

SOUTH LAKELAND DISTRICT COUNCIL



Public Protection Group
 South Lakeland House
 Lowther Street
 Kendal
 Cumbria LA9 4DQ

01539 733333
 licensing@southlakeland.gov.uk

Licensing Act 2003

Premises Licence

Licence Valid From: 9 July 2020

PL(A)0597

Part 1 - Premises Details

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

New Inn, 98 Highgate, Kendal, Cumbria, LA9 4HE

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

c. Indoor Sporting Events
 e. Live Music
 f. Recorded Music
 h. Anything of a Similar Description to that Falling Within e, f or g
 Supply of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Day	Start Time	End Time
c. Indoor Sporting Events	Monday to Sunday	09:00	00:00
e. Live Music (Indoors)	Wednesday to Friday	19:30	23:30
f. Recorded Music (Indoors)	Monday to Sunday	09:00	23:30
h. Anything of a Similar Description to that Falling Within e, f or g (Indoors)	Monday to Sunday	09:00	23:30
Supply of Alcohol	Monday to Sunday	09:00	00:00
	<u>Seasonal Variations:</u> New Year's Eve	09:00	00:00, On New Year's Day

THE OPENING HOURS OF THE PREMISES

Day	Start Time	End Time
Monday to Sunday	09:00	00:30, On the following day

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

Alcohol On and Off the Premises

Part 2

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

[REDACTED]

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

[REDACTED]

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

[REDACTED]

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

Licence Number: PA039820

Issued By: South Lakeland

ANNEXES

Annex 1

On and Off Licence - Mandatory Conditions

1. No supply of alcohol may be made under the premises licence –
 - a) At a time when there is no designated premises supervisor in respect of the premises licence, or;
 - b) At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions from 01 Oct 2014

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—

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- (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;



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- (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.”

Mandatory Conditions Order 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(1);

(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 authorises a supply of alcohol under such a licence;

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

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

3. Where the permitted price 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.

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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.

Where door staff are specified in any condition of the licence:

Any individual who is employed on the premises to carry out a security activity must be licensed by the Security Industry Authority.

Annex 2: Conditions Consistent with the Operating Schedule**General - all four licensing objectives**

All staff will be trained on the requirements of the Licensing Act 2003 when recruited and given instruction in "Drugs Awareness".

A tamper proof CCTV system shall be installed at the premises in liaison with and to the satisfaction of the Cumbria Police Licensing and Community Safety Officers and shall be used to record during all hours that a licensable activity takes place on the premises.

Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.

A written record shall be kept every time images are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 14 days.

There shall be in place for the premises a written admissions policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 18 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or citizen card if a proof of age card is not available a photo driving licence or passport.

A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

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Persons who appear to be under the age of 18 years shall be required to produce proof of age by way of a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or Citizen card if a proof of age card is not available a photo driving licence or passport.

There shall be in force for the premises a Drugs search policy for prospective customers which shall be developed in liaison with and to the satisfaction of the Police Licensing officer for the area concerned.

There shall be displayed throughout the premises a notice informing prospective customers of the search policy. The notice shall be securely fixed and visible to members of the public.

The licence holder and/or the designated premises supervisor or a person nominated by them shall actively participate and be a member of a Pub and Club watch scheme for the area within which the premises is located.

Incidents of crime and disorder which occur on or near to the premises which, cause concern to DPS or other employees of the venue will be recorded in writing and reported to the Barwatch committee in line with the Barwatch constitution.

No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.

A noise monitoring device shall be fitted within the premises, and its limit set to the satisfaction of the Environmental Protection Department of South Lakeland District Council. All equipment for the production of amplified sound shall be connected to this device, whenever live music, karaoke, disco's, DJ's or other forms of amplified regulated entertainment is being provided.

All internal lobby doors shall remain closed when regulated entertainment is being provided and automatic door closers on such doors shall be maintained so as to ensure that they function as intended.

All external windows to the premises shall remain closed when regulated entertainment is being provided.

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

1. All conditions proposed in the applicant's operating schedule to be applied;
2. All conditions agreed between the Police and the applicant to be applied as follows;
3. That the beer garden be closed to patrons at 10.00 pm;
4. Refuse such as bottle shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises between 10.00pm and 9.00am the following day;
5. 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 reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.

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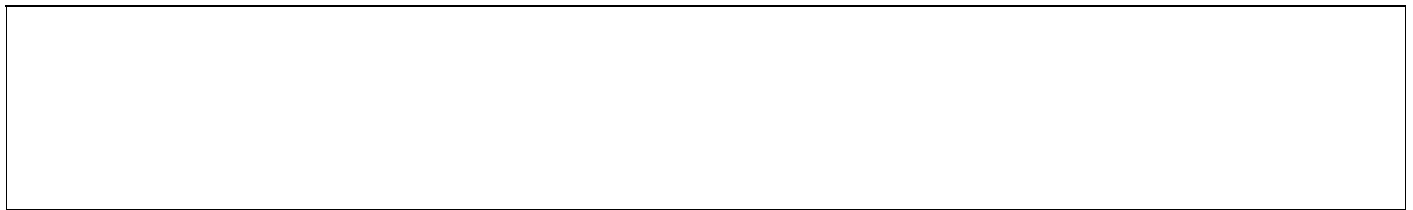
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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

[REDACTED]

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

Mr Peter Nicholson

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

[REDACTED]