Gate, Newark, NG24 4TS
- Denis Power-Neads, 10 Mill Gate Apartments, 11 Mill Gate, Newark, NG24 4TR
- Helen Kempson, Room 4, 45A Castle Gate, Newark, NG24 1BE
- Jane Williams, Potters Cottage, 1 Navigation Yard, Mill Gate, Newark, NG24 4TN
- Jonathan Randells, Room 2, 45A Castle Gate, Newark, NG24 1BE
- Liz Justice, 9 Tannery Wharf, Newark, NG24 4US
- Mark Larter, 27 Mill Gate, Newark, NG24 4TR
- Newark Civic Trust, 7 Beacon Hill Road, Newark, NG24 1NT
- Philip Barker, Lombard Street, Newark, 1XE
- Roma Revill, 10 Navigation Yard, Newark, NG24 4TN
- S Clark, 45A Castle Gate, Newark, NG24 1BE
- Linda Reeves, Lenton Terrace, Mill Gate, Newark, NG24 4TZ
- J Meanley, 3 Navigation Yard, Newark, NG24 4TN
- Julia Grace, Lenton Terrace, Mill Gate, Newark, NG24 4TZ
- Alex Grace, 9 Lenton Terrace, Mill Gate, Newark, NG24 4TZ
- Shiloh Grant-Smith, 20 Coopers Yard, Newark, NG24 4UH
- Martin and Pauline Hall, 11 Manners Road, Balderton, NG24 4UH
- Mr Clark, Access Models, 43-45 Castle Gate, Newark, NG24 1BE
- Alan Scrimshaw, Room 3, 45A Castle Gate, Newark, NG24 1BE
- Adam Taylor, Room 1, 45A Castle Gate, Newark, NG24 1BE
- N Meadows, Room 5, 45A Castle Gate, Newark, NG24 1BE
- Mr and Mrs Wheeldon, Trent Edge, 15 Tannery Wharf, Newark, NG24 4US
- Millgate Conservation Society, Mill Gate, Newark, NG24 4TS
- C J Lester, 27 Coopers Yard, Newark, NG24 4UH
- Margaret Begley-Grey, 41 Castle Gate, Newark, NG24 1BE
- Andy McIntosh – no address provided
- Dawn Birkin – no address provided
- Lucy Worrall – no address provided
- Amy and Sam Peach - no address provided

- Nicola Pelling – no address provided
- Lauren Bird – no address provided

A copy of their representations are attached as **Appendix 4**.

- 6.2 A map showing the location of the majority of these representors can be found in **Appendix 5**.
- 6.3 The representations received raised concerns over disorder and nuisance that patrons using this premise will cause. The objectors do not believe that the proposed application supports the following licensing objectives:
- The prevention of crime and disorder
 - Public Safety
 - Prevention of Public nuisance
 - Protection of children from harm
- 6.4 Further information was requested by the local authority and can be found in **Appendix 6**.
- 6.5 No agreement has been reached between the applicant and the objectors.
- 6.6 No agreement has been reached between the applicant and Nottinghamshire Police or Environmental Health.
- 6.7 No representations have been received from the remaining Responsible Authorities.

7.0 Conditions

7.1 Annex 1 Conditions

The following mandatory conditions will be applied to the licence:

Designated Premises Supervisor

No alcohol may be supplied under this Licence:

- (a) at any time when there is no Designated Premises Supervisor in respect of these Premises; or
- (b) at any time when the Designated Premises Supervisor does not hold a personal licence or his/her personal licence is suspended.

Authorisation by Personal Licence Holders

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

Irresponsible Promotions

- (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).

Potable Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification

- (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.

Small Measures

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.”

Sales of Alcohol below the Permitted Price

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

Door Supervision

Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority. Any such person shall be employed at the premises at the discretion of the Licence Holder/Designated Premises Supervisor and shall display their name badge at all times when on duty.

7.2 Annex 2 Conditions

The following conditions will be applied to the licence from the applicants operating schedule:

1. All members of staff shall be fully trained in the retail sale of alcohol. The training shall be ongoing and each member of staff shall be reviewed every six months. All details of the level of training shall be recorded in a bound and sequentially paginated book or electronic record. This information shall be made available for inspection and copying by the Police or any other authorised person on request and all such books shall be retained at the premises for at least 12 months
2. During general times of operation SIA staff will be employed based on risk assessment carried out to the satisfaction of the Designated Premises Supervisor. Written risk assessment will always be available, upon demand, to responsible authorities.
3. During times where the premises intends to provide any licensed activity terminating after 0000hrs, which is similar to sections E, F or G (live music, recorded music and performance of dance) and is alongside the supply of alcohol, and on a Friday and

Saturday evening, staff will be employed on the ratio of 1 to 100 persons, from 2200hrs, with a minimum of 3 SIA personnel on a Friday and 4 SIA personnel on a Saturday.

4. An agreed ejection policy with Nottinghamshire Police to include basement ejection from side door rather than via front steps, ensuring to a well-lit route, covered by CCTV to and directly to the public footpath.
5. A CCTV system shall be installed and operative in the premises when licensable activities are taking place plus at least 30 mins after closing.

All recordings used in conjunction with CCTV shall:

- be of evidential quality
- indicate the time and date
- be retained for a period of 31 days

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

6. At least one camera at any entrance will be of a high-resolution and of an evidential quality for use in supporting any prosecutions.
7. Off sales are only permitted in sealed containers.
8. No persons carrying open, or sealed, vessels shall be admitted to the premises at any time.
9. Public areas will be inspected and recorded as safe before the premises is open to the public.
10. A conclusive risk assessment file will be detailed for all apparent risks to the public. This will be maintained and review no less than annually by the current DPS.
11. Signage shall be displayed advising customers to be respectful to residents and to leave the area in a quiet and orderly manner.
12. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to control the level of noise so as not to cause a disturbance to residents.
13. All local residents will be issued with direct methods of communication to the DPS, so that they can report any concerns.
14. All amplified sound equipment will be positioned and operated in a manner to ensure noise does not escape the curtilage of the premises and is not permitted to disturb any residents in the vicinity.
15. The performance of live music with amplified instruments outside of the property will be limited to no more than 4hrs on any one day, and to no more than 4 days in any one week.
16. The disposal of empty glass bottles shall not be undertaken externally from 2200hrs until 0800hrs on the following day.

17. A free phone service will be offered to all customers to call a taxi to collect from immediately outside of the premises.
18. No under 18 events without explicit agreement with Nottinghamshire Police (likely applied for through TEN application).
19. We shall, at all times, enforce an enhanced challenge policy.
 - Challenge 21 will include the use of two forms of ID, at least one being photographic
 - Challenge 25 a single form of photographic ID.
20. A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused.

Such records shall show:

- The basis for the refusal;
- The person making the decision to refuse; and
- The date and time of the refusal.

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

21. As the venue is multi-faceted, the following restrictions shall apply:
 - Basement area to be exclusively for the use of over 18, at all times when open for public use.
 - Ground floor (bar and gaming area) to be restricted to those under the age of 18, who are not accompanied by an adult, after 9pm on all days, if accompanied by an adult permitted until 10pm on all days.
 - First floor (dining area) to be restricted to those under the age of 18, who are not accompanied by an adult, after 10pm on all days, if accompanied by an adult after 11pm.
22. No entry will be permitted to under 18, with or without adult accompanying, after 9pm on any day.
23. Regular 'glass collecting' will take place, ensuring the reduction of opportunity for minor to get access to alcohol.
24. Exterior family areas, for where dining is encouraged, will be non-smoking (or vaping)
25. When films are shown, adherence to the BBFC age ratings will be prevalent

8.0 Applicable Policies and Guidance

8.1 Newark & Sherwood Statement of Licensing Policy 2019 - 23

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, interested parties 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 necessity for, and proportionality 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) transport provision in the area and the likely means of public or private transport.
- (viii) parking provision in the area.
- (ix) the potential cumulative impact
- (x) other means and resources available to mitigate any impact.
- (xi) 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.

8.2 Chapters 6, 7 and 8 of the Statement of Licensing Policy are considered particularly relevant to this application. This is attached as **Appendix 7**

8.3 When considering this application for a new licence the panel may wish to consider Chapters 8, 9 and 10 of the Revised Statutory Guidance issued under section 182 of the Licensing Act 2003 - April 2018. This is attached as **Appendix 8**.

9.0 RECOMMENDATION

That Members consider the premise licence application and the representations made for 18 Castle Gate, Newark, NG24 1BG and take the steps as it considers appropriate for the promotion of the licensing objectives.

The steps available on determination of a new premise licence application are:

- **Grant the licence subject to:**
 - i) **such conditions as are consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives; and**
 - ii) **any condition which must, under section 19, 20 and 21, be included in the licence (mandatory conditions)**

- **To exclude from the scope of the licence any of the licensable activities to which the application relates**
- **To refuse to specify a person in the licence as a premises supervisor**
- **To reject the application**

List of Appendices

Appendix 1 – Application Form

Appendix 2 – Plan of Site and Photographs

Appendix 3A – Copy of licence number 170

Appendix 3B – Copy of licence 1568

Appendix 3C – Copy of current licence

Appendix 4 – Representations Received

Appendix 5 – Map showing Location of Premises and Representors

Appendix 6 – Further Information Received

Appendix 7 – NSDC Statement of Licensing Policy

Appendix 8 – Statutory Guidance