

Licensing Act 2003**Premises Licence**

Licence Valid From: 20 December 2007

SHPL0216**LOCAL AUTHORITY**

Licensing
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Part 1 - Premises Details**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****The Albert Inn**

The Albert Inn, 32 Bridgetown, Totnes, Devon, TQ9 5AD

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Indoor Sporting Events
Live Music
Recorded Music
Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

Mon 10:00-00:30
Tue 10:00-00:30
Wed 10:00-00:30
Thu 10:00-00:30
Fri 10:00-00:30
Sat 10:00-00:30
Sun 11:00-00:30
New Year's Eve -
From the end of Licensing Hours on New Year's Eve to the
commencement of Licensing Hours on New Year's Day.

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Indoor Sporting Events	Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 11:00-00:00
Indoors	
Live Music	Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 11:00-00:00
Indoors	

	New Year's Eve - On New Year's Eve the terminal hour for Live Music to be extended until 01:00
Recorded Music Indoors	Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 11:00-00:00 New Year's Eve - From the end of Licensing Hours on New Year's Eve to the commencement of Licensing Hours on New Year's Day
Supply of Alcohol	Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 11:00-00:00 New Year's Eve - From the end of Licensing Hours on New Year's Eve to the commencement of Licensing Hours on New Year's Day. Monday to Saturday 10:00- 00:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES
On and Off Premises

Part 2

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

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
Mr Giles John Hawkins

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 Number: TQ90431 Issued By: South Hams

ANNEXES
Annex 1 - Mandatory Conditions under the Licensing Act 2003
SUPPLY OF ALCOHOL
1. No supply of alcohol may be made under the Premises Licence – (a) At a time when 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 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.

IRRESPONSIBLE PROMOTIONS

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).

POTABLE WATER

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

AGE VERIFICATION

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 licences 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.

MINIMUM MEASURES

6. 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) 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 PERMITTED PRICE FOR THE SALE OR SUPPLY OF ALCOHOL

7. 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.

8. 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.

9. 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.

10. (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.

EXHIBITION OF FILMS

11. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

12. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

13. 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 subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

14. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

DOOR SUPERVISORS

15. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or (b) be entitled to carry out that activity by virtue of section 4 of the Act.

16. But nothing in subsection (1) requires such a condition to be imposed: (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with

premises licences authorising plays or films); or (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.

17. For the purposes of this section: (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) 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.

Annex 2 – Conditions consistent with the operating schedule

GENERAL - ALL FOUR LICENSING OBJECTIVES

The maximum occupancy figures for inside the premises must be 80 in agreement with the licensing authority and Devon Fire and Rescue based on fire safety issues, available floor space and the sanitary accommodation available.

An appropriate method for checking the number of people entering and leaving the premises to ensure that steps are taken so that, once the maximum occupancy is reached, no further persons are admitted. The method employed must be seating for 50 people and standing room only at the servery. Method by physical head count

THE PREVENTION OF CRIME AND DISORDER

Customers carrying open or sealed bottles or gasses must not be admitted to the premises at any time. Customers must not be permitted to take open containers of alcoholic or soft drinks from the premises and all bottles and glasses must be removed from public areas as soon as they are finished with or empty.

Drinks promotions - irresponsible drinks promotions are not permitted.

Customers to be able to purchase alcoholic drinks in the following minimum measures without the premises upselling

Spirits - gin, rum, whisky and vodka in 25ml or 35ml or multiples thereof. Beer and cider one-third pint, half a pint or multiples of half a pint. Wine 125mm or 175ml or multiples thereof.

An anti drug policy agreed by the police and local authority must be in force and a secure facility to store controlled drugs to be available.

A detailed "customer code of conduct"• poster to be displayed warning customers that if they act in an inappropriate manner they could be barred from all licensed premises in the vicinity.

The premises must be a member of pubwatch and a representative must attend pubwatch meetings and participate in all initiatives.

A policy must be in force for the management of large groups, i.e. hen and stag parties. The group must be required to nominate a responsible person to liaise with staff.

A secure area for customer's personal belongings must be made available.

An incident book and record details of all instances of public disorder must be maintained.

A CCTV system must be operated within the licensed area and the recordings must be made available upon request.

PUBLIC SAFETY

The fire safety measures with which the premises are provided must be maintained in good working order, their adequacy to be determined on a regular basis, by the carrying out of fire risk assessment, as required by, and in accordance with the fire precautions (workplace) regulations. A safe occupancy level, influenced by numbers of persons present, their disposition and the activities taking place, must be maintained.

Fire safety -

-All exit doors must be easily openable without the use of a key, card, code or similar means and must be available for egress while the public are on the premises.

-Means of escape must be maintained unobstructed, immediately available and clearly identifiable.

-Exit doors must be regularly checked to ensure they function satisfactorily. Records of these checks must be kept and produced on request.

-Any removable security fastenings must be removed whenever the premises are open to the public or staff.

-Hangings, curtains and temporary decorations must be maintained in a flame retardant condition

-Upholstered seating must be fire retardant and compliant with current fire safety regulations.

-Curtains, hangings and temporary decorations must not obstruct exits, fire safety signs or fire-fighting equipment.

-Access must be provided for emergency vehicles and this access must be kept clear and free from obstruction.

-An evacuation policy must be in place that is to the satisfaction of the fire authority. All staff members to be trained in the evacuation policy

Free drinking water must be available at all times.

Disabled people - when disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of an emergency.

Sanitary accommodation - the sanitary accommodation to consist of: female wc's 1; wash h/b 1; disabled wc's 0; male wc's 1; urinals 1 (7foot long); whb's 1.

The air management system within the premises to be used during entertainment, as there must be insufficient ventilation when all windows and doors are closed, to prevent noise break out.

There must be adequate first aid arrangements at all times. The arrangements for first aid provision must include a first aid box an adequate and appropriate supply of first aid equipment and materials to be available for the use of patrons. Suitable protective equipment must be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures must be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable disease.

Gangways, exit routes and steps must be maintained in good order with non-slippery and even surfaces, edges of steps and stairways to be conspicuously marked.

Where glazing forms part of windows, walls or partitions below waist height it must be constructed of safety materials. Where glazing forms part of a door or side panel at below shoulder height it must be constructed of safety materials.

A means of addressing patrons during operating hours, which can be heard above entertainment, or a means of interrupting the entertainment to make important safety announcements must be available.

Noise - the patrons / audience must not be exposed to an event leq 107db(a) and the peak sound pressure level should not exceed 140 db. where the event leq is likely to exceed 96 db(a)

THE PREVENTION OF PUBLIC NUISANCE

Noise -

Noise or vibration must not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.

All external doors and windows must be kept shut, 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 is taking place.

Sufficient ventilation to be provided so that doors and windows can be kept closed.

Suitable signage at all relevant exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.

Patrons must 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.

An announcement must be made prior to closing requesting patrons' co-operation in leaving the premises and vicinity as quietly and quickly as possible.

The entrances are provided with lobbies with automatic door-closers. The lobbies are to be in use throughout the time of entertainment.

A specific taxi operator must be nominated for staff and customers use. The company's telephone number must be advertised to customers. The operator, and all drivers, must be aware that they should arrive and depart as quietly as possible, must not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily. In addition, staff must leave as quietly as possible, particularly at night and early in the morning.

Staff must check prior to entertainment, and periodically during the entertainment, that all windows and doors are shut.

A senior member of staff (manager) 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.

The volume of amplified sound used in connection with the entertainment shall at all times be under the control of the management.

Noise from plant and machinery

Provision of mechanical ventilation and air conditioning systems must not allow noise breakout from the premises or cause a nuisance by its operation. Where plant and machinery has the potential to cause a noise problem it must 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 additional acoustic screening should be considered.

Regular maintenance must be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

Regard must 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.

Delivery/collection/storage activities-

The delivery of goods is restricted to the following times between 9 am and 5 pm.

The handling of beer kegs, bottles and other similar items must 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.

Bottle skips and bins containing cans or bottles must not be emptied outside after closing but must be dealt with the next day during normal office hours.

The movement of bins and rubbish outside the premises must be kept to a minimum/prohibited after 5pm.

Use of gardens, play areas and outside areas -

The use of gardens and external play areas must not commence before the start of normal trading hours and must cease at dusk.

No music or speech must be relayed by external speakers.

Control of light pollution -

The use of lighting in gardens and external areas must cease at dusk except for health and safety or security reasons.

Flashing or bright lights must only be placed in positions that do not cause a nuisance to neighbours.

THE PROTECTION OF CHILDREN FROM HARM

A proof of age policy agreed by the police and local authority must be enforced.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans (as existing)



Ian Luscombe
Head of Environmental Health Practice
On behalf of the Licensing Authority

Licensing Act 2003

Premises Licence Summary

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Not Applicable

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Live Music
Recorded Music
Supply of Alcohol

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New Year's Eve -
From the end of Licensing Hours on New Year's Eve to the
commencement of Licensing Hours on New Year's Day.

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

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Indoors	
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Licensing Act 2003**Premises Licence Summary****SHPL0216**

Licence Valid From: 20 December 2007

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On and Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mr Giles John Hawkins

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**

Mr Giles John Hawkins

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

There are no restrictions on Children