

Licensing Act 2003  
**Premises Licence**

**1061**

LOCAL AUTHORITY



**Torbay Council**  
 Licensing & Public Protection  
 c/o Town Hall  
 Castle Circus  
 Torquay  
 TQ1 3DR



Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Churston Court Hotel**

Churston Ferrers, Brixham, Devon, TQ5 0JE.

Telephone 01803 842186

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- 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
<b>E. Performance of live music (Indoors)</b>	Monday to Friday	10:00am	12:30am
	Saturday	10:00am	12:30am
	Sunday	Noon	Midnight
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<b>M. The sale by retail of alcohol for consumption ON and OFF the premises</b>	Monday to Friday	10:00am	Midnight
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**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Friday	10:00am	12:30am
Saturday	10:00am	12:30am
Sunday	Noon	Midnight
Non Standard Timings: 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.		

**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**

Gooseberry Inns (2016) Limited  
[jf-smith@hotmail.co.uk](mailto:jf-smith@hotmail.co.uk)

2 Stoke Gabriel Road, Galmpton, Brixham, TQ5 0NL.  
Telephone 01803 661101

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

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

Jonathan Frederick SMITH

Oversea, Bascombe Road, Churston Ferrers, Brixham, Devon, TQ5 0JW.

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

Licence No. PA3039

Issued by Torbay



Steve Cox  
Environmental Health Manager  
28 November 2016



## 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 available to customers in the following measures:-



**ANNEXES continued ...**

- (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.

**ANNEXE 2**

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**The Prevention of Crime and Disorder**

- 1) All glasses and bottles will be cleared from the public areas when emptied or finished.
- 2) If any persons are acting in a disorderly manner they will be asked to leave the premises.

**The Prevention of Public Nuisance**



**ANNEXES continued ...**

- 1) No noise will emanate from the premises to cause local neighbours to be unreasonably disturbed.

**The Protection of Children from Harm**

- 1) A challenge 25 policy is in place and persons who look 18 and under will be asked for relevant ID i.e Driving Licence / passport.

**ANNEXE 3**

**CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None

**ANNEXE 4**

**PLANS**

Copy attached to Licence.



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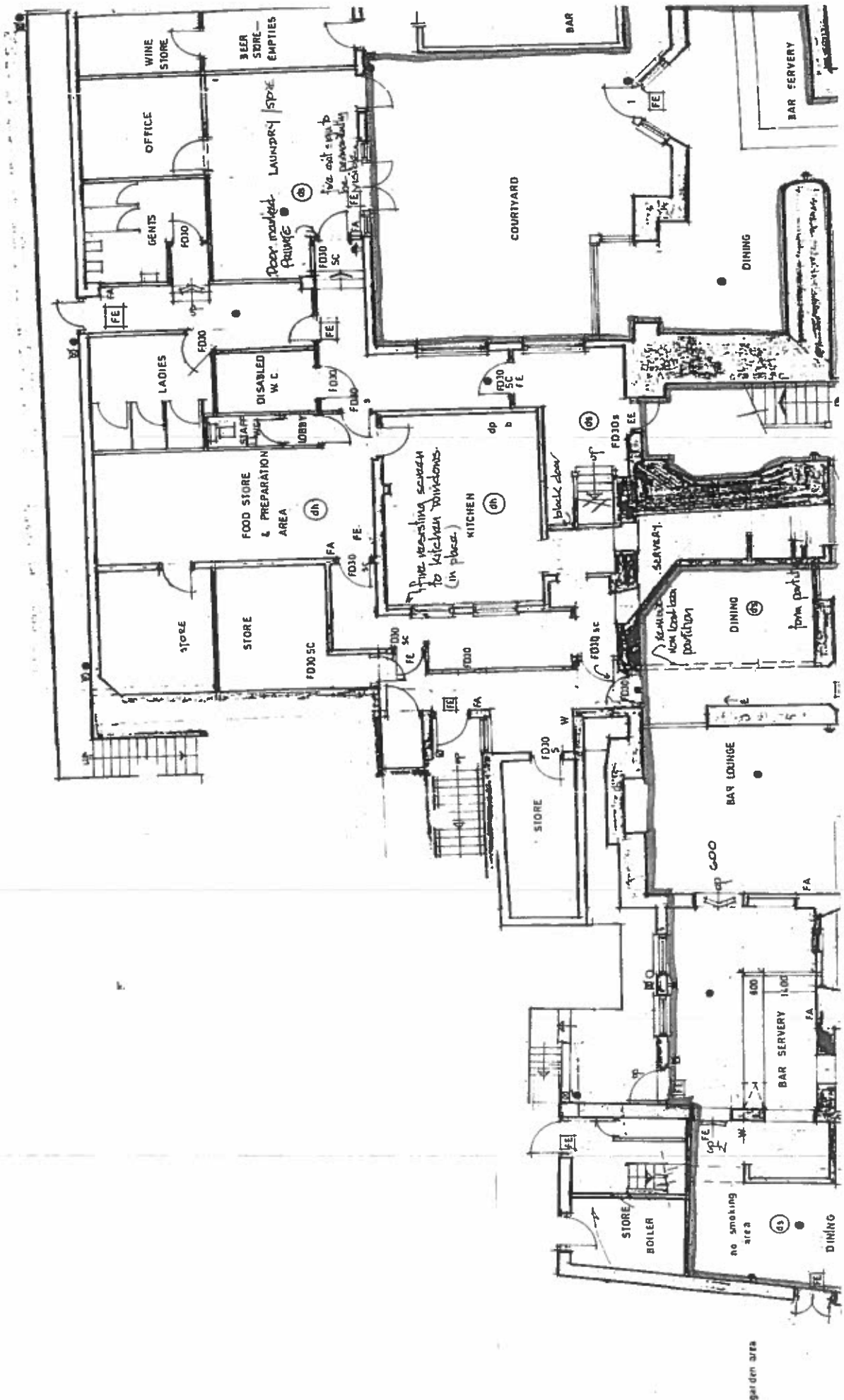
Jonathan Frederick SMITH

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

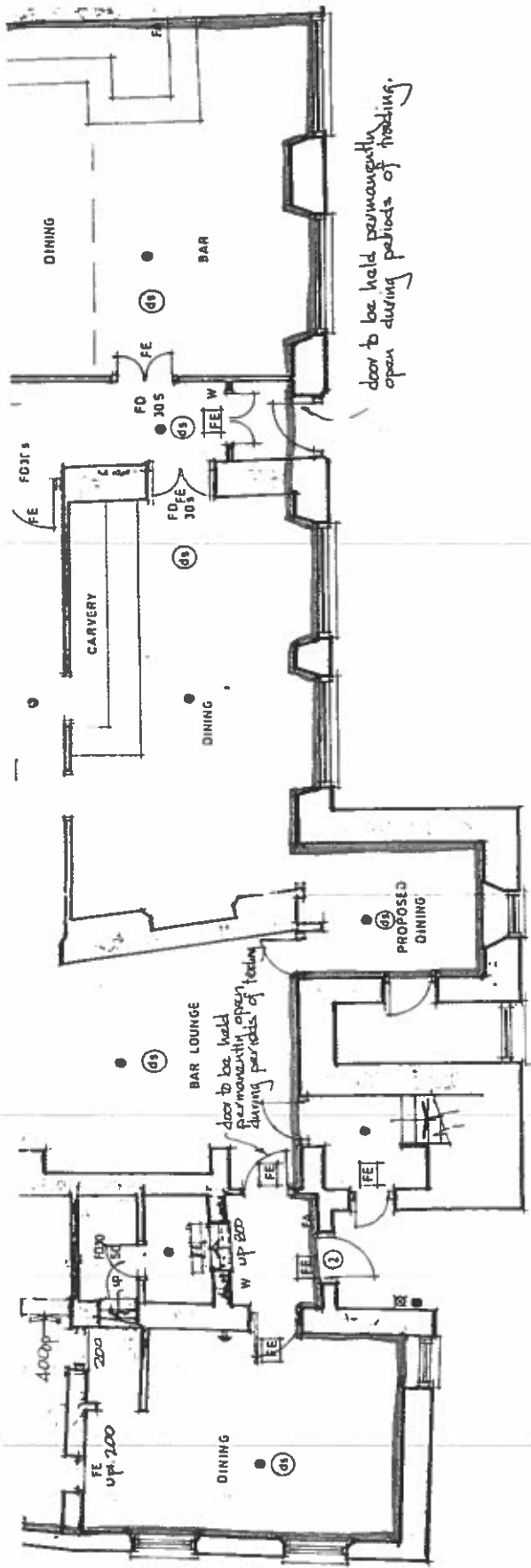

Steve Cox  
Environmental Health Manager  
28 November 2016



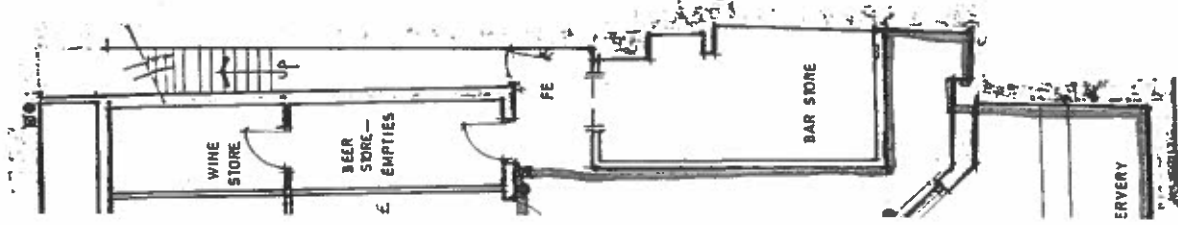
Churston Court Inn002.jpg







ground floor



LEGEND

FD 30 min fire resisting doors fitted with self closing device and flexible door smoke seal with fluorescent strip.

FE illuminated fire exit signs 100mm high black lettering white on green background

FE as above but non-illuminated.

FE exit signs with directional arrows.

Emergency lighting point to BS 5266 Pt 1 1988, (L2 system) links to work on failure of local or primary system.

W a like type water extinguisher to be hung on wall brackets with handle 1.0m above ground level.

FA break glass call points

⑩ heat detectors

⑪ smoke detectors

Alarm sounders to be positioned following audibility tests. all above to be to BS 5839 Pt 1 1988

X external primary lighting points.

① Exit door to be fitted with a

push bar device and not locked during periods of trading

② Door to be fitted with panic latch & push to open sign.

OP dry powder extinguisher

○ fire blanket.

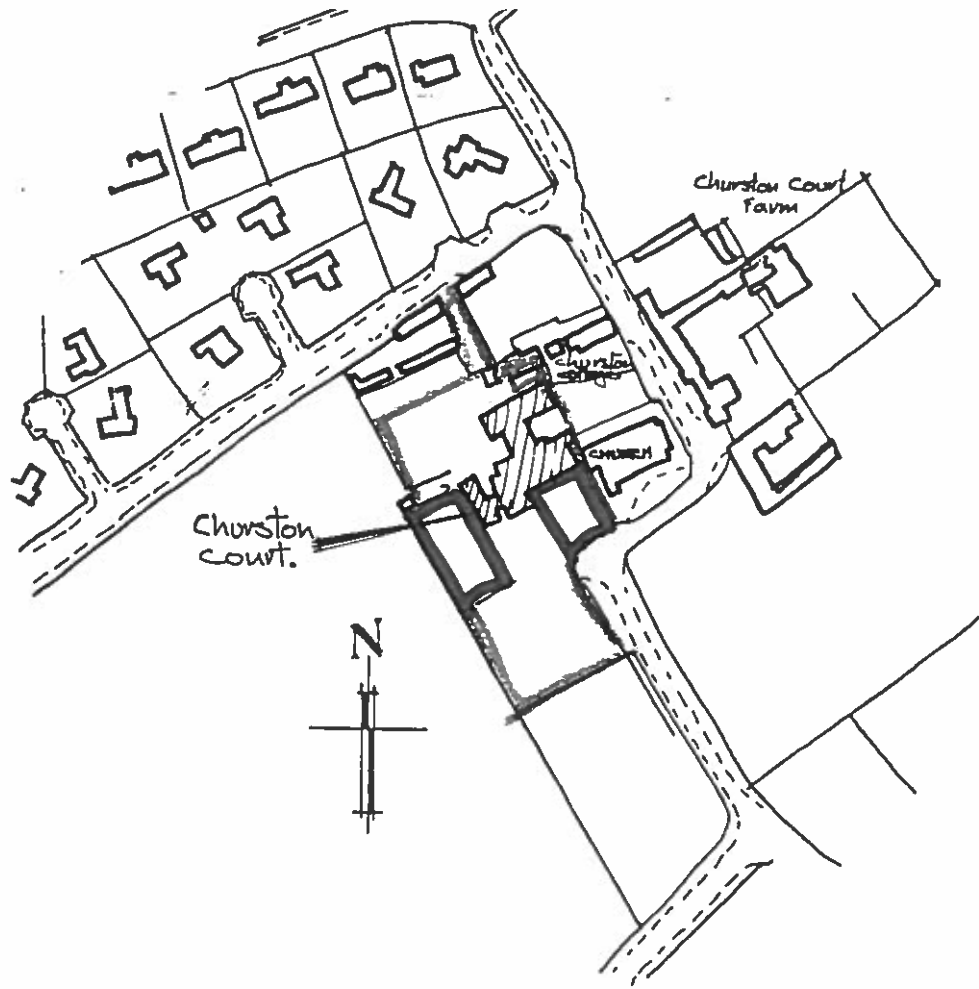
walls and ceilings to provide

Class 1 surface spread of flame

Escape routes to provide

Class 0 surface spread of flame.

□ indicates areas to



location plan 1:1250