

APPENDIX

A

Licensing Act 2003**Part A
Format of premises licence**

North Hertfordshire District Council
Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF

Original grant date: 11 April 2018
Current issue date: 11 April 2018

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Authorised signatory

Premises licence number: 6840

Part 1 – premises details

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

Red Hart
28 - 29, Bucklersbury, Hitchin, Hertfordshire, SG5 1BG

Where the licence is time limited the dates

This licence is granted in perpetuity

Licensable activities authorised by the licence

Section A: Performance of a Play:(Indoors)
Section B: Exhibition of a Film:(Indoors)
Section E: Live Music:(Indoors)
Section F: Recorded Music:(Indoors)
Section B: Exhibition of a Film:(Outdoors)
Section E: Live Music:(Outdoors)
Section F: Recorded Music:(Outdoors)
Section I: Provision of Late Night Refreshments:(Both Indoor and Outdoor)
Section J: Sale or Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Section A: Performance of a Play:(Indoors)

Day	Start Time	End Time
Monday	09:00	12:00
Tuesday	09:00	12:00
Wednesday	09:00	12:00
Thursday	09:00	12:00
Friday	09:00	12:00
Saturday	09:00	12:00
Sunday	09:00	12:00

Section B: Exhibition of a Film:(Indoors)

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	midnight
Friday	11:00	midnight
Saturday	11:00	midnight
Sunday	11:00	23:00

Section E: Live Music:(Indoors)

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	midnight
Friday	11:00	midnight
Saturday	11:00	01:00
Sunday	11:00	23:00

Section F: Recorded Music:(Indoors)

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	23:00

S**Section B: Exhibition of a Film:(Outdoors)**

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	23:00

Section E: Live Music:(Outdoors)

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	23:00

Section F: Recorded Music:(Outdoors)

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	23:00
Friday	11:00	23:00
Saturday	11:00	23:00
Sunday	11:00	23:00

Section I: Provision of Late Night Refreshments:(Both Indoor and Outdoor)

Day	Start Time	End Time
Monday	n/a	n/a
Tuesday	n/a	n/a
Wednesday	n/a	n/a
Thursday	23:00	midnight
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	n/a	n/a

Section J: Sale or Supply of Alcohol

Day	Start Time	End Time
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	midnight
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	23:00

The opening hours of the premises

Day	Start Time	End Time
Monday	09:00	23:00
Tuesday	09:00	23:00
Wednesday	09:00	23:00
Thursday	09:00	00:30
Friday	09:00	01:30
Saturday	09:00	01:30
Sunday	09:00	23:00

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

For consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

**Kite Hitchin Ltd
22 Wymondley Road, Hitchin, Hertfordshire, SG4 9PN**

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

08772777

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

Thomas Philip Weller

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

**Licence Number: 1758
Issuing authority: North Hertfordshire District Council**

Annex 1 – Mandatory conditions

No supply of alcohol may be made under this 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.

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

The admission of children, that is persons under eighteen (18) years of age, to the exhibition of any film shall be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC) or by the Licensing Authority.

Any one or more individuals at the premises for the purposes of carrying out a security activity (an activity to which paragraph 2(1)(a) of Schedule 2 of the Private Security Industry Act 2001 applies and which is licensable conduct for the purposes of that Act) must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

"Responsible person" means the holder of the premises licence, the designated premises supervisor, or any other person over the age of eighteen (18) years who has been authorised to sell alcohol at the licensed premises.

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. In this condition, 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 price 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 twenty-four (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, 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.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than when that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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. The policy must require individuals who appear to the responsible person to be under eighteen (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:

- (i) a holographic mark; or
- (ii) an ultraviolet feature.

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. In this condition:

(a) "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.

(b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(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 enable 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. Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny. Where the permitted price 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, 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 fourteen (14) days beginning on the second day.

The responsible person must ensure that:

(a) where any of the following alcoholic drinks are sold or supplied for consumption on the premises (other than alcohol drinks sold or supplied having been made up in advance ready for sale or supply in securely closed containers) it is available to customers in the following measures:

- (i) beer or cider: half pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(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.

Annex 2 – Conditions consistent with the operating schedule

The designated premises supervisor (DPS) and the premises licence holder will ensure that a minimum of two (2) SIA registered door staff are on duty from 21:00hrs until closing on Friday and Saturday.

The designated premises supervisor (DPS) and the premises licence holder will ensure that closed circuit television (CCTV) is installed, in working order and shall continually record at all times whilst the premises is open to the public.

The designated premises supervisor (DPS) and the premises licence holder will ensure that closed circuit television (CCTV) cameras are installed and in working order, for the following areas:

- a) ground floor restaurant and bar
- b) first floor private function room
- c) outdoor barn
- d) beer garden

The designated premises supervisor (DPS) and the premises licence holder will ensure that viewable and un-edited copies of recordings from the closed circuit television (CCTV) system will be provided to Police no later than twenty-four (24) hours after request.

The designated premises supervisor (DPS) and the premises licence holder will ensure that all closed circuit television (CCTV) recordings will be kept for a minimum of twenty-eight (28) days.

The designated premises supervisor (DPS) and the premises licence holder will ensure that the closed circuit television (CCTV) cameras cover key and vulnerable parts of the premises, including the entry and exit points at the front and in the garden area to the rears of the premises.

The designated premises supervisor (DPS) and the premises licence holder will ensure that a minimum of two (2) persons, namely the owner/DPS and duty manager are fully trained to access and operate the closed circuit television (CCTV) system and download copies of any footage, upon request by police licensing officers, police officers, police community support officers, local authority licensing officers or trading standards officers. One of these persons will be at the premises at all times when the premises are open to the public.

The designated premises supervisor (DPS) and the premises licence holder will ensure that a refusals book is maintained and kept at the premises at all times.

The designated premises supervisor (DPS) and the premises licence holder will ensure that the refusals book will be made available for inspection upon request by police licensing officers, police officers, police community support officers, local authority licensing officers or trading standards officers.

The designated premises supervisor (DPS) and the premises licence holder will ensure that an incident book is maintained and kept at the premises at all times.

The designated premises supervisor (DPS) and the premises licence holder will ensure that the incident book will be made available for inspection upon request by police licensing officers, police officers, police community support officers, local authority licensing officers or trading standards officers.

The designated premises supervisor (DPS) and the premises licence holder will ensure that patrons are not allowed to leave the premises with any open vessels.

The designated premises supervisor (DPS) and the premises licence holder will ensure that there shall be no late night refreshment activity in the rear garden area, which starts at the end of the main building of the premises, after 23:00hrs.

The designated premises supervisor (DPS) or some other responsible person shall manage, where necessary, any entry queue, external areas of the premises and the dispersal of patrons from the premises to ensure that noisy or rowdy behaviour is prevented and therefore noise disturbance to local residents is minimised.

Clear and legible notices shall be displayed at all entrance and exit points and external areas of the premises requesting patrons to respect the needs of local residents and to keep the noise to a minimum.

The rear garden area which starts at the end of the main building of the premises shall be closed to patrons after 21:00hrs Sundays to Thursdays and after 22:00hrs Fridays and Saturdays.

No drinks shall be permitted in the external areas of the premises after 23:00hrs on Thursdays or after midnight on Fridays and Saturdays.

All windows and external doors to the premises shall be closed after 23:00hrs during regulated entertainment except for ingress, egress or in the case of an emergency.

The access door furthest to the rear of the premises shall be closed after 23:00hrs during regulated entertainment except in the case of an emergency.

Live music constituting regulated entertainment shall only take place in the function room and pizza barn until 23:00hrs.

Recorded music constituting regulated entertainment shall only take place in the function room until midnight and in the pizza barn until 23:00hrs.

Suitable environmental noise control devices shall be installed in both the ground floor of the premises and in the function room, calibrated and set to the satisfaction of the Council's Noise Control Officer. The devices must be set at an appropriate time in the presence of the aforementioned Officer. No live amplified or recorded music constituting regulated entertainment shall take place after 23:00hrs in the ground floor of the premises or in the function room until that location has said device installed and set in accordance with this condition.

Once the environmental noise control devices have been installed, calibrated and set to the satisfaction of the Council's Noise Control Officer they must not be removed, adjusted or replaced:

- a) without twenty-eight (28) days prior notification to the Council's Noise Control Officer and;
- b) without the written consent that the removal, adjustment or replacement of the devices are permitted and that documentation stating this is received from the Council's Noise Control Officer.

Following the receipt of the documentation stated above, all the requirements of the Council's Noise Control Officer must be carried out.

Use of all noise equipment for live amplified or recorded music constituting regulated entertainment taking place in either the ground floor of the premises or in the function room is not permitted after 23:00hrs until such a time that the premises licence holder has received confirmation from the Council's Noise Control Officer that it is permitted.

In the event of a malfunction of either of the environmental noise control devices, the Council's Noise Control Officer shall be notified within two (2) working days of the problem and the remedial action proposed. No live amplified or recorded music constituting regulated entertainment shall take place after 23:00hrs in the location of the malfunctioned environmental noise control device until it is properly functioning and, if appropriate, has been reset, calibrated and set to the satisfaction of the Council's Noise Control Officer and/or the Council's Noise Control Officer has received and approved the necessary documentation confirming this.

The environmental noise control devices shall be secured in a manner approved by the Council's Noise Control Officer so as to prevent unauthorised access to and tampering with the controls.

All noise equipment used for live amplified or recorded music constituting regulated entertainment taking place after 23:00hrs must be routed through one of the environmental noise control devices and this device must be operational during such licensable activities.

Deliveries and waste collections relating to premises shall only take place between 08:00hrs and 22:00hrs Monday to Saturday and 10:00hrs and 20:00hrs on Sundays.

No glass bottles shall be emptied into waste bins at the premises between 22:00hrs and 08:00hrs.

The premises licence holder and designated premises supervisor (DPS) will be members of any active local Pub Watch where such scheme exists.

The premises licence holder and designated premises supervisor (DPS) will ensure that a "Challenge 25" Policy is in operation at all times the premises is open to the public for the sale or supply of alcohol, whereby all customers who appear to staff to be under twenty-five (25) years of age will be required to produce photographic identification proving that they can lawfully purchase or consume alcohol prior to the sale or supply of alcohol taking place. Acceptable forms of proof are a valid passport, a photo card driving licence, an EU/EEA national ID card, or an industry approved proof of age card (PASS).

The premises licence holder and designated premises supervisor (DPS) will ensure that clearly legible signs are displayed at prominent locations in the premises highlighting the Challenge 25 Policy.

The premises licence holder will ensure that no children under age of sixteen (16) are allowed on the premises after 21:30hrs.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

See attached