

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
Town Hall
Castle Circus
Torquay
TQ1 3DR

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Offshore Bar & Restaurant

13-14 Vaughan Parade, Torquay, Devon, TQ2 5EG.

Telephone 01803 292108

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day	10:00am	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day	10:00am	Midnight
L. Late night refreshment (Indoors & Outdoors)	Monday to Sunday On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day	10:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day	8:00am	12:30am



WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Brett Francis Morton

Station House, Rathmore Road, Torquay, Devon, TQ2 6NY.
Telephone 01803 606784

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Brett Francis MORTON

Station House, Rathmore Road, Torquay, Devon, TQ2 6NY.
Telephone 01803 606784

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA2129

Issued by Torbay

Rachael Hind
Regulatory Service Manager (Commercial)
24 January 2025



ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where 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/her 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.
- 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



ANNEXES continued ...

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.

Minimum Drinks Pricing

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 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.

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The prevention of crime and disorder

1. Cash / till drawer shall be removed while the premises are closed in order to discourage crime.
2. CCTV system of an evidential standard shall be installed to the satisfaction of the police and the system to be in operation at all times the premises are open to the public. All recordings from that system shall be kept for a period of 21 days and the police to have access to recordings at any reasonable time.



ANNEXES continued ...

3. Substantial food to be available during all licensing hours.
4. The consumption of intoxicating liquor shall be confined to the premises and the area adjacent thereto, designated under the terms of the Pavement Cafe Permit issued by the Local Authority, whilst such authority is for the time being in force, providing such persons are sat at tables and the area is supervised by way of waiter/waitress service.

Public safety

1. The fire safety measure with which the premises are provided will be maintained in good working order, and their adequacy will be determined on a regular basis by carrying out a fire risk assessment as required by, and in accordance with, the regulatory reform (fire safety order 2005).
2. I understand that the safety of occupants is also influenced by numbers of persons present, their disposition and the activities taking place, and therefore undertake to maintain a safe occupancy level.

The prevention of public nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g dwelling) with windows open for normal ventilation especially after 11pm. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:
 - (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above other noise.
 - (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e semi's and terraced properties), to make further assessments from within the residential property.
2. A senior member of staff (manager) shall assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment to ensure levels of noise have not increased.
3. The movement of bins and rubbish outside the premises shall be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
4. The volume of amplified sound used in connection with entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the Premises not accessible to the public.

The protection of children from harm

1. The premises shall operate a Challenge 25 policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Councils Licensing Statement of Principles.
2. Challenge 25 Posters will be on display within the premises.
3. Under 18's will not be allowed entry to the premises after 21:00 hours, and any under 18's will be asked to leave unless consuming a table meal.
4. Children under the age of 16 years will be accompanied by a responsible adult after 21:00 hours.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEXE 4

PLANS



Licensing Act 2003

Premises Licence

1191

ANNEXES continued ...

Copy attached to Licence.



LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
Town Hall
Castle Circus
Torquay
TQ1 3DR

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:30am
On New Year's Eve from the end of permitted hours on NYE to the start of permitted hours on the following day		



WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Brett Francis Morton

Station House, Rathmore Road, Torquay, Devon, TQ2 6NY.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Brett Francis MORTON

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Access is restricted only under the terms of the Licensing Act 2003

Rachael Hind
Regulatory Service Manager (Commercial)
24 January 2025

