

West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

Licensing Act 2003 Premises Licence

Uniform Ref: 22/00588/LQN

Premises licence number 013871

Part 1 - Premises details

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

The Newbury
137 Bartholomew Street, Newbury, RG14 5HB

Licensable activities authorised by the licence

Performance of Live Music
Recorded Music
Other Similar Entertainment
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Performance of Live Music

Monday to Wednesday: 10:00 to 00:00
Thursday: 10:00 to 01:00
Friday and Saturday: 10:00 to 03:00
Sunday: 10:00 to 02:30

Activity will take place Indoors/Outdoors : **Indoors**

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

Recorded Music

Monday to Wednesday: 10:00 to 00:00

Thursday: 10:00 to 01:00

Friday and Saturday: 10:00 to 03:00

Sunday: 10:00 to 02:30

Activity will take place Indoors/Outdoors : **Both**

Outdoors finish time 24:00 Monday to Sunday.

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

Other Similar Entertainment

Monday to Wednesday: 10:00 to 00:00

Thursday: 10:00 to 01:00

Friday and Saturday: 10:00 to 03:00

Sunday: 10:00 to 02:30

Activity will take place Indoors/Outdoors : **Both**

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

Late Night Refreshment

Monday to Wednesday: 23:00 to 01:00

Thursday: 23:00 to 02:00

Friday and Saturday: 23:00 to 03:30

Sunday: 23:00 to 02:30

Activity will take place Indoors/Outdoors : **Both**

Late Night Refreshment on Roof Terrace will cease Sunday to Thursday at 24:00 and the morning following Friday and Saturday at 01:30.

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

Supply of Alcohol

Monday to Wednesday: 10:00 to 00:00

Thursday: 10:00 to 01:00

Friday and Saturday: 10:00 to 03:00

Sunday: 10:00 to 02:30

Alcohol On/Off Premises: **Both**

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.

The opening hours of the premises

Monday to Wednesday: 09:00 to 01:00

Thursday: 09:00 to 02:00

Friday and Saturday: 10:00 to 03:30

Sunday: 10:00 to 03:00

Seasonal Variations: On St. David's Day, St. Patrick's Day, St George's Day, and St. Andrew's Day, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Non Standard Timings: On occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour, with fourteen days' notice and agreement with the police.

From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.

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

On /Off Sales : **BOTH**

Part 2

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

Greene King Retailing Limited
Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT

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

03298903

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

Mr Aaron Dsouza

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

Date: 8 June 2022

Signed:

Authorised Officer

Licence first issued 30/11/2005 DPS Variation 09/01/2006 DPS Variation 20/07/2006 DPS Variation 21/02/2007 DPS Variation 29/06/2007 Transfer 29/06/2007 DPS Variation 09/01/2009 DPS Variation 13/11/2009 Review 28/03/2011 Transfer 04/07/2011 DPS Variation 29/07/2011 DPS Variation 01/09/2011 DPS Variation 24/10/2011 Change of name 11/05/2012 DPS Variation 15/6/2012	Minor Variation Granted 20/7/2012 Full Variation Granted 03/07/2014 Change of Premises Licence Holder Address 22/10/2015 DPS Variation 15/02/2017 Minor Variation granted 09/05/2017 DPS Variation 04/07/2017 Minor Variation granted 03/1/2018 Transfer 30/03/2020 DPS Variation 08/06/2022
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Annex 1 - Mandatory conditions

Premises - Supply of 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.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 (in force 1 October 2014)

3.
 - 1) 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.
 - 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 licence 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 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;
 - 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.
 - (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 purposes of the condition set out in paragraph 1 –
 - 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 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;
- 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) “valued 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 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.
- (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.

Premises - Door Supervision

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, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
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 (c.12) (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).
3. For the purposes of this section-
 - a) security activity means an activity to which paragraph 2(1)(a) of the Schedule applies, and
 - b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of the Schedule.

Annex 2 - Conditions consistent with the operating Schedule dated 03/06/2014, amended as agreed with Environmental Health 12/06/2014 and amended by Minor Variation granted 09/05/2017

For any events at the premises that are held outside of the normal operation of the premises, such as promoted events or parties where regulated entertainment will be provided past 23:00 ('the event'), the DPS or manager shall undertake a risk assessment to assess whether SIA door staff are required for the event. If the risk assessment determines that door staff are required, the assessment will specify in writing the number of door staff and times they will be required.

Notice shall be provided to the Thames Valley Police Licensing team of any events risk assessed or require door staff at least 5 days prior to the event.

The Prevention of Public Nuisance

1. Licensable activities will cease and the area marked roof terrace will be cleared of patrons by midnight Sunday to Thursday and 01:30 the morning following a Friday and Saturday.
2. The volume of recorded music played on the roof terrace to be controlled via a volume control in Manager's Office. Music to be played through ten speakers set in to the decking giving a diffuse sound field.
3. Routine checks to be carried out at the front of premises to assess noise levels during the course of the evening to ensure that music is not clearly audible in Bartholomew Street adjacent to residential properties.

Annex 3 - Conditions attached after a hearing by the licensing authority dated 26/09/2005

CCTV will be installed in the premises and cover the whole of the public area. This will record in colour and images will be saved for a minimum of 31 days.

At all times a policy is to be enforced regarding the retention of confiscated illegal substances prior to the handover of these substances to the Police.

All bar staff must be trained regarding under age sales and acceptable proofs of age. Records of such training to be retained for inspection.

Review Hearing dated 28/03/2011

1. All incidents which impact on any of the four licensing objective shall be recorded in a register kept at the premises for this purpose. The names of the persons recording the information and those members of staff who deal with the incident shall also be recorded. Where known, any offenders names shall also be recorded. The register must be made available to responsible authorities on request.
2.
 - a. All bar staff with the exception of Personal Licence Holders, shall be trained in the requirements of the Licensing Act 2003 in relation to age restricted sales of alcohol before being authorised to sell alcohol.
 - b. Records of training, refresher training and proof of the date of the commencement of employment (e.g. signed contract) shall be retained and must be made available to officers of West Berkshire District Council and Police on request.
3. The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years without first having proved identification. Only a valid British Drivers Licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification.
4. The Premises Licence Holder shall ensure all staff authorised to sell alcohol receive regular refresher training on the law relating to underage sales at least every four months in relation to the Four Licensing Objectives contained within the Licensing Act 2003. The Premise Licence Holder shall review such training every four months following completion of the same. Written proof of training shall be recorded and maintained whilst the member of staff remains in employment and will be retained for inspection by the Council and Police.
5. Notices advertising the Challenge 25 and documentation required for checking proof of age policies shall be displayed in prominent positions on the premises.
6. The Premises Licence holder shall participate, as far as is practicable, in the Local Town Radio Scheme when the premises are opened for licensable activities.

Annex 4 - Plans as submitted, Ground Floor 18/009/2018 and First Floor 04/06/2014

