

Licensing Act 2003 Premises Licence

357

LOCAL AUTHORITY



Licensing Section
Torbay Council
Roebuck House
Abbey Road
TORQUAY
DEVON
TQ2 5EJ

Part 1 - Premises Details

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

Winstons

Station Square, Paignton, Devon, TQ4 5DS.

Telephone 01803 663908

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for 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
B. Exhibition of films (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	3:00am
E. Performance of live music (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	3:00am
F. Playing of recorded music (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	4:00am
G. Performance of dance (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	3:00am
I. Provision of facilities for making music (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of	10:00am	3:00am



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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
I. Provision of facilities for making music (Indoors) continued ...	permitted hours on New Year's Day.		
J. Provision of facilities for dancing (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	3:00am
L. Late night refreshment (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	11:00pm	4:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	10:00am	3:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	8:00am	4:30am

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

Hossam El-Din Fahmy Gabriel Kasbar
 Hilldean, 54 Barton Road, Torquay, Devon, TQ1 4DW.
 Telephone 01803

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

John Bernard MUDGE
 76 Main Avenue, Torquay, Devon, TQ1 4JQ.
 Telephone 01803 311523

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. PA2175
 Issued by Torbay



Stephen Cox

Steve Cox
Environmental Health Manager (Commercial)
29 November 2012



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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- 4) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6)
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.



ANNEXES continued ...

- 7). 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) customers are made aware of the availability of these measures.

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-
 - (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

See Annexe 1.

The Prevention of Crime and Disorder

1. There shall be no entry to anyone who is intoxicated.
2. Persons on leaving the Premises and using adjacent car parks and highways must be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by. This shall be done with the use of signage and staff asking them politely to be as quiet as is possible
3. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 14 days and the police to have access to recordings at any reasonable time.
4. On any night when the premises are closing after midnight door supervisor/stewards must be provided on the premises



ANNEXES continued ...

from 10pm at a ratio of 1:100 based on occupancy.

5. From 10pm all drinks must be served in shatterproof glasses and no alcohol is to be served in glass bottles from which it is intended or likely that a person shall drink.
6. Regular glass and bottle collection must be undertaken throughout the premises.
7. On every operational day when door supervision is required from 10pm then those door stewards employed on front of house duties shall wear high visibility reflective jackets for the entirety of their duty.
8. The premises shall become a member of the Torquay Night Time Economy Forum and a representative shall attend at least 2 meetings a year.
9. There shall be no entry or re-entry after 2am except for those customers who have left to use the designated smoking area and no drinks shall be permitted in this area at any time.
10. Premises must join and maintain membership of the Nitenet Radio Communications Scheme.

Public Safety

1. A digital CCTV system shall be installed for the purposes of public safety and crime prevention. Notices shall be displayed in prominent positions to make the public aware of this.
2. Adequate access must be provided for emergency vehicles.
3. A range of reasonably priced non alcoholic soft drinks must be available. Cold drinking water must be available at the bar and a notice of the availability must be prominently displayed.
4. Facilities and equipment suitable for the number of patrons and the type of event undertaken shall be provided to enable first-aid treatment to be given promptly in the event of injury to patrons or staff.
5. All doors and fastenings shall at all times be kept in proper working order. Gangways, exit routes and steps shall be maintained in good order with non-slippery and even surfaces.
6. The seating must at all times ensure free unobstructed access to all exit doors.
7. The air management system within the premises must be used during entertainment. The system must be regularly maintained.

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. 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 11pm. 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 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 andThe local authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e. semis and terraced properties) to make further assessments from within the residential property.
2. Doors and windows shall be kept shut during entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
3. Staff shall check prior to entertainment, and periodically during the entertainment, that all windows and doors are shut.
4. A senior member of staff must assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment to ensure levels of noise have not increased.
5. The volume of amplified sound used in connection with the entertainment provided shall be 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.



ANNEXES continued ...

6. After 02.00 hours, recorded music shall be reduced down to a background level.
7. For any amplified live music beyond the hour of 01.00 hours, a noise limitation device must be installed to control the system to which all amplification equipment is fitted. This device shall be regularly maintained to ensure that the noise produced within the premises shall not be audible within any residential premises within the vicinity.
8. The management shall ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
9. The bottle bins shall not be emptied after 23.00 hours.
10. Door staff shall be positioned at exits, particularly at closing times to ensure noise from patrons leaving the premises is minimised.
11. The mechanical ventilation must not allow noise breakout from the premises or cause a nuisance by its operation.
12. Flashing or particularly bright lights on or outside the premises shall be positioned and screened in such a way so as to not cause a disturbance to nearby properties.
13. Cooking, noxious or persistent smells from the premises must not cause a nuisance to nearby properties and the premises must be properly vented.

The Protection of Children from Harm

1. Children below the age of 18 shall be excluded from the premises after 10pm.
2. Young people who appear to be under the age of 21 shall be asked for age identification before they are served alcoholic drinks.
3. Proof of age shall normally be required by reference to one of the following:-
 - i. Passport
 - ii. EU photo card driving licence.
 - iii. Proof of Age Standards Scheme (PASS) card
 - iv. A Citizen Card, supported by the Home Office
 - v. An official identity card issued by HM Forces or by a European Union country bearing a photograph and the date of birth of the bearer.
4. Staff shall be trained in these procedures.
5. The admission of children to an exhibition of films shall be restricted in accordance by the following sub-sections.
 - i. Where the film classification body is specified in the licence, unless sub-paragraph ii(a) applied, admission of children must be restricted in accordance with any recommendation made by that body.
 - ii. 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 sub-section applies to the film in question admission of children must be restricted in accordance with any recommendation made by that licensing authority.
 - iii. In this condition
 - a. "Children" means persons aged under 18 and
 - b. "Film classification body" means the person or person designated as the authority under s.4 of the Video Recordings Act 1984 (c.39) (Authority to Determine Suitability of Video Works for Classification).

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None.

ANNEXE 4

PLANS



Licensing Act 2003

Premises Licence

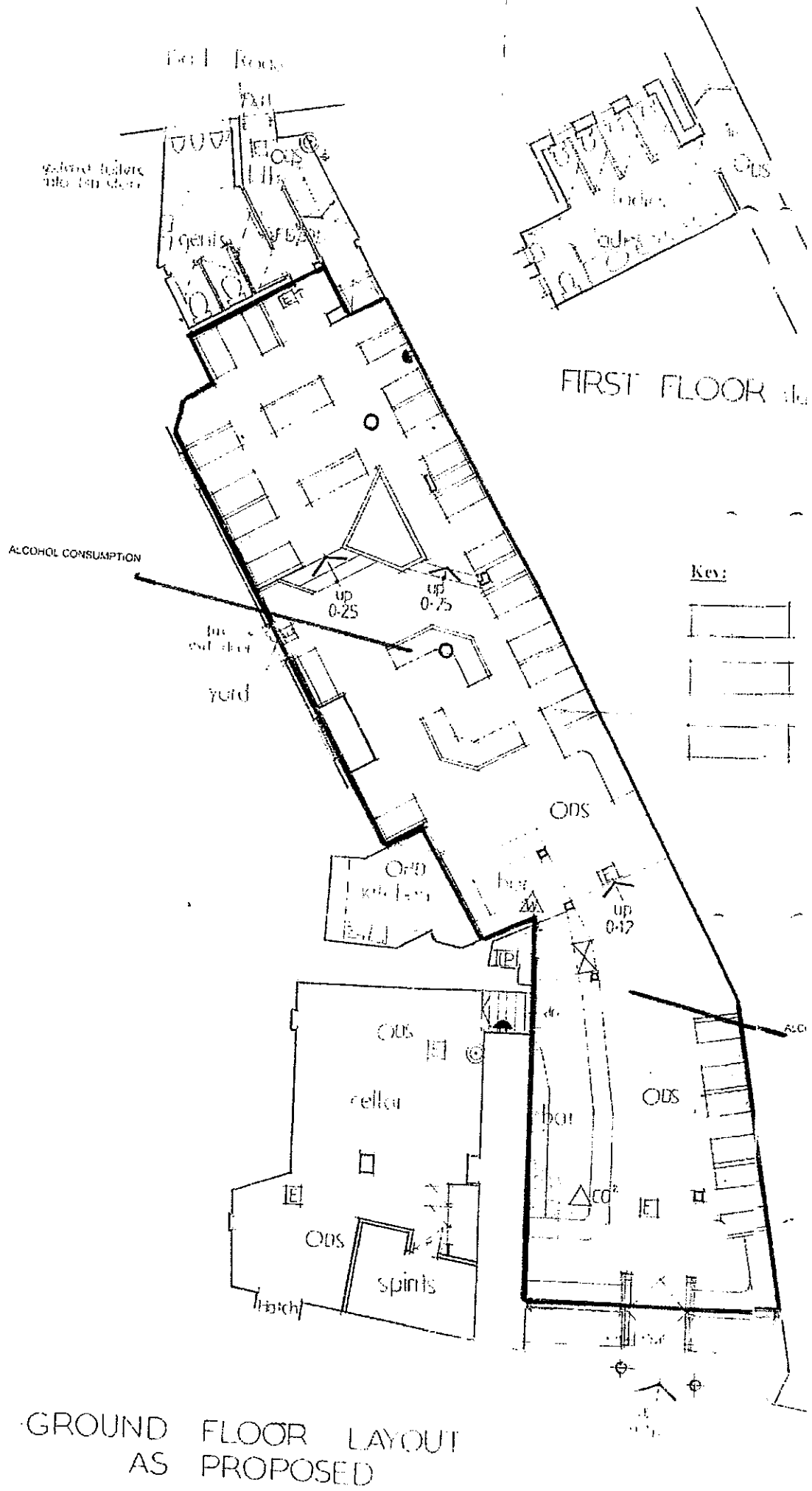
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ANNEXES continued ...

Copy attached to Licence.



ANNEXE 4



Key:

- | | | | |
|---------|------------------------------|------|-------------------------|
| FD 308S | 30min self closing fire door | [IP] | Indicator panel |
| ○ DS | Smoke detector | [E] | Illuminated exit sign |
| ○ HD | Heat detector | ⊙ | Call point |
| ○ | Emergency light | ↑ | Height of step up |
| △ W | Water extinguisher | △ DP | Dry powder extinguisher |
| △ CO | Carbon dioxide Extinguisher | △ F | Foam extinguisher |
| 🔊 | Sounder | + | Door release |

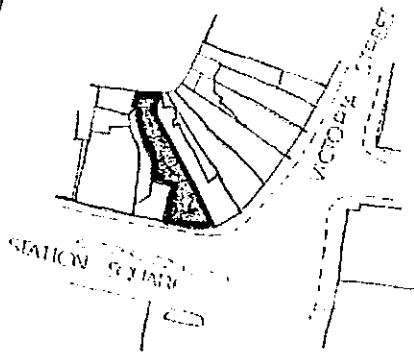
Public



Reserved Area

Dr. Liquor and
Coffe Stoves

Public Conveniences



KEY PLAN
SCALE: 1/1250

DESCRIPTION

drawing: Layout	date: July 05
scale: 1/100	drawn by: J L L
job title: Licence Plan 67 Victoria Street, PAUNTON, Torbay	
client: Maison A E U Ltd	

**W. G. Conderrey,
Son & Partners.**
Planning & Design Consultants:
19A Bishops Place, Paignton, Devon, TQ3 3DZ
tel: (0800) 550452

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