

Licensing Act 2003

# Premises Licence

# 398

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Cork And Bottle

56 High Street, Barnstaple, Devon, EX31 1JB.

Telephone 01271 323144

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
E. Performance of live music (Indoors & Outdoors) Bar Area	Monday to Thursday	10:00am	11:00pm	
	Friday	10:00am	Midnight	
	Saturday	10:00am	Midnight	
	Sunday	10:00am	10:30pm	
	Christmas Eve	10:00am	Midnight	
	Bank Holiday	10:00am	Midnight	
	Non Standard Timings:			
	<b>Where a Sunday precedes a Bank Holiday the terminal hour is extended to 11:30 p.m.</b>			
F. Playing of recorded music (Indoors & Outdoors) Bar Area	Monday to Thursday	10:00am	11:00pm	
	Friday	10:00am	Midnight	
	Saturday	10:00am	Midnight	
	Sunday	10:00am	10:30pm	
	Christmas Eve	10:00am	Midnight	
	Bank Holiday	10:00am	Midnight	
	Non Standard Timings:			
	<b>Where a Sunday precedes a Bank Holiday the terminal hour is extended to 11:30 p.m.</b>			
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	11:00pm	
	Friday	10:00am	Midnight	
	Saturday	10:00am	Midnight	
	Sunday	Noon	10:30pm	
	Good Friday	Noon	10:30pm	
	Christmas Eve	10:00am	Midnight	
	Christmas Day	Noon	3:00pm	
	Christmas Day	7:00pm	10:30pm	
	New Year's Eve	10:00am	11:00pm	New Year's Day
	New Year's Eve Sat	10:00am	10:30pm	New Year's Day Sunday



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## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...			
	New Year's Eve Sun	Noon	11:00pm New Year's Day
	Bank Holiday	10:00am	Midnight
	Non Standard Timings:		
	<b>Where a Sunday precedes a Bank Holiday the terminal hour is extended until 11:30 p.m.</b>		

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	11:30pm
Friday	10:00am	12:30am
Saturday	10:00am	12:30am
Sunday	Noon	11:00pm
Good Friday	10:00am	11:00pm
Christmas Eve	10:00am	12:30am
Christmas Day	Noon	3:30pm
	7:00pm	11:00pm
New Year's Eve	10:00am	11:30pm New Year's Day
New Year's Eve Sat	10:00am	11:00pm New Year's Day Sunday
New Year's Eve Sun	Noon	11:30pm New Year's Day
Bank Holiday	10:00am	12:30am
Non Standard Timings:		
<b>Where a Sunday precedes a Bank Holiday the terminal hour is extended until Midnight.</b>		

## WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

## Part 2

### NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Pub Solutions (South West) Ltd

18 Sandown Road, Paignton, Devon, TQ4 7RL.

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Pub Solutions (South West) Ltd

06531026

### NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL



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# Premises Licence

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PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. FOD/08/00151/LAPENW

Issued by Forest of Dean

## ANNEXES

### ANNEXE 1 - MANDATORY CONDITIONS

1. There shall be no sale or supply of alcohol when there is no Designated Premises Supervisor (DPS) in respect of this premises licence or at a time when the said Premises Supervisor does not hold a personal licence or when his/her 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.
3. Any person used to carry out a security activity as required under the Annexe 2 conditions must be licensed by the Security Industry Authority.

### ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. The times permitted to sell alcohol do not prohibit or restrict the supply to, or consumption by, any person of alcohol in any premises where the premises are bona fide used, or intended to be used, for the purpose of habitually providing for reward, board and lodging, including breakfast and at least one customary main meal.
2. The times permitted to sell alcohol do not prohibit or restrict the sale of alcohol to a trader for the purposes of their trade or to a club with a Club Premises Certificate for the purposes of the club.
3. The times permitted to sell alcohol do not prohibit or restrict the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered.
4. The times permitted to sell alcohol do not prohibit or restrict the taking of alcohol from the premises by a person residing there.
5. The times permitted to sell alcohol do not prohibit or restrict the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by them at their own expense, or the consumption of persons so supplied.
6. The times permitted to sell alcohol do not prohibit or restrict the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
7. The times permitted to sell alcohol do not prohibit or restrict the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
8. The times permitted do not prohibit or restrict, during the first twenty minutes after the above



ANNEXES continued ...

hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel.

**REGULATED ENTERTAINMENT**

- (1) This licence shall, unless revoked in the meantime, be in force until the date specified on the Licence.
- (2) Regulated (Music) and (Dancing) or other regulated entertainment of the like kind shall only take place in the said premises on the days and times stipulated on the Licence and is prohibited during any other hours.

**CONDITIONS AS TO THE LICENCE:**

- (3) The premises shall be closed not later than the times during the week stipulated on the Licence.
- (4) There shall be affixed and kept in some conspicuous place on the door or entrance of such premises so licensed as aforesaid, an inscription in one inch capital letters, in the words following:

'LICENSED IN PURSUANCE OF THE LICENSING ACT 2003 FOR REGULATED ENTERTAINMENT'

- (5) THIS LICENCE SHALL BE DISPLAYED IN THE FOYER OR ENTRANCE TO THE PREMISES LICENSED (HEREINAFTER CALLED 'THE PREMISES').
- (6) **Occupancy Rates: Bar Area: Dance - Total not to exceed - 160**
- (7) The person or persons having effective control of the premises shall make efficient arrangements for ensuring that the maximum number of persons permitted to be on the premises at any one time is not exceeded.

Such arrangements to include provisions whereby any authorised Officer of the Licensing Authority or the Devon Fire and Rescue Service can determine the number of persons present (without a physical count).

- (8) (a) The licensee or a responsible person nominated by him in writing for the purpose, not being a person under 21 years of age, shall be in attendance during the whole period the premises are open to the public and shall be assisted by a staff of attendants or stewards according to the following scale.

<b><u>Capacity of Premises</u></b>	<b><u>Number of Attendants or Stewards</u></b>	<b><u>Number of Male Attendants or Stewards</u></b>
Under 250	1 including	1
250 but less than 500	3 including	1
500 but less than 750	4 including	1
750 but less than 1000	6 including	2



ANNEXES continued ...

1000 but less than 1250	9 including	2
1250 but less than 1500	10 including	2
1500 but less than 1750	12 including	3
1750 but less than 2000	13 including	3
2000 but less than 2500	15 including	3
over 2500	one for every 120 persons	one for every 600 persons

(or part thereof)

(b) At every performance to which Section 12 of the Children and Young Persons Act 1933 applies, the number of attendants or stewards in those parts of the premises which are not more than ten feet above or below ground level, shall not be less than two per cent of the seating capacity of those parts of the premises, and in all other parts of the premises it shall not be less than four per cent of the seating capacity for those parts of the premises provided that where children are in the charge of school teachers, those teachers may be regarded as attendant or stewards in respect of not more than one-half of the number of attendants or stewards required in section (a) of this condition.

(c) At every performance where children are accommodated above ground level there shall be an attendant or steward at the foot of each stairway used for entrance while the audience is entering the premise and at the head of each stairway used for exit throughout the performance and while the audience is leaving the premises. Where children are accommodated below ground level those attendants or stewards shall be stationed at the head of each stairway while the audience is entering the premises and at the foot thereof during the performance and while the audience is leaving the premises.

(d) Throughout the time when the public is in attendance, staff ushers or stewards shall wear either distinctive clothing or suitable armbands.

(e) A first aid kit suitable for the number of patrons and staff must be so provided. A responsible member of staff must be designated to take charge of a situation, call an ambulance and administer basic first aid to anyone injured or taken seriously ill on the premises.

(f) The Licensee shall (without prejudice to his personal responsibilities and liability as a Licensee) employ sufficient staff to ensure that all of the conditions of the Licence are observed, notwithstanding condition 8(a). A steward shall not be a person engaged in the service and preparation of food, in the service of intoxicating liquor, disc jockey, cloakroom staff or the like.

(9) A fire routine appropriate to the premises shall be devised.

(10) All persons employed to work in the premises and any ushers or stewards not so employed shall be given instructions and training in what to do in case of fire.

(11) The Licensee shall ensure that one specific person shall be made responsible for organising the training of staff and any non-staff ushers or stewards that may be used and the same person shall be responsible for co-ordinating the actions to be taken in the event of fire. Effective arrangements shall be made for a nominated deputy to carry out the above duties.



ANNEXES continued ...

- (12) In the event of an outbreak or suspected outbreak of fire the Fire Brigade shall be called immediately.
- (13) A conspicuous notice clearly stating the location of the nearest telephone and the correct method of summoning the Fire Brigade shall be displayed in the foyer of or entrance to the premises.
- (14) (a) Any Constable or authorised Officer of the Licensing Authority or Fire Authority shall have the power to enter at all times to ensure the adherence to the conditions and restrictions subject to which the Licence was granted.
- (b) Any authorised Officer of the Local Authority shall have the power to enter the premises at any time to inspect the condition of any electrical installations.
- (15) A log book shall be kept in which there shall be recorded details of tests and maintenance of fire fighting equipment, fire warning system (where applicable) and emergency lighting and the dates on which staff, stewards or ushers received training in the action to be taken in case of fire.
- (16) (a) The Licensee shall take all due precautions for the safety of the public and shall at all times conduct his business in such a manner and exercise such control over all persons on the premises as may be necessary to ensure that there is no drunkenness, breach of the peace or behaviour resulting or likely to result in damage to property or personal injury to any person.
- (b) The Licensee shall not permit any drunkenness, disorderly conduct or any acting, recitation, singing or dancing which is of an obscene or offensive character.
- (17) The Licensee shall ensure that the premises are at all times used so as to ensure that no disturbance is caused to nearby residents, passers-by, or the occupants of adjacent premises and use his best endeavours to ensure that at the close of any licensed entertainment patrons disperse as quietly as possible.
- (18) Every part of the premises to which the public is admitted shall be efficiently lighted that the management may afford adequate supervision over the whole area used for licensed entertainment.
- (19) The volume of any apparatus used shall be under the control of the Management, from a part of the premises, which is not accessible to the public.
- (20) No person shall at the premises give any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind to suggestion or direction is increased or intended to be increased without first obtaining the written consent of the Local Authority.

**CONDITIONS AS TO THE BUILDING**



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### ANNEXES continued ...

- (21) (a) All means of escape, i.e. corridors, gangways, passages, stairways, exitways etc. shall be kept free from obstruction at all times when members of the public are on the premises.
- (22) All stairs and steps shall be maintained with non-slippery and even surfaces and any stair coverings shall be secured and maintained so that they will not in any way be a source of danger to persons escaping in case of fire.
- (23) Before carrying out any alterations to the premises including wall and ceiling linings or any material alteration in the internal arrangement of the premises or in the furniture or equipment with which the premises are provided, 28 days written notice must be given to the Licensing Authority and to the Fire Authority.
- (24) In the case of premises used under the authority of this Licence, the Licensee shall furnish to the Licensing Authority as to the condition of the electrical installation with which the premises are provided. This Certificate, which will be renewable annually, must be supplied prior to the grant of a Licence and thereafter renewed following its expiry date. In the case of premises licensed for only one or more specific occasions, such Certificate shall be provided when required by the Licensing Authority.
- The Electrical Test Certificate will only be accepted if signed by a Contractor enrolled with the Institute of Electrical Engineers, or a Contractor enrolled with the National Inspection Council for Electrical Installation Contractors or a suitably qualified representative of a supply authority.
- (25) Any alterations, modifications or extensions to the electrical installation with which the premises are provided, shall be carried out by a competent electrician and shall be strictly in accordance with the I.E.E. Regulations and any portable electrical equipment or appliances used in the premises shall be in efficient working order and correctly wired and connected.
- (26) No explosive or highly inflammable material shall be brought into the premises and any curtains, drapes or other decorative materials introduced into the premises shall be either inherently non-flammable or comply with B.S. 5867 : part 2, Type 2.
- (27) No portable heating appliance shall be permitted on the premises during the time they are used for the purpose to which this Licence applies.
- (28) During the time the public are on the premises, the use of pyrotechnics shall be prohibited other than on a stage which is capable of being separated from the public by a fire resistant curtain. In this connection pyrotechnics means the use of apparatus or other devices for the production of smoke, coloured smoke or firework-like effects.
- (29) The emergency lighting with which the premises are provided shall be maintained in efficient working order and be in operation during the whole time that the public is in the premises. The existing system must illuminate all exit signs, doorways, steps and passages forming exit routes from the licensed premises and any other part of the premises specified in the Schedule of Conditions and shall be independent of the normal lighting system. Oil lamps and candles shall not be used.
- (30) All 'Exit' signs shall be maintained in a good state of repair.



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ANNEXES continued ...

- (31) The use of naked lights of flames during performances is prohibited unless prior written consent of the Licensing Authority has been obtained.
- (32) Any doors required to be fire resisting shall be effectively maintained and where such doors are also required to be self-closing they shall be maintained as such and shall be provided with no means of holding them in the open position, other than automatic releases where these have been specifically approved by the Licensing Authority.
- (33) (a) The doors of any doorway through which persons might have to pass so as to get out of the premises shall be capable of being easily and immediately opened without the aid of a key at all times when members of the public are on the premises.
- (b) All doors fitted with panic bolts or latches shall be indicated by the words 'PUSH BAR TO OPEN' in block letters in a distinctive colour, preferably white letters on a green background.
- (34) If the premises are to be used for any entertainment involving a closely seated audience seating arrangements must have been approved by the Licensing Authority. Before such approval can be given, copies of a plan showing the proposed seating arrangements shall be submitted to the Licensing Authority and to the Fire Authority.
- (35) Notwithstanding the foregoing condition:
- (a) In any premises exclusively used for a closely seated audience all seats shall be securely fixed to the floor.
- (b) In premises not exclusively used for a closely seated audience, chairs, if provided, shall be battened or otherwise securely fixed together to the satisfaction of the Licensing Authority in lengths of not less than four nor more than twelve chairs, and if more than 400 people are to be accommodated the chairs or seats adjoining any gangway shall be securely fixed to the floor.
- (c) There shall be an unobstructed seatway or space of at least 12 inches (300mm) measured between perpendiculars between the back of one seat and the front of the seat immediately behind.
- (d) The maximum number of chairs or seats in any row shall not exceed:
- (i) Seven where there is a gangway at one end only of the row and
- (ii) Fourteen where there is a gangway at each end of the row.
- Except that the number of seats in a row served by only one gangway may be increased to eleven if the seatway is increased by 1 inch (25mm) for each additional seat over seven and the number of seats in a row served by two gangways may be increased to 22 if the seatway is increased by 1 inch (25mm) for each additional seat or pair of seats over fourteen.
- (e) Where the entertainment proposed consists of or includes any public contest, exhibition or display of boxing, wrestling, judo, karate or any similar sport provided in conjunction with or as





ANNEXES continued ...

an adjunct to the consumption of a meal, then details of seating and table plans shall be submitted to the Licensing Authority not less than 21 days before the date of such entertainment and approved by them.

N.B. For the guidance of the Licensees, travel distances should exceed 18 m from the end of any row of seats (15m if continental seating is used).

- (36) All fire fighting equipment with which the premises are provided shall be maintained in efficient working order.
- (37) The fire warning system (if provided) shall be maintained in efficient working order.
- (38) In premises heated by oil or gas or solid fuel appliances, the rooms or compartments in which these appliances are installed shall be adequately ventilated. Existing systems shall be maintained and regularly serviced.
- (39) All premises shall be provided with adequate separate sanitary accommodation for male and female persons. For the guidance of Licensees, the following scale as indicated in BS 6465 Part 1 (1984) is regarded as adequate:

	<b>WATER CLOSETS</b>	<b>WASH BASIN</b>	<b>URINALS</b>	
Female Public	Min. 2 for 50 3 for 51-100 +1 for every 40 extra	1 plus 1 per 2 WC's	-	
Male Public	Min. 1 for 250 +1 for every 500 extra	1 per WC and 1 per 5 urinals	Min. 2 up to 100 +1 for every extra 80	
Staff	<b>WATER CLOSETS (NO URINAL)</b>	<b>WATER CLOSETS (WITH URINAL)</b>	<b>WASH BASIN</b>	<b>URINALS</b>
Female	1 for 1-15 staff 2 for 16-30 staff		1 for 1-15 staff 2 for 16-30 staff	
Male	1 for 1-15 staff 2 for 16-30 staff	1 for 1-20 staff	1 for 1-15 staff 2 for 16-30 staff	1 for 1-15 staff 2 for 16-30 staff

All such sanitary accommodation shall at all times be kept in good order and repair and be properly and effectively cleansed, ventilated and disinfected and supplied with water and all necessary requisites and all doors leading thereto shall be suitably marked.

- (40) The licensee shall have regard and comply with any relevant provisions of the following enactments during any licensable activities taking place on the premises: -
  - (a) Children and Young Persons Act 1933
  - (b) Cinematograph (Safety) Regulations 1955
  - (c) Sporting Events (Control of Alcohol Etc) Act 1985



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## ANNEXES continued ...

- (41) The licensed premises shall be maintained in their present condition and no alterations shall be made therein, either in construction, re-arrangement of public accommodation or exits, or otherwise, without the consent of the appropriate Authority. Application for permission to effect any such alterations shall be made in accordance with the regulations of the appropriate Authority.
- (42) When Regulated Entertainment takes place outdoors, it shall only be inside a marquee.
- (43) CCTV shall be installed and working to the satisfaction of the Police and Local Authority.
- (44) All staff shall be trained on the Licensing Act 2003.
- (45) SIA registered door supervisors shall be employed in a ratio of 1 to 80 customers from 20:00 hours to closing on Friday and Saturday evenings.
- (46) All staff shall be given adequate training in fire evacuation and fire precaution measures.
- (47) There shall be prominent signs displayed at all public exits asking customers to leave quietly.
- (48) Nuisance shall not be caused to nearby properties when bright or flashing lights are in use.
- (49) Children shall not be permitted to use AWP and cigarette vending machines. This policy shall be clearly displayed to the public.
- (50) The sale by retail/supply of alcohol and regulated entertainment will be confined to the area (s) as outlined in **RED** on the attached plan (s).

### **ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING**

None.

### **ANNEXE 4 - PLANS**

Copy attached to Licence.

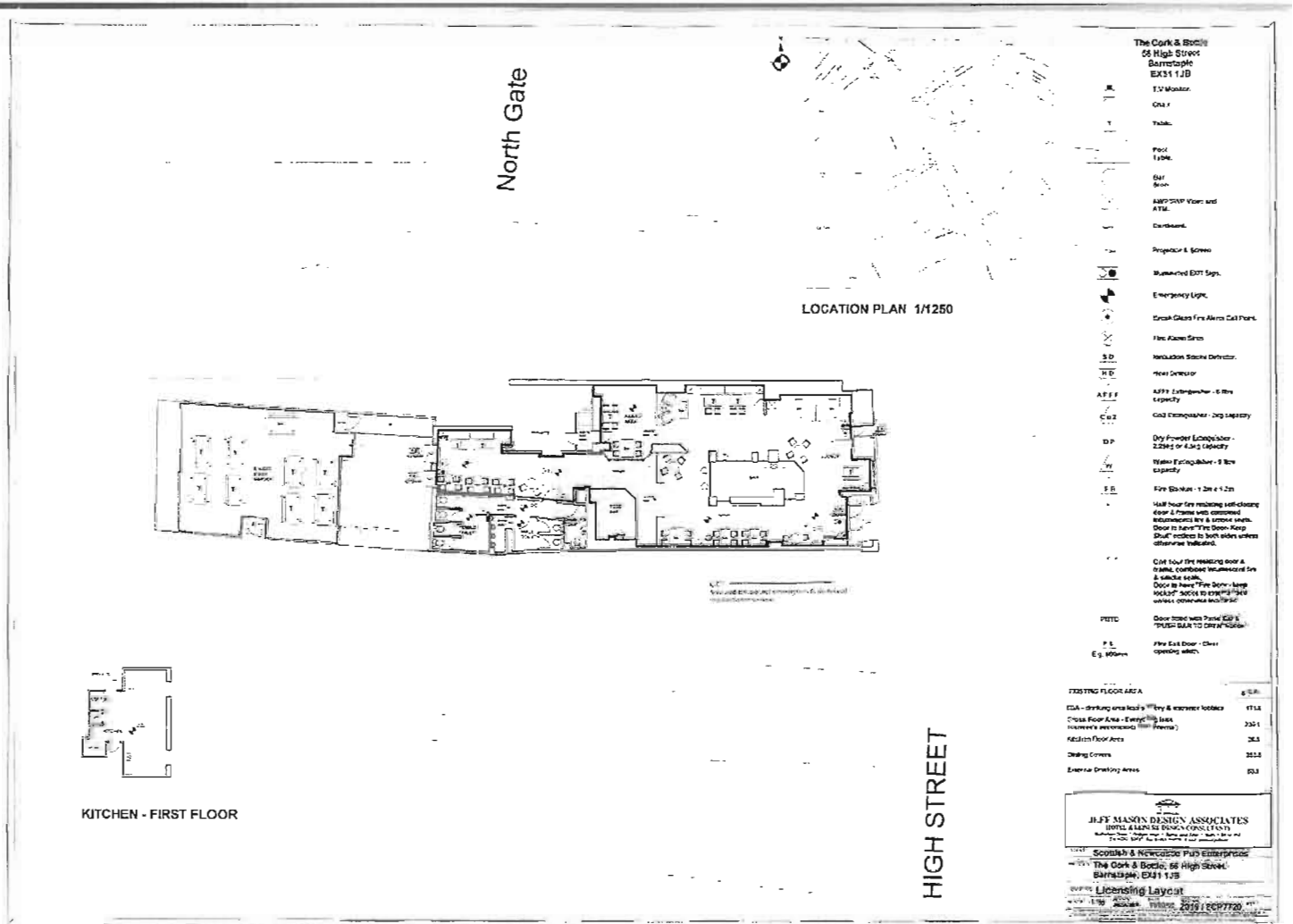


# Latest Plan of Premises details for Cork And Bottle

Details entered: 20 August 2008 at 14:16 by Kerry J Garner - LEFT  
 Date requested: Received: 20/08/2008  
 Appointment date: Result:  
 Name:  
 Date commences:

Reason: **Premises Applic.**  
 Appointment time:  
 Result Date:  
 Number:  
 Date expires:

Notes:



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# Premises Licence Summary

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## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Cork And Bottle

56 High Street, Barnstaple, Devon, EX31 1JB.

Telephone 01271 323144

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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- any playing of recorded music
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	Christmas Day	Noon	3:00pm
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## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...			
	New Year's Eve Sat	10:00am	10:30pm New Year's Day Sunday
	New Year's Eve Sun	Noon	11:00pm New Year's Day
	Bank Holiday	10:00am	Midnight
	Non Standard Timings:		
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## THE OPENING HOURS OF THE PREMISES

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## WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Pub Solutions (South West) Ltd

18 Sandown Road, Paignton, Devon, TQ4 7RL.

## REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Pub Solutions (South West) Ltd

06531026

## NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

[REDACTED]

## STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Access is restricted only under the terms of the Licensing Act 2003

