



**ADDITIONAL / TO FOLLOW AGENDA ITEMS**

**This is a supplement to the original agenda and includes the signed last page of the application and the Premises Licence which were omitted from the original report.**

**NOTTINGHAM CITY COUNCIL  
LICENSING PANEL B**

**Date:** Tuesday 10 June 2014

**Time:** 10.30 am

**Place:** LB31, Loxley House, Station Street, Nottingham, NG2 3NG

**Constitutional Services Officer:** Mark Leavesley **Direct Dial:** 0115 876 4302

**AGENDA**

**Pages**

- |          |                                                                                                                                                        |               |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>3</b> | <b>APPLICATION FOR VARIATION OF THE PREMISES LICENCE:<br/>PELHAM HOTEL, GAWTHORNE STREET, NG7 7JS<br/>Report of Corporate Director for Communities</b> | <b>3 - 10</b> |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|

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## Agenda Item 3

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

*See amended page re declaration*

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	14.4.14
Capacity	MANAGER

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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# Licensing Act 2003

# Communities

Licensing  
Derwent Building  
Eastcroft Depot  
London Road  
Nottingham  
NG2 3AH  
Tel: 0115 915 5555  
Fax: 0115 876 1769

## Premises Licence

**Premises licence number:** 036830

### Part 1 – Premises details

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

Pelham Hotel  
89-91 Gawthorne Street  
New Basford

<b>Post town</b>	Nottingham	<b>Post code</b>	NG7 7JS
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<b>Telephone number</b>	0115 9249907
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#### Where the licence is time limited the dates

Not applicable

#### Licensable activities authorised by the licence

Live Music - Indoors;  
Recorded Music - Indoors;  
Late Night Refreshment - Indoors;  
Sale by Retail of Alcohol.

**The times the licence authorises the carrying out of licensable activities**

**Live Music, Recorded Music:**

Monday from 10.00 hrs to 24.00 hrs  
Tuesday from 10.00 hrs to 24.00 hrs  
Wednesday from 10.00 hrs to 24.00 hrs  
Thursday from 10.00 hrs to 24.00 hrs  
Friday from 10.00 hrs to 01.00 hrs the following morning  
Saturday from 10.00 hrs to 01.00 hrs the following morning  
Sunday from 11.00 hrs to 24.00 hrs

A an additional hour every Friday, Saturday, Sunday & Monday for every bank holiday weekend, Maundy Thursday, Christmas Eve, Boxing Day, St George's Day, St Patricks Day, St David's Day and St Andrew's Day.

New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

**Late Night Refreshment** may be proved from 23.00 hrs to 23.30 hrs on Monday to Saturday.

**Sale by Retail of Alcohol:**

Monday from 10.00 hrs to 24.00 hrs  
Tuesday from 10.00 hrs to 24.00 hrs  
Wednesday from 10.00 hrs to 24.00 hrs  
Thursday from 10.00 hrs to 24.00 hrs  
Friday from 10.00 hrs to 01.00 hrs the following morning  
Saturday from 10.00 hrs to 01.00 hrs the following morning  
Sunday from 11.00 hrs to 24.00 hrs

A an additional hour every Friday, Saturday, Sunday & Monday for every bank holiday weekend, Maundy Thursday, Christmas Eve, Boxing Day, St George's Day, St Patricks Day, St David's Day and St Andrew's Day.

New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

**The opening hours of the premises:**

Monday from 10.00 hrs to 00.30 hrs the following morning  
Tuesday from 10.00 hrs to 00.30 hrs the following morning  
Wednesday from 10.00 hrs to 00.30 hrs the following morning  
Thursday from 10.00 hrs to 00.30 hrs the following morning  
Friday from 10.00 hrs to 01.30 hrs the following morning  
Saturday from 10.00 hrs to 01.30 hrs the following morning  
Sunday from 11.00 hrs to 00.30 hrs the following morning

A an additional hour every Friday, Saturday, Sunday & Monday for every bank holiday weekend, Maundy Thursday, Christmas Eve, Boxing Day, St George's Day, St Patricks Day, St David's Day and St Andrew's Day.

New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Alcohol - On the premises  
Alcohol - Off the premises

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Dark Eyes Taverns Limited, 418 Victoria Centre, Nottingham NG1 3PA

(Transferred: 29 January 2013)

**Registered number of holder, for example company number, charity number (where applicable)**

08320547

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Tony Knight

(Varied: 22 May 2013)

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

034947 issued by Nottingham City Council

**Signed:**.....  
**Licensing Officer**

**Dated: 28 September 2005**

## **Annex 1 - Mandatory Conditions**

### **S. 19 Licensing Act 2003**

1. 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.
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
    - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
    - (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;
    - (d) provision of free discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) 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.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) 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 a holographic mark.
7. The responsible person shall 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; and
- (b) customers are made aware of the availability of these measures.

## **Annex 2 - Conditions Consistent with the Operating Schedule**

1. The manager shall be a member of Pub Watch.
2. CCTV cameras shall be installed and maintained in the premises in accordance with Police Licensing Officers' recommendations and images shall be retained for 31 days and made available to the Police and other authorised persons.
3. Doors and windows shall be kept closed while regulated entertainment is being provided except for access and egress.
4. Clear notices shall be prominently displayed near the exit(s) requesting customers to leave the premises quietly.
5. No unaccompanied children are permitted on the premises.
6. No children permitted on the premises after 20.00 hours.
7. No adult entertainment shall be provided which contains nudity.

### **Embedded Restrictions**

#### **S.59, 60, 63 Licensing Act 1964**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

The above restrictions do not prohibit:

- (a) the consumption of the alcohol on the premises during the first twenty minutes after the above hours;
- (b) the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first twenty minutes after the above hours;
- (c) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;
- (d) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

S.168, 171, 201 Licensing Act 1964

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

Not applicable

**Annex 4 – Plans**

Plan received with the application on 29 July 2005

Drawing number: 203093 001

Dated: 23.3.2005

Plan applicable from date of issue of the licence

28 September 2005