

Licensing Act 2003
Premises Licence

MDV PR0363

LOCAL AUTHORITY



**Licensing Section
 Mid Devon District Council
 Phoenix House
 Phoenix Lane
 TIVERTON
 DEVON
 EX16 6PP**

Part 1 - Premises Details

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

Hayne Barn

Hayne, Zeal Monachorum, Crediton, Devon, EX17 6DE.

Telephone 01363 82515

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
A. Performance of a play (Indoors & Outdoors)	Monday to Thursday	9:00am	11:00pm	
	Friday and Saturday	9:00am	Midnight	
	Sunday	9:00am	11:00pm	
	New Years Eve			deregulated
	Outside Areas / All Days	9:00am	10:00pm	
B. Exhibition of films (Indoors & Outdoors)	Monday to Thursday	9:00am	Midnight	
	Friday and Saturday	9:00am	1:30am	
	Sunday	9:00am	Midnight	
	New Years Eve			deregulated
	Outside Areas / All Days	9:00am	10:00pm	
E. Performance of live music (Indoors & Outdoors)	Monday to Thursday	9:00am	Midnight	
	Friday and Saturday	9:00am	1:30am	
	Sunday	9:00am	Midnight	
	New Years Eve			deregulated
	Outside Areas / All Days	9:00am	11:00pm	



THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To	
F. Playing of recorded music (Indoors & Outdoors)	Monday to Thursday	9:00am	Midnight	
	Friday and Saturday	9:00am	1:30am	
	Sunday	9:00am	Midnight	
	New Years Eve			deregulated
	Outside Areas / All Days	9:00am	11:00pm	
G. Performance of dance (Indoors & Outdoors)	Monday to Thursday	9:00am	Midnight	
	Friday and Saturday	9:00am	1:30am	
	Sunday	9:00am	Midnight	
	New Years Eve			deregulated
	Outside Areas / All Days	9:00am	10:00pm	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)	Monday to Thursday	9:00am	Midnight	
	Friday and Saturday	9:00am	1:30am	
	Sunday	9:00am	Midnight	
	Outside Areas / All Days	9:00am	11:00pm	
	New Years Eve			deregulated
	May Day	9:00am	1:30am	
	Summer Solstice	9:00am	1:30am	
	Bank Holidays	9:00am	1:30am	
I. Late night refreshment (Indoors & Outdoors)	Monday to Thursday	11:00pm	Midnight	
	Friday and Saturday	11:00pm	1:30am	
	Sunday	11:00pm	Midnight	
	New Years Eve			deregulated
	Summer Solstice	11:00pm	1:30am	
	May Day	11:00pm	1:30am	
	Bank Holidays	11:00pm	1:30am	
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight	
	Friday and Saturday	10:00am	1:30am	
	Sunday	10:00am	Midnight	
	New Years Eve			deregulated
	May Day	10:00am	1:30am	
	Bank Holidays	10:00am	1:30am	
	Summer Solstice	10:00am	1:30am	

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

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

- J. Supply of alcohol for consumption ON and OFF the premises



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Part 2

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

Timothy George Herniman

Camilla Herniman

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 AUTHORIZES THE SUPPLY OF ALCOHOL

Timothy George HERNIMAN

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

Licence No. MDV PE0914

Issued by Mid Devon



ANNEXES

ANNEX 1 - MANDATORY CONDITIONSCondition 1

No supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

Condition 2

(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).

Condition 3

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



ANNEXES continued ...

is reasonably available.

Condition 4

(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.

Condition 5

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: 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."

Condition 6

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-

$$P = D + (D \times V)$$



ANNEXES continued ...

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) '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.

Condition 7

Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of the children must be restricted in accordance with any recommendation made by that body.

Where-

- a) The film classification body is not specified in the licence, or
- b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of the children must be restricted in accordance with any recommendation made by that licensing authority.

In this section

'children' means persons aged under 18; and

'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c 39) (authority to determine suitability of video works for classification).

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE



ANNEXES continued ...

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY - 20 AUGUST 2015

During the performance of any regulated entertainment from the licensed premises the Aweighted equivalent continuous noise level (LAeq) emanating from the premises, as measured at the monitoring point (detailed on the plan attached to this licence as 'Annex 3 - Noise Monitoring Point) at a minimum distance of 3.5m from any reflective buildings over any 15 minute period after 09.00 until 23.00 and any 5 minute period after 23.00 until 09.00 with entertainment taking place, must not increase by more than +10 dB as compared to the same measure, from the same position and over a comparable period, with no entertainment taking place.

To clarify, a noise control consultant should be employed to carry out a survey to determine the typical background noise level. The background sound level, LA90, T is defined as the A-weighted sound pressure level that is exceeded by the residual sound at the assessment location for 90% of a given time interval, *T*, measured using time weighting *F* and quoted to the nearest whole number of decibels'

In determining the representative decibel level the following information must be taken into consideration:

- 1 The sound levels are typical and representative of the surrounding area
- 2 They cover the time period concerned
- 3 They have been reliably taken by a competent person.

It must be remembered that the objective is not to obtain the lowest measured sound level but the most typically representative sound level for the surrounding area at that given time.

ANNEX 4 - PLAN OF PREMISES

See the following attached plans:

- Annex 4 - A - 20 August 2015
- Annex 4 - B - 20 August 2015
- Annex 4 - C - 20 August 2015
- Annex 4 - D - 20 August 2015

Signature of Authorised Officer



LOCAL AUTHORITY



Licensing Section
 Mid Devon District Council
 Phoenix House
 Phoenix Lane
 TIVERTON
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Premises Details

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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	Midnight	Midnight

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

- J. Supply of alcohol for consumption ON and OFF the premises
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NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Timothy George Herniman	Hayne, Zeal Monachorum, Crediton Devon, EX17 6DE.
Camilla Herniman	Hayne, Zeal Monachorum, Crediton, Devon, EX17 6DE.

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

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Licensing Act 2003

Premises Licence Summary

MDV PR0363

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

Timothy George HERNIMAN

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

Signature of Authorised Officer

