

LI23_003466

Licensing Act 2003 – Premises Licence

The Licensing Authority
 Cornwall Council
 Chy Tревail
 Beacon Technology Park
 Bodmin
 Cornwall
 PL31 2FR
 Tel: 0300 1234 212 or 01872 324210
 Email: licensing@cornwall.gov.uk
www.cornwall.gov.uk

**Premises licence number****LI23_003466****Postal address of premises, or if none, ordnance survey map reference, or description**

**Pachanga
 9A Cliff Road
 Newquay
 Cornwall
 TR7 2NE**

Premises tel. no.

Description of premises

Pachanga is a breakfast and lunch family friendly restaurant opening 8am to 5 pm and till 10pm on Fridays and Saturdays. We would like to sell alcohol to our customers inside the restaurant and also for them to be able to take them away home.

Licensable activities authorised by the licence

Supply of Alcohol (M)

The times the licence authorises the carrying out of licensable activities**Supply of Alcohol (M)** (for consumption **ON** and **OFF** the premises)

Monday - Thursday 11:00 - 16:40

Friday - Sunday 11:00 - 21:40

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The opening hours of the premises	
Monday - Thursday	08:00 - 17:00
Friday - Sunday	08:00 - 22:00

Where the licence authorises supplies of alcohol
Alcohol is supplied for consumption ON and OFF the premises


Name and postal address (or registered address if a company) and telephone number of holder of premises licence
MEXZIM LTD T/a Pachanga 9A Cliff Road Newquay Cornwall TR7 2NE
Tel. no. Mobile no. 07754407794

Registered number of holder, for example company/charity number (if applicable)
Company Registration Number 14724825

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol
Carla Viladomat Davila Galindo
Tel. no. Mobile no.

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

State whether access to the premises by children is restricted or prohibited
Restricted only by the Licensing Act 2003

Signed	Granted on
 Issued by Kevin Brader Head of Service for Public Protection	25th July 2023

Annex 1 – Mandatory conditions**Alcohol**

- 1.** No supply of alcohol may be made under this 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.
- 3.** 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 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 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) 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. 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.

8. For the purposes of the condition set out in paragraph 7 -

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

(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(b).

9. Where the permitted price given by Paragraph (b) of paragraph 8 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.

10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 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.

Annex 2 – Conditions consistent with the operating schedule

General – all four licensing objectives

The premises license holder will ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. there will always be on display a age 25 challenge to remind people that they might be asked for ID when ordering alcoholic drinks.

We will provide appropriate training for their staff to ensure the promotion of the licensing objectives and it will be recorded.

CCTV cameras both inside and immediately outside the premises will actively deter disorder, nuisance, anti-social behaviour and crime generally.

Prevention of crime and disorder

There is zero tolerance of anti-social behaviour on our premises. The restaurant is family friendly so all people will have to be challenged 25 and if anyone is being loud or inappropriate, we will call the police who are just across the road.

We will keep to our licensing hours and authorized activities.

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' gin, rum, vodka or whiskey: 25 ml or 35 ml and still wine in a glass: 125 ml

These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and 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.

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, games or other activities which require or encourage, or are designed to require or encourage, individuals to' 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 authorized to sell or supply alcohol), or drink as much alcohol as possible (whether within a time limit or otherwise); 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; 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; , encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner. 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).

A notice will be displayed at the entrance to the premises advising that C.C.T.V. is in operation.

All bottles and glasses are to be removed from public areas as soon as the contents have been drunk or are empty.

The responsible person will ensure that free potable water is provided on request to customers.

We provide food that is available at all times when the premises are open.

We will undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

CCTV cameras both inside and immediately outside the premises.

All off sales will be in sealed containers

Public safety

Our restaurants complies will all food a hygiene standards having always had a 5 star rating this is under display by the counter. There is illuminated steps and all the space is clear when costumers are inside.

We can only fit 28 covers and will never over crowd the space.

We have an anti-drugs policy. The Police will be notified of all seizures of controlled drugs if any.

In the case of anyone having an accident we will seek medical help and report to relevant authorities. our entrance is step free so there is disabled access. And we have a risk assessment where all risks have been considered and included to our public liability insurance. Fire safety; We will ensure there is appropriate access for emergency services such as ambulances;

Good communication with local authorities and emergency services, there is also 4 signs indication all fire exits which are illuminated signs and fire alarm that is weekly tested. In the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area accessible to the public.

Emergency lighting is installed and regularly maintained.

All fire doors are maintained unobstructed and effectively self- closing and will not be held open other than with approved devices.

There is a first aid kit and first aider on shift.

We will ensure the safety of people when leaving the premises.

Free drinking water will be available at all times when the premises is open to the public and taps are labelled as such.

We will ensure appropriate and frequent waste disposal, there is no glass bottles served to costumers.

CCTV.

Ensure all premises are in good shape giving it a weekly inspection for maintenance and repairs.

Prevention of public nuisance

There will be no loud music playing. The music will stop at 21:30pm our doors will be closed to avoid noise going to the street and our customers will ask to leave quietly.

Our bins are stored at the back and away from the public and not emptied after 8 pm. No smoking allowed on our terrace or anywhere on our property.

Our outdoor lights are only fairy lights outside are of minimum voltage so not bright and also go off at 21:30.

All external lighting, including floodlighting, is directed away from adjacent occupiers.

No music early morning before 9am or late night after 8pm.

We will be encouraging patrons to be quiet until they leave the area. if they wish to smoke to do so at the designated area instead of outside, and to respect the rights of people living nearby to a peaceful night.

For the final hours of opening the music is reduced in volume and is discernibly quieter.

All fixed plant and equipment at the premises e.g. ventilation systems that produce significant levels of noise are fitted with appropriate means of noise suppression and are restricted in their use so as to minimise disturbance to any neighbouring noise sensitive premises.

Staff undertake a litter pick to a distance of 3 metres around the premises daily.

All ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

The protection of children from harm

We will not accept under 18s in our property unless accompanied by an adult (over 25) on our evening services Everyone will be asked for ID on entrance. There is CCTV inside and outside the restaurant. There is zero tolerance for underage drinking and staff will always challenge 21/25.

There will be also zero tolerance to gambling, drug taking and violence calling the police straight away if any of these problems were to arise.

If a young person, who appears to be 25 or under asks for alcohol, they will be required to prove their age before being served, unless the staff are certain (from personal knowledge or because they have seen proof of age on a previous occasion) that the person is 18 or over. Proof of age accepted documents are a passport, a photo driving license or a proof of age card having the PASS accreditation hologram on it. Photocopies will not be accepted.

All staff will be trained in this policy and records of this training will be kept behind the counter inside the premises. A Sign advising customers that they may be required to prove their age before they can be supplied with alcohol will be displayed at all times.

Adult Entertainment

1. In accordance with information provided on the application for this premises licence, there must be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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

None

Annex 4 – Plans

See attached Licensing Approved Plan.