

Licensing Act 2003

Premises Licence

Part One – Premises Details

Postal address of premises	Toby Jug Chester Road Birmingham West Midlands B36 0JU
Telephone	0121 779 5032

Where the licence is limited, the dates:	N/A
--	-----

Licensable activities authorised by the licence	The time the licence authorises the carrying out of licensable activities
Films (indoors)	1000 - 2230 Monday - Sunday
Indoor Sporting Events	1000 - 2230 Monday - Sunday
Live Music (indoors)	1000 - 2230 Monday - Sunday
Recorded music (indoors)	1000 - 2230 Monday - Sunday
Activities like music/dance (indoors)	1000 - 2230 Monday - Sunday
Facilities for making music (indoors)	1000 - 2230 Monday - Sunday
Facilities for dancing (indoors)	1000 - 2230 Monday - Sunday
Late Night Refreshment (indoors)	2300 - 2230 Monday - Sunday
Supply of alcohol by retail (for consumption on and off the premises)	1000 - 2230 Monday - Sunday For all activities :- 1000 - 2230 Bank Holiday weekends (Friday, Saturday, Sunday and Monday), Christmas Eve and Boxing Day. 1000 - 2230 New Years Eve
The opening hours of the premises	0700 - 0030 Monday - Sunday 1000 - 0130 Bank Holiday weekends (Friday, Saturday, Sunday and Monday), Christmas Eve and Boxing Day. 1000 - 0200 New Years Eve

Premises Licence Number SOL/PR/005360



Part Two

Name of holder of premises licence	The Toby Jug Public House Ltd
Address	Toby Jug Chester Road Birmingham B36 0JU
Telephone number	[REDACTED]
E-mail	[REDACTED]
Registered number of holder, eg company number, charity number (where applicable)	12274084
Name of designated supervisor	Liam Peter O'Connor
Personal licence number	[REDACTED]
Issuing authority	[REDACTED]

**Mandatory Conditions applicable to all Premises Licences & Club Premises Certificates
under the Licensing Act 2003**

The following conditions apply where the Premises Licence or Club Premises Certificate authorises the sale of alcohol. They are not an exact copy of the legislation and slightly paraphrase it.

All supplies 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.

Exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. 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 children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person 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 (c39) (authority to determine suitability of video works for classification).

Door supervision

1. 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:
 - (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 the Act.
2. But nothing in subsection 1. Requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (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 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.
3. For the purposes of this section:
 - (a) “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,
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Age verification policy

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.

Permitted price

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 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) “value 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.

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

Alcoholic drink measures

1. 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.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

a) General

- The types of regulated entertainments proposed re-instate and then enhance the normal pub entertainments that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol. No new steps have been identified by my risk assessment in relation to the four licensing objectives, except as below. I have considered the terms of your local licensing policy in preparing this application.
- All existing and new staff (this includes the DPS, the general manager and all staff who either sell or serve alcohol at the premises) will receive training from a professional company, which can include the provision of remote and/or online training. Training must include their roles and responsibilities around the licensing objectives. They must be given refresher training every 6 months by a Personal Licence Holder and sign to say they have received such training. Written or electronic training records will be kept for each staff member for a minimum of twelve months and be produced to police and authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding conflict and responsible alcohol retailing. For the purposes of this condition the Level 1 Award in Responsible Alcohol Retailing or Level 2 Award for Personal Licence Holders (APLH) would be sufficient to cover the training requirements but other training covering the required points will be considered sufficient.
- At all times the premises is operational, there must be at least one member of staff on duty that is qualified to BIIAB Level 2 Conflict Management (or similar qualification which can include the provision remote and/or online training). CPD accredited training will be sufficient for the purposes of this condition).
- At all times the premises are open for licensable activities, there must be at least one member of staff on duty that is a personal licence holder. This condition cannot be legally binding prior to 6 September 2021.
- All staff to be aware of their roles in terms of identifying and reporting any concerns around young / vulnerable people who may be subject of child sexual exploitation or county lines. If staff think a young person could be in danger call 999, or if you have non-urgent information to share with the police, contact Crimestoppers online or on 0800 555 111 - evidence of any such training of staff around CSE & County Lines must be included in their written training records.
- A written delegation of authority record will be kept at the premises in each bar recording which non personal licence holders are authorised to make sales on behalf of a personal licence holder.
- All delegation lists must be approved by and signed by the DPS and the list must be made available to any responsible authority requesting to view them immediately.
- The Designated Premises Supervisor will be a responsible individual employed at the premises, substantially present at the premises as part of their employment. The DPS will be a person who has no DPS responsibility for any other premises.
- The DPS must view all training records, risk assessments and ensure CCTV is in full working order. These checks must be carried out weekly and will be recorded, signed by the DPS and be made available to any responsible authority immediately upon request.

b) The prevention of crime and disorder

- Providing a 60 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pubs toilet facilities. I am in the local Pub Watch Scheme.
- The DPS will deploy staff on a risk assessed basis with such risk assessment being made available to the Police or authorised officer of the licensing authority on request. Drug prevention measures are employed and signs displayed. A rota system in place for checking toilets / toilets checked regularly.
- An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:

- All crimes reported,
 - Lost property,
 - All ejections of customers,
 - Any complaints received,
 - Any incidents of disorder,
 - Any incident involving drugs or offensive weapons,
 - Any faults in the CCTV,
 - Any refusal in the sale of alcohol,
 - Any visit by a relevant authority or emergency service.
 - All perimeter checks and toilet checks including any drug swab results either conducted by staff, police or responsible authority.
- A CCTV system shall cover the interior and exterior of the premises (including any outside seating area /smoking shelter and car park) will be installed to reasonable satisfaction of West Midlands Police and shall be kept operational at all times the premises are open to the public. It shall be capable of taking a head and shoulders shot of persons entering the premises and also cover the main reception area together with any bar areas. It must be able to record images to an evidential standard in any light and be capable of storing the images for a minimum of 31 days.
 - At least one member of staff trained to operate the CCTV system and download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.
 - The CCTV system shall be checked weekly to ensure the cameras are working, and are not obstructed, and the system is recording for the requisite 31 days. In the event any part of the system is not working, the DPS will contact both the Police Licensing Officer and the Local Authority and also arrange for it to be repaired within 48 hours.
 - A monitor shall be installed behind the bar area or accessible office where camera footage can be viewed.
 - Door staff will be appointed by the premises to work every Friday, Saturday and Sunday night unless otherwise agreed with the Police in (for clarification, this means SIA approved door staff will be on duty from 18:00 hours through to all patrons dispersing from the immediate vicinity i.e. the pub car park and the premises being closed).
 - All door supervisors working at the premises are to sign on duty when they start work and off duty when they finish. Door supervisors working outside the premises will wear hi-visibility coats jackets or tabards. At least one member of door staff will have a body worn video camera that will record both audio and visual for the duration of their shift. Door supervisors will work past the closing time of the premises for a period until all patrons have dispersed from the immediate vicinity. Door supervisors will patrol areas around collection points for taxis by the premises to prevent disorder.
 - The door staff must all wear their SIA badges in a prominent position and they must sign in their 16 digit badge number when signing in at the premises.
 - The premises will adopt a zero tolerance approach to anyone found either selling or using drugs. The DPS will notify the Police of the details of any person found to be in possession of or using drugs at the premises and will also issue the person with a lifetime ban from the premises and details to be captured in the incident book.

c) Public safety

- Function bookings will be limited to 40 persons. My risk assessment identifies no other risk of crowding.
- The pub is equipped with emergency lighting, illuminated exit signs and a fire detection system throughout the entire building. A fire alarm test is carried out every 14 days. Fire extinguishers are available at designated positions throughout the trading area and an annual service contract is in place. An accident book is on site along with basic first aid facilities. The pub promotes a licensed taxi service to facilitate its customers making onward journeys. All staff are trained to maintain monitor customer behaviour, especially during busy periods.

- First Aid Arrangements; the premises will conduct a risk assessment of the premises and draft a first-aid policy informed by this risk assessment which will be available at the premises to a responsible authority on request. On the day of any licensable activity for the duration of the licensable activity there shall be an appointed person who accepts responsibility to take charge of first-aid arrangements including in the event of illness or injury on the site seeking medical intervention. There shall be a fully stocked first aid box suitable for the premises maintained at the premises and the DPS shall be responsible for ensuring this is stocked and readily available.
- A copy of the fire risk assessment will be made available to any authorised officer on request, the fire risk assessment will dictate the maximum capacity for the premises.
- The DPS shall ensure that the electrics, gas, fire safety/extinguishers and relevant equipment is checked and maintained in working order and tested regularly.

d) The prevention of public nuisance

- When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing.
- Save for access and egress, or in the event of an emergency, all external doors and windows shall be shut and remain shut after 10pm whenever there is regulated entertainment. In terms of the main lobbied entrance the external doors can remain open pursuant to this condition as long as the internal lobby doors are shut after 10pm except for the purposes of access/egress or in the event of an emergency.
- No regulated Entertainment shall be provided outside the premises.
- During regulated entertainment management will undertake regular walk rounds of the external area of the premises, including the car park, to ensure that there is no sound escape which adversely affects the amenity of local residents. A log of all checks shall be maintained and kept for six months and be available for inspection by Police and/or Licensing Office
- The area outside of the premises shall be kept tidy at all times.
- Notices will be prominently displayed by the entry/exit door and point of sale (as appropriate) advising customers:
 - That CCTV and Challenge 25 are in operation;
 - Advising customers of the provisions of the Licensing Act regarding underage and proxy sales;
 - Of the permitted hours for licensable activities and the opening times of the premises;
 - That no open drinks, bottles or glasses may be removed from the premises or outside seating area at the rear of the premises;
- Patrons will be encouraged by staff to leave quietly and respect the needs of the occupiers of nearby premises and the DPS or a suitable nominated staff member will monitor patrons leaving and dispersing from the area at closing time. Prominent, clear and legible notices to a professional standard shall be displayed at all exits requesting that the public respect the needs of local residents to leave the premises and area quietly.

e) The protection of children from harm

- The restrictions set out in the Licensing Act 2003 will apply. No unusual risks of harm to children have been identified.
- No person under the age of 18 will be permitted to remain on the premises after 20:00 (this includes the beer garden).
- Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM Forces photographic ID card or proof of age card with the PASS logo or hologram on it may be accepted as proof of age.
- No adult entertainment with a sexual theme is permitted on the premises.

Premises Licence Number SOL/PR/005360



CONDITIONS TRANSFERRED FROM PREVIOUS LEGISLATION

Not applicable

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Previous conditions were removed and new conditions were agreed and applied.

RECOMMENDATIONS FOLLOWING A LICENSING HEARING

Not applicable

PLANS

The plan attached to this licence is held by Solihull MBC

A handwritten signature in black ink, appearing to read 'A. Bett'.

Licensing Team Leader
Licensing, Central Depot, Moat Lane, Solihull, West Midlands, B91 2LW
Tel: 0121 704 6830

Licensing Act 2003

Summary of Premises Licence

Postal address of premises	Toby Jug Chester Road Birmingham West Midlands B36 0JU
Telephone	0121 779 5032

Name of holder of premises licence	The Toby Jug Public House Ltd
Address	Toby Jug Chester Road Birmingham B36 0JU
Telephone number	[REDACTED]
E-mail	[REDACTED]
Registered number of holder, eg company number, charity number (where applicable)	12274084

Name of designated supervisor	Liam Peter O'Connor
Personal licence number	[REDACTED]
Issuing authority	[REDACTED]

Where the licence is limited, the dates:	N/A
--	-----

State whether access to the premises by children is restricted or prohibited	Restricted by Licensing Act 2003
--	----------------------------------

Licensable activities authorised by the licence	The times the licence authorises the carrying out of licensable activities
Films (indoors)	1000 - 2230 Monday - Sunday
Indoor Sporting Events	1000 - 2230 Monday - Sunday
Live Music (indoors)	1000 - 2230 Monday - Sunday
Recorded music (indoors)	1000 - 2230 Monday - Sunday
Activities like music/dance (indoors)	1000 - 2230 Monday - Sunday
Facilities for making music (indoors)	1000 - 2230 Monday - Sunday
Facilities for dancing (indoors)	1000 - 2230 Monday - Sunday
Late Night Refreshment (indoors)	2300 - 2230 Monday - Sunday

Supply of alcohol by retail (for consumption on and off the premises)	1000 - 2230 Monday - Sunday For all activities :- 1000 - 2230 Bank Holiday weekends (Friday, Saturday, Sunday and Monday), Christmas Eve and Boxing Day. 1000 - 2230 New Years Eve
The opening hours of the premises	0700 - 0030 Monday - Sunday 1000 - 0130 Bank Holiday weekends (Friday, Saturday, Sunday and Monday), Christmas Eve and Boxing Day. 1000 - 0200 New Years Eve