

**LOCAL AUTHORITY****Torbay Council**

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

A rectangular stamp with the word 'COPY' in a bold, sans-serif font, oriented horizontally.

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION****Jolly Judge**

168-170 Union Street, Torquay, Devon, TQ2 5QP.

Telephone 01803 290 480

**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
<b>E. Performance of live music (Indoors)</b>	Monday to Sunday	11:00am	Midnight
<b>F. Playing of recorded music (Indoors)</b>	Monday to Sunday On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
<b>M. The sale by retail of alcohol for consumption ON and OFF the premises</b>	Monday to Sunday On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Sunday	8:00am	12:30am
On New Years Eve from the end of permitted hours on New Years 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

<b>NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE</b>	
David McCabe	79 Molesworth Road, Stoke, Plymouth, Devon, PL1 5PG.
<b>REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)</b>	
<b>NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL</b>	
David EDWARDS	Jolly Judge, 170 Union Street, Torquay, Devon, TQ2 5QP.
<b>PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL</b>	
Licence No. BLP0677	Issued by Blaby

Steve Cox  
Environmental Health Manager (Commercial)  
4 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 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. A CCTV capable of providing images of an evidential standard shall operate throughout all times that the premises are open to the public with monitor behind the bar and a recording system. All recordings must be kept for a minimum of 14 days during which time the police shall be provided with downloaded images within 7 days of request. The premises must ensure that they have sufficient disks or memory sticks available for this purpose.

**The Prevention of Crime and Disorder**



**ANNEXES continued ...**

1. Membership in Pub Watch must be continued.
2. Staff must be properly trained.
3. Cheap drink promotions are prohibited.

**Public Safety**

1. Fire equipment must be checked annually.
2. The completed work must comply with planning and building regulation approvals.

**The Prevention of Public Nuisance**

1. None

**The Protection of Children from Harm**

1. Children must be accompanied by an adult.
2. Children must stay within the dining area.
3. Soft drinks including water shall be available whenever the premises is open to the public.
4. The premises shall operate a Challenge 25 Policy and any person who appears to be under the age of 25 shall be required to produce an approved form of photographic identification as outlined in the Torbay Council Licensing Statement of Principles.
5. No persons under the age of 18 shall be in the Licensed Area after 22:00 hours.

**Restrictions transferred from the On Licence**

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purpose of the trade or club.
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

**Credit Sales**

**ANNEXES continued ...**

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

**ANNEXE 3****CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY****General**

None

**The Prevention of Crime and Disorder**

None

**Public Safety**

None

**The Prevention of Public Nuisance**

1. 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 23:00. 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 23:00- Noise emanating from the premises will not be clearly distinguishable above other noise
  - (b) After 23:00- 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.
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. Noise levels within the premises resulting from the operation of any musical instrument or amplified equipment will be regulated so as to protect the hearing of any employee therein in accordance with current standards.
4. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
5. The placing of refuse, such as bottles, in receptacles outside the premises takes place at times that will prevent disturbance to nearby properties.
6. Deliveries of kegs, bottles, food or other materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
7. Doors and windows will be kept shut during entertainment. To reduce noise break out. A management scheme will be in place to ensure this situation remains.



**ANNEXES continued ...**

8. Patrons will 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.
9. An announcement will be made prior to closing requesting patrons cooperation in leaving the premises and the vicinity as quietly and quickly as possible.
10. Staff will check prior to entertainment, and periodically during the entertainment, that all windows and doors are shut.
11. A senior member of staff (manager) will 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.
12. Provision of mechanical ventilation and air conditioning system will not allow break out from the premises or cause a nuisance by its operation.
13. Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum
14. 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.
15. Bottle skips and bins containing cans or bottles will not be emptied outside after closing but will be dealt with the next day during normal office hours.
16. The movement of bins and rubbish outside the premises will be kept to a minimum after 23:00hr.
17. Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties and the premises must be properly vented.
18. When food for consumption off the premises is sold, adequate waste receptacles for use by the patrons will be provided in the local vicinity. All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting lid.
19. Facilities for depositing litter and the collection of litter generated by patrons will be available and maintained, where outside areas are provided for the use of patrons.

**The Protection of Children from Harm**

None

**ANNEXE 4**

**PLANS**

Copy attached to Licence.



## LOCAL AUTHORITY



**Torbay Council**  
 Licensing & Public Protection  
 Town Hall  
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 TQ1 3DR

## Premises Details

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**Jolly Judge**

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Telephone 01803 290 480

## WHERE THE LICENCE IS TIME LIMITED THE DATES

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- M. The sale by retail of alcohol for consumption ON and OFF the premises





# Premises Licence Summary

# 429

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

David McCabe

79 Molesworth Road, Stoke, Plymouth, Devon, PL1 5PG.

**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**

David EDWARDS

**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)  
4 September 2018



