

Copy of Part A premises licence

LICENSING ACT 2003

PREMISES LICENCE

Part A

Premises Licence No. **05/02065/LAPRE****Part 1 – Premises details**

The Devonshire Bar and Lounge, Devonshire Square, Bexhill, East Sussex, TN40 1AB
Telephone number:
Where the licence is time limited the permitted dates are: n/a
<p>Licensable activities:</p> <p>Sale by retail of alcohol for consumption on and off the premises Performance of live music Any playing of recorded music Entertainment of a similar description Provision of facilities for making music Provision of facilities for dancing Provision of entertainment facilities of a similar description Provision of late night refreshment All to take place indoors.</p>

Authorised times:

Retail sale of alcohol

Monday – Thursday 10:00 – 00:00*

Friday – Saturday 10:00 - 02:00*

Sunday 10:00 – 00:00*

Performance of live music

Monday – Thursday 11:00 – 23:00*

Friday – Saturday 11:00 – 00:00*

Sunday 12:00 – 00:00*

Any playing of recorded music

Monday – Thursday 11:00 – 00:00*

Friday – Saturday 11:00 – 02:00*

Sunday 12:00 – 00:00*

Entertainment of a similar description

Monday – Thursday 11:00 – 23:00*

Friday – Saturday 11:00 – 00:00*

Sunday 12:00 – 00:00*

Provision of facilities for making music

Monday – Thursday 11:00 – 23:00*

Friday – Saturday 11:00 – 00:00*

Sunday 12:00 – 00:00*

Provision of facilities for dancing

Monday – Thursday 11:00 – 00:00*

Friday – Saturday 11:00 – 02:00*

Sunday 12:00 – 00:00*

Provision of entertainment facilities of a similar description

Monday – Thursday 11:00 – 23:00*

Friday – Saturday 11:00 – 00:00*

Sunday 12:00 – 22:30*

Provision of late night refreshment

Monday – Thursday 23:00 – 00:00*

Friday & Saturday 23:00 – 02:00*

Sunday 23:00-00:00*

*On all Bank Holidays (except Christmas) to include the preceding day (at Easter to also include the preceding Thursday); for Christmas (to include Christmas Eve); up to the terminal hour set for Saturdays (i.e. 02:00). The retail sale of alcohol is permitted between the finish time on New Years Eve and the start time on New Years Day.

The opening hours of the premises (if applicable):

Monday – Thursday 10:00 – 00:30*

Friday – Saturday 10:00 – 02:30*
Sunday 10:00 – 00:30*

*On all Bank Holidays (except Christmas) to include the preceding day (at Easter to also include the preceding Thursday); for Christmas (to include Christmas Eve); up to the terminal hour set for Saturdays.

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies: **On and Off**

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

F.Forte Developments Ltd
23 St Leonards Road, Bexhill, East Sussex, TN40 1HH

Registered number of holder, for example company number, charity number (where applicable):

1229598

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Sokol Kapllani

Telephone number:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Personal licence number: **HO31085**

Issuing Authority: **Hastings BC**

22nd January 2016

Rother District Council
Town Hall
Bexhill-on-Sea
East Sussex
TN39 3JX Tel: 01424 787550

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/ 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. 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.

6. (1) The 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 which take place before the expiry of the period of 14 days beginning on the second day.

7. (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.

Note:

In section 153(4) of the Licensing Act 2003, “Responsible Person” means:

(a) In relation to licensed premises:

(i) the holder of a Premises Licence in respect of the premises;

(ii) the Designated Premises Supervisor (if any) under such a licence;

or,

(iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor.

(b) 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 him to prevent the supply in question.

1. Each and every Door Supervisor, or individual concerned with a security activity at the premises, must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

A risk assessment shall be prepared for the premises, incorporating the means of escape for customers and staff from the external terrace.

~~No consumption of alcoholic drinks shall take place outside after 23:00hrs.**
(Condition added with application 07/01039/LAPRE 09/01/2008)~~

~~Consumption of alcoholic drinks shall be permitted on the outside raised terrace on the west side of the building.**
(Condition added with application 07/01039/LAPRE 09/01/2008)~~

Application 09/00304/LAPRE issued 13/05/09 – Amended Plan

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

Conditions added at a hearing 15/11/2005

A notice shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

~~No drink shall be sold from a bar or by staff service, for consumption outside of the premises other than in a container made from non-splintering plastic.*~~

~~The consumption of alcoholic drinks outside shall be restricted to a 2-metre strip area from the wall of the premises.**~~

Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly

Tables and chairs used by the premises shall not be more than two metres from the wall of the building.

All doors and windows shall be kept closed, except for the immediate access and egress of the public and staff, whilst regulated entertainment is in progress and adequate mechanical ventilation shall be provided. All entrance doors shall be fitted with self-closers for this purpose.

The noise from regulated entertainment should not be audible inside noise sensitive properties between 23:00 and 07:00.

Conditions added at a hearing 23/05/2008

There shall be a minimum of one door supervisor on duty at the premises after 21:00 on Friday and Saturday until closing time. Door supervisors must be registered with the Security Industry Authority or any other future enforcing authority. Door supervisors shall display name badges and carry proof of registration. One female door supervisor should be available if female customers are to be the subject of body searches.

A CCTV system shall be installed at the premises in liaison with and to the satisfaction of Sussex Police and shall be used to record during all hours that a licensable activity takes place on the premises including external areas used for the consumption of alcohol. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days. Recordings shall be available to an authorised Council officer or a police officer. A sign advising customers that they are on CCTV shall be positioned in a prominent position.

The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend the meetings of the pubwatch or similar scheme for the area within which the premises is located. Persons barred from licensed premises by pubwatch or similar scheme shall not be permitted to enter the premises.

Conditions amended (at hearing 23/05/08) to:

* No drinks, with the exception of teas and coffees, shall be sold from a bar or by bar staff service for consumption outside other than in a container made from non-splintering plastic or toughened drinking glass. No glass bottles shall be taken outside.

** The consumption of drinks and food outside shall be restricted to (a) between 10:00 and 23:00 and (b) to two metres measured from the wall of the building in Devonshire Square.

Tables, chairs and windbreaks etc. shall be removed if required by a Police Constable or authorised Council Officer.

Conditions added at a hearing 25/11/2008 –

These conditions relate to regulated entertainment in the basement area only

Subject to the report findings of the sound insulation test, the structure of the building shall be upgraded as required to comply as a minimum with the Building Regulations 2000. To achieve compliance with the condition below additional sound insulation measures shall be provided in combination with a noise limiting device fitted to the musical amplification system. Any sound insulation works shall be as agreed by the Head of Environmental Health and shall be installed correctly in accordance with manufacturer's / suppliers guidance. The setting of the noise limiting device shall be in agreement with and to the satisfaction of an authorised officer of the Council. The operational panel shall then be secured and the noise limiter shall not be altered without the prior agreement of an authorised officer of the Council.

Noise arising from regulated entertainment shall not be audible within any residential premises.

Regulated entertainment shall not take place in the basement function room until the sound insulation works and noise limiting device have been installed to the satisfaction of an authorised Officer of the Council.

Capacity limit of 60 persons in the basement.

The existing CCTV system to be extended to the basement area with the provision of additional cameras. The additional cameras shall monitor the function room (basement) and staircase to the basement. The precise positioning of the cameras to be agreed with Sussex Police. The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days. Recording shall be available to an authorised Council officer or Police Officer on request and a sign advising customers that they are on CCTV shall be positioned in a prominent position.

At anytime when the function room is used for any licensable activities including dancing, but excluding pre arranged bona fide functions, wedding receptions, birthday parties etc, an additional member of door staff is utilised at the top of the stairs leading to the function room. This is to ensure that the capacity of the function room is not exceeded and to prevent crime and disorder within the function room and on the staircase. This additional member of door staff shall conduct voluntary searches as a provision of entry into the function room.

There shall be a strict over 18 policy within the basement with photographic documentary proof of age, apart from pre arranged bona fide functions not open to the general public.

Annex 4 - Plans

See plan provided in the report appendices