



---

# NOTICE OF MEETING

---

## LICENSING SUB-COMMITTEE

MONDAY, 6 FEBRUARY 2017 AT 11.00 AM

THE EXECUTIVE MEETING ROOM, FLOOR 3 OF THE GUILDHALL,  
PORTSMOUTH

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: [jane.didino@portsmouthcc.gov.uk](mailto:jane.didino@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

---

Committee Members Councillors Julie Bird (Chair), Hannah Hockaday (Vice Chair), Dave Ashmore, Jennie Brent, Ken Ellcome, Paul Godier, Scott Harris, Steve Hastings, Suzy Horton, Leo Madden, Lee Mason, Stephen Morgan, Steve Pitt, David Tompkins and Gerald Vernon-Jackson.

The panel today consists of : Councillors Julie Bird, Hannah Hockaday and Gerald Vernon-Jackson CBE

The reserve member is Councillor Ken Ellcome.

---

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**Licensing Sub Committee meetings are digitally recorded.**

### **A G E N D A**

- 1 **Appointment of Chair.**
- 2 **Declarations of Interest.**
- 3 **Licensing Act 2003 - Temporary Event Notice - Consideration of Objection Notice - Arts Lodge, Victoria Park Lodge, Anglesea Road, Portsmouth (Pages 3 - 26)**

Purpose.

The purpose of this report is for the committee to consider an objection notice given by a relevant person namely the Environmental Health Service and in respect of a Temporary Event Notice (TEN) received by the licensing authority

under our reference (17/01509/LATENS).

The committee is recommended to determine this matter.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

# Agenda Item 3

**REPORT TO:** LICENSING SUB-COMMITTEE 6 February 2017

**REPORT BY:** LICENSING MANAGER

**REPORT AUTHOR:** NICKII HUMPHREYS

**Licensing Act 2003 - Temporary Event Notice - Consideration of Objection Notice - Arts Lodge Victoria Park Lodge Anglesea Road Portsmouth**

## 1. PURPOSE OF REPORT

The purpose of this report is for the Committee to consider an objection notice given by a relevant person<sup>1</sup> namely the Environmental Health Service and in respect of a Temporary Event Notice ("TEN") received by the licensing authority under our reference (17/01509/LATENS).

## 2. THE PROPOSED PREMISES USER

The TEN has been given by:

**Name:** Mr Mark Edmund William Lewis

**Personal Licence:  
(If applicable)** Yes (1375)

## 3. THE PREMISES AND PROPOSED PERMITTED TEMPORARY ACTIVITIES

The premises user proposes to carry on temporary licensable activities at the following premises:

**Name (if any) and address of premises  
(or part):** Arts Lodge  
Victoria Park Lodge  
Anglesea Road

**Proposed licensable activities:** Sale by retail of alcohol  
Regulated entertainment  
Late night refreshment

**Proposed dates and timings:** 11 February 2017 19:00 - 12 February  
2017 04:00 hours

A copy of the temporary event notice is attached as **appendix A**.

---

<sup>1</sup> A "relevant person" is now defined as either the Chief Officer of Police for the police area OR the local authority exercising the statutory functions in relation to minimising or preventing the risk of pollution of the environment or of harm to human health. Section 99A Licensing Act 2003 as amended by the Police Reform and Social Responsibility Act 2011 refers.

#### 4. BACKGROUND INFORMATION

The provisions relating to permitted temporary activities are contained within Part 5 of the Licensing Act 2003 (“the Act”).

The Act has introduced a “light touch” system for ad hoc permitted temporary activities. This replaced the previous licensing arrangements under the Licensing Act 1964 for occasional licences and permissions.

A TEN is given by an individual aged 18 or over (“a premises user”) and authorises the premises user to conduct one or more licensable activities at premises<sup>2</sup> for an event lasting no more than 168 hours (7 days). TENs can be used to authorise relatively small-scale ad hoc events, subject to certain mandatory restrictions which are:

- The number of times the “premises user” may give a TEN (***50 times a year for a personal licence holder and 5 times a year for a non personal licence holder***);
- The number of times a TEN may be given in respect of any particular premises (***15<sup>3</sup> times in a calendar year***) ***but subject to a maximum aggregate duration of the periods covered by TENs at any individual premises (21 days)***;
- Minimum period of 24 hours between each TEN given by the same premises user (or an associate) for the same premises;
- The length of time a temporary event may last (***168 hours***); and
- The scale of the event in terms of the maximum number of people attending at any one time (***less than 499***).

The premises user must give the TEN to the licensing authority and also send a copy to the relevant persons no later than 10 working days before the day that the temporary event is intended to start. Upon receipt of a TEN, the licensing authority is required to issue an acknowledgement of the TEN. A prescribed fee is payable.

A purpose of the TEN notification process is to also enable the licensing authority to check that the mandatory restrictions shown above are being observed and to intervene, by issue of a statutory counter notice, if they are not.

The Chief officer of Police or officers of the council exercising Environmental Health functions (the relevant persons) may intervene to prevent a proposed TEN event from taking place on any (or all) of the four licensing objectives. They have 3 working days following receipt of the TEN to give an objection notice if satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective and must give reasons to support any concerns.

---

<sup>2</sup> Premises can include any place or a vehicle, vessel, moveable structure or area of open land

<sup>3</sup> Deregulation Act 2015 refers.

However, at any time before a hearing is held, the relevant person may, with the agreement of the premises user, modify the TEN to address any concerns. Once the TEN has been modified, the objection notice is treated as being withdrawn.

A local authority has powers under other legislation, for example, to deal with a statutory noise nuisance and may also require any premises user to comply with appropriate planning and/or other necessary building consents.

Section 161 of the act provides that a senior police officer may make an order closing individual premises covered by a premises licence or a TEN for up to 24 hours where he reasonably believes that:

- disorder is taking place; or
- is likely to take place imminently; or
- a nuisance is being caused by noise emanating from the premises.

Such orders may only be made where it is necessary in the interests of public safety or to prevent the nuisance caused by noise coming from the premises.

## 5. OBJECTION NOTICE

Environmental Health Service has submitted an objection notice which is attached as **appendix B**.

## 6. POLICY AND STATUTORY CONSIDERATIONS

When determining the objection notice and whether to issue a counter notice<sup>4</sup> the Committee must have regard to:

- The promotion of the licensing objectives;
- The Licensing Act 2003;
- The statutory guidance issued by the Secretary of State in accordance with section 182 of the Act; and
- The representations, including supporting information, presented by all the parties.

Any application will be considered on its individual merits. Equally, any person permitted by the Act to make relevant representations to the Committee will have those representations considered on their individual merit.

The Act does permit the licensing authority to attach conditions but only if a counter notice is **NOT** issued **and** provided that the premises concerned are already subject to either a premises licence or club premises certificate. Any proposed conditions must already apply to the parent licence and must not be inconsistent with the carrying out of the proposed activities under the auspices of the TEN. The committee will be

---

<sup>4</sup> *There is no prescribed format for a counter notice issued under section 105(3) of the act. This could be a letter or formal notice from your reporting officer informing the premises user that the committee have concluded that, in the circumstances and having regard to the promotion of the licensing objectives, the event cannot go ahead.*

advised of any pre-existing conditions if mindful of imposing any conditions in relation to the TEN.

Premises users are not required to be on the premises for the entire duration of the event, but they will remain liable to prosecution for certain offences that may be committed at the premises during the temporary event if the event is not adequately managed/supervised including the laws governing sales of alcohol to persons under 18 years.

Chapter 7 and paragraphs 7.1 to 7.40 of the updated Statutory Guidance issued by the Secretary of State are relevant to the consideration of TENS, and in particular:

**Para 7.6**

*"The police or local authority exercising environmental health functions" ("EHA") may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. The police or EHA ("relevant persons" for the purposes of TENS) may also intervene by agreeing a modification of the proposed arrangements directly with the TENS user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENS would be exceeded (see paragraphs 7.15 - 7.22)".*

**Para 7.32**

*"The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives".*

**Para 7.34**

*"Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions where there is an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead.....".*

After hearing the representations and having regard to the objection notice, the Committee must give the premises user a counter notice to prevent the TEN from taking place **if it considers it appropriate for the promotion** of one or more of the licensing objectives.

The licensing authority must subsequently take the following steps:

- a) in such cases where it decides not to give a counter notice, it must give the premises user and each relevant person a notice of the decision; and

b) in any other case:

- i) give the premises user the counter notice and a notice stating the reasons for its decision; and
- ii) give each relevant person a copy of both of those notices.

## **7. APPEALS**

Schedule 5, part 3, of the Act sets out the appeal provisions in relation to the determination of an objection notice to a TEN submitted by a relevant person.

Should the Committee give a counter notice, the premises user may appeal against the decision to the Magistrates' Court.

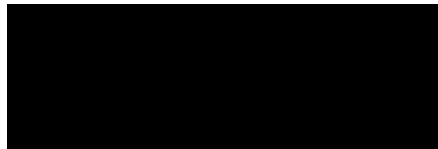
Should the Committee decide not to give a counter notice, the relevant person may appeal to the Magistrates' Court.

A copy of the current Statutory Guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

## **8. APPENDICES**

- A.** Copy of the redacted Temporary Event Notice and plan (if available)
- B.** Copy of the objection notice submitted by the relevant person
- C.** Copy of the existing redacted licence authorisation (if available)

**THE COMMITTEE IS REQUESTED TO DETERMINE THE OBJECTION NOTICE**



Licensing Manager  
And on behalf of Head of Service

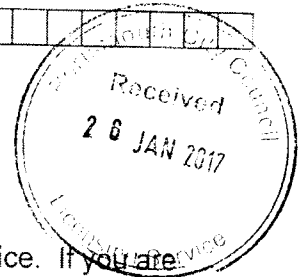
**This page is intentionally left blank**





Reference Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



## TEMPORARY EVENT NOTICE

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user. (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	LEWIS
Forenames	MARK E.W.
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Post town	Postcode
7. Other contact details	
Telephone numbers	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)

ARTS LODGE AND PARK CAFE  
VICTORIA PARK  
ANGLESEA ROAD

Post town **PORTSMOUTH**

Postcode **PO1 3HJ**

9. Alternative contact details (if applicable)

Telephone numbers:

Daytime

**023 9287 0880**

Evening (optional)

Mobile (optional)

Fax number (optional)

E-Mail address  
(if available)

**2. The premises**

Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)

ARTS LODGE  
VICTORIA PARK

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

Club premises certificate number

**14/03944/LAREV1**

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

**WE INTEND TO USE OUR BUILDING, GARDEN AND OUR LICENSED PARK AREA OUTSIDE FOR THIS EVENT**

Please describe the nature of the premises below. (Please read note 4)

**PORTSMOUTH'S ONLY ART CENTRE & CULTURAL HUB THAT IS RUN AS A NOT FOR PROFIT CIC CO-OP AND MAINLY RUN BY VOLUNTEERS.**

Please describe the nature of the event below. (Please read note 5)

A FUNDRAISING BENEFIT NIGHT TO HELP RAISE FUNDS AS OUR COUNCIL ARE EVICTING US WHICH WOULD MAKE US BANKRUPT. A SHOWCASE OF A LOCAL INSTALLATION AND PERFORMANCE GROUP THAT SPECIALISE IN LIGHTSHOWS AND VISUAL PROJECTIONS. WE WILL HAVE LIVE MUSIC, BAR AND RECORDED MUSIC. TICKETS ARE STRICTLY INVITES ONLY IN A PRIVATE GROUP.

**3. The licensable activities**

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	

11<sup>th</sup> AND 12<sup>th</sup> FEB 2017

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

19.00 hrs (11<sup>th</sup> feb) TO 04.00 hrs (12<sup>th</sup> feb)

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

200 MAX

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (Please read note 12)

(a) 7pm - 4am (e) 7pm - 11.30 (f) 7pm - 4am  
(g) 7pm to 3.30am (h) 7pm - 4am

4. Personal licence holders (Please read note 13)			
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	PORTSMOUTH CITY COUNCIL		
Licence number	LAPERS / 9923		
Date of issue	12 <sup>th</sup> Feb 2008		
Date of expiry			
Any further relevant details			

5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7 Checklist (Please read note 16)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8 Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**Declarations (Please read note 18)**

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

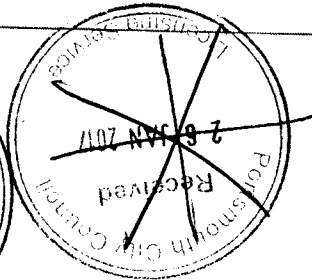
Signature	[Redacted]
Date	25 <sup>th</sup> JAN 2017
Name of Person signing	MR MARK E.W. LEWIS

For completion by the licensing authority

**10. Acknowledgement (Please read note 19)**

I acknowledge receipt of this temporary event notice.

Signature	[Redacted] On behalf of the licensing authority
Date	
Name of Officer signing	DEBORA LOBSON



**From:** [Licensing Shared Email](#)  
**To:** [Humphreys, Nickij](#)  
**Subject:** FW: Temporary Event Application 17/01509/LATENS  
**Date:** 30 January 2017 10:08:19

---

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Maidment, Richard  
**Sent:** 28 January 2017 01:02  
**To:** Licensing Shared Email  
**Subject:** Temporary Event Application 17/01509/LATENS

Please be advised that I wish to object to the Temporary Event Notice (17/01509/LATENS) for The Arts Lodge, Victoria Park Lodge, Anglesea Road, on the grounds of prevention of public nuisance due to a history of complaints from the wardroom of HMS Nelson regarding excessive noise from live bands and recorded music being played at this venue into the early hours of the morning.

regards

Richard Maidment  
Environmental Protection Officer

Environmental Health  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

[REDACTED]

**This page is intentionally left blank**





# PREMISES LICENCE

## Licensing Act 2003

### Part 1 – Premises Details

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

**Address:** Lodge Arts Centre  
Victoria Park Lodge  
Anglesea Road  
Portsmouth  
PO1 3HJ

**Map Ref (E) :** 463849  
**Map Ref (N):** 100413  
**UPRN:** 001775002843

**Telephone** 9287 0880

#### Where the licence is time limited the dates

This licence is **NOT** time limited

#### Licensable activities authorised by the licence

- ▶ Sale by retail of alcohol
- ▶ Late night refreshment
- ▶ Performance of dance
- ▶ Exhibition of a film
- ▶ Performance of live music
- ▶ Performance of a play
- ▶ Playing of recorded music
- ▶ Other similar music or dance Entertainment

#### The times the licence authorises the carrying out of licensable activities

- ▶ Sale by retail of alcohol  
Monday to Sunday 10:00 until 23:00
- ▶ Performance of dance  
Monday to Sunday 08:00 until 23:30
- ▶ Exhibition of a film  
Monday to Sunday 08:00 until 23:30
- ▶ Performance of live music  
Monday to Sunday 08:00 until 23:30
- ▶ Performance of a play  
Monday to Sunday 08:00 until 23:30

- ▶ Playing of recorded music  
Monday to Sunday 08:00 until 23:30
- ▶ Other similar music or dance Entertainment  
Monday to Sunday 08:00 until 23:30
- ▶ Late night refreshment  
Monday to Sunday 23:00 until 23:45

**The opening hours of the premises**

- ▶ Monday to Sunday 08:00 until 23:45

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

Alcohol is supplied for consumption **on** the premises

**Part 2**

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

**Name:** Lodge Arts Centre  
**Address:** Victoria Park Lodge  
Anglesea Road  
Portsmouth  
PO1 3HJ  
**Telephone:** 9287 0880  
**Email:**

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

04611723

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

**Name:** Mr Mark Edmund William Lewis

**Address:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Telephone:**

[REDACTED]


**Email:**

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

**Personal Licence No:** 1375  
**Issuing Authority:** Portsmouth City Council

**Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder**

**Date Licence granted:** 29 September 2008  
**Date last amended:** 23 October 2014  
**Type:** Review



Signed on behalf of the Head of Service  
(Authorised Officer)

## **Annex 1 – Mandatory Conditions**

01 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/her personal licence is suspended.

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

03 (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).

04 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

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

06 (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.

07 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: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25ml 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.

08 (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.

**-- END --**



**Annex 2 – Conditions consistent with the operating schedule**

01 Evening venues will be ticket only.

02 There will no consumption of alcohol after 23:30 hours.

03 The licence holder may provide Event Days subject to the following conditions:

- 1) a limit of 12 extensions per premises per year;
- 2) an operating plan to be prepared by the licence holder for each extension covering the additional measures to be taken to manage crime and disorder;
- 3) seven days notice to be given in writing to the police at the Licensing Department, Kingston Crescent Police Station, Kingston Crescent Portsmouth and the Licensing Authority;
- 4) an absolute veto for the police in respect of any of the occasions.

04 The disco lights will be switched off 15 minutes before the end of a function and music of a more relaxed nature will be played to defuse high spirits.

05 Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

06 The rear entrance leading into Victoria Park will be securely closed and remain closed except in an emergency at all times when the park is closed to the public.

07 In conjunction with the Child Protection Policy staff and volunteers will undertake a Criminal Records check.

08 Children under the age of 18 years will not be allowed on the premises after 21:00 hours unless accompanied by an adult.

09 Children under the age of 11 years will not be allowed on the premises after 21:00 hours.

10 Children between the ages of 12 and 17 years must leave the premises by 23:00 hours.

11 Children under the age of 18 years will not be permitted on the premises when striptease or entertainment of a similar nature takes place.

12 Appropriate signage shall be clearly and prominently displayed on the premises advising customers of the law relating to sales of alcohol and also that photographic ID is required to be produced by anyone appearing to be under the age of 21.

**-- END --**

**Annex 3 – Conditions attached after a hearing by the licensing authority**

01 All alcohol purchased must be consumed on the premises.

-- END --

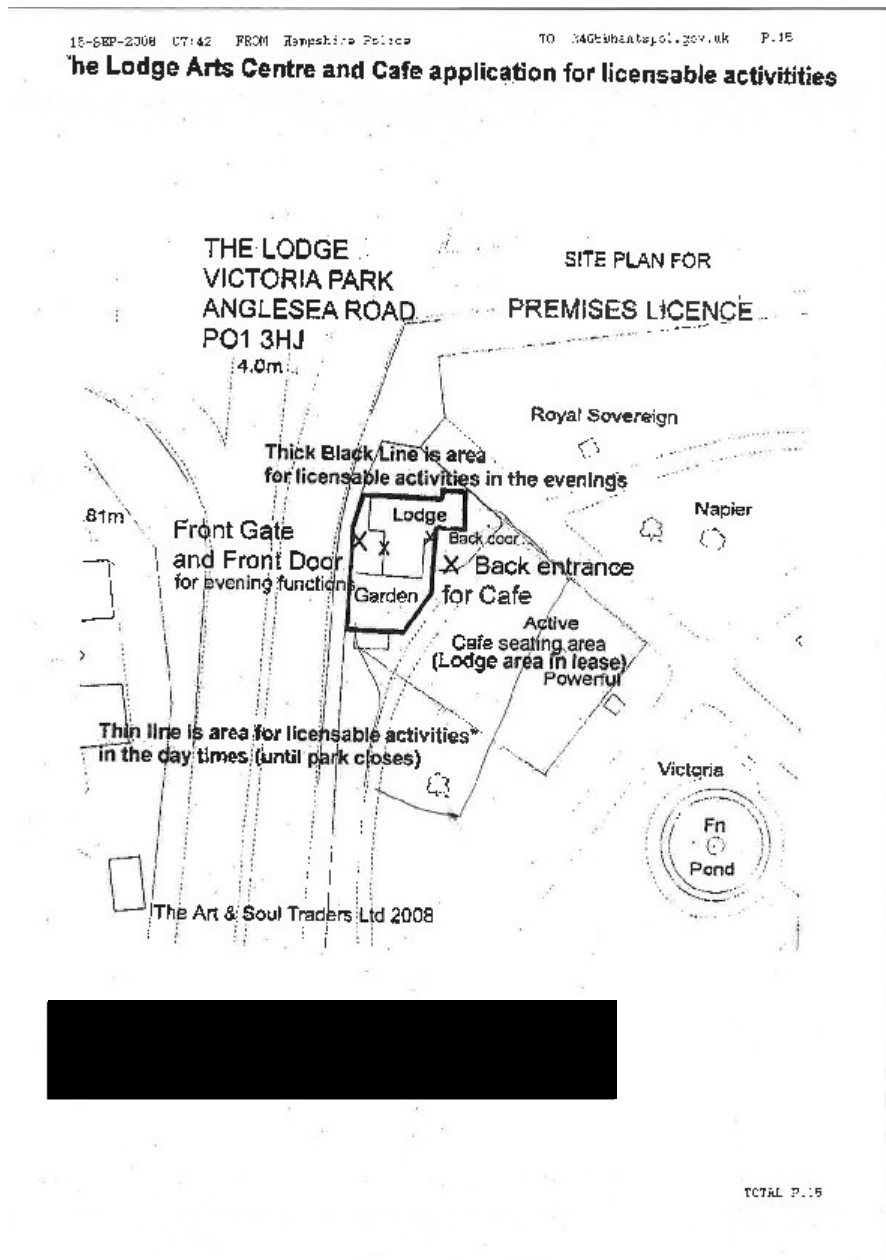




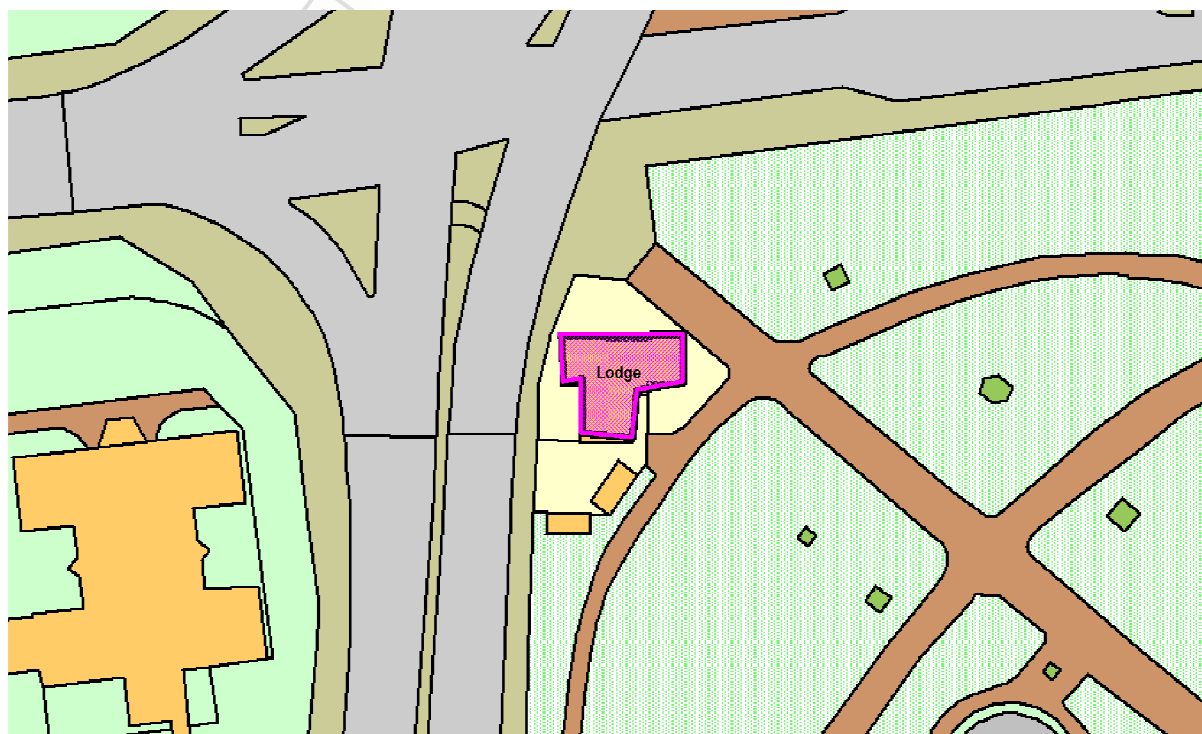
**Annex 4 – Premises and location plan**

**Premises Plan(s)**

These will either be shown below or attached as a separate part of the premises licence authorisation.



**Location Plan: Victoria Park Lodge Anglesea Road**



REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. LICENCE AGREEMENT NUMBER LA100019671- PORTSMOUTH CITY COUNCIL