

Explorers Retreat, Gulliver's Kingdom, Matlock Bath, Matlock, Derbyshire DE4 3PG

Measures proposed by Applicant to be translated into licensing conditions

Hours

1. Sales of alcohol (for on sales only), live music, recorded music, performance of dance and anything similar to the performance of dance from 11:00h to 00:00h every day.
2. Films permitted 24 hours a day every day of the week to residents only within their accommodation.
3. Late Night Refreshment from 23:00h until 05:00h the following morning for residents and bona fide guests (maximum of 4 persons per room) only.
4. Opening hours to the public 08:00h to 00:30h the following morning every day. Residents and bona fide guests (up to a maximum of 4 persons per room) to be permitted access to the premises 24 hours a day.

General – all four licensing objectives

1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
3. A thirty minute drinking up time following the last permitted sale of alcohol to non-residents shall be in place, to ensure a smooth and orderly cooling off period leading up to the closing of the premises to the public.

The Prevention of Crime and Disorder

1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
2. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
3. The CCTV camera views shall not be obstructed.
4. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises.
5. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the police or authorised officers on request.

6. When the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the police or authorised officers in obtaining the CCTV footage.
7. Copies of any CCTV image shall be made available within 48 hours of any reasonable request made by the police or local authority. The facility to transfer the images to a compatible, removable format shall be held on the premises.
8. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this.
9. Signs must be displayed in the customer areas to advise that CCTV is in operation.
10. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police.
11. The Premises Licence Holder shall display crime prevention posters/material aimed at preventing the theft or loss of personal possessions. These posters/materials will be affixed/displayed in prominent positions to be agreed between the Premises Licence Holder and the Police Licensing Team within the premises.
12. There shall be no self-service of alcohol at the premises.

Public Safety

1. Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.

The Prevention of Public Nuisance

1. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
2. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
4. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 and 06:00 on the following day.
5. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22:00 and 06:00 hours on the following day.
6. No deliveries of alcohol to the premises shall take place between 22:00 and 06:00 on the following day.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. The premises licence holder shall ensure that as far as practicable any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
10. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
11. The premises will provide taxi numbers to customers/residents upon request.
12. Regulated entertainment shall be restricted to pre-booked events only.

The Protection of Children from Harm

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
2. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
3. The Premises Licence Holder shall arrange staff training in relation to underage sales and refusal of service. This training shall include how to seek ID in accordance with the Challenge 25 proof of age scheme. All staff training shall be documented and made available to the Responsible Authorities on request.

Mandatory Licence Conditions

MANDATORY CONDITION: SUPPLY OF ALCOHOL

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

MANDATORY CONDITION: IRRESPONSIBLE PROMOTIONS

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. 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).

MANDATORY CONDITION: FREE TAP WATER

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

MANDATORY CONDITION: PROOF OF AGE SCHEME

- (a) 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.
- (b) 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.
- (c) 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:-
 - (i) a holographic mark, or
 - (ii) an ultraviolet feature.

MANDATORY CONDITION: REQUIREMENT TO MAKE SMALL ALCOHOL MEASURES AVAILABLE

The responsible person shall 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.

MANDATORY CONDITION: SALE OF ALCOHOL - DUTY + VAT

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(a);
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(a).

MANDATORY CONDITION: EXHIBITION OF FILMS

The admission of children to film exhibitions is to be restricted in accordance with film classification recommendations made by the British Board of Film Classification.

MANDATORY CONDITION: DOOR SUPERVISORS

Any individual(s) at the premises carrying out a security activity must be licensed by the Security Industry Authority, as required by section 21 of the Licensing Act 2003.