



Portsmouth
CITY COUNCIL

PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

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

Address: Astoria 37-39 Guildhall Walk Portsmouth Hants PO1 2RY	Map Ref (E) : 464004 Map Ref (N): 99978 UPRN: 001775033988
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Telephone [REDACTED]

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
- ▶ 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 | |
| Friday and Saturday | 19:00 until 04:00 |
| Sunday to Thursday | 19:00 until 02:00 |
| ▶ Performance of dance | |
| Friday and Saturday | 19:00 until 04:00 |
| Sunday to Thursday | 19:00 until 02:00 |
| ▶ Exhibition of a film | |
| Friday and Saturday | 19:00 until 04:00 |
| Sunday to Thursday | 19:00 until 02:00 |
| ▶ Performance of live music | |
| Friday and Saturday | 19:00 until 04:00 |
| Sunday to Thursday | 19:00 until 02:00 |

▶ Playing of recorded music

Friday and Saturday 19:00 until 04:00
Sunday to Thursday 19:00 until 02:00

▶ Other similar music or dance Entertainment

Friday and Saturday 19:00 until 04:00
Sunday to Thursday 19:00 until 02:00

▶ Late night refreshment

Friday and Saturday 23:00 until 04:30
Sunday to Thursday 23:00 until 02:30

Non standard timing - Exhibition of a film

An additional hour to the standard times on the day when British Summertime commences.

Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours

From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day

These timings also apply to the hours of opening and closing

Seasonal variation Sale by retail of alcohol

An additional hour to the standard times on the day when British Summertime commences.

Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours

From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day

A terminal hour of 04:30 (the day following) on Sundays immediately preceding a Bank Holiday Monday

These timings also apply to the hours of opening and closing

Seasonal variation Performance of dance

An additional hour to the standard times on the day when British Summertime commences.

Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours

From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day

These timings also apply to the hours of opening and closing

Seasonal variation Performance of live music

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Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours

From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day

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Seasonal variation Playing of recorded music

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Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours

From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day

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Seasonal variation Other similar music or dance Entertainment

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Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours
From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day
These timings also apply to the hours of opening and closing

Seasonal variation Late night refreshment

An additional hour to the standard times on the day when British Summertime commences.
Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours
From the commencement of permitted hours on New Year's Eve until end of permitted hours on New Year's Day
These timings also apply to the hours of opening and closing

The opening hours of the premises

- ▶ Sunday to Thursday 19:00 until 02:30
- ▶ Friday and Saturday 19:00 until 04:30

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: Invincible Leisure Limited

Address: Compass Accountants
The Tanneries
East Street
Titchfield
Hants PO14 4AR

Telephone:

Email: [REDACTED]

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

8357488

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

Name: Mr Alistair Ritchie

Address: [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: 654

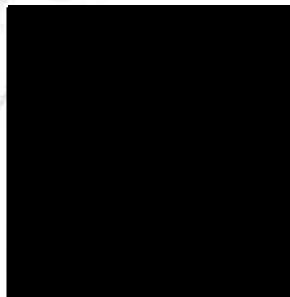
Issuing Authority: Fareham Borough Council

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

Date Licence granted: 3 October 2005

Date last amended: 6 September 2016

Type: Variation



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

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This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information go to www.portsmouth.gov.uk and search for 'National Fraud Initiative'.

Annex 1 – Mandatory Conditions

01 In accordance with section 20 of the Licensing Act 2003, no child shall be admitted to any film exhibition unless that exhibition has been granted a certificate by the British Board of Film Classification or the licensing authority itself.

02 Where a programme includes a film in the 12A, 15 or 18 category, no person appearing to be under the age of 12 (and unaccompanied by a person over the age of 18 years in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.

03 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium, a reproduction of the certificate of the Board indicating the category of the film. For a film passed by the Licensing Authority, notices shall be displayed both inside and outside the premises so that persons entering can readily read them and be aware of the category attached to any film or trailer.

04 If the Licensing Authority does not agree with the category in which any film passed by the British Board of Film Classification is placed, they shall be at liberty to alter such category, and, on notice of such alteration being given by the Licensing Authority to the licence holder, the film thereafter shall be treated as having been placed in the altered category and the conditions applicable to the exhibition of films in such altered category shall be complied with.

If the Licensing Authority requests the licence holder to exhibit to them any film, he shall do so at such reasonable time as the licensing authority may, in writing, direct.

05 Where any condition of this licence requires that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

For the purposes of this condition "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act).

This condition is subject to any exemptions in accordance with the provisions of the Private Security Industry Act 2001.

06 (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).

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

08 (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.

09 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.

10 (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.

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Annex 2 – Conditions consistent with the operating schedule

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

01 Operation and Storage

The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system. A record shall be kept of any access made to information held on the system.

The system will be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST. Digital systems shall have sufficient storage capacity for 31 days evidential quality pictures. The images produced will be date and time stamped.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment and to produce images to the police for the purpose of the detection of crime as long as the request is lawful and complies with the data protection Act.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

02 The rear terraced area will be covered by recording CCTV.

03 On each occasion the premises are open to the public a ratio of 2 SIA licensed door supervisors will be deployed at the premises throughout the time the premises are open at a ratio of 2 for 1-100 customers and then 1 per 100 thereafter, e.g, 3 - 101-200, 4 - 201-300 etc. will be employed at the premises. At least one female door supervisor will be employed whenever female customers are to be the subject of searches.

All door supervisors will wear a fluorescent and/or reflective orange tabard, clearly marked "door supervisor".

All door supervisors will be equipped with a body camera. The equipment will be maintained and the images will be made immediately available to the police at all times on request in line with data protection legislation. Where the equipment fails the Licensing Department of the police, will be notified immediately in writing or by e-mail. Footage obtained shall be retained for 31 days, At the terminal hour, door supervisors shall assist in managing customers leaving the venue and those remaining in the vicinity of the venue to assist with the dispersal away from the venue.

04 The Licence holder shall maintain a duty register giving details of each and every person employed in the role of a security/door supervisor and shall provide upon request by any Police Officer or Council Officer the following details:-

- (i) The licence number, name, date of birth and residential address of that person;
- (ii) The time at which he/she commenced that period of duty, with a signed acknowledgement by that person;
- (iii) The time at which he/she finished the period of duty, with a signed acknowledgement by that person;
- (iv) Any times during the period of duty when she/he was not on duty;
- (v) If that person is not an employee of the Licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged;
- (vi) The register shall be so kept that it can be readily inspected by an authorised officer of the Council or Police Officer;
- (vii) The duty register shall comprise of a bound, consecutively page-numbered book and the Licence holder shall ensure that this register is kept in a secure environment in order to prevent unauthorised access or alterations to same.

05 After 2200 hours on Thursday, Friday and Saturday evenings no glass bottles (with the exception of wine bottles, champagne bottles and bottles of premium spirits) shall be dispensed to customers and then only in the VIP area on the upper (atrium) level of the premises. It shall be at the discretion of the premises licence holder to decide whether the products that would otherwise be served in glass bottles will be served in plastic bottles and/or decanted from the glass bottle. Should the premises licence holder provide licensable activities after midnight on any other day of the week, then this condition would apply as if the premises was trading on a Thursday, Friday or Saturday night.

06 No glass drinking vessels will be permitted in the premises at any time (including toughened glass).

07 Jugs and pitchers that contain measures of alcohol must be accompanied with at least two drinking vessels that are able to contain at least 7 oz/200 ml of liquid.

08 Alcohol shall only be supplied from the fixed bars shown on the plan deposited with the Licensing Authority as part of the premises licence.

09 The premises licence holder shall ensure that a representative of the premises (whenever possible the DPS) attends regular pub watch meetings or meetings of any similar scheme, so long as such a scheme is in existence and welcomes participation by the premises licence holder.

10 On Thursday, Friday and Saturday from 2100 hours until the closing time of the venue on floor walkers will be on duty in the venue. Whilst on duty they will be employed in that role and no other role. They will be identifiable by wearing a shirt with floor supervisor written on it in white stenciling. On a daily basis the identity of the floor walkers will be logged in a register and the register signed by the floor walkers at the commencement of their duty. This register will be available on request to Police and Licensing Authority officers.

11 Scanning System

(i) The premises will operate and maintain in good working order, on all occasions that the premises are open to the public, an electronic identification scanning system such as "Scan net" or similar electronic document scanning device if commercially available.

(ii) Whenever the electronic scanning device is in operation, customers entering the premises will be asked to produce photographic identification (passport, UK driving licence, PASS card) and agree to the said identification being used for scanning unless it is obvious from the physical appearance of the customer that he or she is at least 25 years of age and can produce some form of confirmation of their name (such as a valid debit or credit card). Customers who do not agree to this will be refused entry. All identification provided by customers shall be scanned electronically on the device.

(iii) The only exception to this will be when the venue is hosting a student event in conjunction with the nearby premises currently named as "Lyberrry, Guildhall Walk and the rear service area behind the two venues is being utilised to link the venues for pedestrian access.

(iv) The police licensing department responsible for the area must be notified either in writing or by email, at least 14 days in advance of any event to which condition 11 (iii) applies. An operating policy for each such event, signed by each venues' DPS, shall be supplied to the Police Licensing Department responsible for the area.

On these occasions, any person entering "Lyberrry" and then attempting to gain entrance to "Astoria" must have been subject to the same identification scanning requirements that are embedded on this premises licence at "Lyberrry".

Customers who do not agree for their identification to be scanned at "Lyberrry" and then attempt to gain entrance to "Astoria" will be refused entry.

Any failure of the scanning equipment or internet service accompanying it at "Lyberrry" will result in this exception becoming invalid.

(v) The premises licence holder or its representative will notify the Police Licensing Department responsible for the area in writing or by e-mail as soon as reasonably practicable if any issues arise in respect of the operation of the scanning system or the internet service accompanying it.

12 The premises licence holder will ensure that the pub management team use the radio net communication system (or any other communication system recommended by Hampshire Police) whenever the system is in good working order or commercially available. The premises licence holder will notify the Portsmouth Police Licensing Department responsible for the area as soon as reasonably practicable if any issues arise in respect of the operation of the communication system.

13 Written policies on the ejection of customers and the refusal of entry of customers shall be implemented following agreement with the Police.

14 A written policy on how the venue will tackle and deal with drugs and drug prevention shall be implemented following agreement with the Police.

15 At least one person holding a valid personal licence which has not been suspended shall be on duty and physically present at the premises at all times the premises are open to the public.

- 16 The toilet facilities will be checked hourly and these checks shall be recorded in a bound log which shall be kept on the premises at all times and made available on request to police officers.
- 17 The premises licence holder shall display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- 18 The placing of bottles into receptacles outside the premises will take place between the hours of 09:00 and 21:00 hours only.
- 19 The age verification policy required by the mandatory conditions shall specify that any person appearing to be under the age of 25 shall be required to produce photographic identification before being admitted to the premises and/or served alcohol. Notices advertising the Challenge 25 policy shall be displayed at the entrance to the premises and at all bars.
- 20 Immediately after being employed but before commencing their duties, all staff concerned with the sale of alcohol must undergo induction training to include information and training regarding the sale of age restricted products (including "proxy sales") and the refusal of service to persons who are drunk. Records of such training, signed by the member of staff will be maintained and made available for inspection by authorised officers of request. Refresher training shall take place at least annually.
- 21 At the terminal hour door supervisors shall assist in managing customers leaving the venue and those remaining in the vicinity of the venue. This shall include active management of those persons queuing at the designated taxi stands appointed by the city council and located within the cumulative impact area of Guildhall Walk and White Swan Road, in support of or in place of designated Taxi Marshalls.
- 22 When the Lyberty Bar situated at 29-33 Guildhall Walk and the licensed premises are being used concurrently there shall be a minimum of two door supervisors and two Welfare officers to monitor any queue and ensure the safety of persons in the queue.
- 23 There shall be no new entry to the venue to customers and no re-entry to customers from 02:00 hours unless at the discretion of the duty manager in exceptional circumstances. Any re-entry outside of these times shall be documented in the door log by the manager detailing the number of people allowed into the premises and the reason(s) why.
- 24 Any drinks promotion being run when licensable activities extend beyond 02:00 hours shall cease at 02:00 hours.
- 25 When trading in the hours of darkness the venue must ensure that the vicinity outside of the premises is well lit.
- 26 The premises licence holder shall use drug dogs on a random basis once a month to further enforce an anti-drugs message. All results will be disclosed to the police in writing by a method agreed with the police.

27 The premises licence holder shall support and display on the premises any public health messages or campaigns when materials are made available by the Director of Public Health.

28 Whenever the premises are open beyond 02:00 hours:-

- (i) Either Zone 1 or Zone 2 as identified on the approved plans (but not both) shall be open for the provision of any licensable activity. The Zone to be closed shall be cleared of all customers no later than 02:30 hours.
- (ii) No DJ shall perform in the smoking area.
- (iii) At least two door supervisors shall be deployed in the smoking area to keep customers quiet and monitor noise levels and to address any public safety or crime and disorder issues that might arise.

29 That on any day the operators of Astoria will ensure that there is no entry to Astoria via Lyberry post 02:00, either by the front door or via Lyberry's rear access.

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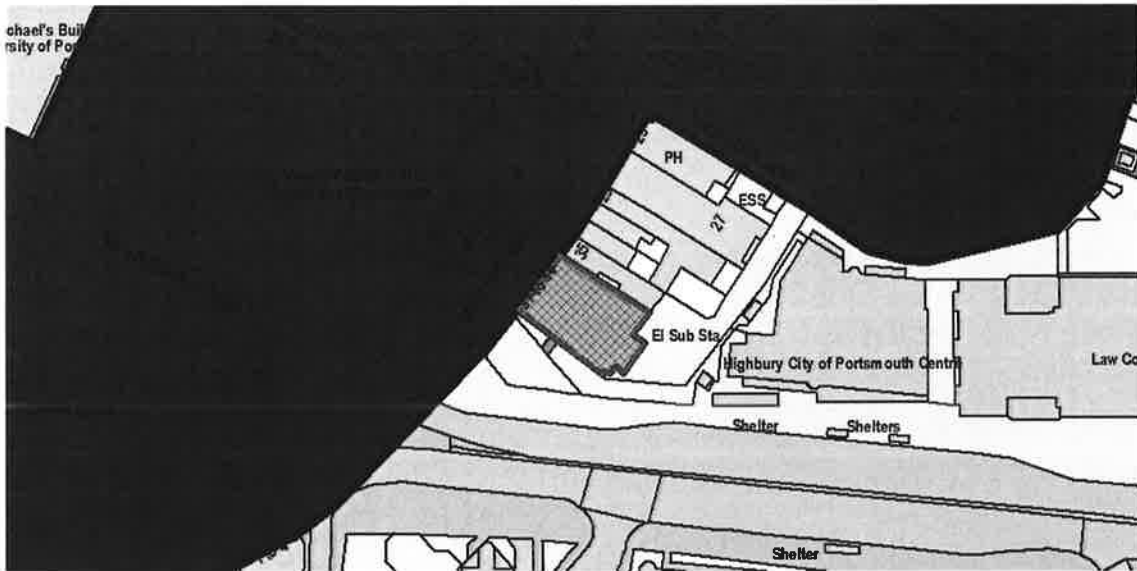
Annex 4 – Premises and location plan

Premises Plan(s)

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



Location Plan: 37-39 Guildhall Walk Portsmouth



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