

## Licensing Act 2003 Premises Licence (Part A)

Premises Licence Number

**049461**

### Part 1 – Premises Details

Postal Address Of Premises, Or If None, Ordnance Survey Map Reference Or Description	<b>The Keys 65 High Street Yarm</b>
Post Code	<b>TS15 9BH</b>
Telephone Number	<b>01642 782534</b>

Where The Licence Is Time Limited The Dates

**N/A**



Trading Standards & Licensing Manager

Date Approved:  
14 December 2009

Not Valid Unless Embossed  
With Stockton Council Logo

Licensable Activities Authorised By The Licence

**LIVE MUSIC**  
**RECORDED MUSIC**  
**FACILITIES FOR DANCING**  
**LATE NIGHT REFRESHMENTS**  
**SUPPLY OF ALCOHOL**

The Times The Licence Authorises The Carrying Out Of Licensable Activities

#### **LIVE MUSIC**

**MONDAY:** 09.30 until 02.00  
**TUESDAY:** 09.30 until 02.00  
**WEDNESDAY:** 09.30 until 02.00  
**THURSDAY:** 09.30 until 02.00  
**FRIDAY:** 09.30 until 02.00  
**SATURDAY:** 09.30 until 02.00  
**SUNDAY:** 09.30 until 02.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

#### **RECORDED MUSIC**

**MONDAY:** 09.30 until 02.00  
**TUESDAY:** 09.30 until 02.00  
**WEDNESDAY:** 09.30 until 02.00  
**THURSDAY:** 09.30 until 02.00  
**FRIDAY:** 09.30 until 02.00  
**SATURDAY:** 09.30 until 02.00  
**SUNDAY:** 09.30 until 02.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

#### **FACILITIES FOR DANCING**

**MONDAY:** 09.30 until 02.00  
**TUESDAY:** 09.30 until 02.00  
**WEDNESDAY:** 09.30 until 02.00  
**THURSDAY:** 09.30 until 02.00  
**FRIDAY:** 09.30 until 02.00  
**SATURDAY:** 09.30 until 02.00  
**SUNDAY:** 09.30 until 02.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

#### **LATE NIGHT REFRESHMENTS**

**MONDAY:** 23.00 until 02.00  
**TUESDAY:** 23.00 until 02.00  
**WEDNESDAY:** 23.00 until 02.00  
**THURSDAY:** 23.00 until 02.00  
**FRIDAY:** 23.00 until 02.00  
**SATURDAY:** 23.00 until 02.00  
**SUNDAY:** 23.00 until 02.00

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

**SUPPLY OF ALCOHOL FOR CONSUMPTION ON THE PREMISES**

**MONDAY: 09.30 until 02.00**  
**TUESDAY: 09.30 until 02.00**  
**WEDNESDAY: 09.30 until 02.00**  
**THURSDAY: 09.30 until 02.00**  
**FRIDAY: 09.30 until 02.00**  
**SATURDAY: 09.30 until 02.00**  
**SUNDAY: 09.30 until 02.00**

**On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).**

The Opening Hours Of The Premises

**MONDAY:** 09.00 until 02.30  
**TUESDAY:** 09.00 until 02.30  
**WEDNESDAY:** 09.00 until 02.30  
**THURSDAY:** 09.00 until 02.30  
**FRIDAY:** 09.00 until 02.30  
**SATURDAY:** 09.00 until 02.30  
**SUNDAY:** 09.00 until 02.30

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Where The Licence Authorises Supplies Of Alcohol Whether These Are On And/Or Off Supplies

**Supply Of Alcohol ON The Premises**

## Part 2

Name And (Registered) Address, Telephone Number And E-Mail (Where Relevant) Of Holder Of Premises Licence

**Mistell Limited**  
**Riverside Park Road, Middlesbrough TS2 1QW**  
**01642 254234**  
**vpowell@clevelandvacle.com**

Registered Number Of Holder, For Example Company Number, Charity Number (Where Applicable)

**N/A**

Name, Address And Telephone Number Of Designated Premises Supervisor Where The Premises Licence Authorises For The Supply Of Alcohol

**Miss Victoria Powell**  
**5 Castle Dyke Wynd, Yarm, Stockton-On-Tees TS15 9DE**  
**01642 782534**

Personal Licence Number And Issuing Authority Of Personal Licence Held By Designated Premises Supervisor Where The Premises Licence Authorises For The Supply Of Alcohol

**046490**  
**Stockton-On-Tees**

# Annex 1 – Mandatory Conditions & Embedded Restrictions

## MANDATORY CONDITIONS

- 1 No supply of alcohol may be made under the premises licence:
  - (a) at any time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at any 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.
  
- 3 This Licence/Club Registration Certificate is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:-

The Children and Young Person Act 1933  
The Cinematograph (Safety) Regulations 1955  
The Sporting Events (Control of Alcohol etc) Act 1985
  
- 4 When door supervisors or other persons carrying out security activities at specified times are employed such individuals must be licensed by the Security Industry Authority.

For the purposes of this condition "security activity" means an activity to which paragraph 2 (1)(a) Schedule 2 to the Private Security Industry Act 2001 applies.
  
- 5 (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.**

- 6 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).**
- 7 The responsible person shall ensure that tap water is provided on request to customers where it is reasonably available.**
- 8 (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.**
- 9 The responsible person shall ensure that -**
- (a) where any of the following alcoholic drinks are 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: 1/2 pint;**
    - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and**
    - iii) still wine in a glass: 125 ml; and**
  - (b) customers are made aware of the availability of these measures.**

## **EMBEDDED RESTRICTIONS**

**1 On Licences  
Permitted Hours**

The restriction on the permitted hours for the supply of alcohol shall not prohibit:

- (a) during the first twenty minutes after these hours the consumption of the alcohol on the premises;**
- (b) during the first twenty minutes after these hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;**
- (c) during the first thirty minutes after these hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;**
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;**
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;**
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;**
- (g) 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 member of Her Majesty's Naval, Military or Air Forces;**
- (h) the taking of alcohol from the premises by a person residing there; or**
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or**
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business 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.**

**2 This licence is subject to such further conditions as are consistent with any restriction imposed on the existing licence of the premises:**

**For the showing of films under the provisions of the Cinemas Act 1985**

**and/or**

**The performance of plays under the Theatres Act 1968**

**and/or**

**The provision of public entertainment under the Local Government (Miscellaneous Provisions Act 1982) as appropriate.**

**(A copy of the relevant conditions, restrictions or regulations are attached)**



## **Annex 2 – Conditions Consistent With The Operating Schedule**

### **PREVENTION OF CRIME AND DISORDER**

**1 SIA registered door staff will be used at the premise as follows:**

**Tuesday - Minimum 5 doorstaff, 1 starting at 9pm, further 4 doorstaff starting at 10pm, all working till closing time.**

**Friday - Minimum 6 doorstaff, 2 starting at 9pm, further 4 doorstaff starting at 10pm, all working till closing time.**

**Saturday - Minimum 8 doorstaff, 2 starting at 9pm, further 6 doorstaff starting at 10pm, all working till closing.**

**Sunday before Bank Holiday, Boxing Day and New Year's Eve - minimum 8 doorstaff, 2 starting at 9pm, further 6 doorstaff starting at 10pm, all working till closing time.**

**2 A digital Closed Circuit Television System (CCTV) must be installed and maintained. The system must incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with the Data Protection legislation.**

**A minimum of 14 days recording is required.**

**The system must have a minimum of a simplex multiplexing facility and be recording for 24 hours a day.**

**The system must incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.**

**The digital recorder must have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.**

**There must be at all times a member of staff on duty who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.**

**3 Secure bottle bins shall be available at the premises.**

**4 On a Tuesday, Friday and Saturday if nightclub is not open the downstairs bar must be cleared of customers by 01:20 and a minimum of 3 doorstaff required.**

## **Annex 3 – Conditions Attached After A Hearing By The Licensing Authority**

### **PREVENTION OF CRIME AND DISORDER**

- 1 CCTV to be installed inside and outside, and also to cover High Church Wynd.**
- 2 A drugs policy, drugs safe and drugs register to be completed and maintained.**
- 3 A "Challenge 21" policy will be implemented and all staff will insist on proof of age from any person appearing to be under 21 years of age and who is attempting to buy alcohol. There shall be sufficient public notices displayed at the premise to inform customers and remind staff that the premise is operating a "Challenge 21" policy.**
- 4 All staff will be trained with regard to the law concerning the sale of alcohol and also the operation of the associated "Challenge 21" policy. Staff will receive refresher training every 3 months.**
- 5 Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records will be made available to the Licensing Authority and/or Responsible Authorities upon request.**

### **PREVENTION OF PUBLIC NUISANCE**

- 1 No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.**
- 2 Refuse such as bottles shall be disposed of from the premises at a time when it is not likely to cause a disturbance to residents in the vicinity of the premises.**
- 3 A noise limiting device should be provided covering all sound systems which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.**
- 4 All sound systems shall pass through the noise limiting device which at all times shall operate at the decibel level set by the Environmental Health Unit and shall be maintained in good working order.**
- 5 The relay system to the fire door(s) shall be maintained in good working order.**
- 6 All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest premises. Any music shall be played indoors only.**

- 7** The licence holder or his representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
- 8** Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles)
- 9** Where there are any offensive smells on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.
- 10** There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.
- 11** The use of the terrace by customers shall be limited to 09.00 to 22.00 Sunday to Thursday and 09.00 to 23.00 Friday and Saturday. There shall be no music played in the terrace or garden. The maximum occupancy for the terrace shall be limited to 62. The garden area shall not be used as a beer garden.
- 12** Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when using any external area of the premises. The management controls should be documented and agreed with Stockton Councils Environmental Health Unit.
- 13** CCTV shall cover the terrace area which is used by customers at the rear of the premise and shall be maintained and operated in accordance with the conditions of the licence.
- 14** When the external terrace area is been used by customers after 21.00 hours a door supervisor shall be positioned in the terrace to monitor customers. The door supervisor shall monitor the terrace until it is cleared of customers or at 23.00 hours whichever is earlier.

## **Annex 4 – Plans**

A copy of plan drawing No.6110-225, dated June 2007, can be viewed at Trading Standards & Licensing, 16 Church Road, Stockton-On-Tees upon request.