



Admiral Taverns Limited
Milton Gate
60 Chiswell Street
London
EC1Y 4AG

Date: As Postmarked
My Ref: E&O/PP/LP8373
Please Ask for: Licensing Team
Direct dial: 01254 267666

Re: Premises Licence for Wellington Inn

Dear Sir/Madam

Please find enclosed the premises licence issued in accordance with the application made under the Licensing Act 2003.

Please take note of the information below issued by Lancashire Fire Authority.

FIRE RISK ASSESSMENT - REQUIREMENT

The Regulatory Reform (Fire Safety) Order 2005 place upon every employer, or person other than an employer who has to any extent control of a workplace, the requirement to carry out a fire risk assessment. This may be done as part of the general health and safety risk assessment, which is already required under the Management of Health & Safety at Work Regulations 1992 (amended 1999), or as a separate and specific fire risk assessment. Where five or more persons are employed, the significant findings of the assessment must be recorded. Guidance is available in a booklet entitled 'FIRE SAFETY – A Risk Assessment the document is also available on the DCLG website: www.firesafetyguides.communities.gov.uk Reference number: 05 FRSD 03338
(b)

You are required by law to display the Licence Summary (Part B) in the premises at all times.

You will be notified in due course of the payment date of the annual maintenance charge for this Licence. If you require any assistance with this matter please contact the telephone number above.

Yours faithfully,

A handwritten signature in black ink that reads 'D M Riding'. The signature is written in a cursive style.

Principal Officer Licensing

Part A
Premises Licence
Blackburn with Darwen Borough Council

Premises licence number

LP8373

Part 1 - Premises details

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

Wellington Hotel 362 Livesey Branch Road

Post town Blackburn

Post code BB2 4QJ

Telephone number 01254 607066

Where the licence is time limited the dates

Start Date: 24/11/2005

Licensable activities authorised by the licence

Sale by retail of alcohol

Playing recorded music

Performance of live music

The times the licence authorises the carrying out of licensable activities

Licensing Activity Times

Sale by retail of alcohol

Monday.....11:00 to 00:00
 Tuesday.....11:00 to 00:00
 Wednesday.....11:00 to 00:00
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 Saturday.....11:00 to 01:00
 Sunday.....12:00 to 23:30

Performance of live music

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Non-Standard Activity Times

Sale by retail of alcohol

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The opening hours of the premises

Hours Open to Public

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To reflect existing New Year's Eve/Day hours.

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

Part 2

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

Admiral Taverns Limited Milton Gate 60 Chiswell Street London EC1Y 4AG

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

05438628

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

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

Personal Licence No: PL019468

Issuing Authority: Blackburn with Darwen Council

Annex 1 - Mandatory conditions

Authorising Supply of Alcohol

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

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:-
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 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 a 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 glamorize 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 a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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 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

The responsible person must ensure that 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 beer or cider: 1/2 pint; gin, rum, vodka or whisky: 25 ml or 35 ml; and still wine in a glass: 125 ml; these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and 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.

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

- (i) 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.
- (ii) 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 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.
- (iii) 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.
- (iiii) 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.

Annex 2 - Conditions consistent with the operating Schedule

Prevention of Crime & Disorder	All interior trading areas are visible to the staff from behind the bar servery. The toilets access is clearly visible from the bar servery and the toilets are checked regularly. The licensee/staff monitor customers behaviour, especially during busy periods. Doors and windows are alarmed.
Public Safety	Emergency lighting is installed and maintained on the premises. Fire extinguishers are installed and maintained. Gas and electrical certificates are in place and appliances are tested annually. An accident and incident booklet is kept on the premises.
Prevention of Public Nuisance	All amplified entertainment shall be controlled by a noise limiter to ensure that the management are controlling the noise levels. Doors and windows shall not be kept open whilst live or recorded music is being played. The only exception to this requirement is when background recorded music is played inside the pub that is inaudible outside neighbouring residential premises. Self-closing mechanisms to be fitted to all external doors. No external speakers are permitted. A noise monitoring log book to be updated appropriately recording the entertainment taking place and noise level checks that are to be made around the perimeter of the premises. A comprehensive noise management plan to be in place and all staff to be aware of the requirements of the plan.
Protection of Children	No unaccompanied children allowed on the premises. No children under the age of 16 allowed on the premises after 21.00hrs Cigarette machine is positioned in sight of the bar servery Full range of soft drinks are stocked. AWP machines are positioned within easy sight of the bar servery. Management regularly walk around the premises.

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

Imposed Conditions	A last entry time of 00.00hrs be used when the supply of alcohol hours go beyond 00.00hrs. That any external areas will close to customers at or prior to 23.00hrs. That a Proof of age policy be adopted whereby only Photo Driving Licence, Passport or any PASS accredited card is accepted as such. that the DPS or member of staff will conduct regular outside noise survey checks when music entertainment goes beyond 23.00hrs details of such to be recorded within the Incident book.
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Annex 4 - Plans

The Licensing Act 2003.

General Duties of the Licensing Authority and the Police

The Police and the licensing authority must carry out its functions under the Licensing Act 2003 with a view to promoting the four licensing objectives, which are:-

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

To ensure a consistency of approach the authority has published its licensing statement, a copy of which can be viewed on the Blackburn with Darwen Borough Council website.

Responsibilities of a Designated Premises Supervisor

The premises licence

The premises licence forms two elements, Part A and Part B. Both sections of the licence (or certified copies of) must be on the premises and available for examination at all times that licensable activities are taking place. The premises licence (Parts A & B) contains all of your permitted licensable activities, hours of operation of those activities; the opening and closing times to the public and the name of the DPS (you) as well as the details of the premises licence holder.

Part A – This is the ‘actual’ premises licence and contains the conditions specific to your particular premises. You will need to familiarise yourself with this licence and understand all of the conditions attached to it. Authorised officers will make regular impromptu visits to check compliance with these licence specific conditions. Part A of the licence should be kept on the premises in a secure location, however the responsible person should have ready access to it at all times when licensable activities are taking place. It is Part A of your licence that an authorised officer or Police officer will want to see when making a visit.

Part B of the licence is the summary only, for the benefit of the public and should be on prominent display in the licensed area at all times.

You may find yourself liable to prosecution if you are found to be in breach of any of your licence conditions.

Change of Address

As a DPS you have a responsibility to notify both the licensing authority and the Police of any change of address. If you fail in this obligation, you may commit offences under s.33 & s127 of the Act.

Request to be removed as a Designated Premises Supervisor

If you would like to be removed from your responsibilities as a DPS you are required to give notice to that effect to the relevant authorities (The licensing authority and the Police) in writing. You must then serve a copy of the notice on the premises licence holder along with the premises licence within 48 hours. If you fail to notify the premises licence holder within this time scale you may commit an offence under s.41 of the Act.

Duty to keep and produce premises licence

A premises licence holder is bound to secure that the licence (or a certified copy of) is kept at the premises and available for production to a constable or an authorised officer for examination. Responsibility for this lies with the custodian of the licence, If you have been nominated as custodian of the licence, then if you fail to produce the premises licence upon request (or certified copy of), you along with the premises licence holder may commit an offence under s.57 of the Act.

Duty to produce personal licence

Any constable or authorised officer may require the holder of a personal licence to produce that licence for examination. Failure to produce your personal licence is an offence under s.135 of the Act.

Duty to notify of convictions

If you are convicted of an offence, you must notify the licensing authority of this. Failure to notify the licensing authority of a conviction and sentence imposed in respect of it is an offence under s.132 of the Act.

Unauthorised licensable activities

Under s.136 of the Act you may commit an offence if you carry on, attempt to carry on or allow a licensable activity on or from any premises otherwise than under and in accordance with an authorisation. If found guilty of an offence under this section you may be liable to a term of imprisonment not exceeding six months or to a fine not exceeding £20,000, or to both.

Sale of alcohol to a person who is drunk

If a person who works in a premises in any capacity, whether paid or unpaid, sells, attempts to sell or allows to be sold alcohol to a person who is drunk; then any person who is authorised to prevent such sale commits an offence under s.141 of the Act. This means you as DPS, the premises licence holder and whoever sold the alcohol.

Sale of alcohol to under 18's

Under Section 146 & 147 of the Licensing Act –

1. A person commits an offence if he sells alcohol to an individual under 18.
2. A person commits an offence if he supplies alcohol on behalf of a club to an individual under 18.
3. A person commits an offence if he knowingly allows the sale of alcohol on relevant premises to an individual under 18.

Two or more underage sales of alcohol in a three month period make the Premises Licence Holder liable to an unlimited fine. Premises selling to minors may also be taken to a licence review where conditions can be imposed, or the licence can be suspended or revoked altogether.

Mandatory Licensing Conditions

The conditions state:

1. No irresponsible promotions
2. No alcohol dispensed directly into the mouth
3. Free tap water for customers
4. Use of an age verification policy
5. Give customers the choice of small measures.
6. Every retail sale or supply of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.
7. No alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Business Rates Registration

All businesses are required to register with BWDBC for business rates. There are a number of ways you may be able to get help to **reduce** your **business rates** bill, and these will be advised at the time of registration.

To register, please go online (www.blackburn.gov.uk/Pages/Business-rates.aspx) & report a property move.

Alternatively, you can email us (businessrates@blackburn.gov.uk) with the following information:

- The address of the business property you are occupying.
- Full details of sole trader, partnership or Limited Company
- Your address, phone numbers and email address.
- The date you started trading.

Local Initiatives

The following partnership initiatives help Blackburn with Darwen Borough Council and Lancashire Constabulary promote the four licensing objectives.

Challenge 25

To avoid underage sales by yourselves and staff we must now show that you are using an 'Age Verification Policy' i.e. Challenge 25. This requires that you and your staff ask anyone that appears to be under 25 to produce valid identification before selling them alcohol. Valid identification would include a passport, a driving licence and a PASS accredited ID card, such as a Citizencard. If the person cannot produce ID – DO NOT SELL.

Test purchasing

The Trading Standards Service and Police work closely together using volunteers aged under 18 who are sent into premises to attempt to purchase alcohol. Covert observations are also carried out where officers will observe premises and take any necessary action in relation to underage sales and proxy sales.

Night Time Noise Service

The residents of the borough can avail of a night time noise line. Calls received to this service will prompt a visit to the caller by a noise officer. If it is established that a premises is causing a noise nuisance the Noise Pollution Team will instigate further action against the source of the nuisance.

Traffic Light

One of the ways in which we measure incident at licensed premises is the traffic light system, which uses a points procedure for different kinds of incidents / offences to score premises into green, amber or red categories.

Premises within the amber and red areas will be subject to action plans with the Police and Local Authority to try and put the correct measures in place to reduce incident

Pub watch

Schemes have a pub link radio scheme, and hold regular meetings with Police input.

We would strongly encourage any new Licensees to become active members.

Due Diligence

DPS of other licensed premises

If you are a Designated Premises Supervisor at any other premises, either within or outside of the borough you have a duty to disclose this information to the relevant authorities.

Authority to sell alcohol

As DPS you must be able to demonstrate that in your absence from the premises you have given the authority to sell alcohol on your behalf to the relevant staff left in charge. There is no definitive requirement on how you do this although best practice would be to provide written authority which is easily presentable to an authorised officer or Police officer if requested during a visit.

General staff training

Taking the four licensing objectives into account, it is advisable to have a staff training program and be able to show that all the employees have been trained and are fully aware of their obligations should any issues arise on the premises. Some examples of this are:-

1. *The prevention of crime and disorder* –
 - a. What procedures are in place if drugs are found on your premises?
 - b. If someone is found taking drugs, how would you deal with this?
 - c. Are incidents written down and recorded?
 - d. Do you have a refusal procedure or book?
 - e. What procedures are in place to prevent underage sales?
2. *Public safety* –
 - a. Do you know the capacity of your premises?
 - b. What procedures are in place in case of fire?
 - c. Are fire risk assessments current?
 - d. Are your staff aware of housekeeping procedures? e.g. Not blocking fire doors/escapes.
3. *The prevention of public nuisance* –
 - a. Are regular external checks of the premises carried out to ensure that a nuisance is not being created?
 - b. How are these checks recorded?
 - c. Do you have SIA registered door staff?
 - d. Do you display notices for person leaving to do so quietly and with consideration for local residents?
4. *The protection of children from harm* –
 - a. Are all your staff trained to ask for I.D for anyone who looks under 21 or 25? (Challenge 21 or Challenge 25)

These are just a few examples of the policies you may need to put in place as part of your staff training program.

Fire

As of October 2006 all premises are required to undertake a Fire Risk Assessment. (You will be given a separate booklet about this). As DPS you must have vigilance with regard to fire safety and carry out fire risk assessments. Good practice is to have a Fire Log Book in which you can record details of when you do fire drills, equipment checks, etc. Fire safety training will also need to form part of your staff training program. If you have any questions or queries about Fire Risk Assessment and your obligations in this regard you can contact the Fire Safety Department on (01254) 262721.

Smoke Free England

On 1st July 2007 England became 'Smoke Free'. The Health Act 2006 makes provision for the prohibition of smoking in on any premises which are open to the public or used as a place of work. If a premises is designated as 'Smoke Free' it is smoke free at all times, not just when open to the public or when people are at work. As the DPS you are responsible for ensuring that the correct signage is on display in the correct locations. You may commit offences under the Health Act 2006 if you allow people to either smoke on your premises or if you fail to display the appropriate signage.

The Protection from Tobacco (Sales from Vending Machines (England) Regulations 2010

The above regulations were made under powers in section 3A of the Children & Young Persons (Protection from Tobacco) Act 1991, as inserted by section 22 of the Health Act 2009.

From 1st October 2011, it is illegal to sell tobacco products directly to the public from a vending machine. It is also illegal to display advertisements or pictures of tobacco products on vending machines.

Any person found guilty of the offence of selling tobacco from a vending machine will be liable on summary conviction to a fine not exceeding level 4 on the standard scale, currently £2500.

Any person found guilty of an offence in relation to tobacco advertisements is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale, currently £5000 or both.

The legislation does not require that vending machines themselves be banned. They can stay in position if they are no longer used to sell tobacco products and all advertisements of tobacco products are removed.

Businesses will still be able to sell cigarettes but must make sure that all adverts on vending machines are removed. The public must not have access to the vending machine or the cigarettes.

History of Complaints

If there is a history of complaints with your new premises, these will be discussed with you in order that you can be aware of any possible sensitive areas or potential problems.

Part B

Premises licence summary

Premises licence number

LP8373

Premises details

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

Wellington Hotel 362 Livesey Branch Road

Post town Blackburn

Post code BB2 4QJ

Telephone number 01254 607066

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On and off the premises

Name, (registered) address of holder of premises licence
Admiral Taverns Limited Milton Gate 60 Chiswell Street London EC1Y 4AG

Registered number of holder, for example company number, charity number (where applicable)
05438628

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
Alyson Jayne Shakespeare

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



BLACKBURN
with
DARWEN
BOROUGH COUNCIL