

Licensing Act 2003

Premises Licence**865****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 Quay Nightclub**

26 Victoria Parade, Torquay, TQ1 2BD.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- 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
A. Performance of a play (Indoors)	Monday to Sunday	10:00am	Midnight
B. Exhibition of films (Indoors)	Monday to Sunday	10:00am	Midnight
	New Years Eve from the end of permitted hours until the start of permitted hours on New Years Day.		
C. Indoor sporting event	Monday to Sunday	10:00am	Midnight
D. Boxing or wrestling entertainment (Indoors)	Monday to Sunday	10:00am	Midnight



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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
E. Performance of live music (Indoors)	Monday to Sunday	10:00am	Midnight
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	10:00am	Midnight
G. Performance of dance (Indoors)	Monday to Sunday	10:00am	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10:00am	Midnight
I. Provision of facilities for making music (Indoors)	Monday to Sunday	10:00am	Midnight
J. Provision of facilities for dancing (Indoors)	Monday to Sunday	10:00am	Midnight
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Sunday	10:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	Midnight
	Monday to Sunday	Noon	Midnight Terraced area only

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	6:00am	Midnight

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

The Quay Nightclub Limited

26 Victoria Parade, Torquay, Devon, TQ1 2BD.

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

The Quay Nightclub Limited

12101245

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

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. PA3547

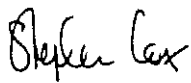
Issued by Torbay



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Steve Cox

Environmental Health Manager (Commercial)

21 May 2021



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: EXHIBITION OF FILMS

1) Where the film classification body is specified in the licence, admission of children must be restricted in accordance with any recommendation made by that body.

2) Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.



ANNEXES continued ...

In the case of the aforementioned conditions

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

1. There shall be no access to the terraced area other than through the premises.

The prevention of crime and disorder

1. A CCTV system of an evidential standard must be installed to the satisfaction of the Police and the system shall be in operation whenever events are being held at the premises. All recordings from the system must be kept for a period of 14 days. The Police shall have access to recordings at any time and downloaded footage shall be provided within 7 days of any request.
2. The terraced area shall be cleared of all drinks no later than 10.00pm.
3. SIA door stewards shall be on duty for the duration of any events at a ratio of 1:100 persons and there must be at least one female steward on duty.
4. All drinks shall be provided in plastic/polycarbonate vessels whenever events are being held at the premises and no drinks will be served in glass bottles from which it is intended or likely that a person shall drink.
5. No drinks shall be taken onto the rear terrace whenever events are being held at the premises.

Public Safety

1. No table or chairs will be positioned within 1 metre of the balcony rail during events.

The Prevention of Public Nuisance

1. The number of persons using the rear terrace shall be limited to no more than 20 after 11.00pm.
2. At all times the terraced area is open after 10.00pm during events, the area shall be directly supervised by an SIA door steward who shall ensure as part of their duties that excessive noise is not generated by patrons using this area so as not to unreasonably disturb nearby residents.
3. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation, especially after 11.00pm. This shall be assessed from the boundary to the nearest residential properties on all sides of the licensed premises. The criteria that shall be applied are:
 - (i) before 11.00pm noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) after 11.00pm 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, to make further assessments from within residential property.
4. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
5. A senior member of staff (Manager) shall assess the impact of any noise activities on neighbouring residential premises at the start of any activity or entertainment and periodically throughout the activity or entertainment to ensure levels of noise have not increased.
6. The premises licence holder shall take all reasonable steps to ensure that staff leaving the premises do so quietly so as not to disturb nearby residents.



ANNEXES continued ...

7. Entrances must be provided with lobbies with automatic door-closers. The lobbies are in use throughout the time of entertainment.

The Protection of Children from Harm

1. The premises shall operate a Challenge 25 policy and any person appearing under the age of 25 shall be requested to produce an approved form of photographic id.
2. Whenever events are being held at the premises, the Challenge 25 policy will be carried out at the entrance to the premises and all persons identified as being under the age of 18 years will be identified and the door steward shall place an arm band around their arm.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEXE 4

PLANS

Copy attached to Licence.

