

LOCAL AUTHORITY

Torbay Council
 Licensing & Public Protection
 Town Hall
 Castle Circus
 Torquay
 TQ1 3DR

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**The Sporty's**

80 Belgrave Road, Torquay, Devon, TQ2 5HZ.

Telephone 01803 290544

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
- 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 Saturday	11:00am	11:00pm
	Sunday	Noon	10:30pm
	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		
F. Playing of recorded music (Indoors)	Monday to Saturday	7:00am	11:00pm
	Sunday	7:00am	10:30pm
	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		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	11:00am	11:30pm
	Friday to Saturday	11:00am	Midnight
	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.		



THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	7:00am	Midnight
Friday to Saturday	7:00am	12:30am
New Years 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**

James William Lang

The Sportys, 80 Belgrave Road, Torquay, Devon, TQ2 5HZ.

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**

James William LANG

The Sportys, 80 Belgrave Road, Torquay, Devon, TQ2 5HZ.

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. PA2574

Issued by Torbay



Steve Cox

Environmental Health Manager (Commercial)

11 December 2020



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.

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****General**

None

The Prevention of Crime and Disorder

- 1) A CCTV system, capable of producing images to an evidential standard, shall operate in the premises throughout the times the premises are open to the public, to the satisfaction of the police. The system shall include cameras in all internal and external areas and a monitor shall be positioned behind the bar for viewing by staff. All recordings from the system shall be kept for a minimum of 14 days and copies of recordings to be supplied to the police within 7 days of the request.
- 2) The premises shall have a written drugs policy which will be enforced by all staff. Signage will be displayed within the premises outlining this policy.

Public Safety

- 1) Emergency lighting shall be provided where appropriate.
- 2) Fire fighting equipment must be provided and serviced annually.
- 3) Illuminated signage shall be provided where appropriate.
- 4) Current gas and electric certificates must be in place.

The Prevention of Public Nuisance

- 1) The fabric of the building shall retain sound.
- 2) All windows must be closed and lockable.
- 3) The premises beer garden shall cease to be used by all persons at 8pm.
- 4) There must be no alcohol taken into the courtyard after 8pm.
- 5) There must be no alcohol taken outside the front of the premises at any time.
- 6) There should be a prominent, clear and legible notice displayed within the beer garden, courtyard and at the front of the premises, stating that patrons are required to respect neighbours by keeping noise to a minimum and that any noisy or disorderly behaviour will result in patrons being asked to leave the beer garden, courtyard or area outside the front of the premises.



ANNEXES continued ...

- 7) A Management Scheme shall be in place to ensure compliance of that stated within the notices in the beer garden, courtyard and area at the front of the premises.
- 8) A prominent, clear and legible notice must be displayed at the front exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

The Protection of Children from Harm

- 1) Children under the age of 16 must be accompanied by an adult.
- 2) Striptease and nudity are prohibited.
- 3) The premises shall operate a Challenge 25 Scheme whereby all persons who appear to be under the age of 25 years shall be requested to provide an approved form of photographic identification.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Public Nuisance

- 1) Incidental music to be permitted throughout the period the premises is open to the public.
- 2) Noise and vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 23:00hr. This will be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that will be applied are;
 - (a) Before 23:00hr- Noise emanating from the premises will not be clearly distinguishable above other noise.
 - (b) After 23:00hr- Noise emanating from the premises will not be distinguishable above background levels of noise.
 - (c) The local authority will 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.
- 3) To reduce noise break out, doors and windows facing onto any noise sensitive premises (e.g. dwelling) will be kept shut during entertainment. A management scheme will be in place to ensure this situation remains.
- 4) The placing of refuse, such as bottles, in receptacles outside the premises takes place at times that will prevent disturbance to nearby properties.
- 5) The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night and during the early morning, when the noise generated could cause a nuisance particularly outside buildings.

The Protection of Children from Harm

- 1) Staff will receive age identification training related to the sale of alcohol.
- 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 is introduced to ensure that staffs is 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.

ANNEXE 4

PLANS

Copy attached to Licence.



ANNEXES continued ...



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NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

James William Lang

The Sportys, 80 Belgrave Road, Torquay, Devon, TQ2 5HZ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

James William LANG

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

Access is restricted only under the terms of the Licensing Act 2003.



Steve Cox
Environmental Health Manager (Commercial)
11 December 2020

