


Licensing Act 2003
Premises Licence

445

LOCAL AUTHORITY	
	<p>Torbay Council Licensing & Public Protection c/o Town Hall Castle Circus Torquay TQ1 3DR</p>

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
<p>Bolton Hotel New Road, Brixham, Devon, TQ5 8LT.</p>

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - a performance of live music - any playing of recorded music - a performance of dance - the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES			
Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		



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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors) continued ...			
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight
	Friday to Saturday	10:00am	1:00am
	Sunday	11:00am	Midnight
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	12:30am
Friday to Saturday	10:00am	1:30am
Sunday	11:00am	12:30am
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.	
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.	
	A further additional hour every Christmas Eve.	
	A further additional hour every Boxing Day.	
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

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

Punch Taverns Plc
 Jubilee House, Second Avenue, Burton-on-Trent, Staffordshire, DE14 2WF.
 Telephone 01283 501600



Licensing Act 2003

Premises Licence

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

Punch Taverns Plc

03752645

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

Stephen CLOSE

Bolton Hotel, New Road, Brixham, Devon, TQ5 8LT.

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

Licence No. LN/210001101

Issued by Epping Forest



Steve Cox
Environmental Health Manager
11 June 2015



ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where 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/her 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) (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



ANNEXES continued ...

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.

Minimum Drinks Pricing

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 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 the 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.

MANDATORY CONDITION: DOOR SUPERVISION

1) Where one or more individuals are carrying out security activities, each individual must be licensed by the Security Industry Authority.

2) But nothing in the aforementioned conditions requires such a condition to be imposed in respect of a) and b) and (b)(i) and (b)(ii)

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), are exempt.

(b) In respect of premises in relation to-



ANNEXES continued ...

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- 3) For the purposes of the aforementioned conditions:-
- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Additional Conditions transferred from Public Entertainment Licence

1. This licence shall apply only to those parts of the premises named below and the maximum number of persons to be permitted within those areas shall not exceed the figure stated:-

Ground Floor Bar Area - 170

Restrictions transferred from the On Licence

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the 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 the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the 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 purpose 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 alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:



ANNEXES continued ...

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

General

1. There shall be a 30 minute "drinking up" time which will allow appropriate dispersal, use of lavatories etc.
- 2.. The licensee shall reserve the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.
3. There shall be a display of appropriate posters supplied by the Licensing Authority.

The Prevention of Crime and Disorder

1. All alcohol and soft drinks shall be decanted and served in toughened glass.
2. All interior trading areas shall be visible to staff from behind the bar servery.
3. The licensee/staff shall monitor customer behaviour especially during busy periods.
4. There shall be a burglar alarm system in place.
5. Drug prevention measures shall be employed and signs displayed.
6. Door staff shall be managed by the Designated Premises Supervisor/appointed person and to be in the possession of radios whilst on duty at the premises.
7. When in use door supervisors shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.
8. An incident book shall be kept and all instances of public disorder will be recorded within it.
9. Crime prevention posters shall be displayed on the premises.
10. A banning policy shall be in place.
11. No drunkenness or anti-social behaviour shall be tolerated on the premises.
12. A CCTV system of an evidential standard shall be installed to the satisfaction of the police. The system will cover the bar, lobby, entrance/exit and the outside area. The system shall be in operation at all times the premises are open to the public. All recordings shall be available for a minimum of 14 days. The Designated Premises Supervisor and/or manager will be able to operate the system. Copies of the recordings will be made available to the Licensing Authority and Responsible Authorities upon request and provided within a reasonable time. Should the system be inoperable this will be recorded in the incident book and repaired as soon as is reasonably practicable.

Public Safety

1. All fire fighting equipment shall be serviced annually by ACE Fire Equipment (UK) Limited.
2. There shall be current gas and electric certificates in place.
3. The pub shall promote a licensed taxi service to facilitate its customers making onward journeys.

The Prevention of Public Nuisance

1. There shall be lockable/closed windows.



ANNEXES continued ...

2. The fabric of the building shall retain sound.
3. There shall be a managed customer departure at busy times.

The Protection of Children from Harm

1. AWP's and cigarette machines shall be positioned in sight of the bar counter.
2. No unaccompanied children shall be allowed on the premises.
3. No children shall be allowed on the premises after 21.00.
4. There shall be no striptease and no nudity.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing.
2. On every occasion that the premises extends its hours of operation for sales of alcohol after midnight and closure to the public after 00.30hrs, from 9.00pm of that operational day, all drinks shall be served in toughened or strengthened glasses and no drinks shall be served in glass bottles from which it is intended or likely that a person shall drink.
3. On every operational day when door supervision is required, then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty.
4. There shall be no entry or new entry to the premises after 00.30 and re-entry after this time shall be subject to a managed supervision system as indicated by the applicant, in particular hand stamping or something similar.

The Prevention of Public Nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property are:
 - (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.
 - (iii) The Local Authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties) to make further assessments from within the residential property.
2. Doors and windows shall be kept shut during regulated entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
3. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management.
4. During amplified music and entertainment the door lobbies shall be effectively used throughout the time of entertainment to prevent noise breakout.
5. Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday.
6. Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

The Protection of Children from Harm

1. All cigarette vending machines must be sited to ensure they are under direct supervision of the staff at all times.



ANNEXES continued ...

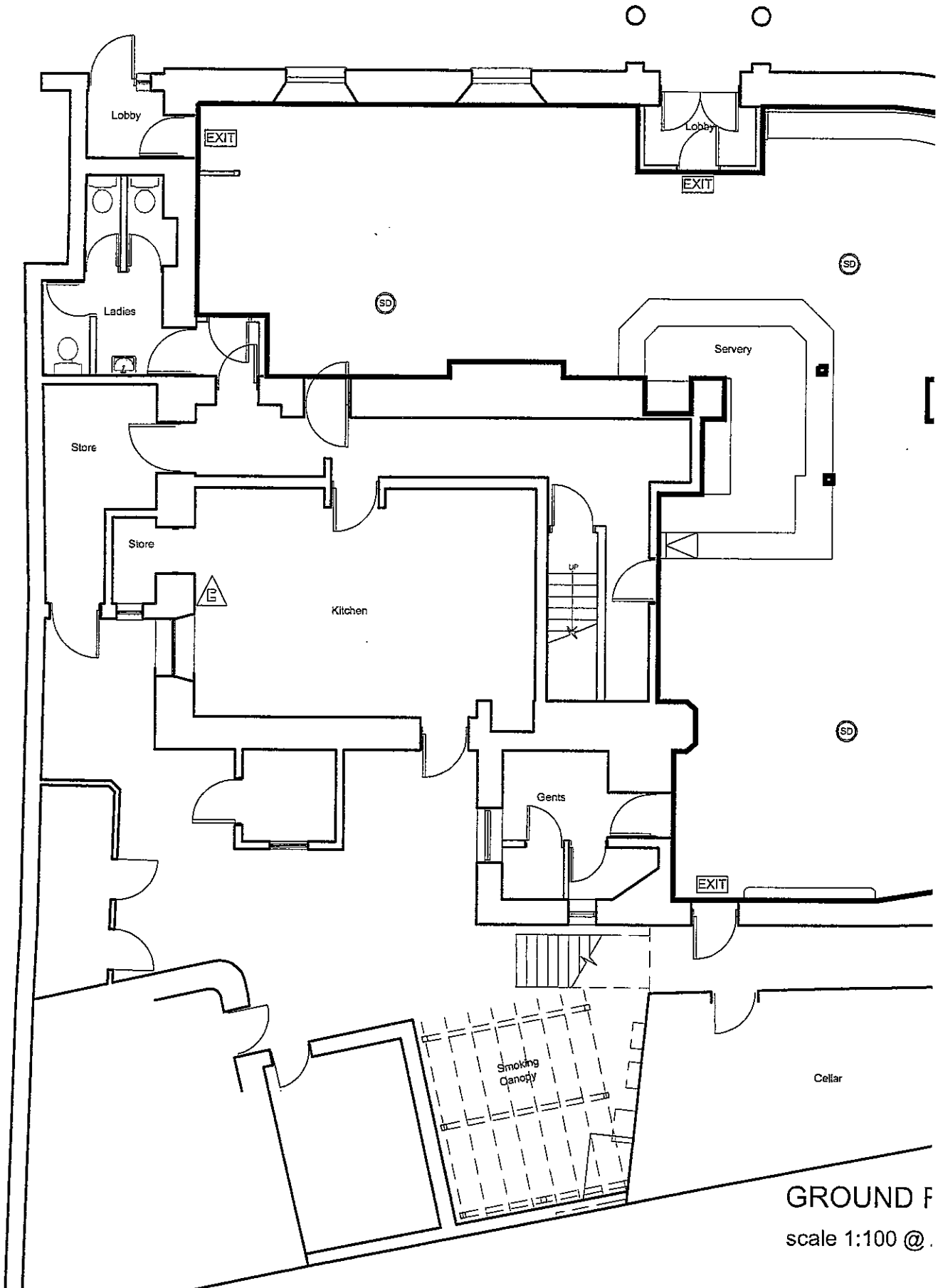
2. All Amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times.
3. A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and in particular the prevention of sales from cigarette vending machines to children under sixteen and the prevention from use of AWP machines by those under eighteen.
4. Age identification shall be sought from any person appearing to be under the age of 18 years.
5. Staff shall receive training age identification related to the sale of alcohol.

ANNEXE 4

PLANS

Copy attached to Licence.





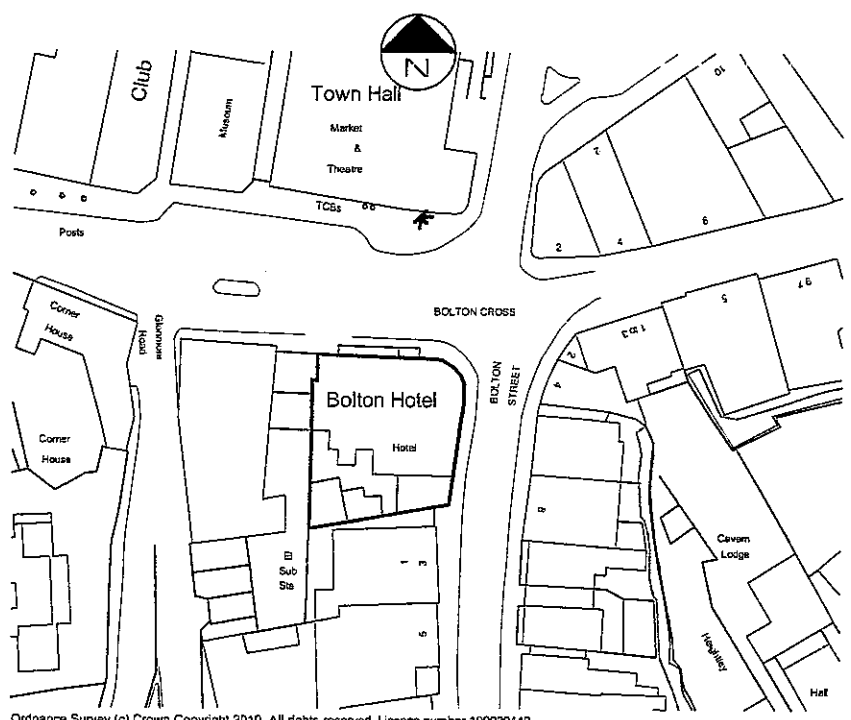
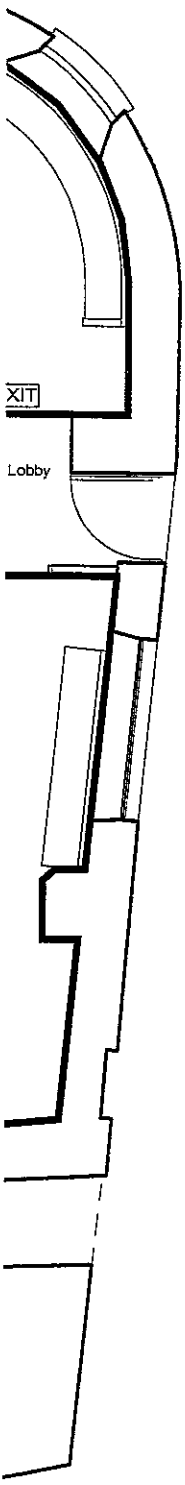
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designmanagementpartnership

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



rev	date	revision note



SITE LOCATION PLAN

scale 1:1000 @ A3

KEY

-  All licensable activities
-  Site Boundary
-  Means of Escape
-  Smoke Detector
-  Heat Detector
-  Emergency exit light 3 hour maintained with pictogram
-  Emergency light 3 hour non-maintained
-  Manual Callpoint
-  Fire Extinguisher
-  Fire blanket in container

NOTE:
The current location of fire safety equipment and other safety equipment is shown. This may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.

Outside areas to be used for the consumption of alcohol.

OR PLAN

initials Figured dimensions to be used in preference to scaled sizes All dimensions to be checked by the contractor before commencing work and any discrepancies reported to the Architect Drawings to be read in conjunction with Structural Engineers and other consultants drawings. This drawing is the property of designmanagementpartnership. Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person either wholly or in part without the consent of designmanagementpartnership.	scale @ A3	drawn	check	date	status	job no	rev
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	Licensing Plan		Bolton Hotel Exminster for Punch Partnerships		250		