

Licensing Act 2003  
**Premises Licence**

**1080**

LOCAL AUTHORITY



**Torbay Council**  
 Licensing & Public Protection  
 c/o Town Hall  
 Castle Circus  
 Torquay  
 TQ1 3DR

Part 1 - Premises Details

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

**Shoals Cafe on the Lido**

Berryhead Road, Brixham, Devon, TQ5 9AE.

Telephone 01803854874

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Sunday	11:00am	11:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	11:30pm

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 the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Sarah Louise Perkes

~~Berryhead Road, Brixham, Devon, TQ5 9AE~~  
 Telephone 01803 854874

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

Sarah Louise PERKES

~~Berryhead Road, Brixham, Devon, TQ5 9AE~~  
 Telephone 01803 854874



Licensing Act 2003

# Premises Licence

# 1080

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. PA3206

Issued by Torbay



Steve Cox  
Environmental Health Manager  
14 February 2017



**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.

**ANNEXE 2**

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**General**

1. The premises licence holder will provide strong management control and train staff to be fully aware of the Licensing Act and the four licensing objectives.
2. The premises will not sell any alcohol to underage customers.



**ANNEXES continued ...**

3. The premises will not permit any violent, anti-social, drunk and disorderly behaviour on the premises.
4. The premises will prevent the sale or use of illegal drugs within and around the premises.
5. The premises will not allow any harm to children.
6. The premises will have CCTV.
7. The premises shall have "Challenge 25" clearly displayed and adhered to.

**The Prevention of Crime and Disorder**

1. The premises shall have clear and legible notices displayed outside the premises stating the normal hours under the terms of the premises licence during which licensable activities are permitted.
2. The premises shall have clear notices warning of potential criminal activity targeted towards customers.
3. The premises shall have CCTV covering all entrances and surrounding areas.
4. The premises shall not serve any alcohol to drunk or intoxicated customer.
5. The premises shall train all staff to ask customers in an orderly respectful manner.
6. The premises shall prevent and be vigilant in illegal drug use in and around the premises.

**Public Safety**

1. The premises will provide training and implementing of underage ID checks.
2. The premises shall train staff to adhere to environmental health requirements.
3. All internal and external lighting will be positioned to promote the public safety objectives.
4. All fixture and fittings within and surrounding the premises to include lighting, heating, electrical, air conditioning, poor fastenings, notices, sanitary accommodation and other installations to be maintained to a good and safe conditions.
5. The premises shall have a log book, which will be kept updated with inspections and to be available for inspections made by persons acting on behalf of licensing act 2003 or associated legislation.
6. Safety conditions complied to, to be noted.

**The Prevention of Public Nuisance**

1. The premises will have clear and prominent notices displayed at exits requesting that customers respect nearby residents and leave quietly.
2. Deliveries to be carried out in a manner to respect nearby residents.
3. Customers will be asked to not talk loudly outside the premises.
4. Customers will not be admitted to the premises above opening hours.
5. Adequate waste bins to be provided for customers.
6. The movement of furniture, rubbish removal will be kept to a minimum after 2300 hours.
7. Staff will be asked to respect residents by keeping noise levels to a minimum when leaving the premises.

**The Protection of Children from Harm**

1. All staff will be fully trained in the requirement to check identification, age etc.
2. "Challenge 25" signs will be displayed encouraging anyone over 18 to carry acceptable identification e.g. passprt, photographic driving licence, pass hologram if they wish to buy alcohol.



**ANNEXES continued ...**

3. All details to be kept in the training book, kept updated and be available on premises.

**ANNEXE 3**

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

NONE

**ANNEXE 4**

**PLANS**

Copy attached to Licence.

