

**Part A
Premises Licence**



Premises Licence Number

052309

This revision (reference number):

127902

Effective from:

01/03/2013

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Olivers 89 Castle Street	
Post town Luton	Post code LU1 3AJ
Telephone number: 01582 721759	

Where the licence is time limited the dates		
Start Date	24/11/2005	End Date

Licensable activities authorised by the licence
Indoor Sporting Events Live Music (indoors) Recorded Music (indoors) Provision of Facilities for Entertainment of a Similar Description (indoors) [karaoke] Late Night Refreshment (indoors) Supply of Alcohol (for consumption both on and off the premises)

The times the licence authorises the carrying out of licensable activities	
<u>Indoor Sporting Events</u>	
Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day
<u>Live Music</u>	
Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following

Live Music (cont.)

Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Recorded Music

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Provision of facilities for entertainment of a similar description to music or dancing

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Late Night Refreshment

Monday to Wednesday	23.00 to 01.00 (the following day)
Thursday to Saturday	23.00 to 02.00 (the following day)
Sunday	23.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Supply of Alcohol

Monday to Wednesday	11.00 to 01.00 (the following day)
Thursday to Saturday	11.00 to 02.00 (the following day)
Sunday	10.00 to 00.30 (the following day)
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	

	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

The opening hours of the premises	
Monday	11.00 to 01.30 (the following day)
Tuesday	11.00 to 01.30 (the following day)
Wednesday	11.00 to 01.30 (the following day)
Thursday	11.00 to 02.30 (the following day)
Friday	11.00 to 02.30 (the following day)
Saturday	11.00 to 02.30 (the following day)
Sunday	10.00 to 01.00 (the following day)
Seasonal Variations:	None
Non-Standard timings:	
Friday, Saturday, Sunday and Monday of May/Spring/August Bank Holiday Weekend:	A further additional hour into the morning following
Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend:	A further additional hour into the morning following
Christmas Eve, Boxing Day	A further additional hour
New Years Eve	From the end of permitted hours to the start of permitted hours the following day

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Supply 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
John Francis McGonagle 4 Fairford Avenue Luton Beds LU2 7ER

Registered number of holder, for example company number, charity number (where applicable)
Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol
Gerard Martin Doherty 173 Hart Lane Luton LU2 0JH

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
Luton Borough Council 126679

Annex 1 - Mandatory conditions

1. Where a premises licence authorises the supply of alcohol:
 - a) No supply of alcohol may be made under the premises licence-
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

This condition is not imposed:

- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
- b) in respect of premises in relation to-
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- c) For the purposes of this section-
 - i. "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - ii. paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the Operating Schedule

Embedded restrictions applied on conversion of Justices licence as attached

1. Where the term beer garden/external seating/outside area is used on the plan at Annex 4, that area will only be used for the consumption of alcohol and food.
2. Condition 2 revoked by licensing panel 26 May 2006
3. Amplified recorded music is to be ancillary to the sale of alcohol.
4. Illumination to be provided to all exterior areas of the premises.
5. CCTV system to monitor car park, garden, exterior and interior of bar.
6. Alarm system to operate at the premises, with doors and windows alarmed.
7. Minimum of two staff to be on duty from 19.00 hours daily.
8. All interior trading areas to be visible to staff from behind the bar servery.
9. Premises to be equipped with emergency lighting, illuminated exit signs and a fire detection system throughout the entire building.
10. All fire fighting equipment to be serviced annually.
11. Electrical and Gas Safety certificates to be kept current.
12. Condition 12 removed at licensing panel 28 January 2009
13. Licensed taxi/private hire vehicle service to be promoted for customers use.
14. No opening windows to be in the bar area.
15. All entrance doors to have internal lobbies.
16. Where required, staff to organise taxis/private hire vehicles for customer use.
17. Staff to encourage dispersal of customers at closing time.
18. Accompanied children to be on the premises until 22.00 hours only, except for private functions where they may be permitted on the premise until the end of the function when accompanied by an adult.
19. AWP/Cigarette machines to remain in close proximity to the bar counter in order that they can be easily observed.

Conditions agreed with Environmental Health Officer

1. Music and amplified speech emanating from the premises shall be inaudible at the boundary of all noise sensitive premises.
2. The external door onto Kelvin Close will be used as an emergency fire exit only. The door will be fitted with a device to prevent its use for normal entrance or egress. All alterations and devices used are to meet the requirements of the Fire Authority.

3. All doors to the internal lobby shall be kept closed, except for normal entrances and egress, during periods of regulated entertainment (Hooks on the doors to be removed to prevent the doors from being held open)

Conditions agreed with Police Licensing Officer

1. The premises to adopt Challenge 21 Policy whereby persons purchasing alcoholic drinks or who are having such drinks purchased for them who appear to be under the age of 21 will be asked to prove that they are over the age of 18. The only acceptable forms of identification will be a bona fide passport, a photo-style driving licence or an ID card displaying the PASS hologram logo, or approved by Bedfordshire Police and Luton Borough Council.
2. All staff serving alcohol who are not a personal licence holder must have written authority by the DPS to sell alcohol on their behalf. This must be available for prosecution to the Police or Licensing Authority on request.
3. All door staff must be SIA registered and wear a yellow jacket supporting the Lutonsafe Logo. These jackets to be purchased by the venue, clean and in a smart condition.
4. The DPS must be a member of Lutonsafe attending at least four meetings a year.
5. CCTV must be fitted, recording in real time, maintained and in good working order. The images must be retained for 30 days and produced for the emergency services if necessary.
6. To abide by the Lutonsafe Drugs Policy supplied to venue on 10/12/08.

Embedded Restrictions applied on conversion of Justices On-licence

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

In this condition, permitted hours means:

- a) The times shown on the Premises licence, plus;
- b) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- a) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises;
- b) during the first thirty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there, if the alcohol was supplied for consumption as ancillary to the meals;
- d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there; or

- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- a. He is the child of the holder of the premises licence.
 - a. He resides in the premises, but is not employed there.
 - b. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - c. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

1. Self closures to be fitted to external doors, subject to Fire Authority approval.
2. All doors and windows to be kept closed at all times.
3. No children to be permitted in the garden after 21.00 hours.
4. No loudspeakers to be placed outside.
5. No amplified music to be played outside. *(Amended by licensing panel 26 May 2006)*
6. The Applicant is to commission an acoustic report to assess the appropriate volume of music that can be performed without causing a nuisance.
7. The Applicant is to install signage and make announcements asking customers to leave quietly.
8. All music, whether live or recorded, including that emanating from all music systems, amplifiers, live music equipment, karaoke machines juke boxes and any other musical and/or microphone device used on the premises must go through a noise limiter, the setting of which must be agreed with an Environmental Health Officer (Noise Pollution Control).
9. There shall be no consumption of alcohol in the outside areas on St Patrick's day, except for in the seating area as shown on the plan
10. *Condition 10 removed at licensing panel on 28 January 2009*

Conditions attached by committee at Licensing Panel on 28th January 2009

- a) a minimum of two SIA registered door staff will be on duty on St. Patrick's Day from 19.00 hours until closing time.
- b) In addition to paragraph (a) there shall also be such number of SIA registered door staff for such hours on St. Patrick's Day as the Police may require by notice, such notice to be given at least seven days in advance.
- c) For any other significant event notified by the Police at least seven days in advance the number of door supervisors and their hours of operation are to be agreed between the Police, the premises licence holder and the designated premises supervisor.

Variation application refused at Licensing Panel on 2nd July 2012

Annex 4 - Plans

Note: Plans may not be shown to any scale that may be specified in the drawing.

