

## LICENSING SUB-COMMITTEE

4 SEPTEMBER 2020

### APPLICATION FOR A PREMISES LICENCE

#### **1.0 Purpose of Report**

1.1 For Members to consider an application for a variation to the premise licence for Madison's Lounge Bar & Bistro, 39a Carter Gate, Newark, NG24 1UA.

#### **2.0 Introduction**

2.1 The application for a variation to the premises licence has been submitted by WAGS Leisure Limited and in summary the application seeks to licence the premise from 02:00 to 04:00 for certain licensable activities and opening hours from 02:30 to 04:30 on a Saturday and Sunday. The application also seeks to remove a number of conditions from their licence.

2.2 Set out below are the proposed timings contained within the application:

<b>Activity</b>	<b>Proposed timings</b>
Films (Indoors)	Saturday and Sunday 02:00 to 04:00 the following day
Recorded music (Indoors)	Saturday and Sunday 02:00 to 04:00 the following day
Performance of dance (Indoors)	Saturday and Sunday 02:00 to 04:00 the following day
Late night refreshment	Saturday and Sunday 02:30 to 04:00 the following day
Supply of Alcohol (on sales)	Saturday and Sunday 02:00 to 04:00 the following day

2.3 The following conditions have been requested for removal as part of this variation application:

1. Two SIA registered door supervisors shall be on duty on Friday and Saturday evenings from 2000 hours, and if the rear area, the area within the blue line marked on the plan for the premises licence, is open a further two SIA registered door supervisors shall be on duty from 2200 until the premises close. This condition may be disapplied/amended by written agreement with the Police at least 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises.
2. A minimum of five suitably trained and licensed SIA door supervisors shall be on duty on Bank Holiday Sunday's, Valentine Day, Boxing day and New Year Eve from 2200 until the premise close.
3. A door supervisor to wear and operate a body worn camera with the facility to record footage on Friday and Saturdays from 2000 hours until the premise close unless otherwise agreed in writing with the Police.
4. No persons shall be permitted to remove open vessels from the premises, other than to the designated smoking area at the rear of the premises or customers who may be seated at any tables immediately outside the front of a premises that belong to the premises from opening until 2000 hours on any day of the week.

2.4 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 Madison's Lounge Bar & Bistro, Newark, Notts. NG24 1UA

3.2 A location 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 premise used to be known as Gusto's Venue and applied for a conversion and variation of their licence when the powers to licence a premise transferred from the Magistrate's Court to the local authority in 2005. The original licence was granted 21.9.2005. A copy of this licence can be found at **Appendix 3A** to this report.

4.2 This licence was surrendered 19.10.2016.

4.3 The licensing authority received an application for new premise licence on 02.08.2016 known as Jola Jola, this was granted following a hearing on 16.10.2016. A copy of this licence can be found at **Appendix 3B** to this report.

4.4 This licence lapsed when the licence holder went into administration on 02.01.2018.

4.5 A copy of the current licence for 39A Carter Gate, Newark can be found at **Appendix 3C** to this report. This licence was granted on 30.11.2019 following an application for a new premise licence.

4.6 A summary of Appendix 3A, 3B, 3C licensable hours and activities are set out below:

Licence	Licensable Activities/Timings
Licence 455 (full licence found at Appendix 3A)	<p>The times the licence authorises the carrying out of licensable activities</p> <ol style="list-style-type: none"> <li>1. Regulated Entertainment (films, live music, recorded music, anything similar) <ul style="list-style-type: none"> <li>All categories permitted by this Licence except (d) above</li> <li>Monday to Wednesday – 18:00 to 01:00 the following day</li> <li>Thursday to Saturday – 18:00 to 02:00 the following day</li> <li>Sunday – 18:00 to 00:00</li> </ul> </li> <li>b. Entertainment of a similar description to (b) &amp; (c) above <ul style="list-style-type: none"> <li>Monday to Wednesday – 07:00 to 01:00 the following day</li> <li>Thursday to Saturday – 07:00 to 02:00 the following day</li> <li>Sunday – 07:00 to 00:00</li> </ul> </li> <li>2. Late Night Refreshment <ul style="list-style-type: none"> <li>Monday to Wednesday – 23:00 to 01:00 the following day</li> <li>Thursday to Saturday – 23:00 to 02:00 the following day</li> <li>Sunday – 23:00 to 00:00</li> </ul> </li> <li>3. The supply of alcohol by retail <ul style="list-style-type: none"> <li>Monday to Wednesday – 12:00 to 01:00 the following day</li> <li>Thursday to Saturday – 12:00 to 02:00 the following day</li> <li>Sunday – 12:00 to 00:00</li> </ul> </li> </ol> <p><u>The opening hours of the premises</u></p> <ul style="list-style-type: none"> <li>Monday to Wednesday – 07:00 to 01:00 the following day</li> <li>Thursday to Saturday – 07:00 to 02:00 the following day</li> <li>Sunday – 07:00 to 00:00</li> </ul>
Licence 2161 (full licence found at Appendix 3B)	<p>The times the licence authorises the carrying out of licensable activities</p> <p>A Standard Times</p> <ol style="list-style-type: none"> <li>1. Regulated Entertainment: All categories permitted by this licence. <ul style="list-style-type: none"> <li>Sunday to Wednesday 09:00 to 01:30 the following day</li> <li>Thursday to Saturday 09:00 to 02:00 the following day</li> </ul> </li> <li>2. Late night refreshment <ul style="list-style-type: none"> <li>Sunday to Wednesday 23:00 to 02:00 the following day</li> <li>Thursday to Saturday 23:00 to 02:30 the following day</li> </ul> </li> <li>3. The Supply of alcohol <ul style="list-style-type: none"> <li>Sunday to Wednesday 09:00 to 01:30 the following day</li> <li>Thursday to Saturday 09:00 to 02:00 the following day</li> </ul> </li> </ol> <p>B Non Standard Times</p> <ol style="list-style-type: none"> <li>1. Regulated Entertainment: All categories permitted by this licence <ul style="list-style-type: none"> <li>On a day following bank holiday Sunday &amp; Monday 09:00 02:00</li> <li>On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and boxing day 09:00 to 02:00</li> <li>New Year’s Eve all day</li> <li>An additional hour when BST commences.</li> </ul> </li> <li>2. Late night refreshment <ul style="list-style-type: none"> <li>On a day following bank holiday Sunday &amp; Monday 23:00 to 02:30</li> <li>On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and boxing day 23:00 to 02:30</li> <li>New Year’s Eve all day</li> <li>An additional hour when BST commences.</li> </ul> </li> <li>3. The supply of alcohol</li> </ol>

	<p>On a day following bank holiday Sunday &amp; Monday 09:00 02:00  On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and boxing day 09:00 to 02:00  New Year’s Eve all day  An additional hour when BST commences.</p> <p>The opening hours of the premises</p> <p>A Standard Times  Sunday to Wednesday 09:00 to 02:00 the following day  Thursday to Saturday 09:00 to 02:30 the following day</p> <p>B Non Standard Times  On a day following bank holiday Sunday &amp; Monday 09:00 02:30  On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and boxing day 09:00 to 02:30  New Year’s Eve all day  An additional hour when BST commences.</p>
<p>Licence 2453 (full licence can be found at Appendix 3C)</p>	<p>The times the licence authorises the carrying out of licensable activities</p> <p>1. Films - Sunday to Wednesday - 09:00 to 01:30  - Thursday to Saturday – 09:00 to 02:00</p> <p><u>Non-standard timings –</u></p> <ul style="list-style-type: none"> <li>- New Years Day – All day</li> <li>- An additional hour to the standard and non-standard times when British Summer Time commences</li> <li>- On a day following bank holiday Sunday and Monday 09:00 to 02:00</li> <li>- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 09:00 to 02:00</li> </ul> <p>2. Live Music – Sunday to Wednesday - 23:00 to 01:30  - Thursday to Saturday – 23:00 to 02:00</p> <p><u>Non-standard timings –</u></p> <ul style="list-style-type: none"> <li>- New Years Day – All day</li> <li>- An additional hour to the standard and non-standard times when British Summer Time commences</li> <li>- On a day following bank holiday Sunday and Monday 23:00 to 02:00</li> <li>- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 23:00 to 02:00</li> </ul>

3. Recorded Music - Sunday to Wednesday - 23:00 to 01:30  
- Thursday to Saturday – 23:00 to 02:00

Non-standard timings –

- New Years Day – All day
- An additional hour to the standard and non-standard times when British Summer Time commences
- On a day following bank holiday Sunday and Monday 23:00 to 02:00
- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 23:00 to 02:00

4. Performances of Dance - Sunday to Wednesday - 23:00 to 01:30  
- Thursday to Saturday – 23:00 to 02:00

Non-standard timings –

- New Years Day – All day
- An additional hour to the standard and non-standard times when British Summer Time commences
- On a day following bank holiday Sunday and Monday 23:00 to 02:00
- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 23:00 to 02:00

4. Anything of a similar description to that falling within 2,3 and 4  
- Sunday to Wednesday - 23:00 to 01:30  
- Thursday to Saturday – 23:00 to 02:00

Non-standard timings –

- New Years Day – All day
- An additional hour to the standard and non-standard times when British Summer Time commences
- On a day following bank holiday Sunday and Monday 23:00 to 02:00
- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 23:00 to 02:00

5. Late Night Refreshment - Sunday to Wednesday - 23:00 to 02:00  
- Thursday to Saturday – 23:00 to 02:30

Non-standard timings –

- New Years Day – All day
- An additional hour to the standard and non-standard times when British Summer Time commences
- On a day following bank holiday Sunday and Monday 23:00 to 02:30
- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 23:00 to 02:30

6. Supply of Alcohol – Sunday to Wednesday 09:00 to 01:30  
- Thursday to Saturday – 09:00 to 02:00

Non-standard timings

- New Years Day – All day
- An additional hour to the standard and non-standard times when British Summer Time commences
- On a day following bank holiday Sunday and Monday 09:00 to 02:00
- On the days following Valentine’s Day, Halloween, 23 December, Christmas Eve and Boxing Day 09:00 to 02:00

The opening hours of the premises

**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:

- White Hart, White Hart Yard, Newark, NG24 1EG
- Atrium, 69 Castle Gate, Newark, NG24 1BE
- Rutland Arms, 13-15 Barnby Gate, Newark, NG24 1PX
- Queens Head, 8 Market Place , Newark, NG24 1DU
- Corn Exchange, 18 Castle Gate, Newark, NG24 1BG

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

Premise name	Licensing Hours
White Hart, White Hart Yard, Newark, NG24 1EG	<p><u>The times the licence authorises the carrying out of licensable activities</u></p> <p>A Standard Times</p> <p>1 Regulated Entertainment (Films, live music, recorded music, performance of dance, anything similar) Sunday to Thursday 09:00 to 23:30 Friday to Saturday 09:00 to 01:00 the following day</p> <p>2 Late Night Refreshment Sunday to Thursday 09:00 to 23:30 Friday to Saturday 09:00 to 01:00 the following day</p> <p>3 The supply of alcohol Sunday to Thursday 09:00 to 23:30 Friday to Saturday 09:00 to 01:00 the following day</p> <p>B Non Standard Times</p> <p>1 All licensable activities permitted by this licence New Year’s Eve – from the end of permitted New Years Eve to the commencement of permitted house on New Years Day Additional hour to standard times on Christmas Eve, Boxing Day, The Thursday preceding Good Friday; The Friday, Saturday and Sunday of each bank holiday; St Georges, St Patrick’s and St Valentines Day</p> <hr/> <p><u>The opening hours of the premises</u></p> <p>A Standard Times Sunday to Thursday 09:00 to 24:00 Friday to Saturday 09:00 to 01:30 the following day</p> <p>B Non Standard Times New Year’s Eve – from the end of permitted New Years Eve to the commencement of permitted house on New Years Day Additional hour to standard times on Christmas Eve, Boxing Day, The Thursday preceding Good Friday; The Friday, Saturday and Sunday of each bank holiday; St Georges, St Patrick’s and St Valentines Day</p>
Atrium, 69 Castle Gate, Newark, NG24 1BE	<p>A <u>Standard Times</u></p> <p>1. Regulated Entertainment</p> <p>a. All categories permitted by this licence except live music</p>

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.

	<p>On 24th and 26th December and Sundays preceding Bank Holidays – 08:00 to 03:30 the following day</p>
<p>Rutland Arms, 13-15 Barnby Gate, Newark, NG24 1PX</p>	<p><u>The times the licence authorises the carrying out of licensable activities</u></p> <ol style="list-style-type: none"> <li>1 Regulated Entertainment – all categories permitted by this licence Monday to Sunday – 10:00 to 02:00 the following day</li> <li>2 Late Night Refreshment Monday to Sunday – 23:00 to 02:00 the following day</li> <li>3 The supply of alcohol by retail Monday to Sunday – 10:00 to 02:00 the following day</li> </ol> <p>The premises may open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours. The number of occasions for additional hours should be limited to no more than 12, with notice to the police of 14 days and the police will have power of veto over any such extension</p> <p><u>The opening hours of the premises</u> Monday to Sunday– 08:00 to 02:30 the following day Where the premises are open for licensable activities in conjunction with a sporting event as above they will close 30 minutes after the conclusion of the relevant event</p>



Queens Head, 8 Market Place, Newark, NG24 1DU

The times the licence authorises the carrying out of licensable activities

A Standard Times

1. Regulated Entertainment (films, indoor sporting events, live music, recorded music, entertainment of similar description)
  - a. Categories (a) & (b) in the above box  
Sunday to Thursday – 07:00 to 01:00 the following morning  
Friday & Saturday – 07:00 to 02:00 the following morning
  - b. The provision of live music  
Monday to Sunday – 07:00 to 00:00
  - c. All other categories of Regulated Entertainment permitted by this licence  
Sunday to Thursday – 07:00 to 00:00  
Friday & Saturday – 07:00 to 01:00 the following day
2. Late Night Refreshment  
Sunday to Thursday – 23:00 to 01:00 the following day  
Friday & Saturday – 23:00 to 02:00 the following day
3. The supply of alcohol by retail  
Sunday to Thursday – 07:00 to 00:00  
Friday & Saturday – 07:00 to 01:00 the following day

B Non Standard Times

1. Regulated Entertainment
  - a. Categories (a) & (b) in the above box  
31<sup>st</sup> December – 07:00 to normal terminal hour for 1<sup>st</sup> January
  - b. The provision of live music  
31<sup>st</sup> December – 07:00 to 02:00 the following morning
  - c. The provision of recorded music  
All Sundays prior to Bank Holiday Mondays – 07:00 to 01:00 the following morning  
17<sup>th</sup> March, 23<sup>rd</sup> April, 31<sup>st</sup> October, 24<sup>th</sup> December and 26<sup>th</sup> December, where those dates fall on a day other than Friday or Saturday – 07:00 to 01:00 the following day  
31<sup>st</sup> December – 07:00 to normal terminal hour for 1<sup>st</sup> January
  - d. The provision of facilities for making music  
17<sup>th</sup> March, 23<sup>rd</sup> April, 31<sup>st</sup> October, 24<sup>th</sup> December and 26<sup>th</sup> December, where those dates fall on a day other than Friday or Saturday – 10:00 to 01:00 the following day  
31<sup>st</sup> December – 07:00 to 02:00 the following morning
  - e. The provision of facilities for dancing  
17<sup>th</sup> March, 23<sup>rd</sup> April, 31<sup>st</sup> October, 24<sup>th</sup> December and 26<sup>th</sup> December, where those dates fall on a day other than Friday or Saturday – 10:00 to 01:00 the following day  
31<sup>st</sup> December – 07:00 to 02:00 the following morning
2. Late Night Refreshment  
17<sup>th</sup> March, 23<sup>rd</sup> April, 31<sup>st</sup> October, 24<sup>th</sup> December and 26<sup>th</sup> December, where those dates fall on a day other than Friday or Saturday – 23:00 to 02:00 the following day  
31<sup>st</sup> December – 23:00 to 05:00 the following morning
3. The supply of alcohol by retail  
All Sundays prior to Bank Holiday Mondays – 07:00 to 01:00 the following morning  
17<sup>th</sup> March, 23<sup>rd</sup> April, 31<sup>st</sup> October, 24<sup>th</sup> December and 26<sup>th</sup> December, where those dates fall on a day other than Friday or Saturday – 07:00 to 01:00 the following morning

<p>Corn Exchange, 18 Castle Gate, Newark, NG24 1BG (please note that an application to vary this licence is pending so therefore these times may change)</p>	<p>A Standard Times</p> <ol style="list-style-type: none"> <li>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 02:45 the following day</li> <li>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</li> <li>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</li> </ol> <p>B Non Standard Times</p> <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>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</li> </ol> <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>
--	--

## 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
- Millgate Conservation Society, Mill Gate, Newark, NG24 4TS
- Cllr Mathew Skinner

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

6.2 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

6.3 Further information was requested by the local authority and can be found in **Appendix 5**.

6.4 No agreement has been reached between the applicant and the objectors.

6.5 No agreement has been reached between the applicant and Nottinghamshire Police.

6.6 No representations have been received from the remaining Responsible Authorities.

## **7.0 Conditions**

7.1 There are no proposed changes to mandatory conditions in Annex 1

### **7.2 Annex 2 Conditions**

The following conditions are currently on the existing licence from the applicants operating schedule:

1. A CCTV system with recording equipment shall be recorded on the plan appended to the licence. The agreed system shall be installed prior to the premises carrying out licensable activities and maintained.  
All recordings used in conjunction with CCTV shall:
  - Be of evidential quality.
  - Indicate the correct time and date.
  - Be retained for a period of 28 days.
  - Point of sale to be covered with a camera.
  - Ingress and Egress to be covered with a camera.
  - Sufficient numbers of staff to be trained to use system.
  - Recordings to be made available for inspection when requested by the Police or any other authorised person pursuant to the Data Protection Act 1998.
2. A refusals book, or electronic record, shall be kept recording all instances where service of alcohol is refused. Records to be retained for at least 12 months and shall be made available for inspection to the Police, or other officers of a Responsible Authority, upon request.
3. There shall be in place the following:
  - Drugs Policy
  - Door Supervisor Policy
  - Search Policy
  - Dispersal Policy

and these policies shall be made available for inspection by a police licensing officer or any person authorised by the licensing authority.

- 4 Two SIA registered door supervisors shall be on duty on Friday and Saturday evenings from 2000 hours, and if the rear area, the area within the blue line marked on the plan for the premises licence, is open a further two SIA registered door supervisors shall be on duty from 2200 until the premises close. This condition may be disapplied/amended by written agreement with the Police at least 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises.
- 5 A minimum of five suitably trained and licensed SIA door supervisors shall be on duty on Bank Holiday Sunday's, Valentine Day, Boxing day and New Year Eve from 2200 until the premise close.
- 6 A door supervisor to wear and operate a body worn camera with the facility to record footage on Friday and Saturdays from 2000 hours until the premise close unless otherwise agreed in writing with the Police.
- 7 A record/logbook shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor. The record shall be retained on the premises for a period of 12 months from date of completion and contain the following details: -
  - a) The door supervisor's name;
  - b) His/Her Security Industry Authority licence number;
  - c) The time and date he/she commenced and concluded their duty;
  - d) The door supervisors shall sign each entry; and
  - e) The Designated Premises Supervisor or other authorised person shall also endorse each entry as having checked the authenticity of the individual door supervisor.
8. An incident book shall be kept at the premise in which details of crime and/or disorder relating to the premises shall be recorded. The incident book shall contain the following details;
  - a) time, date and location of incident.
  - b) nature of the incident
  - c) names, addresses and contact details of persons involved.
  - d) the result of the incident.
  - e) action taken to prevent further such incidents.
  - f) each entry signed by the DPS or other responsible person employed at the premises and so authorised by the DPS.
9. The incident book shall be made available to police upon request. Each entry shall be retained for a period of 12 months from date of completion.
10. When live or recorded music is taking place between the hours of 2300hrs and 0800hrs any external windows in areas where live or recorded music is taking place shall be kept closed until the entertainment is no longer taking place, and any door(s) leading from the areas where the regulated entertainment is taking place to outside be closed for the same period save for entry and exit to the premises (NB: this may not in

all cases be the last door out of the premises and may be one within a lobby or corridor).

11. A Challenge 25 scheme shall be implemented, and a proof of age policy is to be applied with the accepted means of proof of age being:
  - Passport
  - Photo Driving Licence
  - A recognised valid photo-id card bearing the PASS hologram
12. Challenge 25 notices shall be displayed in prominent positions throughout the premises.
13. Any smoking area(s) must be supervised by a door supervisor from 2200 hours or whilst it is in use by a customer on Fridays and Saturdays until closing.
14. No persons carrying open, or sealed, vessels shall be admitted to the premises at any time.
15. No persons shall be permitted to remove open vessels from the premises, other than to the designated smoking area at the rear of the premises or customers who may be seated at any tables immediately outside the front of a premises that belong to the premises from opening until 2000 hours on any day of the week.
16. For events taking place on a bank holiday weekend, Halloween Weekend and within the month of December ,or any event which is aimed at customer attending under the age of 18, A list of forthcoming events shall be supplied to the police at least 4 weeks prior to the event and shall contain the following information:
  - The timings of the events.
  - The name, address and telephone contact details of the organiser of the event, or hirer of the premises/ part of the premises.
  - The anticipated number of persons attending the event.
  - Any other information requested by the police sufficient to determine whether there is a risk of public disorder.

Where either the management at the premises or the police consider that a forthcoming event has a risk of undermining a Licensing objective, the management at the premises shall, in consultation with the police, undertake a risk assessment. If the police are not satisfied with the management proposals contained in the risk assessment, the event shall not proceed so long as the police have given written notice seven days prior to the date of the event.

7.3 The following conditions will be applied to the licence from the applicants operating schedule and will replace the ones highlighted at paragraph 2.3.

1. When the rear area (shaded in blue on the plan) is open a minimum of two SIA registered door supervisors shall be on duty from 22:00 until the premises close.
2. On New Year's Eve when the rear area (shaded blue on the plan), a minimum of four SIA registered door supervisors shall be on duty from 22:00 to the premises close.
3. The front lounge bar (shaded red on the plan), the premise licence holder shall ensure that there is an adequate risk assessment of the need for door supervision and shall

provide adequate door supervision, sufficient to control the entry of persons to the premises and for keeping the order in the premises when they are used for a licensable activity, in accordance with that risk assessment.

4. There shall be no alcohol supplied for the consumption off the premises in respect of the rear area (shaded blue on the plan).

- 7.4 The applicant has proposed an amendment to condition 1 at paragraph 7.3 to Nottinghamshire Police following a meeting on 29<sup>th</sup> July 2020, which is:

**Amend:** When the rear area, the area shaded blue on the plan for the premises licence, currently known as Madison's, is open, a minimum of two SIA registered door supervisors shall be on duty from 2200 hrs until the premises close.

**To:** When the rear area, the area shaded blue on the plan for the premises licence, currently known as Madison's, is open, there shall be provided SIA registered door supervisors as follows:

- A minimum of two SIA registered door supervisors shall be on duty from 2200 hrs until the premises close for the first 150 customers.
- When the capacity reaches 125 customers and it is expected to increase beyond 150 customers, or does increase past 150 customers, an additional SIA registered door supervisor (to make a minimum total of 3 SIA door supervisors) shall be on duty until close.
- When the capacity reaches 225 customers and it is expected to increase beyond 250 customers, or does increase past 250 customers, an additional SIA registered door supervisor (to make a minimum total of 4 SIA door supervisors) shall be on duty until close.
- When the capacity reaches 325 customers and it is expected to increase beyond 350 customers, or does increase past 350 customers, an additional SIA registered door supervisor (to make a minimum total of 5 SIA door supervisors) shall either be on duty until close, or until the capacity reduces to below 350 customers, whichever may be the sooner

## **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 6**

8.3 When considering this application for a new licence the panel may wish to consider Chapters 2, 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 7**.

## **9.0 RECOMMENDATION**

**That Members are asked to consider the variation application and the representations made for Madison's 39A Carter Gate, Newark, NG24 1UA and take the steps as it considers appropriate for the promotion of the licensing objectives.**

**The steps available on determination of a variation application are:**

- **To modify the conditions of the licence**
- **To reject the whole or part of the application**

### List of Appendices

Appendix 1 – Application Form  
 Appendix 2 – Location plan and Photographs  
 Appendix 3A – Copy of licence number 455  
 Appendix 3B – Copy of licence number 2161  
 Appendix 3C – Copy of current licence 2453  
 Appendix 4 – Representations Received  
 Appendix 5 – Further Information Received  
 Appendix 6 - NSDC Statement of Licensing Policy  
 Appendix 8 – Statutory Guidance