

APPENDIX B

Schedule 12

Part A

Regulation 33, 34

**Premises Licence
Brighton and Hove City Council**

Premises Licence Number	1445/3/2011/00235/LAPRET
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Freemasons Tavern 38 - 39 Western Road Hove BN3 1AF	
Telephone number	01273 732043

Where the licence is time limited the dates -

Licensable activities authorised by the licence
Performance of Live Music and Recorded Music Late Night Refreshment Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities
Performance of Live Music - Indoors Amplified and acoustic live music - for example Jazz Trios. Mon - Wed: 10.00 - 00.00 Thur - Sat: 10.00 - 01.00 Sun: 12.00 - 00.00 Until 01.00 in the morning following every Christmas Eve and to reflect New Year's Eve/Day hours.
Performance of Recorded Music - Indoors To match sale of liquor at section M. Disco music and amplified recorded music ancillary to sale of alcohol (section M).

Mon - Wed: 10.00 - 00.00

Thur - Sat: 10.00 - 01.00

Sun: 12.00 - 00.00

Until 01.00 in the morning following every Christmas Eve and to reflect New Year's Eve/Day hours.

Late Night Refreshment

Provision of hot refreshment.

Mon - Wed: 23.00 - 00.00

Thur - Sat: 23.00 - 01.00

Sun: 23.00 - 00.00

Until 01.00 in the morning following every Christmas Eve and to reflect New Year's Eve/Day hours.

Sale by Retail of Alcohol

Mon - Wed: 10.00 - 00.00

Thur - Sat: 10.00 - 01.00

Sun: 12.00 - 00.00

Until 01.00 in the morning following every Christmas Eve and to reflect New Year's Eve/Day hours.

The opening hours of the premises

Monday - Thursday: 10.00 - 01.00

Friday - Saturday 10.00 - 02.00

Sunday: 12.00 - 02.00

Until 02.00 in the morning following every Christmas Eve. To reflect existing New Year's Eve/Day hour

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Zegrain Ltd
146 Springfield Road
Brighton
BN1 6BZ

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

Registered Business Number 3235178

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

Simon Walker

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 number: Issuing Authority: Brighton & Hove City Council

Annex 1 – Mandatory conditions

S 19; 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, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.—(1) 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.

(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 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.

2. 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).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(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.

5. 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.

S 21; mandatory condition: door supervision

- where a premises licence includes a condition relating to security activity, the licence must include a condition that each individual must be licensed by the Security Industry Authority (there are exemptions re theatre and films and clubs)

Embedded Conditions:

On Licences

1. Permitted Hours

Alcohol shall not be sold or supplied except during permitted hours.

1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.

2) On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.

3) On Good Friday, 12 noon to 10.30 p.m.

4) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

- 5) On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.
- 6) On New Year's Eve on a Sunday, 12 noon to 10.30 p.m
- 7) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

Restrictions

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours the consumption of alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) 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;
- h) the taking of alcohol from the premises by a person residing there; or
- i) 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
- j) 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 alcohol 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.

2. Premises with no children's certificate-

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition “bar” includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168,171 and 201 Licensing Act 1964

4. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above, and on New Years Eve until 5am on New Years Day.

5. Recorded Music

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Source Section 182 Licensing Act 1964

Supper Hours Certificate

Where a supper hours certificate is in place under s. 68, add (depending on whether one or both of the extensions in square brackets have been granted):

“Alcohol may be sold or supplied [*for one hour following the end of permitted hours and*] [*on Christmas day, between 3 p.m. and 7 p.m.*] to persons taking table meals in the premises in a part of the premises

usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours shall continue to apply.”

Source Section 68 Licensing Act 1964

Schedule to Supper Hours Certificate

In the parts of the premises to which this certificate applies (first floor restaurant) there shall be added to the permitted hours:-

a. The period (on Christmas Day) between the first and second parts of the general licensing hours.

b. The hour following the general licensing hours.

Variations to Embedded Conditions:

Removal of the conditions relating to the Supper Hours Licence that the sale of alcohol must be ancillary to provision of substantial refreshment.

Annex 2 – Conditions consistent with the Operating Schedule

For the prevention of crime and disorder:

1. Illumination must be provided and maintained to the exterior areas of the pub.
2. The licensee must adhere to an underage policy, this to include the need for customers who look underage to provide ID.
3. Licensees and staff must operate their 'Challenge 21' policy in that any person attempting to purchase alcohol who appears under the age of 21 will be asked to produce photographic identification.
4. There must always be a minimum of two staff on duty at any one time while the premises are open to the public.
5. Door staff must be provided every Friday and Saturday (see S21 above).

For public safety:

6. The premises is to promote a licensed taxi service to facilitate its customers making onward journeys.
7. Standard glasses are to be phased out and replaced with toughened glass.

For the prevention of public nuisance:

5. When required, staff organise taxis to transport customers home.
6. The Licensee must ensure that people on or leaving the premises conduct themselves in an orderly manner at all times and do not in any way cause annoyance to residents and people passing by the premises.
7. External seating areas will be cleared at 23.00 hours.
8. Licensees and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
9. The licensee shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

For the protection of children from harm:

10. Under 18s are not permitted on the premises after 19.00 hours except those accompanied children who are allowed in the upstairs function room for private parties until 23.00 hours
11. Children are not permitted in the bar except for access to the garden or toilets.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel

(1) All doors and windows at first floor level and windows at ground floor (except on the northern elevation exiting onto the main road) should be kept closed from 22.00 except for entrance and exit.

(2) The only public entrance and exit (except in the case of emergency) will be via the doors on the northern elevation exiting onto the main road.

(3) A modern digital CCTV system and appropriate recording equipment to be installed, operated and maintained throughout the premises internally and externally at the earliest opportunity and in any event within 28 days of the Sussex Police report of their requirements. CCTV footage will be stored for a minimum of 28 days, and the

