

Appendix 1

**Health and Community Protection
Marianne Rolfe – Head of Service**

Warwick District Council, Riverside House
Milverton Hill, Royal Leamington Spa, CV32 5HZ

**M & M Kandola
Partnership,
35 Regent Street,
Leamington Spa,
Warwickshire,
CV32 5EE.**

direct line: 01926 456705
email: licensing@warwickdc.gov.uk
web: www.warwickdc.gov.uk

our ref: WDCPREM00201
your ref:

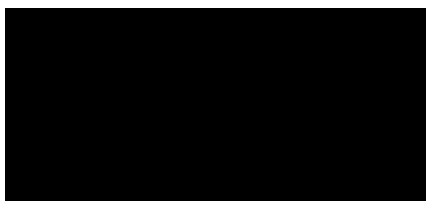
08 December 2018

Dear Sir,

Your premises licence is enclosed. You **must** display the second part at your premises where it may reasonably be viewed.

You **must** have the first part, or a certified copy, at the premises to be produced to an authorised officer.

Yours faithfully,



Lorna Hudson
Regulatory Manager

Premises Licence

(To be kept at the premises)

Fizzy Moon,
35 Regent Street,
Leamington Spa,
Warwickshire,
CV32 5EE.

Premises Licence number **WDCPREM00201** *The times the licence authorises the carrying out of permitted licensable activities*

Sale of Alcohol for Consumption On the Premises

Sunday to Thursday from 10:00 to 00:00

Friday to Saturday from 10:00 to 02:00

Sale of Alcohol for Consumption Off the Premises

Monday to Sunday from 10:00 to 23:00

A further additional hour into the morning following every Friday, Saturday and Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour in the morning following every Thursday, Friday, Saturday and Monday for Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

From start of permitted hours on New Year's Eve to the close of permitted hours New Year's Day.

The above restrictions do not prohibit:

(a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first thirty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for the consumption as ancillary to the meals;

(d) consumption of alcohol on the premises or the taking of 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.

Live Music (Limited to two performers) (Indoors)

Monday to Sunday from 10:00 to 00:00

NOTE: Between the hours of 08:00 and 23:00, when amplified live music is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises; or when unamplified live music is taking place to any number people on any premises, all licensing conditions applicable to the control of live music on this licence are deemed not to be in operation.

A further additional hour into the morning following every Friday, Saturday and Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour in the morning following every Thursday, Friday, Saturday and Sunday for Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

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.

Recorded Music (Indoors)

Monday to Thursday from 10:00 to 00:00

Friday and Saturday from 10:00 to 02:00

Sunday from 10:00 to 01:00

NOTE: Between the hours of 08:00 and 23:00, when recorded music is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises, all licensing conditions applicable to the control of recorded music on this licence are deemed not to be in operation.

A further additional hour into the morning following every Friday, Saturday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour in the morning following every Thursday, Friday, Saturday and Monday for Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

From the start of permitted hours on New Year's Eve to the close of permitted hours New Year's Day.

The opening hours of the premises

**Sunday to Thursday from 10:00 to 00:30
Friday and Saturday from 10:00 to 02:30**

A further additional hour into the morning following every Friday, Saturday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend; and in the morning following every Thursday, Friday, Saturday and Monday for Easter Bank Holiday Weekend; and every Christmas Eve and every Boxing Day. 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.

Premises Licence Holder **M & M Kandola Partnership,
35 Regent Street,
Leamington Spa,
Warwickshire,
CV32 5EE.**

Registered number of holder **Not Applicable**

*Designated Premises
Supervisor*

Ms Abigail Storr,



Personal licence number:



Mandatory conditions

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 premise 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 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (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.

6. 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.

7. Any individual carrying out security activities at the premises must be licensed by the Security Industry Authority

10. 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2) For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula— .

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by 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.

Conditions consistent with the Operating Schedule

Public Safety

Door Staff must be employed every Friday and Saturday night, irrespective of closing times.

Door Staff must be used on any occasion when open after 01:00.

Doorstaff must start no later than 9pm on evenings when required.

CCTV must be used and conform to British Standard and offer continuous recording on each camera and cover all public areas on the premises including the corridor leading to the toilets and the fire exit onto Windsor Street and the two fire exits.

No entry/re-entry is permitted one hour before closing time.

No open vessels are permitted be removed from the premises for either on or off licence sales.

All open vessels must be removed from external areas to within the building by 23:00.

Membership of Pubwatch must be maintained and the premises must conform to its requirements and radio licence procedure.

The Prevention of Public Nuisance

The external areas must be cleared by 23:00 and not used after this time.

The collection of bottles to take away from the premises must be no earlier than 9am.

All windows and doors must be closed when regulated entertainment takes place.

All windows and doors must be kept closed after 23:00.

The Protection of Children from Harm

No persons under the age of 18 years in the bar area at any time after 21:00.

Plans

See attached sheet.



Lorna Hudson

Regulatory Manager

Health & Community Protection,
Warwick District Council,
Riverside House,
Milverton Hill,
Royal Leamington Spa,
Warwickshire,
CV32 5HZ.

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