



LICENSING ACT 2003 Premises Licence

Olivers

Part One – Premises Details

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

Olivers, 19 Lower Gungate,

Post Town **Tamworth**

Post Code **B79 7AT**

Telephone number

Where the licence is time limited the dates

This licence is not time limited

Licensable activities authorised by the licence

Films

Indoor Sporting Events

Live Music

Recorded Music

Anything of a Similar Description to Live Music, Recorded Music or Performance of Dance

Late Night Refreshment

Supply of Alcohol - (On & Off)

Premises licence number PREM/05/0088

The times the licence authorises the carrying out of licensable activities

**Films
Indoor Sporting Events**

Indoors	From	To
Sunday	08:00	01:00
Monday	08:00	01:00
Tuesday	08:00	01:00
Wednesday	08:00	01:00
Thursday	08:00	01:00
Friday	08:00	02:00
Saturday	08:00	02:00

Non standard timings

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

The times the licence authorises the carrying out of licensable activities

Live Music

Indoors	From	To
Sunday	11:00	00:00
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	00:00
Saturday	11:00	00:00

Non standard timings

Christmas Eve 09:00 to 03:00 hours the following day
Boxing Day 09:00 to 03:00 hours the following day
New Year's Eve 10:00 hours on New Year's Eve to 10:00 hours on New Year's Day

The times the licence authorises the carrying out of licensable activities

Recorded Music

Indoors	From	To
There is no restriction on the times this licensable activity may take place		

There is no restriction on the times this licensable activity may take place

Premises licence number PREM/05/0088

The times the licence authorises the carrying out of licensable activities

Anything of a Similar Description to Live Music, Recorded Music or Performance of Dance

Indoors	From	To
Sunday	10:00	01:00
Monday	10:00	01:00
Tuesday	10:00	01:00
Wednesday	10:00	01:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00

Non standard timings

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

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Indoors	From	To
Sunday	23:00	01:30
Monday	23:00	01:30
Tuesday	23:00	01:30
Wednesday	23:00	01:30
Thursday	23:00	01:30
Friday	23:00	02:30
Saturday	23:00	02:30

Non standard timings

From 23:00 hours on New Years Eve to 05:00 hours on New Years Day.

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol - (On & Off)

	From	To
Sunday	10:00	01:00
Monday	10:00	01:00
Tuesday	10:00	01:00
Wednesday	10:00	01:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00

Non Standard Timings

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

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

On and off supplies

The opening hours of the premises

	From	To
Sunday	08:00	01:30
Monday	08:00	01:30
Tuesday	08:00	01:30
Wednesday	08:00	01:30
Thursday	08:00	01:30
Friday	08:00	02:30
Saturday	08:00	02:30

Non Standard Timings

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

Part Two

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

Mr David Oliver

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

Not applicable

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

Mr David Oliver

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the premises authorises the supply of alcohol

**Licence number – Tamworth Borough Council
Marmion House, Lichfield Street, Tamworth, B79 7BZ
Telephone – 01827 709709**

Dated this 24th January 2013

Director – Assets & Environment

Countersigned:

Address to which all communication should be sent:

Licensing, Public Protection, Assets & Environment,
Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ
Tel 01827 709445 or Fax 01827 709434

Annex 1 - Mandatory Conditions**1 Mandatory conditions where licence authorises supply of alcohol (Section 19)**

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:
- (2) The first condition is that 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.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (4) The responsible person 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.
- (5) 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- (6) The responsible person shall ensure that no alcohol is dispensed 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).
- (7) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- (8) (1) 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.
(2) 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.
- (9) 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: 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.

2 Mandatory condition: exhibition of films (Section 20)

- (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 made by that body.
- (3) Where-
 - (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.
- (4) 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).

3 Mandatory condition: door supervision (Section 21)

- (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
 - (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 that 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 (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 that Act).
- (3) For the purposes 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) (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.

Annex 2 - Conditions Consistent with the Operating Schedule

1. This condition was removed from the premises licence on the 24th January 2013, following an application to vary the premises licence.
2. The following licensable activities shall take place indoors only:
 - Films
 - Indoor sporting events
 - Live music
 - Anything of a similar description to live music, recorded music or performances of dance
 - Provision of late night refreshment
 - recorded music
3. The following licensable activity may take place both indoors and outdoors:
 - supply of alcohol.

The Prevention of Crime & Disorder

4. A policy of zero tolerance on drugs shall be operated.
5. A CCTV system shall be in operation at the premises. Cameras shall be maintained in working order.
6. The premises shall be a member of the Local Pub Watch Group.
7. Staff shall supervise patrons when they leave the premises.
8. Door Supervisors shall be present on the premises every Thursday, Friday, Saturday, Sunday and Bank Holiday.

Public Safety

9. Fire alarm and emergency lighting audits shall be carried out weekly.
10. All entrances / exits shall be kept clear at all times.
11. All bottles and glasses shall be removed from the public areas of the premises as soon as reasonably practicable after they are finished with or empty.
12. A member of staff shall conduct a "walk through" at regular intervals of all public areas to ensure no problems arise.

The Prevention of Public Nuisance

13. The designated premises supervisor or a nominated person shall conduct a boundary walk to assess noise levels to ensure that the music is non-intrusive into neighbouring properties after 23:00 hours. The findings of these boundary checks will be logged as will any complaints received by staff at the premises about noise.
14. All windows to the front façade shall be quadruple glazed. All other windows shall be double glazed.

15. Windows shall be kept closed when regulated entertainment is taking place.
16. The air conditioning system shall be maintained in working order.
17. Doors shall be kept closed except to allow access to and egress from the premises.
18. Prominent, clear and legible notices shall be displayed at all exits requesting patrons respect the needs of local residents and to leave the premises and the local area quietly.
19. An electronic noise limiting device of a type approved by Tamworth Borough Council must be installed in order to control the maximum noise levels from amplified music and voices. The maximum operating level of the electronic noise limiting device will be approved by and determined in consultation with Tamworth Borough Council.
20. This condition was removed from the premises licence on the 26th June 2012, following an application dated 24 May 2012 to vary the premises licence.

The Protection of Children from Harm

21. Prominent signs shall be displayed on the premises requesting that children be supervised at all times.
22. Soft drinks and snacks shall be made available at all times the premises are open to the public.
23. Suitable proof of evidence of 18 years of age shall be used as evidence to confirm the age of anyone who appears to any member of staff to be under the age of 18. Suitable proof of evidence of 18 years of age shall be any of the following: photographic driving licence; passport or PASS accredited proof of age card.
24. The designated premises supervisor shall determine the times children are permitted to be on the premises.

Annex 3 - Conditions Attached after a Hearing by the Licensing Authority

The following conditions were amended during consideration of an application to vary the premises licence application received on 28 November 2012 at a hearing of the Licensing Committee on 24 January 2013.

- (i) Condition 1 of Annex 2 states:

"1. The restrictions on the hours for supply of alcohol do not prohibit:

- (a) during the first 20 minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;**
- (b) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;**
- (c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;**
- (d) the sale of alcohol to a trader or club for the purposes of the trade or club;**
- (e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;**
- (f) the taking of alcohol from the premises by a person residing there; or**
- (g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or**
- (h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises."**

The deletion of Condition 1 of Annex 2 of the premises licence was granted.

- (ii) The changes to the layout of the premises, as detailed in the plan submitted with the application, were granted.
- (iii) The proposed variations to extend the hours for:
- films;
 - indoor sporting events;
 - anything of a similar description to live music, recorded music or performance of dance;
 - late night refreshment; and
 - supply of alcohol

to 04:00 hours for all days of the week were rejected.

- (iv) The proposed variation to extend the hours the premises are open to the public to 04:30 hours for all days of the week was rejected.
- (v) The non standard timings on the premises licence for:
- films;
 - indoor sporting events; and
 - anything of a similar description to live music, recorded music or performance of dance

state:

**“Christmas Eve 09:00 to 03:00 hours the following day
Boxing Day 09:00 to 03:00 hours the following day
New Year's Eve 10:00 hours on New Year's Eve to 10:00 hours on
New Year's Day.”**

The proposed variation to remove the existing non standard timings and to replace the non standard timings with:

“From the end of permitted hours on New Years Eve to the Start of permitted hours on New Years Day”

was granted

- (vi) The non standard timings on the premises licence for late night refreshment states:

**“Christmas Eve 23:00 to 03:00 hours the following day
Boxing Day 23:00 to 03:00 hours the following day
New Year's Eve 23:00 hours on New Year's Eve to 05:00 hours on New
Year's Day”**

The proposed variation to remove the existing non standard timings and to replace the non standard timings with:

“New Years Eve 23:00 hours til 05:00 hours”

was granted.

- (vii) The non standard timings on the premises licence for supply of alcohol states:

**“Good Friday 12:00 to 22:30 hours
Christmas Eve 09:00 to 03:00 hours the following day
Christmas Day 12:00 to 15:00 hours; and 19:00 to 22:30 hours
Boxing Day 09:00 to 03:00 hours the following day
New Year's Eve 10:00 hours on New Year's Eve to 10:00 hours on New
Year's Day”**

The proposed variation to remove the existing non standard timings and to replace the non standard timings with:

“From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.”

was granted.

- (viii) The non standard timings on the premises licence for the hours the premises are open to the public state:

“Christmas Eve	09:00 to 03:30 hours the following day
Boxing Day	09:00 to 03:30 hours the following day
New Year's Eve	10:00 hours on New Year's Eve to 10:30 hours on New Year's Day”

The proposed variation to remove the existing non standard timings and to replace the non standard timings with:

“From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.”

was granted.

Annex 4 - Plans

Please see attached plans, PREM/05/0088 (plan issue date 24 January 2013)