

**Mandatory conditions**

- (1) No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence or when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- (2) Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- (3) 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. For the purposes of this condition,
  - (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  $P = D + (D+V)$  where –
    - i) P is the permitted price,
    - ii) D is the rate 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;

Where the permitted price given by this formula is not a whole number, it should be rounded up to the nearest penny.
  - (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; and
  - (d) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
  - (e)
    - (i) Sub-paragraph (ii) applies where the permitted price 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.
    - (ii) 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.
- (4) 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. “Responsible person” means the holder of a premises licence, the designated premises supervisor under such a licence or any individual aged 18 or over who is authorised to sell alcohol by a licence holder or designated premises supervisor. 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 a disability).
- (5) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (6) (a) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (b) 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.
- (c) 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
- (i) holographic mark or
  - (ii) an ultraviolet feature
- (7) 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.

**Conditions consistent with the operating schedule**

- (8) The company shall maintain comprehensive regulatory compliance procedures.
- (9) Digital CCTV will be installed. Data will be retained for a minimum period of 31 days and will be made available to the Police for evidential purposes.
- (10) Staff shall be trained to ensure that in case of any doubt whether a purchaser is over the age of 18 to refuse sales of alcohol unless valid identification is produced.
- (11) Till prompts shall be in place at the point of sale of alcohol to remind staff to ensure the purchaser is over 18 and record refusals.
- (12) The premises shall operate a Challenge 25 scheme in relation to the sale of alcohol.

**Conditions agreed during mediation**

- (13) The terrace shall not be used by customers from 23:00 until the closure of the premises on a Friday and Saturday.

- (14) Signage shall be displayed asking customers to keep noise to a minimum to ensure no disturbance to nearby residential properties.

**Conditions not agreed – proposed by Environmental Health**

*The terrace shall not be used by customers from 22:00 until the closure of the premises from Sunday to Thursday.*

*Noise and vibration shall not be permitted to emanate from the premises to such an extent that it would cause a nuisance to nearby properties*