

BEFORE THE LICENSING AUTHORITY AT OLDHAM COUNCIL
IN THE MATTER OF MINK, KINGS MILL, FAIRBOTTOM STREET,
OLDHAM, OL1 3SW
LICENCE REVIEW BROUGHT BY THE LOCAL WEIGHTS AND MEASURES
AUTHORITY IN OLDHAM UNDER S.51 OF THE LICENSING ACT 2003

AGREEMENT TO LICENCE CONDITIONS

Licensing Authority
Oldham Council
North House
130 Rochdale Road
Oldham
OL1 2JA

In the matter of the review of the licence held by Brook Leisure (Oldham) Limited, Brook House, Great Cliffe Court, Dodworth Business Park, Dodworth, Barnsley, S75 3SP, the premises licence holder requests the Licensing Authority to take note of the agreement reached with the applicant for review, the local weights and measures authority and the party making representations in the review, Greater Manchester Police, as follows:

1. That the applicant would voluntarily accept the following conditions be placed upon the licence for these premises:

“A minimum of 3 SIA Registered Door Supervisors will be on duty at the premises from 2300 hours until close on Fridays and Saturdays. The requirement for additional door Supervisors at all other times will be risk assessed and door Supervisors will be employed at such times and in such numbers as deemed necessary by the risk assessment.

The premises licence holder will enter into and adhere to a drinks promotion Protocol with Oldham Council Trading Standards. This Protocol will set out how the premises licence holder will risk assess

particular types of promotion, if they are to be run at all, and what measures it will take in light of this risk assessment”.

2. That, if accepted by the Licensing Authority, the local weights and measures authority would withdraw its proposed conditions contained within its application.

3. That, if accepted by the Licensing Authority, the Greater Manchester Police would withdraw its representations in relation to the review.

4. That, the parties to the proposed hearing in this matter having signed this agreement, requests the Licensing Authority to determine the application accordingly in accordance with Paragraph 7, Schedule 4 of the Licensing Act 2003 (Hearings) Regulations 2005.

5. That, as agreement has been reached, the parties consider that a hearing is unnecessary and ask the Licensing Authority to proceed to determination in accordance with Regulation 9 of the Licensing Act 2003 (Hearings) Regulations 2005.

The premises licence holder and the responsible bodies that are party to this review would like to take this opportunity to thank the Licensing Authority for their determination in this matter.

Responsible Pricing and Promotions Protocol

Brook Leisure (Oldham) Limited

Mink, Kingsmill, Fairbottom Street, Oldham, OL1 3SW

This Protocol is made between Brook Leisure (Oldham) Limited (The “Company”) and the Trading Standards Department of Oldham Metropolitan District Council (The “Council”) in respect of the above premises.

The purpose of the protocol is to ensure the responsible pricing and promotion of alcohol from the premises so as to ensure the promotion of the 4 licensing objectives.

The protocol may be amended upon the written agreement of both parties.

The protocol provides for the following:

- 1) The Company will participate where appropriate in any promotion/initiative taking place in the town designed to encourage the responsible retailing of alcohol and the safe development of the town’s late night economy.
- 2) The Company will adhere to its own Alcohol and Social Responsibility Policy.
- 3) The Company will, in partnership with the Council, risk assess any promotion which involves the sale of alcohol at a price below 75p per unit of alcohol to ensure there is no negative impact on the promotion of the licensing objectives and take such action as determined by the risk assessment to mitigate any risks identified.
- 4) The Company will, in partnership with the Council, risk assess any promotion which offers a discount to purchasers of alcohol exceeding 20% of normal current price through promotion vouchers published in advance or ticket/voucher purchased on the premises to ensure there is no negative impact on the licensing objectives and take such action as determined by the risk assessment to mitigate any risks identified.
- 5) Brook Leisure (Oldham) Limited recognises the particular risks that can be generated with all inclusive drinks offers. Whilst the Company cannot rule out the possibility of running such offers in the future, it recognises that it is imperative that such offers are carefully planned, risk assessed and managed. This will include consultation over such offers in advance with Trading Standards and the Police. Consultation

does not confer a right of veto on Trading Standards or the Police and the ultimate decision remains with the Premises Licence Holder.

The risk assessment will include in addition to the above:-

How many drinks can be purchased at any one time.

What type and strength of drinks can be sold.

Whether additional customer surveillance is required by stewards at the bar area.

- 6) The Company will offer a range of soft drinks, fruit juices, low alcohol drinks. Tap water will be available free-of-charge. Such drinks will be prominently advertised within the premises to encourage their consumption.

- 7) In order to encourage an informed and responsible consumption of alcohol by customers, the Company will communicate the unit alcoholic content where possible. Suitable material promoting the responsible consumption of alcohol will also be displayed.

- 8) The Company will, in drinks promotions and at its premises, provide information promoting the "Drink Aware Trust".