

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**Jackz Bar**

Parkham Road, Brixham, Devon, TQ5 9BU.

Telephone 01803 855785

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
- 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
- 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 Sunday On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.	8:00pm	Midnight
			Maximum of 2 performers
F. Playing of recorded music (Indoors)	Monday to Sunday On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.	9:00am	2:30am
G. Performance of dance (Indoors)	Monday to Sunday On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.	8:00pm	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday Friday Saturday Sunday On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.	8:00pm 8:00pm Noon Noon	Midnight 1:00am 1:00am Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	2:00am



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

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	9:00am	3:00am
On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years 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

Stephanie Trust

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**

Stephanie TRUST

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. PA2740

Issued by Torbay

Steve Cox

Environmental Health Manager (Commercial)

16 March 2022



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****General**

1. There shall be no entry or re-entry after 1am.
2. Drinks shall be served in shatterproof glasses.
3. No bottles shall be served when open after midnight.



ANNEXES continued ...

The Prevention of Crime and Disorder

1. CCTV must be in good working order.
2. There shall be posters displayed regarding responsible drinking.
3. There shall be promotions against drink driving.
4. There shall be a wide range of soft drinks available.
5. There shall be a 30 minute winding down period.
6. SIA trained doorman shall be present at the premises.
7. No money shall be left on site after the business is closed.

Public Safety

1. There must be 4 exits available in case of emergency, 3 of which are on ground level.
2. All safety checks and systems shall be maintained.
3. SIA door supervisors shall be present to control and look after customer welfare.
4. Accident records shall be present and maintained.

The Prevention of Public Nuisance

1. There shall be a 30 minute wind down period at the end of permitted hours in order to ensure customers leave in orderly fashion.
2. Management shall monitor sound levels at all times.
3. All windows shall be closed after 8pm as air conditioning is installed.
4. There shall be volume controls behind the bar.
5. Deliveries and rubbish shall be before 7pm.
6. Secondary glazing shall be fitted on windows where Karaoke is played.

The Protection of Children From Harm

1. Bar staff and doorman shall be trained to be aware and alert to issues of underage drinking.
2. Identification in the form of ID cards with "PASS" hologram must be produced by anyone who appears to be under 21.
3. There shall be no children after 9pm and no under 18's after midnight.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. A terminal hour of 3am shall only be acceptable where alcohol sales are terminated at 2am.
2. On every occasion that the premises sells alcohol after midnight and then closes after 12.30am, SIA door staff shall be employed from 10.00 pm until closing.
3. A CCTV system of an evidential standard shall 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 to be kept for a period of 14 days and the police to have access to recordings at any reasonable time.



ANNEXES continued ...

4. All drinks shall be served in toughened or strengthened glasses and no alcohol shall be served in glass bottles from which it is intended or likely that a person shall drink.
5. There shall be no entry or re-entry to the premises after 1.00am.
6. On every operational day when door supervision is required, then those SIA door supervisors employed on front of house duties shall wear high visibility reflective clothing for the entirety of their duty.

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 from the premises should not be audible within any 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.
 - (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 the residential property.
2. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
3. Doors and windows that open towards noise sensitive properties (for example residential) shall be kept shut during entertainment. All other windows and doors to be kept shut after 8pm. A management scheme shall be in place to ensure this situation remains.
4. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
5. Secondary glazing shall be installed within 28 days.

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

1. That Mr Ross Hennessey be prohibited from entering the premises during operational hours.
2. That Mr Ross Hennessey shall not be involved in or influence the operation of these premises.

The prevention of crime and disorder

1. The premises shall install, operate and maintain comprehensive digital colour CCTV. All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All equipment must have a constant and accurate time and date generation. All recordings will be stored for a minimum period of 28 days with date and time stamping. Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation). The CCTV system will be capable of downloading images to a recognisable viewable format. There will be security measures in place to ensure the integrity of the system to prevent the tampering with or deletion of images. Any identified defect in the CCTV system shall be logged at the premises and remedied as soon as reasonably practical. The Police Licensing Officer or Police Licensing Team shall be notified by email of all defects, the action required to rectify the situation and the time frame for such action within 24 hours of the defect being identified.
2. On Friday and Saturday nights SIA door stewards shall be employed from 2200 hrs until all customers have left the vicinity of the premises, at a ratio of 2 SIA door stewards for the first 100 customers and one additional steward for each 100 persons thereafter. This condition shall also apply to Christmas Eve, Boxing Day and New Years Eve when



ANNEXES continued ...

they do not fall on a Friday or Saturday. On all other occasions the Premises Licence Holder shall risk assess the need for SIA door stewards, taking into account the layout of the premises and the activity to be provided, and employ these in such numbers and at such times determined by that risk assessment.

3. On all other occasions when door stewards are not required in accordance with the above condition, the Premises Licence Holder shall assess the requirement for door supervisors and employ such door supervisors, if at all, in such numbers and at such times determined by that risk assessment.
4. After the premises close, staff and door stewards shall ensure that customers leave the area in a quiet and orderly manner.
5. When door supervisors are on duty they shall carry out random searches of individuals to promote the premises drugs policy and identify individuals in possession of items that could be used as a weapon, ie knives. The Premises Licence Holder shall provide a metal detector wand for this purpose.
6. The Premises Licence Holder/DPS shall ensure that an Incident Book is kept on the premises and that all incidents are recorded therein on a daily basis and as soon as practicable after the incident has occurred. This record shall include the full names of all person(s) involved, if possible or practical to do so. If the person(s) details are not available or known, then the time, date and CCTV camera number which captures the person(s) images are to be recorded in the incident book instead. The incident Book shall be made available for inspection by a police officer, a police licensing officer or Officers of the local authority on demand, and such records shall be kept at the premises for a minimum of 12 months.
7. The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand.
8. All persons employed at the premises in the sale and supply of alcohol, shall attend and successfully complete the BIIAB Level 1 Award in Responsible Alcohol Retailing within 2 months of commencing employment.
9. All staff shall receive training regarding their responsibilities under the Licensing Act at the commencement of employment, with refresher training being provided at least once a year. Records of all training, including BIIA Certificates, shall be maintained and kept at the premises for a minimum period of 12 months. These records shall be made available to the police or Local Authority Licensing Officers for inspection on demand.
10. A Personal Licence holder shall be on duty at all times the premises sell or supply alcohol after midnight.
11. The premises shall sign up to a licensing support scheme such as Best Bar None and ensure that they meet the standards required by that scheme at all times.
12. The Premises Licence Holder shall ensure that the Regulatory Reform (Fire Safety) Order 2005 is complied with and an up to date fire risk assessment shall be kept on the premises for viewing by responsible authorities at all times. This fire risk assessment shall be amended whenever any changes are made to the premises which may affect emergency evacuation.
13. The Premises Licence Holder shall ensure that at all times there are adequate First Aid arrangements. The arrangements for First Aid provision include a First Aid Box, an adequate and appropriate supply of First Aid equipment and materials to be used by customers. Suitable protective equipment shall be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures shall be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable diseases.
14. Staff will ensure that regular glass collection takes place within the premises.

The prevention of public nuisance

1. The volume of recorded music must not be audible above background levels at 5m or more from the frontage of the building.
2. The PLH must maintain a written noise management plan which must include procedures for but not limited to: -
 - a. Noise management policy
 - b. Arrangements and procedures to ensure the noise limited is used and maintain.
 - c. List of PA equipment used.



ANNEXES continued ...

- d. Records of complaints from residents or business.
 - e. Relevant staff/SIA noise monitoring log sheets.
 - f. Procedures for ensuring windows and doors are closed during regulated entertainment.
 - g. Employee/SIA staff training records and procedures in relation to noise management.
 - h. Procedures for monitoring and controlling noise from customers using the outside designated smoking area.
 - i. Dispersal policy.
3. A noise limiter shall be installed and used at the premises, with set levels agreed by Torbay Council's Licensing Team.
 4. The noise limiter shall be made tamper proof and any adjustments to sound levels shall only be made in consultation with the responsible authority for public nuisance.
 5. No alterations or modifications to the existing PA and or any structural changes to the premises must take place without written approval from Torbay Council's Licensing Team.
 6. A written noise management plan must contain procedures to ensure the lobby is used in additions to the ensuring windows are kept closed during regulated entertainment.
 7. Patrons shall be asked not to stand around talking in the street outside the premises shall be asked to leave the vicinity quickly and quietly.
 8. On calling last orders and at the end of Regulated Entertainment an announcement shall be made requesting patrons to leave the area as quickly and quietly as possible.
 9. The licensee shall ensure that staff leaving the premises after the premises has closed will conduct themselves in a manner as not to disturb nearby residents.

The protection of children from harm

1. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification.
2. No persons under the age of 18 years shall be permitted in the premises after 2200 hrs. Any under 18's allowed entry to the premises before this time must be accompanied by a responsible adult and shall be required to leave the premises at 2200 hrs.
3. Challenge 25 posters shall be prominently displayed within the premises.

ANNEXE 4**PLANS**

Copy attached to Licence.



LOCAL AUTHORITY



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

Premises Details

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

Jackz Bar

Parkham Road, Brixham, Devon, TQ5 9BU.

Telephone 01803 855785

WHERE THE LICENCE IS TIME LIMITED THE DATES

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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
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years Day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
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On New Years Eve from the start of permitted hours on New Years Eve until the end of permitted hours on New Years 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

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

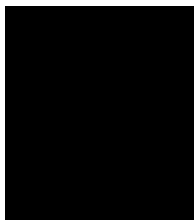
Stephanie Trust

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**

Stephanie TRUST

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)
16 March 2022

