

## 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

**Oldenburg Inn**

46/48 Winner Street, Paignton, Devon, TQ3 3BQ.

Telephone 01803 555596

## 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
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- 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
E. Performance of live music (Indoors)	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Christmas Eve	10:00am	12:30am
	Boxing Day	10:00am	12:30am
	New Year's Day	10:00am	12:30am
	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.		
	On Sundays preceding Bank Holidays 1200 to 0000		
F. Playing of recorded music (Indoors)	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Christmas Eve	10:00am	12:30am
	Boxing Day	10:00am	12:30am
	New Year's Day	10:00am	12:30am
	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.		
	On Sundays preceding Bank Holidays 1200 to 0000.		
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Christmas Eve	10:00am	12:30am



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

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...	Boxing Day	10:00am	12:30am
	New Year's Day	10:00am	12:30am
	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.		
	On Sundays preceding Bank Holidays 1200 to 0000.		
L. Late night refreshment (Indoors)	Monday to Saturday	11:00pm	12:30am
	Sunday	11:00pm	Midnight
	Christmas Eve	11:00pm	1:00am
	Boxing Day	11:00pm	1:00am
	New Year's Eve	11:00pm	5:00am
	New Year's Day	11:00pm	1:00am
	On Sundays preceding Bank Holidays 2300 to 0100.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	Christmas Eve	10:00am	12:30am
	Boxing Day	10:00am	12:30am
	New Year's Day	10:00am	12:30am
	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.		
	On Sundays preceding Bank Holidays 1200 to 0000.		

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Saturday	10:00am	12:30am
Sunday	Noon	Midnight
On Sundays preceding Bank Holidays 1200 to 0000		
Christmas Eve	10:00am	1:00am
Boxing Day	10:00am	1:00am
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.		
New Year's Day	10:00am	1:00am

**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 Craft Union Pub Company Limited



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

The Craft Union Pub Company Limited

09429990



Licensing Act 2003

# Premises Licence

# 519

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

Phoebe May Saffron CURNOW



**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.



Issued by Torbay

Steve Cox  
Environmental Health Manager (Commercial)  
26 September 2018



**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



**ANNEXES continued ...**

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;

(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.



**ANNEXES continued ...**

- (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**

1. The licensees shall ensure that the premises do not become overcrowded.
2. The licensees shall ensure orderly conduct and check occupancy at all times.
3. The hours for which the premises shall be open shall be clearly displayed with confirmation of times for the supply of alcohol and late night refreshment.
4. The premises shall have no digression from their current purpose.

**The Prevention of Crime and Disorder**

1. An incident book and recorded details of all incident or public disorder shall be kept.
2. Staff shall be trained to be vigilant and regularly supervise the premises indoor and out to check orderly conduct.
3. Proof of age shall be asked for and necessary for the supply of alcohol to patrons.
4. CCTV system will be installed and operative at all times while the premises are trading and the equipment to be maintained to the satisfaction of the chief of police. Recorded images to be retained for 30 days and made available to Police Officers on request. If the CCTV equipment is inoperative the Police and Licensing Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
5. Full CCTV must be installed including the front, rear of premises and a bar monitor to be placed behind the serving counter to view all areas of licence premises.
6. DPS should be able to operate CCTV and produce recordings when required.
7. No bottles to be served that persons may intend to drink from.
8. After 2200hrs no drinks to be taken in the garden area and suitable signage displayed.
9. No drinks to be taken or consumed at the front of the premises and suitable signage displayed.
10. SIA Door staff will be employed when live music is provided on the premises other than standard karaoke night. Door staff to be on duty from 2000hrs to close and will wear reflective high visual jackets whilst working on the front door.
11. DPS to be a member of the Paignton Licensing group and must attend regular meetings.
12. Smoking will be at the rear garden area of the premises and after 2230hrs staff to manage no more than 6 persons outside at any time.
13. An anti-drug policy to be in place agreed by the police and a secure facility made available for any seized items until handed over to police.



**ANNEXES continued ...**

14. A customer "code of conduct" poster must be displayed warning customers that inappropriate behaviour will not be tolerated on the premises and a banning policy to be in place.
15. An incident book recording all details of instances of disorder must be kept and close liaison with Police Licensing in relation to violence on the premises.

**Public Safety**

1. The fire safety measures with which the premises are provided shall be maintained in good working order and their adequacy shall be determined on a regular basis by the carrying out of a fire risk assessment as required by and in accordance with the fire precautions (workplace) regulations.
2. The licensees shall undertake to maintain a safe level of occupancy.
3. All exit doors shall be easily openable without the use of a key, card, code or similar means and shall be available for egress while the public are on the premises.
4. Means of escape shall be maintained, unobstructed, immediately available and identifiable.
5. Exit doors shall be regularly checked to ensure they function satisfactorily.
6. Records of these checks shall be kept and produced on request.
7. Any removable security fastenings shall be removed whenever the premises are open to the public or staff.
8. All gangways, exit routes and steps shall maintain non-slippery and even surfaces.
9. All floor coverings shall be secured and maintained so they will not ruck.
10. Hangings/curtains and temporary decorations shall be maintained in flame-retardant condition.
11. Upholstered seating shall be fire-retardant and shall comply with current fire safety regulations.
12. Curtains, hangings and temporary decorations shall not obstruct exits.
13. Fire safety signs or fire fighting equipment notices detailing any actions to be taken in the event of fire or other emergency shall be properly displayed and maintained in good condition.
14. Access shall be provided for emergency vehicles and this access shall be kept clear and free from obstruction.
15. An evacuation policy shall be in place and to the satisfaction of the fire authority. All staff members shall be trained in the evacuation policy.
16. Exit doors shall open outside (or shall be secured in the open position).
17. Fire alarms, fire fighting equipment must be serviced and tested annually by an approved contractor.
18. The electrical system shall be inspected and tested annually by a competent person to ensure safety.
19. Where temporary electrical equipment is to be used, a suitable circuit breaker device shall be installed to cover this equipment. The circuit breaker should operate at a current not exceeding 30 MA and should comply with BS 4293. The device shall be tested monthly and tests shall be recorded.
20. Temporary electrical wiring and distribution systems shall not be installed unless inspected by a suitable qualified electrician. Temporary electrical wiring and distribution systems shall comply with BS 7671 and where applicable BS 7909.
21. Cellar Gas System maintenance, testing and staff training in accordance with the Pressure Vessel Regulations and Carbon Dioxide alarm shall be fitted to the cellar.
22. Free drinking water shall be available at all times.
23. When disabled people are present, adequate arrangements shall exist to enable their safe evacuation in the event of



**ANNEXES continued ...**

an emergency. Review and assessment of accessibility in line with the Disability Discrimination Act shall be complete and kept on the premises.

24. The licensees 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 patrons. 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.
25. Gangways, exit routes and steps shall be maintained in good order with non-slippery surfaces; edges of steps and stairwells shall be conspicuously marked.
26. Means of addressing patrons during operating hours, which can be heard above entertainment, or as a means of interrupting the entertainment and making important safety announcements shall be available.
27. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
28. All external doors and windows shall be kept shut where possible, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment likely to give rise to noise are taking place.
29. Sufficient ventilation shall be provided so as to ensure that doors and windows can be kept closed, where possible.
30. Suitable signage at all relevant exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.
31. Patrons shall be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.
32. An announcement shall be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.
33. The volume of amplified sound used in connection with the entertainment shall at all times be under control of the management.

**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.
2. All external doors and windows shall be kept shut where possible, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment likely to give rise to noise are taking place.
3. Sufficient ventilation shall be provided so as to ensure that doors and windows can be kept closed, where possible.
4. Suitable signage at all relevant exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.
5. Patrons shall be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.
6. An announcement shall be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.
7. The volume of amplified sound used in connection with the entertainment shall at all times be under control of the management.
8. Provision of mechanical ventilation and air conditioning systems shall not allow noise breakout from premises or cause a nuisance by its operation. Where plant and machinery has the potential to cause a noise problem it shall be positioned in such a way that the building structure provides as much screening as possible for nearby noise-sensitive properties. Alternatively, or additionally, control measures such as acoustic enclosures, acoustic louvers, silencers, or acoustic screening shall be considered.
9. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such





**ANNEXES continued ...**

sources is kept to a minimum.

10. Regard shall be had to BS 4142 rating industrial noise affecting mixed residential and industrial areas and the institute of acoustic good practice guide on the control of noise from pubs and clubs.
11. The delivery of goods shall be restricted to the following times - between 0800 and 1700 hours.
12. The handling of beer kegs, bottles and other similar items shall 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.
13. Bottle skips and bins containing cans or bottles shall not be emptied outside after closing but shall be dealt with the next day during normal office hours (save as for Sundays and New Years Day).
14. The movement of bins and rubbish outside the premises shall be kept to a minimum/prohibited after 5pm.
15. There must be no entertainment in the outside area.
16. Patrons using the outside area shall observe signage requesting them to be as quiet as possible.
17. Management shall ensure that the garden is visited frequently during opening hours to ensure non disturbance to neighbours.
18. The use of lighting in the outside area shall be such as not to disturb by way of light pollution to neighbours or residents.

**The Protection of Children from Harm**

1. A proof of age policy agreed by the police and local authority shall be enforced.
2. Children shall be only allowed on the premises with an adult and must be supervised including the outside area.
3. Challenge 25 policy in place and relevant posters to be displayed.
4. Children are to be accompanied by a responsible adult whilst on the premises.
5. No children under the age of 18 to be on the premises after 1930hrs.
6. Staff will be regularly trained in relation to the sale of alcohol and records will be kept on the premises.
7. There will be a personal licence holder present on the premises whilst alcohol is sold.

**ANNEXE 3**

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

**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 should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property, 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 (i.e. semi's and terraced properties) to make further assessments from within the residential property.
2. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
3. 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.
4. During amplified music and entertainment the door lobbies shall be effectively used throughout the time of



**ANNEXES continued ...**

entertainment to prevent noise breakout.

5. No music or speech shall be relayed by external amplified speakers.
6. Cooking, noxious or persistent smells shall not cause a nuisance to nearby properties.

**The Protection of Children from Harm**

1. All amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times.
2. A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and the prevention from use of AWP machines by those under eighteen.

**ANNEXE 4**

**PLANS**

Copy attached to Licence.

