

BEFORE THE LICENSING AUTHORITY AT OLDHAM COUNCIL
IN THE MATTER OF
THE CASTLE, UNION STREET, OLDHAM
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 Tokyo Industries Ltd, for The Castle, 38 Union Street, Oldham, 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 this premises:

“The Premises Licence Holder will enter into and adhere with a Drinks Promotions 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 run at all, and what measures it will take in light of this risk assessment, in agreement with Oldham Council Trading Standards to ensure that the Licensing Objectives are not compromised.”

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 Drinks Retailing Protocol

Tokyo Industries Ltd

The Castle

This Protocol is made between Tokyo Industries (Four) Limited (The “Company”) and 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 retailing of alcohol from both premises so as to ensure the promotion of the 4 licensing objectives.

The protocol may be amended by the Premises License Holder after consultation with Trading Standards & Police.

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 Code of Conduct for Responsible Drinks Promotions.
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. The Company will not carry out any promotion which allows customers to drink all they can for fixed sum or a fixed period/ which provide for additional free alcoholic drinks on purchase of a single drink or which allow alcohol to be provided in return for tickets or vouchers purchased on the premises.

6. The Company will offer a range of soft drinks, fruit juices, low alcohol drinks, teas and coffees. Such drinks will be 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 ensure that where possible all promotional material at both premises will list the ABV content of draught ales, lager, spirits, bottled beers and ciders. 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”.