

3 February 2011

JD Wetherspoon Plc  
Wetherspoon House  
Central Park  
Reeds Crescent  
Watford  
Hertfordshire  
WD24 4QI

**Property and Public Protection  
Environmental Health & Licensing**  
West Berkshire District Council  
Council Offices  
Faraday Road Newbury  
Berkshire RG14 2AF

**Our Ref:** 11/00172/LQN  
**Please ask for:** Brian Leahy  
**Direct Line:** 01635 519209  
**Fax:** 01635 519172  
**e-mail:** bleahy@westberks.gov.uk

Dear Sir/Madam

**Licensing Act 2003 – Premises Licence  
42 Cheap Street, Newbury, Berkshire, RG14 5BX,**

Please find enclosed your Premises Licence. The licence must be retained by you whilst you are responsible for the premises and must be available on request, by any authorised officer.

The licence is accompanied by a Premises Licence Summary. This document must be displayed in a prominent position within the premises at all times.

It is the responsibility of the licence holder to check that the licence details are correct. If incorrect, you must contact the Licensing Team, in writing and state clearly why you believe the licence details are wrong. Where errors have been made and are the responsibility of the Council, they will be rectified as soon as possible. If errors have been made by the applicant in filling out the application, these will need to be addressed by making a variation to the licence issued.

The annual fee will be due on the date of issue of the licence each year. You will be sent a reminder 28 days prior to the anniversary of the issue date and any failure to pay without reasonable excuse will be pursued through the Courts.

You are reminded that the Designated Premises Supervisor's details must be correctly stated on the licence at all times and that all sales of alcohol must be authorised by a Personal Licence Holder. (Clubs and non alcohol licensed premises are exempted from this requirement).

Yours faithfully



Brian Leahy  
Senior Licensing Officer

RP

# West Berkshire District Council

Environmental Health and Licensing, Council Offices, Faraday Road, Newbury, Berkshire RG14 2AF  
Tel: (01635) 519209 Fax (01635) 519172

## Licensing Act 2003 Premises Licence

Uniform Ref: 11/00172/LQN

**Premises licence number 014205**

### Part 1 - Premises details

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

The Diamond Tap  
42 Cheap Street, Newbury, Berkshire, RG14 5BX

#### Licensable activities authorised by the licence

Exhibition of Films  
Performance of Live Music  
Recorded Music  
Performance of Dance  
Provision of Music Facilities  
Provision - Dancing Facilities  
Late Night Refreshment  
Supply of Alcohol

#### The times the licence authorises the carrying out of licensable activities

##### Exhibition of Films

Monday to Sunday: 07:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

##### Performance of Live Music

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

##### Recorded Music

Monday to Sunday 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Performance of Dance**

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Provision of Music Facilities**

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Provision - Dancing Facilities**

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Late Night Refreshment**

Monday to Sunday: 23:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Supply of Alcohol**

Monday to Sunday: 09:00 to 04:00

On and Off the premises

Seasonal variations: the hours permitted include Christmas Day

Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays.

New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**The opening hours of the premises**

Monday to Sunday: 07:00 to 04:30

Non Standard Timings: An additional hour to the standard and non standard times on the day when British Summertime commences.

New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**

On and Off Sales :

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

JD Wetherspoon Plc  
Wetherspoon House, Central Park, Reeds Crescent, Watford, Hertfordshire, WD24 4QI

01923 477902

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

1709784

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

Mr Matthew Parish  
55 Sedgebrook, Liden, Swindon, Wiltshire, SN3 6EZ

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

881060248 Swindon Borough Council

**Date:** 2<sup>nd</sup> February 2011

**Signed:** Brian Leahy  
.....  
**Authorised Officer**

Licence granted 25/01/2006  
DPS Variation 17/04/2007  
DPS Variation 30/05/2007  
DPS Variation 27/06/2007  
Variation 10/07/2007  
DPS Variation 07/11/2007  
DPS Variation 28/01/2008  
DPS Variation 08/02/2008  
DPS Variation 14/04/2008  
Variation 15/08/2009  
Interim Authority Notice 01/03/2010  
Transfer 26/03/2010  
DPS Variation 7/6/2010  
Variation 1/7/2010  
DPS Variation 26/11/2010  
DPS Variation 21/01/2011

## **Annex 1 - Mandatory conditions**

### **Premises - 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.

### **Premises - 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 made 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 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).

### **Premises - 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, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
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 (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 the Act).
3. For the purposes of this section-
  - a) security activity means an activity to which paragraph 2(1)(a) of the Schedule applies, and
  - b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of the Schedule.

## **Licensing Act 2003 Mandatory Licensing Conditions order 2010**

The order, made on 16th March 2010 came into force on 6th April with the exception of paragraphs 4 & 5 of the Schedule which will come into force on 1st October 2010.

The conditions in paragraphs 1 to 3 and 5 of the Schedule apply to existing and future premise licences and club premises certificates where the licence or certificate authorises the supply of alcohol but NOT where the licence or certificate authorises the sale by retail or supply of alcohol ONLY FOR CONSUMPTION OFF THE PREMISES.

### **SCHEDULE**

#### **Mandatory Licensing Conditions (from 6<sup>th</sup> April 2010)**

1.

1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) 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.

2.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3.

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

## **Mandatory Licensing Conditions (from 1<sup>st</sup> October 2010)**

4.

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5.

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; and

(b) customers are made aware of the availability of these measures.

## **Annex 2 - Conditions consistent with the operating Schedule**

### **a) General**

1. The premises licence holder shall adhere to JD Wetherspoons "Code of Conduct for Responsible Retailing" as amended from time to time, the January 2009 version of which accompanied this application.

2. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc trading procedure. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

### **b) The prevention of crime and disorder**

1. The premises licence holder will risk assess the need for door supervisors at the premises and/or employ such door supervisors at such time and in such numbers as deemed necessary by the risk assessment and/or at any other times upon agreement with police.

2. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premise at all times.

3. The premises shall have a digitally recorded CCTV system and shall be maintained in good working order and maintained except for unforeseen breakdowns, whenever the premises are opened to the public. Camera coverage shall include the major entry and exit points and be able to record frontal identification of every person entering the premises in any light condition.

Data recording shall be kept available for a minimum of 31 days with time and date stamping .

Data recordings shall be made immediately available to an authorised officer of West Berkshire District Council or Police officer together with facilities for viewing upon request. Recorded images shall be of such quality as to be able to identify the recorded person.

4. Non – alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

5. The premises licence holder shall take reasonable steps to ensure that the DPS or a nominated member of staff shall be a member of the Pubwatch or a similar scheme where such a scheme is available. The DPS shall be encouraged to attend regular meetings of such a scheme.

**c) Public Safety**

See conditions 1 to 5 box B above

**d) The Prevention of Public Nuisance**

See conditions 1 to 5 box B above

**e) The protection of children from harm**

1. The premises licence holder will operate a "Challenge 21 Policy" at all times.
2. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

**Annex 4 - Plans**



# West Berkshire District Council

Environmental Health and Licensing, Council Offices, Faraday Road, Newbury, Berkshire RG14 2AF  
Tel: (01635) 519209 Fax (01635) 519172

## Licensing Act 2003 Premises Licence Summary

Uniform Ref: 11/00172/LQN

<b>Premises licence number</b>	<b>014205</b>
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### Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>
The Diamond Tap 42 Cheap Street, Newbury, Berkshire, RG14 5BX

<b>Licensable activities authorised by the licence</b>
Exhibition of Films Performance of Live Music Recorded Music Performance of Dance Provision of Music Facilities Provision - Dancing Facilities Late Night Refreshment Supply of Alcohol

<b>The times the licence authorises the carrying out of licensable activities</b>
<b>Exhibition of Films</b> Monday to Sunday: 07:00 to 04:00 Performance: Indoors Seasonal variations: the hours permitted include Christmas Day. Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays. New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.
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<b>Recorded Music</b> Monday to Sunday 09:00 to 04:00 Performance: Indoors Seasonal variations: the hours permitted include Christmas Day. Non Standard Timings: An additional hour Christmas Eve / Boxing Day / Maundy Thursday / Sunday preceding Bank Holiday Mondays. New Year's Eve from the end of permitted hours until the start of permitted hours on New Year's Day.

**Performance of Dance**

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

Seasonal variations: the hours permitted include Christmas Day.

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**Provision of Music Facilities**

Monday to Sunday: 09:00 to 04:00

Performance: Indoors

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Monday to Sunday: 23:00 to 04:00

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**Supply of Alcohol**

Monday to Sunday: 09:00 to 04:00

On and Off the premises

Seasonal variations: the hours permitted include Christmas Day

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**The opening hours of the premises**

Monday to Sunday: 07:00 to 04:30

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New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

On and Off Sales :

**Name, (registered) address of holder of premises licence**

JD Wetherspoon Plc  
Wetherspoon House, Central Park, Reeds Crescent, Watford, Hertfordshire, WD24 4QI

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

1709784

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Matthew Parish

**Date:** 2<sup>nd</sup> February 2011

**Signed:** ..... *Brian Leahy* .....  
**Authorised Officer**

Licence granted 25/01/2006  
DPS Variation 17/04/2007  
DPS Variation 30/05/2007  
DPS Variation 27/06/2007  
Variation 10/07/2007  
DPS Variation 07/11/2007  
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