

Public Document Pack

Date of meeting **Wednesday, 21st December, 2011**

Time **10.00 am**

Venue **Committee Room 1. Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffs ST5 2AG**

Contact **Julia Cleary**

Licensing Sub-Committee

AGENDA

PART 1- OPEN AGENDA

- | | | |
|----------|--|------------------------|
| 1 | Procedure to be followed by the Sub-Committee | (Pages 1 - 2) |
| 2 | Natural Justice Guidance Notes | (Pages 3 - 4) |
| 3 | Human Rights Guidance Notes | (Pages 5 - 6) |
| 4 | Evening Spice - Transfer and Specify Individual as Designated
Premises Supervisor | (Pages 7 - 8) |
| 5 | Police Representations | (Pages 9 - 16) |
| 6 | Grove House Inn - Variation to Premises Licence | (Pages 17 - 22) |
| 7 | Representation from Interested Party | (Pages 23 - 24) |
| 8 | Current Licence | (Pages 25 - 52) |

Members: Councillors Heames, S Tagg and G Williams

'Members of the Council: If you identify any personal training / development requirements from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting'

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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PROCEDURE TO BE FOLLOWED BY THE LICENSING SUB-COMMITTEE

NOTE:

All hearings will normally be held in public. However, the Licensing Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. A party or that party's representatives may be treated as a member of the public and therefore excluded from the meeting for all or part of the hearing, and all parties have the right to be represented and to call witnesses.

The Clerk to the Committee will have the right to ask questions on behalf of the Committee of any party to the proceedings.

PROCEDURE:

1. The Chair of the Sub-Committee will open the meeting and introduce the members of the committee and call upon the parties to identify themselves and their representatives and to identify any witnesses they intend to call.
2. The Chair of the Sub-Committee will call upon the Clerk to the Committee to explain to the parties the procedures which will be followed at the hearing. Unless the Chair directs otherwise, each party will normally have a maximum period of one hour in which to give further information and call any witnesses in support of their case. In every case, all parties will have an equal maximum period.
3. The Chair of the Sub-Committee will then normally call upon the interested party or the responsible authority which has made a relevant representation against the grant of an application to provide evidence in support of their representation.
4. The applicant will then have an opportunity to question that person
5. Members of the Sub-Committee will then have the opportunity to question that party or responsible authority.
6. Any person who has made relevant representations will then call any witness in support.
7. The applicant will then have an opportunity to question that witness.
8. Members of the Sub-Committee will then have the opportunity to question that person.
9. Stages 6 to 8 will then be repeated for each person making relevant representations.
10. The applicant will then have the opportunity to give evidence in response to the application and in response to the relevant representations which have been made.
11. The interested party or responsible authority will then have an opportunity to question the applicant.

12. Members of the Sub-Committee will then have the opportunity to question the applicant.
13. Stages 10 to 12 will be repeated for any witnesses on behalf of the holder of the applicant.
14. The interested party or responsible authority will have the right to address the sub committee.
15. The applicant will have the right to address the Sub-Committee in summing up his case.
16. All parties will then leave the room while the Sub-Committee consider their decision.
17. The Sub-Committee will normally make their determination at the conclusion of the hearing, but when this is not possible, will make its determination within the period of five working days beginning with the day on which the hearing was held.

GUIDANCE NOTES

NATURAL JUSTICE AND FAIRNESS

These are the principles used in the determination of just or fair processes and stem from the common law legal system.

According to Roman law, certain basic legal principles were so obvious that they should be applied universally without the need to be enacted into the law.

The rules of natural justice are now regularly applied by courts in both common law and civil law jurisdictions.

Natural justice operates on the principles that man is basically good, that a person of good intent should not be harmed and one should treat others as they would like to be treated.

Natural justice includes the notion of procedural fairness and may incorporate the following guidelines:-

- A person accused of a crime, or at risk of some form of loss, should be given adequate notice about the proceedings (including any charges);
- A person making a decision should declare any personal interest they may have in the proceedings;
- A person who makes a decision should be unbiased and act in good faith. He therefore cannot be one of the parties in the case, or have an interest in the outcome. This is expressed in the Latin maxim, *nemo iudex in causa sua*: “no man is permitted to be judge in his own cause”;
- Proceedings should be conducted so they are fair to all the parties – expressed in the Latin maxim, *audi alteram* : “let the other side be heard”;
- Each party to a proceeding is entitled to ask questions and contradict the evidence of the opposing party;
- A decision-maker should take into account relevant considerations and extenuating circumstances, and ignore irrelevant considerations;
- Justice should be seen to be done. If the community is satisfied that justice has been done they will continue to place their faith in the courts.

Where a person’s legal rights are concerned, the principles of natural justice are bolstered by Article 6 of the European Convention on Human Rights which is now incorporated into domestic law.

THE RULE AGAINST BIAS

It is elementary to the rules of natural justice that the deciding body is to be free from bias.

The rule is that the body must be and be seen to be impartial, independent and disinterested.

There are two broad categories of bias:

- (a) Actual Bias: when the decision-maker has an economic interest in the outcome of the case (also known as a material or pecuniary interest) subject to the De Minimum doctrine;
- (b) Reasonable Apprehension: unbiased appearance is an essential part of procedural fairness. The test is whether, having regard to the circumstances, a well informed person (“reasonably informed bystander”) would consider that the interest might have an influence on the exercise of the decision-maker’s duties.

GUIDANCE NOTES

HUMAN RIGHTS ACT 1998

In considering allegations against Members you should have regard to the provisions of the Human Rights Act 1998 which embody the rules of natural justice.

Rights and Freedoms to be considered when determining matters

ARTICLE 6: RIGHT TO A FAIR TRIAL

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly, but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
 - (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - (b) to have adequate time and facilities for the preparation of his defence;
 - (c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means, to pay for legal assistance, to be given it free when the interests of justice so require;
 - (d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

ARTICLE 8: RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10: FREEDOM OF EXPRESSION

1. Everyone has the right to freedom of expression. These rights shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 14: PROHIBITION OF DISCRIMINATION

The enjoyment of the rights and freedoms set fourth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

NB This is not a substantive right, but comes into play if other rights are likely to have been infringed. The prohibition is wide, but not exhaustive

ARTICLE 1: OF THE FIRST PROTOCOL PROTECTION OF PROPERTY

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

NB Possessions, in this context, includes the right to apply for a licence, the right to hold and retain a licence and the goodwill of a business.

NOTE In this context it is also particularly important for members to observe the rule against bias.

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 6

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO THE LICENSING SUB-COMMITTEE

Wednesday 21st December 2011

APPLICATION TO VARY A PREMISES LICENCE

GROVE HOUSE INN

Details of Application

Applicants: Admiral Taverns (Portfolio No 2) Limited.

Premises: Grove House Inn

Location: 181 London Road, Chesterton, Newcastle, Staffs, ST5 7JE

Application for: Variation to Premises Licence.

REQUESTED:

- A **Plays (indoors and Outdoors)**
Monday – Wednesday
Thursday - Sunday

10.00 to 23.00
10.00 to 00.00

Additional hour to the standard and non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

- B **Films (indoors and outdoors)**
Thursday – Sunday

10.00 to 00.00

Additional hour to the standard and non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

- C **Indoor Sporting Events**

	Monday – Tuesday	10.00 – 23.00
	Wednesday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year’s Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
E	Live Music (indoors)	
	Thursday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year’s Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
F	Recorded Music (indoors)	
	Thursday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year’s Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
G	Performances of Dance (Indoors)	
	Thursday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year’s Day.
		From the start of standard timings on

		New Years Eve to the start of standard timings on New Years Day.
H	Anything Similar to e, f or g (indoors) Monday – Wednesday Thursday - Sunday	10.00 – 23.00 10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
I	Provision of facilities for making music (indoors) Thursday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
J	Provision of Facilities for Dancing (Indoors) Thursday – Sunday	10.00 – 00.00
		Additional hour to the standard and non standard times on the day when British summertime commences.
		Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.
		From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.
K	Provision of Facilities for entertainment of a similar description to that falling within I or j (indoors) Monday – Wednesday Thursday – Sunday	10.00 – 23.00 10.00 – 00.00
		Additional hour to the standard and

non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

**L Late Night Refreshment
(Indoors and Outdoors)
Thursday – Sunday**

23.00 – 00.00

Additional hour to the standard and non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

**M Supply of Alcohol
Thursday – Sunday (on and off
the premises)**

10.00 – 00.00

Additional hour to the standard and non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

**O Hours open to the Public
Thursday – Sunday**

10.00 – 00.30

Additional hour to the standard and non standard times on the day when British summertime commences.

Additional hour on all bank holidays, Christmas Eve, Boxing Day, New Year's Day.

From the start of standard timings on New Years Eve to the start of standard timings on New Years Day.

2. **Steps proposed by applicant to promote the licensing objectives in respect of the application**

General:

- A CCTV system is in place along with the relevant lighting.
- Relevant signage is in place to ask patrons to leave the premise quietly.

Prevention of Crime and Disorder:

- Ensure all staff understand the social responsibilities associated with the sale and supply of alcohol.
- There is a challenge 21 scheme in place.
- Customers who are or appear to be drunk will be refused further alcohol sales.

Public Safety:

- Securement of empty bottles.
- Prompt clearance of glasses throughout opening hours.
- Assuring that all windows and doors are kept closed when regulated entertainment takes place apart from for entrance and exit.

Prevention of public nuisance:

- A zero tolerance drugs policy is in place.

Protection of Children from harm

- A Challenge 21 scheme is in place.

3. **Consultation**

(a) Interested Parties

- There have been representations from an interested party in the vicinity of the premise (Appendix A).

4. **Policy Considerations**

(a) Licensing Objectives

The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:-

- (i) the prevention of crime and disorder
- (ii) public safety
- (iii) the prevention of public nuisance
- (iv) the protection of children from harm

The amended Guidance Issued under Section 182 (section 8.110) of the Act states that in exceptional circumstances where the Chief Officer of Police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. Such objections are expected to be rare and arise because the police have evidence that the business or individuals seeking to

hold the licence or business or individuals linked to such persons are involved in crime (or disorder).

Consideration of the transfer must be confined to the crime prevention objective and the hearing must not stray into other extraneous matters. The burden is on the police to demonstrate to the authority that there are good grounds for believing that the transfer of the licence would undermine the crime prevention objective.

The licensing authority must give clear and comprehensive reasons for its eventual determination.

5. **Comments**

In making their decision on the application, the Sub-Committee are also obliged to have regard to Statutory Guidance and the Council's own Statement of Licensing Policy. The Sub-Committee must also have regard to all the representations made and the evidence they hear. However, the Sub-Committee must disregard any objections that do not relate to the promotion of the four licensing objectives.

The Sub-Committee must take such of the following steps as they consider necessary for the promotion of the licensing objectives as set out in paragraph 4(a) above:-

- (a) Grant the application as requested
- (b) to reject or amend the application

The Sub-Committee are asked to note that they may not reject the application merely because they consider it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

6. **List of Appendices**

Appendix A:	Representation from Interested Party
Appendix B:	Copy of current Licence

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

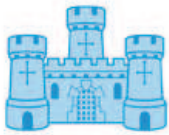
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Licensing Act 2003 Premises Licence

PL0071

LOCAL AUTHORITY



NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL

Newcastle-under-Lyme Borough

Central Services
Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

tel: 01782 717717

web: www.newcastle-staffs.gov.uk

Part 1 - Premises Details

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

Grove House Inn

181 London Road, Chesterton, Newcastle-under-Lyme, Staffordshire, ST5 7JE.

Telephone 01782 562638

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- 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. Exhibition of films \{(Outdoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm
E. Performance of live music \{(Indoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm
F. Playing of recorded music \{(Indoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm
G. Performance of dance \{(Indoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm
I. Provision of facilities for making music \{(Indoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm
J. Provision of facilities for dancing \{(Indoors)\}	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm



Licensing Act 2003
Premises Licence

PL0071

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Provision of facilities for dancing \Indoors\ continued ...			
M. The sale by retail of alcohol for consumption ON and OFF the premises			
	Monday - Saturday	10:00am	11:00pm
	Sunday	10:00am	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
		Hours premises are open to the public
Monday - Saturday	10:00	23:20
Sunday	10:00	22:50

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

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

Admiral Taverns (Portfolio 2) Limited
 150 Aldersgate Street, London, EC1A 4EJ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Admiral Taverns (Portfolio 2) Limited
 05072654

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Philip John OWEN
 Grove House Inn, 181 London Road, Chesterton, Newcastle, Staffordshire, ST5 7JE.
 Telephone 01782 920320

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. PA0745
 Issued by Newcastle-under-Lyme



Premises Licence

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS**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.

Door Security

1. Any person carrying out security activity (as described in paragraph 2(1)a of Schedule 2 to the Private Security Industry Act 2001) must be licensed by the security industry authority.

ANNEX 2 - EMBEDDED RESTRICTIONS

Alcohol shall not be sold or supplied except during the hours as stated on this licence.

In this condition authorised hours also includes:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions 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 purposes 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 liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

ANNEX 3 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**OPERATING SCHEDULE**

Premises Licence

ANNEXES continued ...

i) The prevention of crime and disorder

- (a) The DPS shall liaise regularly with Staffordshire Police Service and shall co-operate with any requests made in writing by Staffordshire Police Service.
- (b) Staff shall be trained in the conditions of this licence relating to the crime and disorder objective and shall be trained in the promotion of the said objective.

ii) Public Safety

- (a) The DPS shall liaise regularly with Staffordshire Fire and Rescue Services and Newcastle under Lyme Environmental Health Department and shall co-operate with any requests made in writing by the said agencies.
- (b) All electrical sockets used for the provision of regulated entertainment shall be fitted with a Residual Current Device complying with BS7671 and shall be labelled accordingly.
- (c) Staff shall be trained in the conditions of this licence relating to the Public Safety objective and shall be trained in the promotion of the said objective.

iii) The prevention of public nuisance

- (a) The DPS shall liaise regularly with Newcastle under Lyme Environmental Health Department and shall co-operate with any requests made in writing by the said agency.
- (b) Staff shall be trained in the conditions of this licence relating to the Public Nuisance objective and shall be trained in the promotion of the said objective.
- (c) The storage of waste and disposal of waste shall not cause a nuisance to neighbouring residential properties.
- (d) Noise from regulated entertainment shall be inaudible at the façade of the nearest residential, commercial and industrial premises.

iv) The protection of children from harm

- (a) There shall be a proof of age policy in place such that any person appearing to be under the age of 18 shall be asked for a valid form of identification.
- (b) The restrictions on children entering the premises shall be displayed prominently outside the premises.
- (c) Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.

ANNEX 4 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY***DPS and Person in Charge General Duties;***

You shall:-

- § take all reasonable precautions for the safety of anyone on the Premises;



Premises Licence

ANNEXES continued ...

- § comply with all the conditions contained in this Licence; and
- § take all reasonable measures to make sure that any person, including any promoter or performer or any other person working at the Premises complies with this Licence.
- § have due regard for the Guidance issued in connection with this Licence.

Designated Premises Supervisor's Deputy

When you are not in attendance at the Premises during hours of operation you must appoint a deputy to be the Person in Charge.

Even if you appoint a Designated Premises Supervisor's deputy, you will still be responsible for any breach of condition which takes place when you are not on the premises.

You must, when you want to appoint or change a Deputy, write to the Council at least 7 days before he/she starts their duties, or as soon as possible after this time stating the name and address of the proposed Deputy.

You must be satisfied that the Deputy can competently carry out the functions of the Person in Charge.

You must make sure that your Deputy has read and understood the terms of the Licence.

You must:-

- § keep a written record of the dates and times when a Designated Premises Supervisor's Deputy acts as the Person in Charge of the Premises;
- § keep this record on the Premises at all times and for at least 2 years; and
- § show it to an Authorised Officer if they ask to see it.

Person in Charge

The Person in Charge must take all reasonable precautions to make sure that when the Premises are open for entertainment anyone on the Premises is safe.

The Person in Charge must be on the Premises all the time when the Premises are open and must be available immediately if there is an emergency.

Before opening the Premises to the public for entertainment the Person in Charge must make sure that:-

- § escape doors are unlocked and can easily be opened from the inside;
- § exit signs are in place;
- § the normal lighting is working;
- § lights are switched on when there is not enough natural light;
- § Emergency Lighting is in working order;
- § fire fighting equipment is readily available;
- § the fire alarm at the Premises works; and
- § fire escape routes are clear and there is no flammable material on or near these routes.

The Person in Charge must:-

- § keep a written record of the dates and times when the checks listed in condition 3.3 above are completed;
- § keep this record on the Premises at all times and for at least 2 years; and show it to an Authorised



ANNEXES continued ...

Officer if they ask to see it.

The Designated Premises Supervisor/Duty Manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. The register shall be produced immediately on the request of an Authorised Officer.

Door Supervisors

The Person in Charge must:-

keep a written record of the name and registration number of all Door Supervisors in attendance on a date;

details of all serious incidents identifying the Door Supervisors involved;

keep this record on the Premises at all times and for at least 2 years; and

show it to an Authorised Officer if they ask to see it.

The Person in Charge must make sure that Door Supervisors are not intoxicated when they are on duty and that they do not consume alcohol or any other intoxicating substances while they are on duty.

The Designated Premises Supervisor/Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in the event of an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the Designated Premises Supervisor or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.

Note: It is important that the evacuation procedures are fully understood by all staff, especially where a two-stage fire alarm warning system is operated during performances.

A nominated member of staff in addition to the Duty Manager shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.

Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role as set out in Appendix 3. Designated Premises Supervisor/Duty Manager shall, once he is satisfied as to the competence of each member of staff, record this in the Fire logbook.

Emergency Training

You must make sure that all staff are properly trained in respect of:-

- Action to take if there is a fire or emergency;
- action to take if the fire alarm sounds;
- evacuation procedures;
- where the fire fighting equipment is kept;
- the use of fire fighting equipment;
- knowledge of all escape routes, including any stairway not in regular use; and
- the need for all the doors including fire doors to be kept closed.

You must keep a written record of who has been trained and when they were trained. These records must:-



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- be kept for at least two years; and
- be shown to an Authorised Officer if they ask to see it.

Good Order and Decency

(h) The Designated Premises Supervisor shall not permit conduct on the Premises that is likely to cause disorder or a breach of the peace or drug misuse. In particular the Designated Premises Supervisor shall ensure that none of the following shall take place:

- (i) indecent behaviour, including sexual intercourse, or simulated sexual intercourse, bodily contact between performers and members of the audience.
- (ii) the offer of any sexual or other indecent service for reward;
- (iii) acts of violence against person or property and/or the attempt or threat of such acts;
- (iv) unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971.

The premises shall have a sufficient frontage to a road or to an open space having sufficient access to a road to ensure the rapid dispersal of people from the premises in an emergency.

Adequate arrangements shall be provided for access for the fire services for fire fighting.

The maximum number of persons permitted within the premises shall be determined by reference to the lower figure of; surface area of the premises, CCTV provision, sanitary accommodation or number and size of escape routes.

Surface Area

The surface area of the premises shall be taken to **exclude** the following areas;

- Escape routes
- Circulation spaces not used for general entertainment (e.g. Stairs, foyers and exits)
- Staff areas including; the area behind the bar, any staff rooms or staff sanitary accommodation.

In determining the maximum number of persons allowed at a premises the premises shall use the following table taken from the District Surveyors Association Model Technical Standards for Places of Public Entertainment.

Type of Accommodation	Area allowed per person
Individual Seating	Where the layout is known count the number of seat.
Bench Seating	Divide the total length of the bench by 450mm.
Standing area for spectators	0.3m ²
Dance Area	0.5m ²
Restaurant Table and Chair Seating	1.0 - 1.5m ²



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CCTV

Closed circuit television (CCTV) shall be installed on all Premises where the maximum limit of persons permitted to attend the premises is 200 or more. If the CCTV is not functioning in accordance with the conditions stated elsewhere on this licence then the capacity shall be limited to 200 people.

Sanitary Accommodation

The capacity limit shall be determined in accordance with the provision for sanitary accommodation stated at condition 19 of this licence.

Number and Size of Escape Routes

The capacity limit shall be determined in accordance with the number and size of emergency fire exits at the premises according to condition 7 of this licence.

It is the lower figure of any of these 4 values that determines the capacity limit in operation on any night during the provision of regulated entertainment.

The premises shall be provided with adequate facilities to monitor and control the number of persons present.

- a.) Appropriate methods for control will depend upon the event being held at the premises, but the Designated Premises Supervisor or other Person in Charge must have a means of determining the number of persons present.
- b.) Appropriate methods include;
 - Counterfoil tickets
 - Electronic means of counting
 - TV cameras linked to counting software
 - Manual clicker counting devices.

Note: In premises with a capacity limit above 200 a head count will not be accepted as an appropriate method.

- c.) Where the premises has differing capacity levels for separate areas of the premises then adequate means must also be adopted to determine the number of people present.

Suitable provisions shall be made to enable disabled people to use the premises including the provision of adequate and means of escape.

- a.) Facilities should be provided that enable people who are hard of hearing, visually impaired or wheelchair users to use the premises and have adequate and safe means of escape.
- b.) Staff shall be trained in emergency procedures for people with a disability.

Note: Designated Premises Supervisors are advised to obtain details of and seek to address any special needs when approached by organisers of parties of disabled people.

Guidance may be found in BS 8300 and BS 5588-8 on the means of access and escape to premises.



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The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.

- a.) Appropriate signage advising customers of the needs of local residents shall be prominently displayed at all exits.

There shall be adequate means of escape from all parts of the premises

i.) General

- a.) Every escape route at the premises shall lead to a place of safety.
- b.) All escape routes must have an unobstructed height of 2000mm except for any doors forming part of the means of escape which shall have an unobstructed height of 1960mm.
- c.) All means of escape shall be kept fully unobstructed from any storage, material, or other means of blockage.
- d.) The use of mirrors shall not be used or stored in any means of escape. Mirrors shall also not be erected at any angle or distance so as to make the location of a fire exit confusing.
- e.) Any corridors connecting exits more than 12m apart shall be fitted with fire doors; however this does not mean that a door must be provided every 12m.

ii.) Lobbies

- a.) Where a lobby is provided it shall be designed so that users are not likely to be impeded or trapped by the doors.
- b.) Where the lobby contains a double door entry system both doors shall be hung so as to open in the direction of escape.

Note: Guidance on the dimensions of lobbies is contained in the District Surveyors Association Technical Standards in Places of Public entertainment

iii.) Travel Distances

- a.) The following table gives the maximum travel distances to the nearest storey exit from any point in the premises.

Location	Possible direction of escape	
	One direction only	More than One
Open Floor Area	18 Metres	45 Metres
Seated in Row Area	15 Metres	32 Metres



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iv.) Width of Escape Routes

The width of an escape route is the distance measured at 1500mm above floor level between the finished surfaces or any fixed obstructions.

The width of an escape route shall be in accordance with the following table;

Location	Exit Doors	Means of Escape
Generally	850mm	1000mm

Any exit from a stage shall be a minimum width of 1200mm regardless of the size of the stage.

v.) Capacity of Exits

a.) The recommended maximum capacity of means of escape is shown in the following table;

Maximum Number of People to use exit as means of escape.	Small Room	Ground Floor Premises Only	All Other Premises	All Other Premises	All Other Premises
	travel distance not to exceed 15m if the room has fixed seating in rows or 18m if an open area.	One Exit not less than 850mm wide	One Exit not less than 850mm wide	At Least two exits each not less than 850mm wide	At Least three exits each not less than 850mm wide
		with an adequate frontage with direct access to a street or large open space and no special hazard.		At Least two exits each not less than 850mm wide	At Least two exits each not less than 850mm wide
50	800	800	800		
60	850	850	850		
75		1000	850		
100		1100	900		
110			950		
125			1000		
150			1050	850	
200			1050	900	
220			1100	950	
250			1250	1000	
300			1500	1050	
400			2000	1050	1025
500			2500	1250	1050
600			3000	1500	1050
650				1625	1085
750				1875	1250
1000				2500	1670
Thereafter				Allow 2.5mm per person	Allow 1.67mm per person

b.)



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The aggregate capacity of the means of escape should equal or exceed the capacity limit at the premises.

c.) The capacity limit set according to means of escape is determined by the maximum amount of people that can use a particular exit times the number of such exits. It is NOT determined by aggregating the width of exits. The above is subject to the proviso that the maximum distance at 7.iii (a) is not exceeded.

iv.) Exit Doors

- a.) All exit doors shall open in the direction of escape.
- b.) Doors shall be hung so as to open at least 90 °. No door furniture, cabin hooks or other fixtures or fittings shall prevent this.
- c.) All double exit doors shall have at least one leaf door that has a clear opening width of 750mm.
- d.) All exit doors shall be hung to open easily and when open they shall not obstruct any gangway, passage, staircase, landing or any other door.
- e.) All exit only doors must:
 - open outwards and be free from any fastenings including push up, down or twist handles during the provision of public entertainment; or
 - be fitted with panic bolts operated by a horizontal push bar conforming to BS EN 179; or
 - be locked in the open position by a suitable device and be provided with a clearly visible notice on both sides stating "This door to be locked in the open position when premises are occupied"
- f.) All doors fitted with panic bolts must be clearly marked "Push to Open".
- g.) Removable devices to improve security such as locks, bolts, chains or padlocks shall not be used. A door alarm system shall be the preferred method of security. Where the use of removable devices is strictly necessary then secure storage shall be provided in a secure location which shadow the removable devices and state their location so that it is obvious if they are missing or in use. (Shadowing means outlining each item on a contrasting background.)
- h.) A log shall be kept of such removable devices stating where they are used and during what times they are in use.

v.) Vertical Escape

a.) Where means of escape is via a staircase then the maximum capacity that can rely on such means of escape is detailed in the following table:

Number of Floors Served	1050 mm		1100 mm		1200 mm		1300 mm		1400 mm
	1500 mm	1600 mm	1700 mm	1800 mm					
2	190	260	285	310	335	360	385	410	435
3	230	300	330	360	390	420	450	480	510
4	270	340	375	410	445	480	515	550	585
5	310	380	420	460	500	540	580	620	660

b.) The aggregate capacity if any staircases forming part of the means of escape from any floor or balcony should equal or exceed the accommodation limit for that floor or balcony.



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- d.) Treads shall have not less than 280 mm or more than 340mm going exclusive of any overlap with the next tread.
- e.) Perforated treads shall not be provided to public staircases.
- f.) The tread and steps of stairs shall have an even and non slip surface.
- g.) Any single steps shall be marked by a clear prominent and legible sign.
- h.) Spiral stairs shall not be provided for members of the public.

The premises and the fitments therein shall be constructed and maintained so as to minimise any risk of structural failure or collapse

- a.) All plant and equipment used on the Premises must be maintained in a safe condition.
- b.) All dangerous parts of plant and equipment within the Premises must be effectively guarded.
- c.) No suspended equipment must rely solely on one suspension cable, clamp or bolt.
- d.) All means of suspension must be non-combustible.
- e.) Each means of suspension must be secured to independent fixing points.
- f.) Cleanliness and Decoration
 - a. The premises must be kept clean.
 - b. The walls, ceiling, windows and doors must be kept in a reasonable state of decoration.
 - c. The floor, floor covering, furnishings must be kept in a reasonable state of repair.

Adequate barriers or guarding shall be provided throughout the premises to minimise so far as practicable the risk of any person falling.

Barriers shall be provided to all stairs, ramps, landings, balconies, galleries and other changes of level exceeding 380mm.

Barriers should comply with recommendations of *Approved Document K to The Building Regulations* and with *BS 6180*.

Balcony fronts shall be designed so as to discourage the placing of articles on them. Resters or other similar means of storage on balcony fronts shall be designed so as to slope towards the floor on which the balcony is placed and away from the floor below.

The premises shall be adequately protected against the effects of a fire occurring within the building or in any adjacent premises.



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minimum of 30 minutes fire resistance.

Any staircase forming part of an escape route shall be sited within an enclosure providing a minimum of 30 minutes fire resistance.

The licensed area shown on the attached plan shall be separated from any other part of the building with a minimum of 30 minutes fire resistant construction.

The kitchen shall be separated from the rest of the premises by construction providing a minimum of 30 minutes fire resistance. Food preparation rooms and food storerooms need not normally be separated from the kitchen area.

Fire Doors

- (a) All openings in the fire resistant constructions should be provided with fire doors or shutters so as to restrict the spread of fire through the openings should a fire occur.
- (b) Fire doors shall be self-closing or be kept locked shut if not required for means of escape. Self-closing doors, which would cause a hindrance in the normal operation of the premises, should be held open by automatic release mechanisms. Smoke alarms shall be installed in accordance with BS 5839-1 should be provided on both sides of any fire door fitted with an automatic release, sited within 1.5m of the door and arranged to release the door on detection of smoke in the vicinity.
- (c) All self-closing fire doors and shutters shall close automatically in the event of;
- Operation of the fire alarm
 - Operation of the local smoke detectors
 - Failure of the power supply.
- It shall always be possible to open or close the door manually.
- (d) The area beneath an automatic vertically closing fire shutter shall be conspicuously indicated.

Stages

- (a) No scenery or props must be stored in any part of the Premises other than in the scenery or props stores identified on the Submitted Plan.
- (b) All scenery and props must be rendered and maintained flame retardant.
- (c) You must:-
- § have a certificate from either the manufacturer or a Competent Person;
 - § show any certificates to an Authorised Officer if they ask to see them.

Access

- (a) The Stage must not be obstructed.

Open Stages

- (a) Where an open Stage is used the scenery and props on it must be:-
- § of non combustible materials except when timber, hardboard or plywood is rendered flame retardant;
 - § timber framing which is not less than 22mm thick; or
 - § of blockboard, plywood or chipboard which is not less than 18mm thick.



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(b) Any plastic or fabric material used on an open Stage must be flame retardant.

Grid and Galleries

(c) Any grid or galleries including lighting galleries and perches must be constructed of non-combustible material.

Hazardous Materials and Installations**Gas Appliances**

a.) All gas appliances must be examined and serviced every 12 months by a Competent Person, or examined and serviced at the intervals as specified by a Competent Person.

b.) All gas appliances must be properly maintained. If any part of the appliance is found to be dangerous, it must be made safe immediately and not used until made safe by a Competent Person.

LPG

a.) Liquefied Petroleum Gas (LPG) Appliances and Cylinders

b.) No portable LPG heating appliance or LPG cylinders should be kept on the Premises without Consent from the Council.

Paraffin Heaters

a.) No paraffin heaters must be kept or used on the Premises.

Boilers

a.) All boilers must be examined and serviced by a Competent Person.

b.) If required by the Council rooms containing boilers must be separated from every other part of the Premises by solid Fire-Resisting construction. If a communicating door is incorporated in the construction, the door must be Fire Resisting and self-closing.

c.) All boiler rooms must be adequately ventilated.

Compressed Gas Cylinders

a.) No compressed gas cylinders must be kept on the Premises except compressed carbon dioxide or compressed carbon dioxide/nitrogen mix used in connection with pressurised drink vending.

Curtains, Drapes and other Textile Hangings

(a) All curtains and drapes and other textile hangings and ornaments including artificial plants and their containers must be made of flame retardant material. You must have a certificate from either the manufacturer or a Competent Person confirming this.

(b) When curtains and drapes and other textile hangings and ornaments including artificial plants and their containers are cleaned you must have a certificate from a Competent Person verifying that the material is still flame retardant.

(c) You must show any certificates required by conditions (a) and (b) above to an Authorised Officer if they ask to see them.



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(d) You can only have curtains in front of the fire exit doors if:-

- § Attendants are nearby to open the curtains in an emergency;
- § they do not trail on the floor;
- § they do not cover Exit signs;
- § they have a central opening if they are in front of a pair of doors.

Paint, Posters and other interior wall surfaces

(a) All such surfaces shall be coated in flame retardant material . When painting walls the DPS shall consult the supplier to ensure that the material is sufficiently flame retardant.

Real Flame

- a. The DPS or appropriately nominated deputy must make sure that a real flame is not used in any Entertainment without Consent

Adequate provision shall be made to control the spread of smoke through the premises in the event of a fire.

All Ventilation systems should be arranged so as to maintain fire separation between the different parts of the premises.

Where recirculated air is provided, smoke detectors should be located within the recirculation ductwork.

All ductwork shall be non-combustible and meet BS 5589-9 or BS EN 1366-1.

Fire Dampers should meet BS ISO 10294 and BS EN 1366-2.

The ventilation extract system situated in the licensed area shall be independent of any other ventilation system.

Emergency Controls

- (a) Means for the emergency control of ventilation systems should be provided. Such controls shall be;
 - (a) Sited as agreed with the fire authority
 - (b) Operable without the use of a key
 - (c) Arranged so as to prevent operation by unauthorised persons
 - (d) Clearly labelled with their function, switching positions and operating instructions.

Smoke Machines

- (a) Where a smoke machine is used it must:-
 - be controlled by an experienced operator at all times;
 - not be sited near exists;



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- be fixed in position;
- only be operated for the minimum amount of time to achieve the necessary level of density and then switched off.

(b) Any smoke produced must not:-

- be toxic or flammable;
- obscure exits, exit routes, staircases or changes in levels; or
- otherwise affect public safety.

Where a safety curtain is provided, it shall be arranged so as to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.

Details of any fire control measures incorporated into the premises shall be provided for the fire service

Fire plans shall be provided near the principal entrances to the building. Fire plans should give clear details of any special arrangements for fire-fighting together with operating instructions.

Such information shall include, where appropriate, the location of;

- Sprinkler controls
- Controls and arrangements for smoke ventilation
- Foam inlets
- Wet/dry risers
- Refuges for people with impaired mobility
- Evacuation/ fire-fighting lifts
- Fire-fighting staircase(s)
- Gas cut-off valve(s) and other emergency cut-offs
- Fire-fighters switches
- Main electrical intake(s)

Signs to indicate the location of fire plans should be located so they are conspicuous to fire-fighters entering the building.

The electrical installation shall be mechanically and electrically safe and suitable for the intended use of the premises.



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Electrical Installations

- a. All electrical systems must be protected from unauthorised interference.
- b. The electricity supply on the Stage must be controlled by a switch or switches which isolate the circuit on both poles in the case of single phase supply or on all live poles in the case of a 3 phase supply.
- c. All lighting and other electrical equipment which operates at high temperatures must be protected to ensure that there is no fire risk from contact with the scenery or other combustible materials.
- d. Scaffolding, metal framework, bars and booms on which electrical equipment is fixed must be earthed.

Inspection & Testing

- a. All electrical installations should be inspected and tested before the expiry of the existing Electrical Certificate by a Competent Person and the certificate issued should be the current standard form certificate issued by that Competent Person's professional body.
- b. All electrical installations must be properly maintained.
- c. If any part of the electrical installation is found to be dangerous, it must be made safe immediately and not used again until tested and certified.

Residual Current Device

- a. All electrical socket outlets provided for entertainers portable equipment including instruments, lighting, video and sound amplification equipment must be protected by a residual current device (RCD) which is part of the fixed wiring.
- b. The RCD must have a rated residual operating current not exceeding 30 milliamps and a maximum operating time of 30 milliseconds.
- c. The normal and emergency lighting circuits must not be affected by the operation of any RCDs used to protect entertainers.
- d. Before RCDs are used for an entertainment the Person in Charge must operate the test button, and where a fault is found, the affected socket(s) must not be used until the fault has been repaired.

All parts of the premises shall be provided with adequate illumination. All routes of escape and all parts of the premises to which the public has access shall be provided with adequate and assured illumination from two independent supplies and systems.

Normal Lighting

- a. Mains electrical lighting must be provided in all parts of the Premises, including the stairways, to which the public have access.
- b. The level of lighting must be sufficient to enable the public to enter, use and leave the Premises safely.
- c. If, to promote a particular type of Entertainment, the normal lighting levels are lowered, all exits signs must be illuminated and an Attendant must be present at all times to operate the normal lighting if required.



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- d. If the fire alarm sounds, the normal lighting must be switched on immediately.
- e. Lighting switches must be accessible to authorised employees and be protected from unauthorised interference.

Emergency Lighting

- a. Emergency Lighting must be provided in all parts of the Premises to which the public have access.
- b. Emergency Lighting must be capable of operating at full capacity for not less than 3 hours.
- c. If the normal lighting fails, the Emergency Lighting must allow people to see their way out of the Premises and, in particular, light all:-
- fire exit routes internal and external;
 - exit signs;
 - passageways;
 - gangways;
 - manual fire alarms;
 - call points;
 - fire fighting equipment;
 - all changes of level.
- d. If an entertainment finishes after dark, the Emergency Lighting must be kept on at all times when the Public are on the Premises, unless an automatic system is provided and the system is arranged to operate immediately if the normal lighting fails.

Adequate ventilation shall be provided to all parts of the premises so as to maintain healthy conditions.

Permanent means of heating all regularly occupied parts of the premises shall be provided and shall be arranged so as not to cause a safety or fire hazard.

The recommended minimum temperature achieved by means of heating, cooling or ventilation shall be 18°C

The premises shall be provided with a permanent water supply and adequate drainage.

Adequate and free sanitary equipment shall be provided, having regard to the type of entertainment to be given at the premises.



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The scale of sanitary accommodation for members of the public shall comply with the table set out below.

Scale of Provisions for Premises selling Alcohol for Consumption on the Premises

Customer Accommodation		Female WCs	Males WCs Urinals
Up to 50	1	1	2
51 to 100	2	1	2
101 to 150	2	1	3
151 to 200	3	1	3
201 to 250	3	2	3
251 to 300	4	2	4
301 to 350	4	2	5
351 to 400	5	2	6
401 to 450	5	3	6
451 to 500	6	3	7
501 to 550	6	3	8
551 to 600	7	3	8
601 to 650	7	3	9
651 to 700	8	4	9
701 to 750	8	4	10
Wash Hand Basins	1 per 2 WCs	1 per WC, plus 1 per 5 urinals or part thereof	

- NB.**
- (a) The breakdown of male/females can be assumed at 50% to 50% unless more accurate data is available.
 - (b) The level of customer/accommodation can be calculated at the rate of 4 persons per 3m² of drinking area.

- b.) Separate toilets must be provided for men and women.
- c.) The entrance door to every toilet or block of toilets must be clearly labelled **male** **female** otherwise clearly identified.
- d.) Each toilet facility must be screened or arranged so that the interior cannot be seen from outside when the access door is open.
- e.) All fittings must be kept clean and in good state of repair.
- f.) All flush toilets must have suitable seats.
- g.) Doors to flush toilets compartments must be designed to be :-
 - a. Locked from the inside; and
 - b. Accessible from the outside in an emergency.
- h.) All toilets must be:-
 - Kept clean;
 - Adequately lit;
 - Adequately ventilated.



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- i.) Female toilets shall be provided with facilities for the disposal of sanitary dressings, these may be bins, incinerators or macerator units.
- j.) Where mechanical ventilation is used, it must be:-
- Capable of achieving at least 3 air changes an hour;
 - A device operated by the light switch or by infra red detectors unless set for continuous operation; and
 - Fitted with a 15 minute overrun.
- k.) A ventilated lobby must be provided between any room containing a flush toilet and any other room which is not a corridor or entrance hall, unless the toilet has been adapted for use by disabled people.
- l.) Wash hand basins must be easily accessible to people after using the toilets.
- m.) Every wash hand basin must be provided with:-
- Clean running hot and cold, or warm water;
 - Soap or other suitable means of washing;
 - Towels or a suitable method of hand drying; and
 - Adequate drainage.
- n.) Toilets must be provided for entertainers and staff to the minimum standard shown in the following table.

Number of People at Work	Number of Flush Toilets	Number of Wash Hand Basins
1 to 5	1	1
6 to 25	2	2
25 to 50	3	3

- o.) A sufficient number of unisex toilets adapted for use by mobility -impaired people shall be provided on all floors of the premises to which these people, including staff or performers, have access.
- p.) A pull cord call point shall be installed within each toilet compartment provided for the use of mobility impaired people so that the user can summon assistance in case of difficulty. The call point shall activate a distinctive lighting and/or sound unit in a permanently staffed position.

Adequate cloakrooms for patrons together with adequate changing rooms for staff including performers shall be provided, having regard to the operation of the premises.

Where the plan attached to the premises provides fixed seating for the purposes of viewing regulated entertainment there shall be provided cloak rooms for performers.



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permanently monitored by CCTV recording.

Where cloak rooms are provided for members of the public they shall be similarly be monitored regularly by a member of staff or be permanently monitored by CCTV recording.

Facilities for the preparation, cooking or sale of food shall prevent any risk of contamination of the food.

Lavatories or toilets shall not open directly onto kitchens, food preparation areas or places where food is stored.

Floors shall be arranged so as to prevent the pooling of water or cooking products.

An adequate supply of free drinking water shall be provided for all staff including performers, together with free drinking for patrons.

Free drinking water shall be available at all times. Such water shall not be free by virtue of it being readily available in the public toilets.

Adequate provision shall be made for the safe storage and ready removal of refuse.

Where internal storage is unavoidable due to the design of the building then such waste shall be stored well away from food preparation areas and any means of escape at the premises.

There shall be adequate arrangements for the safe disposal of litter by members of the public.

A fire alarm warning system and efficient means of communication in case of emergency shall be provided throughout the premises.

The fire alarm warning system shall comply with BS 5839-1.

The fire alarm warning system should be activated by automatic fire detectors and by manually operated call points.

Call points shall be located throughout the premises in accordance with BS 5839-1 in positions which are readily available for staff.

Where a call point, when operated does not sound an immediate alarm audible at the call point it shall be fitted with an LED indicator which is illuminated when the call point is operated. The call point shall be labelled; **On Operation of this alarm no sound will be heard but the fire brigade will be called and the management alerted.**

Automatic fire (usually smoke detectors) shall be provided in all areas not regularly occupied by the public and/or staff.

The fire detection system for the kitchen shall consist of a heat detector or detectors in the kitchen and smoke detector(s) sited in the space immediately outside the kitchen near the opening(s) for door(s) or shutter(s)

Two Stage Alarm Systems



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determined by these conditions, exceeds 200 when the public are present. The initial stage shall warn the staff and management.

The staff alerting system shall comply with the first stage of a multi-stage alarm as specified in BS 5839-1

Where a 2 stage alarm system is necessary in accordance with these conditions then it shall comply with the first stage of a multi-stage alarm as specified in BS 5839-1.

Where a two stage system is provided:

The evacuation signal should be given automatically after an agreed time period unless the warning has been cancelled within that time.

Refuges for People with Impaired Mobility

A communication system shall be provided in all refuges where people with impaired mobility may await evacuation by the building management. The system shall provide two-way communication between anyone waiting in a refuge and those members of the building management who are organising the evacuation. Where there is more than one refuge position, a control panel shall be provided at the control position.

The system shall provide two-way speech by the provision of a microphone and speaker at each refuge. A push button or a biased-to-off switch shall operate the microphone at the refuge position.

The operation of the microphone at a refuge shall cause an initial audible alarm at the panel position. The panel shall indicate which refuge button was operated and be capable of receiving calls from every refuge simultaneously. The cancellation of a refuge call shall only be possible at the control panel.

Where there are a number of refuge points, as located on the attached plan, the electrical wiring and power supply arrangements for the communication system shall be to the same standard as recommended for fire alarm systems in *BS 5839 Parts 1 and 8*.

Adequate fire fighting equipment shall be provided for the premises**Equipment**

You must not remove or change the fire fighting equipment from the position shown on the Submitted Plan without a variation of your premises licence.

Fire fighting equipment must be properly maintained and available for use.

Fire extinguishers shall comply with *BS EN 3 Parts 1 to 6* and shall be installed in accordance with *BS 5306-8*.

Fire fighting equipment must be inspected annually by a Competent Person and you must keep a record of these inspections on the Premises for at least 2 years and show them to an Authorised Officer if they ask to see them.

Fire blankets shall be provided on stages and within dressing rooms and also in kitchens unless class F fire extinguishers are provided.

There shall be provided a land-line phone with permanent connection to a public telephone system. Such system shall be fully operational in the event of any power failure within the premises.



ANNEXES continued ...

Log Book

The Designated Premises Supervisor shall cause a Fire logbook to be kept.

Any Authorised Officer shall be entitled to obtain a photocopy of any page(s) of any logbook.

Notices

Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade shall be summoned, shall be prominently displayed.

Where a generator is installed it shall not present any fire or electrical hazard to the rest of the premises.

Petrol-driven generators shall not be provided.

Any diesel driven generator shall be sited within an enclosure providing a minimum of one hour fire resistance.

Where a generator is installed to provide an alternative electricity supply to emergency equipment or to emergency lighting it shall have sufficient capacity and be able to start operating sufficiently quickly to ensure safety in the event of the failure of the normal electricity system.

There shall be provision of a first aid and accident reporting system.

Accident Book

All accidents to staff, entertainers and members of the public occurring on the Premises must be recorded in an Accident Book stating:-

- § name and address of the person;
- § time and date of accident;
- § how accident occurred;
- § where accident occurred; and
- § nature of the accident.

You must make sure that the Accident Book is kept on the Premises and available for inspection by an Authorised Office, Police or Fire Officer.

(d) First Aid Facilities

You must:-

- § maintain a sufficient First Aid Box on the Premises;
- § make sure that it is accessible at all times; and
- § make sure that items are replaced as soon as practicable after they are used.

You must make sure that sufficient Trained First Aiders are on the Premises during an Entertainment as shown in the following table.

ANNEXES continued ...

up to 3,000	1 for each 500 or part of 500, plus
over 3,000	1 for each 1,000 or part of 1,000

A Trained First Aider who is aware of someone requiring first aid must give attention to that person unless they are already being attended by another Trained First Aider.

The premises shall have adequate facilities for communication with the staff and the public.

Adequate safety signs shall be provided throughout the premises.

Signs shall be provided to indicate any hazards and, where necessary, the location and function of any controls. Signs shall clearly indicate the location of all escape routes and exits.

Where it is anticipated that a significant number of people attending the event are not fluent in English alternative languages shall be provided.

All fire doors shall be clearly labelled as such.

All exit doors shall be labelled as **Fire Escape keep clear**.

All facilities for the use of the public shall be clearly indicated.

Doors not intended for use by the public shall be labelled **Private**.

Any no-smoking area designated on the attached plan shall contain a graphical **No Smoking** sign.

The position of first aid rooms or first aid kits shall be clearly labelled by means of a prominent and clear sign.

Any mechanical installation shall be arranged so as to minimise any risk to the safety of the public, performers and staff.

Surface of Walls Floors and Ceilings

(i) Wall, Floor and ceiling linings on principle escape routes, for example corridors, passages and staircases must offer adequate resistance to the spread of flames over their surfaces.

Upholstered Furniture

- All upholstered furniture must be made of material manufactured in such a way that it cannot easily be set on fire.
- All new, replacement or refurbished furniture must comply with the current Furniture and Furnishings (Fire Safety) Regulations.

· Damaged seating which exposes any filling material must be adequately repaired.



Premises Licence

ANNEXES continued ...

(c) Underfloor and Storage Areas

Any underfloor space must be kept clean and free from rubbish, props and scenery and any other combustible materials.

- Storerooms for scenery and props must only be used for that purpose and must be kept clean and free from rubbish.
- No scenery or props can be stored in the Stage basement without Consent unless they are being used in a current production.
- Any area under the Stage used during a stage presentation must have at least 2 exits, at least one of which must be independent of the Stage.

Prohibited entertainment is subject to additional conditions which are available on request.

Hypnotism

- (a) The Designated Premises Supervisor shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This condition does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

Note: Any waiver of this condition by the Council will be subject to additional conditions which are available on request.

Entertainment Involving Special Risks

- (b) The Designated Premises Supervisor shall not permit entertainment that involves special risks except with Consent. Any consent granted may be subject to additional conditions.
- (c) The Designated Premises Supervisor shall not permit explosives or highly flammable substances to be brought onto the premises except with Consent. Any consent granted may be subject to additional conditions.

Entertainment Using Special Effects

- (d) The Designated Premises Supervisor shall not permit the use of special effects, except with Consent. Any consent granted may be subject to additional conditions.
- (e) The Designated Premises Supervisor shall give the Council at least 10 days notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.

Compressed Gases

- (f) Compressed or liquefied gases shall not be used except with Consent. At least 10 days notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises.

ANNEX 5 PLANS This Annex does not normally apply to gas cylinders used in connection with the dispensing of beverages.



Head of Central Services



Premises Licence Summary

LOCAL AUTHORITY



NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL

Newcastle-under-Lyme Borough

Central Services
Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

tel: 01782 717717

web: www.newcastle-staffs.gov.uk

Premises Details

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

Grove House Inn

181 London Road, Chesterton, Newcastle-under-Lyme, Staffordshire, ST5 7JE.

Telephone 01782 562638

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- 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. Exhibition of films \((Outdoors)\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30
E. Performance of live music \((Indoors)\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30
F. Playing of recorded music \((Indoors)\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30
G. Performance of dance \((Indoors)\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30
I. Provision of facilities for making music \((Indoors)\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30



Premises Licence Summary

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Provision of facilities for dancing \(\Indoors\)	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30
	M. The sale by retail of alcohol for consumption ON and OFF the premises		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday - Saturday	10:00	23:00
	Sunday	10:00	22:30

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To	Hours premises are open to the public
Monday - Saturday	10:00	23:20	
Sunday	10:00	22:50	

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

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Admiral Taverns (Portfolio 2) Limited
150 Aldersgate Street, London, EC1A 4EJ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Admiral Taverns (Portfolio 2) Limited 05072654

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Philip John Owen

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

Not applicable.

