

Premises Licence

Part A

Premises Licence Number **LAPRE/0158**

Part 1 – Premises Details

Postal Address of premises, or if none Ordnance Survey map reference of description

**Royal Oak
163-167 High Street
Newhall
Swadlincote, Derbyshire
DE11 0HP**

Telephone Number **01283 22371**

Where the Licence is time limited the dates

Licensable Activities authorised by the licence

Live music – Indoors

Recorded music – Indoors

Anything similar to live music, recorded music or performances of dance – Indoors

Sale by retail of alcohol for consumption on and off the premises

The times the licence authorises the carrying out of licensable activities

Sunday – Thursday

11.00hrs – 23.30hrs

Friday & Saturday

11.00hrs – 00.00hrs

For Bank Holiday Sunday, Christmas Eve & Boxing Day

11.00hrs – 00.30hrs

New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day

The opening hours of the premises

Sunday – Thursday

11.00hrs – 00.00hrs

Friday & Saturday

11.00hrs – 00.30hrs

For Bank Holiday Sunday, Christmas Eve & Boxing Day

11.00hrs – 01.00hrs

New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day

Where the licence authorises supplies of alcohol whether there are on and or off supplies

Sale by retail of alcohol for consumption on and off the premises

Date Issued: 16 January 2006

Date Last Amended: 19 June 2018

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Robert A Young
Royal Oak
163-167 High Street
Newhall
Swadlincote
Derbyshire
DE11 0HP

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 Matthew Newbold

Personal licence number and Issuing Authority of personal licence held by designated premises supervisor where the premises authorises for the supply of alcohol

Reference:

Issued by:

Annex 1 – Mandatory Conditions

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.
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—
 - (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.
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(6);
 - (b) “Permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where—

- (i) P is the permitted price,
- (i) D is the rate 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
- (ii) 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) "Valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

9. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this 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.

Annex 2 – Conditions consistent with operating schedule

1. Full training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.
2. Refresher training shall be provided at regular intervals – at least every 6 months.

3. Records detailing the training provided shall be kept on the premises for production upon request by the Police or other Responsible Authority.
4. All records must be written and shall be retained on the premises for a minimum of 12 months.
5. A challenge 25 or similar Proof of age scheme shall be operated at all times.
6. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.
7. The only acceptable forms of identification shall be:
 - PASS – accreditation proof of age card.
 - Photo Driving Licence.
 - Current Passport.
 - HM Forces Identity Card
8. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation shall be displayed at all entry points to the premises.
9. A system of recording sales challenged under the proof of age scheme shall be operated at all times.
10. The refusal book / log shall be kept on the premises for production upon request by the Police or other Responsible Authority.
11. The records relating to the refusal book / log shall be retained on the premises for a minimum of 12 months.
12. The Premises Licence Holder shall ensure that a written incident log is maintained within the premises and details of all relevant incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request by the Police or other Responsible Authority.
13. The Premises Licence Holder or nominated person shall ensure that clear, prominent and legible notices are displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises quietly and in an orderly manner respecting the needs of local residents.
14. The Designated Premises Supervisor or nominated representative shall be a member of the local Pub Watch Scheme where such a scheme exists.
15. A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).

16. The CCTV recording system shall operate at all times when the premises are open for licensable activities.
17. All CCTV recordings shall be retained for a minimum of 28 days. These images must be available for viewing at any reasonable time upon request by the Police or other Responsible Authority.
18. The Premises Licence Holder, Designated Premises Supervisor or designated members of staff shall be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).
19. The CCTV recording unit shall be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.
20. Installed CCTV cameras shall be positioned so as to ensure that all parts of the premises to which the public has access are covered (except for any toilet areas).
21. All cameras installed shall be of a standard that will offer optimum image quality and operate if required in low light.
22. All digital recordings shall be made in real time (time lapse not to be used).
23. No customer shall be allowed to remove any alcoholic or other drink from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption indicated on a plan.
24. No person under the age of 18 shall be allowed on the premise at anytime except in accordance with one of the following provisions;
25. No person under 18 shall be on the premises after 2130 hours unless attending a pre-booked function or event.
A pre-booked function or event means any bona fide function when the premises are used for other than normal everyday operation.
26. A written record shall be made and shall include the full name, age, and address of the person that has booked the function, the anticipated number of persons that will attend the event, the anticipated number of those under the age of 18 that will attend the event, and the start and end time of the pre-booked function or event.
27. A written Risk Assessment for each pre booked function or event to take place at the premises shall be carried out by the Premises Licence Holder or nominated representative. This shall be available for inspection by the Police or other Responsible Authority.

28. The only other exception for an individual aged under 18 to be on the premises after 2130 hours is;

If an individual is under 18 and is a playing member of a team participating in an affiliated league or cup competition being held at the premises on that date, then that individual may be in the licensed area during the duration of the competition on that date. All underage individuals will have their details registered in a log book held at the premises with the name of the competition, date of the competition and the hours that the competition was played between.

Annex 3 – Conditions attached after Hearing

