

APPENDIX 13

**The Kings Head (formally The
Bay Tree Inn) Premises Licence**

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**LEWES DISTRICT COUNCIL
PREMISES LICENCE**

Premises Licence No: LN/2005/00920

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

The Kings Head, Pelham Road, Seaford, East Sussex BN25 1EP

Telephone number: 01323 873291

Licensable activities authorised by the licence:

- (i) **Sale by retail of alcohol**
- (ii) **Live music**
- (iii) **Recorded music**
- (iv) **Provision of late night refreshment**

Times authorised for the carrying out of licensable activities:

Opening Hours

Monday to Thursday	9am to 12.30 (the following morning)
Friday and Saturday	9am to 1.30am (the following morning)
Sunday	9am to 11.30pm

*Non standard timings: New Years Eve until close of hours New Years day.
Xmas Eve and Bank Holiday Sunday and Monday until 1.30am.*

Sale by retail of alcohol

Monday to Thursday	10am to 12 midnight
Friday and Saturday	10am to 1am (the following morning)
Sunday	10am to 11pm

*Non standard timings: New Years Eve until close of hours New Years day.
Xmas Eve and Bank Holiday Sunday and Monday until 1am.*

Live music (indoors and outdoors)

Monday to Sunday	12 midday to 11pm
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*Non standard timings: New Years Eve until close of hours New Years day.
Xmas Eve and Bank Holiday Sunday and Monday until 1am.*

Recorded music (indoors and outdoors)

Monday to Thursday	9am to 12 midnight
Friday and Saturday	9am to 1am (the following morning)
Sunday	9am to 11pm

*Non standard timings: New Years Eve until close of hours New Years day.
Xmas Eve and Bank Holiday Sunday and Monday until 1am .*

Provision of late night refreshment (indoors)

Monday to Thursday	11pm to 12 midnight
Friday and Saturday	11pm to 1am (the following morning)

*Non standard timings: New Years Eve until 5am New Years Day. Xmas Eve,
Bank Holiday Sunday and Monday until 1am.*

Authorised supplies of alcohol: **On and Off the Premises**

Holder of Premises Licence:

Name: Mr Steven Ralph Brumwell
Registered address: 10 The Viking Dane Road Seaford BN251DZ
Telephone number: 07710 747470

Designated Premises Supervisor:

Name: Robert John Willis
Address: 21 Litlington Court, Surrey Road, Seaford, East Sussex BN25 2NZ
Telephone Number: 01323 873291
Personal licence number: LN/2016/00211
Issuing authority: Lewes District Council

I. Fitzpatrick

Signed..... Date: 11th May, 2017

Ian Fitzpatrick
Director of Service Delivery
Lewes District Council and Eastbourne Borough Council
Southover House
Southover Road
Lewes, East Sussex, BN7 1AB

MANDATORY CONDITIONS

- (1) No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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:

- games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (a) 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
 - (b) drink as much alcohol as possible (whether within a time limit or otherwise).
- 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 significant risk of undermining a licensing objective.
- 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.
- 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.

- 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 reasonable available.
 - (5) 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.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

- (6) The responsible person must ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider: ½ pint
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml, and
 - (iii) still wine in a glass: 125 ml, 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.
- (7) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (8) For the purposes of the condition set on in (7):
 - (a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) 'permitted price' is the price found by applying the formula:

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

where:

- (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol
- (c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence:
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question, and
- (e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.
- (9) Where the permitted price given by Paragraph (b) of paragraph 8 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (10) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 8 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.

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE

(11) The prevention of crime and disorder

- a) No one who is drunk and or disorderly or showing signs of aggression will be admitted to the premises.
- b) Drinks promotions that encourage binge drinking will not take place.
- c) Join local pub watch scheme.
- d) All staff will be trained in licensing law and the responsible sale of alcohol prior to the commencement of selling alcohol; a staff training manual will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request.
- e) An incident book will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request. This book shall solely be used for the purpose of recording incidents.
- g) All staff shall have written authorisations from the Designated Premises Supervisor to permit them to sell alcohol.
- h) Staff will contact the police as soon as is practicable if there is evidence of drug use or suspected drug use within the premises.
- i) Zero tolerance notices in relation to drug use will be prominently displayed throughout the premises and a drugs policy will be drawn up and implemented to the satisfaction of Sussex Police.

(12) Public safety

- a) Staff will be trained in all aspects of Licensing Law and records of training will be kept.
- b) Will comply with any advice and recommendations that may, from time to time, be given by the Fire Authority and Local Authority on a risk assessed basis.
- c) Will comply with any capacity limits that may be set from time to time by the Fire Authority.
- d) Number of people including staff in the main bar area restricted to 150.
- e) Number of people including staff in the restaurant area restricted to 60.
- f) Number of people in the function room restricted to 40.

(13) The prevention of public nuisance

- a) All outside areas will be cleared of customers by 11.30pm except for use by smokers for smoking without consumption of food or alcohol such to be monitored to prevent noise nuisance.
- b) Measures will be taken to ensure that any noise arising from the premises does not cause a public nuisance to premises in the vicinity. Such measures will include:
- c) Ensuring all windows and doors are kept shut during regulated entertainment.

- d) The manager will assess the noise levels outside the premises at regular intervals. If the music is found to be too loud (ie. the words to songs are clearly audible or the bass beat is dominant) the volume will be turned down immediately.
- e) Anti vibration mounts will be used on speakers
- f) If the manager receives any complaints of noise from the Police or Environmental Health, measures to reduce the noise will be taken immediately.
- g) All recorded music will be reduced to background level 30 minutes before the end of operating hours.
- h) Customers will be advised to leave the premises in a quiet and orderly manner and suitable signs will be displayed requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- i) No entertainment including background music in any outside area or smoking shelters without prior agreement with the Local Authority.
- j) Appropriate receptacles shall be provided for cigarette ends.
- k) Kitchen extract filters will be cleaned once a week to minimise the impact on the neighbours.

(14) The protection of children from harm

- a) No children under 16 will be allowed on the premises after 11pm.
- b) Proof of age will be required from anyone who appears to be under 18.
- c) A 'Challenge 25' Policy shall be in operation at the premises and staff will be suitably trained to implement this policy.
- d) A refusals register will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request.

CONDITIONS AGREED FOLLOWING A REVIEW HEARING

The prevention of crime and disorder

- 15.** Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, (PSDB publication 09/05) operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
- The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 28 days.
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
 - Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable.
- 16.** SIA registered door staff will be employed at the premises from 2100 hrs until half an hour after the premises has closed on Friday's and Saturday's plus Bank Holidays, New Year's Eve, public holidays. In addition, at any time when a Temporary Event Notice is in operation and on any other occasion, subject to the DPS having conducted a written risk assessment or on other specific occasions when requested by Police

The prevention of public nuisance

- 17.** The Premises Licence Holder will produce a noise management plan to be provided to Environmental Health by 20th November 2016.

PLANS: As approved and attached.

PREMISES LICENCE SUMMARY

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Holder of Premises Licence:

Name: Mr Steven Ralph Brumwell

Designated Premises Supervisor:

Name: Robert John Willis

Personal licence number: LN/2016/00211

Issuing authority: Lewes District Council

State whether access to the premises by children is restricted or prohibited:
See Conditions attached to Licence