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# LICENSING ACT 2003

## SUMMARY OF PREMISES LICENCE

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<b>Postal address of premises, or if none, Ordnance Survey map reference or description:</b>	Whitacre Hall Tea Rooms Whitacre Hall Dog Lane Nether Whitacre
<b>Telephone No:</b>	Warwickshire B46 2PD

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<b>Where the licence is time limited the dates:</b>	N/A
<b>Licensable activities authorised by the licence:</b>	Supply Of Alcohol
<b>The times the licence authorises the carrying out of licensable activities:</b>	Monday – Sunday 10:00 -16:00 1000 – 2300hrs on occasions of pre-booked functions and events.
<b>The opening hours of the premises:</b>	Monday – Sunday 10:00 – 16:30
<b>Where the licence authorises supplies of alcohol whether these are in and/or off supplies:</b>	On & Off
<b>Name, (registered) address, telephone number and email (if relevant) of holder of premises licence:</b>	Whitacre Hall Ltd Whitacre Hall Dog Lane Nether Whitacre Warwickshire B46 2PD
<b>Registered number of holder, eg company number, charity number (where applicable):</b>	10797160
<b>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>	Teresa Pickworth
<b>State whether access to the premises by children is restricted or prohibited</b>	Restricted by Licensing Act 2003



**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 participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
  - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licenses must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - (a) a holographic mark or
  - (b) an ultraviolet feature.
- 6. The responsible person shall ensure that-**
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
    - (iii) still wine in a glass: 125ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Minimum Drink Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purpose of the condition set out in paragraph 1 –
  - (a) “duty” is to be constructed 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 that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
    - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**If the Premises Licence allows Exhibition of Films –**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where – (a) The film classification body is not specified in the licence, or (b) The relevant licensing authority had notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision** – except theatres, cinemas, bingo halls and casinos.

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - b) Be entitled to carry out that activity by virtue of section 4 of the Act
2. But nothing in subsection (1) requires such a condition to be imposed:
  - a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - b) In respect of premises in relation to:
    - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under the Act. A
3. For the purpose of this section:
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
  - (b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

### **CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

A) General - The premises licence holder, DPS, management and staff will constantly assess any risks to the licensing objectives. They will work in partnership with the authorities and local people alike in this respect. The staff will be properly authorised, equipped, trained and motivated in this task. There will be:

- A written notice of ‘authority’ record for all staff who sell alcohol
- Comprehensive training for staff in the main requirements of the Licensing Act 2003, the specific measures and conditions in place to promote the Licensing Objectives and the staff roles and responsibilities. Such records shall be available for inspection by the responsible authorities.
- Contact details of the Designated Premises Supervisor available to staff and to the authorities.

B) The prevention of crime and disorder - The management and staff will take all necessary steps to ensure that the premises remain free from crime and disorder. This will include:

- Staff shall be trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.

- CCTV shall be provided in the form of a recordable system capable of providing pictures of evidential quality and in all lighting conditions particularly facial recognition.
- Cameras shall encompass all ingress and egress to the premises and any internal areas where the sale of alcohol occurs.
- CCTV equipment shall be maintained in good working order and correctly timed and dated.
- Recordings will be available for a period of 28 days and handed to the police and other responsible authorities upon request.
- The recording equipment shall be of a digital hard drive or cloud based system and shall be kept in a secure environment under the control of the premises licence holder or other responsible named individual.

C) Public safety - The premises licence holder will ensure that:

- Appropriate fire fighting equipment shall be installed and maintained at the premises and staff trained in its use.
- The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

D) Prevention of public nuisance - The premises licence holder will ensure that:

- The premises and public areas nearby are kept free from litter associated with the operation of the business.
- Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses.
- No noise generated on the premises or by its associated plant or equipment shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
- The premises licence holder shall ensure that any patrons smoking, eating or drinking in any outside areas of the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.

E) The protection of children from harm - The business will be operated in such a way that reflects a commitment to be a responsible retailer. To protect children from harm there will be a policy of:

- Training will occur before a staff member is authorised to sell alcohol for the business.
- The age-verification policy will be one of Challenge 25. This will be specified in promotional material, terms & conditions, within the premises and emphasised through staff training.
- Anyone not looking 25 at the point of sale of alcohol will be expected to prove that they have turned 18. Acceptable ID will be a photo driving licence, passport, PASS accredited proof of age card or other photo ID that is recommended for acceptance by the police or other authorities.
- The premises will be promoted as family friendly and suitable for all ages.
- There will be no inappropriate promotions, activities or behaviour tolerated at the premises that might put children at risk.

**Additional Conditions from Trading Standards**

- Keep a 'challenge log' (refusals book) recording all challenges - where both sales and refusals result
- A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge ought to be made (for example an EPOS - Electronic Point of Sale - system till prompt or if not then written notices/stickers at the till point showing age limits)

**Non-standard Timings**

1000 – 2300hrs on occasions of pre-booked functions and events, appropriately recorded in a written or digital diary and available for inspection by the responsible authorities. Such events must have been booked at least 48 hours before the said date. There shall be a limit of 30 such occasions each calendar year.

**PLANS**

Certified copy attached