

Tab 2



LICENSING ACT 2003
Part A - Premises Licence

Premises licence number - PR00453 (Minor Variation)

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

YATES
58 Commercial Road
Hereford
HR1 2BP

Telephone number: **01432 273078**

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

Provision of regulated entertainment

1. **An exhibition of a film (Indoors)**
2. **An indoor sporting event**
3. **A performance of live music (Indoors)**
4. **Any playing of recorded music (Indoors)**
5. **A performance of dance (Indoors)**
6. **Other regulated entertainment (Indoors)**

Provision of entertainment facilities

7. **Making music (Indoors)**
8. **Dancing (Indoors)**
9. **Other entertainment facilities (Indoors)**

Provision of refreshment or alcohol

10. **Provision of late night refreshment (Indoors)**
11. **Sale by retail of alcohol (For consumption both on and off the premises)**

Further details

(An exhibition of a film) Insofar as it may be required, for any juke box and also for exhibition of a film principally video/DVD entertainment or prerecorded televised events on screens and TV screens.

(An indoor sporting event) Possibility of a sporting event (eg Pub Games) being held in the presence of an audience.

(A performance of live music) Live and amplified voice: Current PEL permits.

(Any playing of recorded music) Recorded music by juke box and music systems: Currently permitted by PEL.

(A performance of dance) Arranged or spontaneous exhibition dance, ancillary to acts etc.

(Other regulated entertainment) PEL/Licensing Act 1964 exemptions currently permit.

(Making music) As currently permitted.

(Dancing) Public dancing as currently permitted.

(Other entertainment facilities) Currently permitted by PEL.

(Other regulated entertainment) Possible cabaret; comperes for functions, quizzes and similar entertainments, and the like

Description of facilities provided

(Making music) Possible karaoke and similar.

(Other entertainment facilities) Possible cabaret; comedy acts and the like when dancing may be included.

Films; Recorded Music;
Monday - Sunday - from 08:00 - 01:00

**Indoor Sporting Events; Live music; Dance; Other regulated entertainment: making music;
Dancing; Other entertainment facilities**
Monday - Sunday - 10:00-01:00

Late night refreshment
Monday - Sunday - 23:00-01:00

Supply/Sale of Alcohol
Monday - Sunday - from 08:00 - 01:00
Terminal hour for the sale of alcohol within the rear external area is 00:30hrs
New Year's Eve 36 hours
Change GMT to BST an additional hour;

Bank Holiday weekends Fridays to Mondays, on St Patrick's Day, St George's Day, St Andrews Day and St Valentine's Day and on the day before Christmas Eve to Boxing Day (Excluding Christmas Day) and New Year's Day - an additional hour.

Christmas Day: 12:00 - 23:00
On a maximum of 12 occasions a year, such hours as may be agreed by the police for special occasions, the police to have an absolute veto (not to be unreasonably withheld). At least 7 days notice of such a request will be given to the council and police.

The opening hours of the premises

Monday-Sunday: 08:00 - 01:45

Non Standard Timings:

**An additional 45 minutes to the hours shown at box B if appropriate.
An additional 45 minutes to the hours shown at box B.**

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

Alcohol-On and Off the premises

Part 2

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

**Stonegate Pub Company Ltd
Porter Tun House
500 Capability Green
Luton
LU1 3LS**

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

FC029833

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

**Paul William Neades
Yates
58 Commercial Road
Hereford
HR1 2BP**

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

**Licence Number - 50
Issuing Authority – Herefordshire Council**

Annex 1 - Mandatory conditions

Mandatory conditions where licence authorises supply of alcohol

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
- (a) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Additional mandatory conditions:

The responsible person [as defined by Section 153(4) Licensing Act 2003] shall: -

- take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises
- ensure that no alcohol is dispensed directly by one person into the mouth of another
- ensure that free tap water is provided on request to customers where it is reasonably available.

Age verification

- The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- 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 a holographic mark.

Smaller measures

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: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures

Mandatory condition: exhibition of films

Admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification body or that body specified in the licence unless

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question

admission of children must be restricted in accordance with any recommendation made by that licensing authority

In this section-

"children" means persons 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 (c.39) (authority to determine suitability of video works for classification .

Mandatory condition: door supervision

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

Annex 2 - Conditions consistent with the operating Schedule

Licensing objectives

Prevention of Crime:

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition on entrance or exit cameras.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs.

Equipment MUST be maintained in good working order , be correctly time and date stamped , recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand or at the end of licensable activities.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police or an authorised person (as defined by Section 13 of the Licensing Act 2003) on demand or at the end of licensable activities.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS/Duty Manager MUST report the failure to the Police on contact number 0300 333 3000 immediately.

2. SIA Licensed Door Staff will be employed at the premises as shown below, until the termination of licensable activities. When employed externally door staff shall wear hi-viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff.
 - a) On a Friday and Saturday and on a Sunday proceeding Bank Holidays:
 - Two (2) SIA door staff shall be employed from 8.30 pm
 - One (1) Additional (total 3) SIA door staff shall be employed from 9 pm
 - Two (1) Additional (total 5) SIA door staff shall be employed from 9.30 pm

- b) On Thursday from 8.30 pm
Two (2) SIA Door staff shall be employed where the number of customers on the licensed premises is between 0 and 200
One(1) Additional SIA door staff shall be employed for each additional 100 customers (or part of) on the licensed premises. (e.g 420 customer would require 4 SIA door staff)
 - c) On Sunday from 9.30 pm
Two (2) SIA Door staff shall be employed where the number of customers on the licensed premises is between 0 and 200
One(1) Additional SIA door staff shall be employed for each additional 100 customers (or part of) on the licensed premises. (e.g 420 customer would require 4 SIA door staff)
 - d) When the bar in the external area is operational, one (1) additional SIA door supervisor shall be employed within the external area on a Friday and Saturday night and on a Sunday preceding a Bank Holiday from 21:00hrs to the end of licensed hours.
3. An incident log must be kept at the premises, and made immediately available on request to an authorised person (as defined by Section 13 of the Licensing Act 2002) or the Police, which must record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any persons refused entry to the premises
 - (h) any visit by a relevant authority or emergency service
4. A system shall be in place which is capable of recording electronically and at the time, any refusal of sale of alcohol. The recording shall show the date and time and operators identity. Such information will be made available to an authorised person (as defined by Section 13 of the Licensing Act 2002) or the police on demand at anytime after the 24 hour period following the sale.
5. No customers carrying open bottles upon entry shall be admitted to the premises at any times when they are open for licensable activities.
4. No open containers shall be removed from the premises.
5. The premises shall be an active member of the HAND Scheme (Pub Watch) while such a scheme or similar exists.
6. A Hereford City centre 'Pub Radio' shall be held at the premises. A responsible person shall log on at the control centre at the commencement of licensable activities. A responsible person shall monitor the radio throughout the period which the premises are open for licensable activities. Any information likely to have an impact on any of the licensing objectives shall be transmitted on the radio immediately.
7. A Personal Licence holder will be on the premises from 9 pm until the end of licensable activities on a Friday, Saturday and on any bank holiday or day proceeding a bank holiday and on any day from 9 pm when the premises is open after 12.15 am for licensable activities.
8. All staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with Herefordshire Council Trading Standards within one month of commencing employment at the premises. (Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence). Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer

of Herefordshire Council on demand.

Public Safety:

1. The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.
2. A system shall be place which is capable of showing the number of persons on the premises at any time after 8.30 pm until the end of licensable activities on a Thursday, Friday, Saturday and Sunday. This number shall be given immediately on demand to an authorised person (as defined by Section 13 of the Licensing Act 2002) or police.
3. The reasonable requirements of the Building Control officer will be complied with.
4. All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an authorised person (as defined by Section 13 of the Licensing Act 2002) or Police on demand.

Prevention of Public Nuisance:

1. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
2. 'Noise' from the premises should not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this condition; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed site'.
3. Where regulated entertainment is offered after midnight, no admission will be permitted during the hour before the cessation of regulated entertainment.
4. The beer garden may be used by customers for the consumption of alcohol as per the licensing hours of opening and customers shall be controlled to minimize the risk of nuisance to neighbours . The terminal hour for the sale of alcohol in the rear external area is 00:30hrs.
5. No music shall be played in the outside beer garden at any time.
6. All external doors to the beer garden must be kept closed except for entrance and exit at all times from 20:00 hours. Windows shall be closed at 23:00 hours and adequate ventilation provided.
7. The indoor sporting events shall be restricted to darts, pool, snooker, skittles or other minor sporting games of a similar kind.
8. The exhibition of films shall be restricted to video/DVD entertainment and shall be controlled by the licensee.

Protection of Children:

1. Under 18's will not be permitted in the premises if the style of entertainment offered or operation is not conducive.
2. Under 18's will not be permitted on the premises in any event after 19:00 hours when regulated entertainment is offered (unless they are attending a private function held on the

premises and are accompanied by an adult).

3. The premises shall operate a Challenge 21 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
4. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

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

HOURS OF LICENSABLE ACTIVITY

	Films, Recorded Music (or similar) & Supply of Alcohol	Indoor sporting events, Live Music and Dance (or similar), Provision of facilities for making music / dance (or Similar)	Late night refreshment	Open to the public
Monday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Tuesday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Wednesday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Thursday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Friday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Saturday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145
Sunday	0800 - 0100	1000 - 0100	2300 - 0100	0800 - 0145

SEASONAL VARIATION

	Films, Recorded Music (or similar) & Supply of Alcohol	Indoor sporting events, Live Music and Dance (or similar), Provision of facilities for making music / dance (or Similar)	Late night refreshment	Open to the public
New Years Eve	36 hours as permitted under grandfather rights			
St. George's Day	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
St. Patrick's Day	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
St. Andrew's Day	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
Valentine's Day	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245

23rd December	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
Christmas Eve	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
Christmas Day	1200 - 2300	1200 - 2300	1200 - 2300	1200 - 2345
Boxing Day	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245
Bank Holidays (Friday – Monday)	0800 - 0200	1000 - 0200	2300 - 0200	0800 - 0245

N.B – The applicant requested an additional hour to counter act the change from GMT to BST. The Sub-Committee granted this request but noted that it would not be required at present as the premise is only open to the public until 0145.

Annex 4 - Plans

As attached - dated 03.02.2012 Drawing No. JS/053/100B



LICENSING ACT 2003
Part B - Premises licence summary

Premises licence number - PR00453 (Minor Variation)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description YATES 58 Commercial Road Hereford HR1 2BP
Telephone number: 01432 273078

Where the licence is time limited the dates Not applicable
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Licensable activities authorised by the licence Provision of regulated entertainment 1. An exhibition of a film (Indoors) 2. An indoor sporting event 3. A performance of live music (Indoors) 4. Any playing of recorded music (Indoors) 5. A performance of dance (Indoors) 6. Other regulated entertainment (Indoors) Provision of entertainment facilities 7. Making music (Indoors) 8. Dancing (Indoors) 9. Other entertainment facilities (Indoors) Provision of refreshment or alcohol 10. Provision of late night refreshment (Indoors) 11. Sale by retail of alcohol (For consumption both on and off the premises)
Further details (An exhibition of a film) Insofar as it may be required, for any juke box and also for exhibition of a film principally video/DVD entertainment or prerecorded televised events on screens and TV screens. (An indoor sporting event) Possibility of a sporting event (eg Pub Games) being held in the presence of an audience. (A performance of live music) Live and amplified voice: Current PEL permits. (Any playing of recorded music) Recorded music by juke box and music systems: Currently permitted by PEL. (A performance of dance) Arranged or spontaneous exhibition dance, ancillary to acts etc. (Other regulated entertainment) PEL/Licensing Act 1964 exemptions currently permit. (Making music) As currently permitted. (Dancing) Public dancing as currently permitted. (Other entertainment facilities) Currently permitted by PEL. (Other regulated entertainment) Possible cabaret; comperes for functions, quizzes and similar entertainments, and the like
Description of facilities provided (Making music) Possible karaoke and similar. (Other entertainment facilities) Possible cabaret; comedy acts and the like when dancing may be included.

The opening hours of the premises

Monday-Sunday: 08:00 - 01:45

Non Standard Timings:

An additional 45 minutes to the hours shown at box B if appropriate.

An additional 45 minutes to the hours shown at box B.

Name, (registered) address of holder of premises licence

**Stonegate Pub Company Ltd
Porter Tun House
500 Capability Green
Luton
LU1 3LS**

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

Alcohol-On and Off the premises

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

FC029833

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Paul William Neades

State whether access to the premises by children is restricted or prohibited

The premises shall operate a Challenge 21 Policy.

Under 18's will not be permitted in the premises if the style of entertainment offered or operation is not conducive.

Under 18's will not be permitted on the premises in any event after 19:00 hours when regulated entertainment is offered (unless they are attending a private function held on the premises and are accompanied by an adult).