



NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL PREMISES LICENCE

Premises Licence Number

NWL20546

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Eden Bistro

1-3 Ashby Road
Moirā
Swadlincote
DE12 6DJ

Telephone number:

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Supply by retail of alcohol:

Sunday to Thursday	08:00hrs - 23:30hrs
Fridays and Saturdays	08:00hrs - 00:30hrs
Sundays preceding a Bank Holiday	08:00hrs - 00:30hrs

Performance of Live Music (indoors and outdoors):

Fridays and Saturdays	23:00hrs - Midnight
Sundays preceding a Bank Holiday	23:00hrs - Midnight

Playing of Recorded Music (indoors and outdoors):

Fridays and Saturdays	23:00hrs - Midnight
Sundays preceding a Bank Holiday	23:00hrs - Midnight

Performance of Dance (indoors and outdoors):

Fridays and Saturdays 23:00hrs - Midnight
 Sundays preceding a Bank Holiday 23:00hrs - Midnight

Late night refreshment (indoors and outdoors):

Sunday to Thursday 23:00hrs - 23:30hrs
 Friday and Saturday 23:00hrs - 00:30hrs
 Sundays preceding a Bank Holiday 23:00hrs - 00:30hrs

Playing of Recorded Music

No Licence permission is required for any playing of recorded music between 08:00 hours and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided the audience does exceed 500.

Playing of Live Music

No Licence permission is required for a performance of amplified music between 08:00 hours and 23:00 hours on any day on premises authorised to sell alcohol for consumption on those premises, provided the audience does not exceed 500.

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

Sale by retail of alcohol for consumption on and off the premises.

Dated: 20th May 2021

Paul Dennis
Licensing Enforcement Officer

Part 2

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

Eden Bistro Limited

Griffin House
2 Rawdon Road
Moir
Swadlincote
Derbyshire
DE12 6DQ

Tel: 07776173333

e-mail: charles.griffin@tecreports.co.uk

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 authorises for the supply of alcohol

Mr Charles Griffin

REDACTED

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

Personal Licence number of Designated Premises Supervisor: NWL11424

Issuing Authority: North West Leicestershire District Council

Annex 1 – Mandatory conditions

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 must be made or authorised by a person who holds a personal licence.
3. 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.
4. 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.

5. 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.
6.
 - (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.
7.
 - (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).
- 8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 9.
 - (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
- 10. 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.

Annex 2 – Conditions consistent with the Operating Schedule

- 1) Ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 25 years of age.
- 2) Adopt and comply with the British Beer and Pub Associations Guidelines on On-Trade Promotions.
- 3) Ensure all staff receive regular training on the responsible sale of alcohol (every 6 months) with a record of training kept up-to-date on the premises.
- 4) Provide a means of two way communication to report incidents between the premises and the local police or CCTV monitoring centre.
- 5) Install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
- 6) Set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members of the public have left.
- 7) Ensure that any cameras covering the exterior of the premises are left to record for the duration of the tape and for a period not less than 24 hours a day.
- 8) Ensure that monitoring tapes are retained for at least twenty eight days and are produced to an authorised officer on demand.
- 9) Put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.
- 10) Maintain an incident log of all instances of crime and disorder; and details of such checks are kept in a Log-book.
- 11) Where glass bottles are used, they will be retained or disposed of on the premises.
- 12) No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.
- 13) Ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.
- 14) Ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.
- 15) Be responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.
- 16) Ensure that lighting is provided outside the premises (and in the private car park) during the hours of darkness when any licensable activity takes place on the premises.

- 17) Make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
- 18) Make sure that where chairs and tables are provided, internal gangways are kept unobstructed.
- 19) Make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means
- 20) Make sure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check is kept.
- 21) Make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- 22) Make sure that all fire doors are maintained effectively self-closing and not held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).
- 23) Make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut.
- 24) Make sure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.
- 25) Safety checks are carried out before the admission of the public or club members and guests; and details of such checks are kept in a Log-book.
- 26) Make sure that hangings, curtains and temporary decorations are maintained in a flame-retardant condition.
- 27) Make sure that any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of Bs 5852:1990.
- 28) Make sure that Hangings, curtains and temporary decorations are arranged so as not to obstruct exits, fire safety signs or firefighting equipment.
- 29) Make sure that Temporary decorations are not used without prior notification to the licensing authority/fire authority.
- 30) Make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.
- 31) The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.

- 32) Notify the local Fire Control Centre as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.
- 33) Access for emergency vehicles is kept clear and free from obstruction.
- 34) Ensure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.
- 35) Ensure that adequate and appropriate supply of first aid equipment and materials is available on the premises.
- 36) Ensure that at least 1 trained first aider will be on duty when the public are present. If more than one first-aider is present, the licence holder will make sure that their respective duties are clearly defined.
- 37) In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational.
- 38) Ensure that Fire safety signs are adequately illuminated.
- 39) Make no alterations to Emergency lighting without prior notification to the Licensing Authority.
- 40) Ensure that Emergency lighting batteries are fully charged before admission of the public.
- 41) In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, the licence holder will make sure that evacuation of the premises is possible within 20 minutes. Where the emergency lighting battery has a capacity of three hours, the licence holder will make sure that evacuation of the premises is possible within one hour.
- 42) Temporary electrical wiring and distribution systems will not be provided without prior inspection by a suitably qualified electrician.
- 43) Ensure that any temporary electrical wiring and distribution systems comply with the recommendations of BS 7671 or where applicable BS 7909.
- 44) Ensure that where temporary electrical wiring and distribution systems have not been installed by a competent person, they are inspected and certified by a competent person before they are put to use.

- 45) Ensure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspection by authorised officers on request:

Building Electrical Installation
Emergency Lighting System
Fire Warning System
Gas boiler, calorifier or appliance
Oil fired boiler or appliance
Suspended ceilings
Portable fire fighting equipment
Temporary Electrical Installation

- 46) The licence holder will ensure that valid public liability insurance is in force and that a copy of the schedule is available for inspection by an authorised officer on request.
- 47) Make no alterations to the premises in such a way as to make it impossible to comply with an existing licence condition, without first seeking a variation of the premises licence.
- 48) Make free drinking water available at all times the premises is open to the public.
- 49) Ensure that public information notices about crime and disorder issues are displayed at the request of the Council or the local Constabulary. (e.g. Customer Code of Conduct)
- 50) Display any conditions of entry to the premises in the vicinity of any entrance to the premises.
- 51) Make sure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.
- 52) Make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.
- 53) Display prominent, clear and legible notices at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- 54) Ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
- 55) Ensure that receptacles for waste are emptied regularly to minimise nuisance smells.
- 56) Ensure that flashing or particularly bright lights on or outside the licensed premises do not cause a nuisance to nearby properties, whilst balancing the need for lighting in the interests of prevention of crime and disorder.

- 57) Provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site.
- 58) Make sure that receptacles for refuse storage are maintained in a clean condition.
- 59) Make sure litter is regularly cleared from the vicinity of the premises.
- 60) Display any restrictions on the admittance of individuals according to age (e.g. Children) on or immediately outside the premises.
- 61) Implement a proof of age policy agreed by the police and local authority.
- 62) Implement and enforce a Challenge 25 scheme for the purchase of all alcohol at the premises.

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

- 1) Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must only occur between 07:30 hours and 21:00 hours.

