

LICENSING ACT 2003

PREMISES LICENCE SUMMARY (PART B)

PREMISES LICENCE NUMBER: 049461

PREMISES DETAILS

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

**The Keys
65 High Street, Yarm, TS15 9BH**

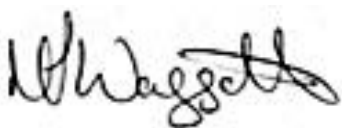
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WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

**LIVE MUSIC
RECORDED MUSIC
PERFORMANCES OF DANCE
LATE NIGHT REFRESHMENTS
SUPPLY OF ALCOHOL**



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Margaret Waggott
Assistant Director
(Administration, Democratic & Electoral Services)

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

PERFORMANCES OF DANCE

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

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).

Extend finishing time by one hour eight times a year on a Friday or Saturday (Sunday excluded). Fourteen days notice will be given.

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 OF HOLDER OF PREMISES LICENCE

Mistell Limited
Riverside Park Road, Middlesbrough, TS2 1QW

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

N/A

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

Mr James Thomas Ransom

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS AND EMBEDDED RESTRICTIONS

MANDATORY CONDITIONS

- **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.
- **Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
- **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

- **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.

- **(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).
- The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (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 premise 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.
- The responsible person must 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;
 - (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.

- **A. 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**
- B. For the purposes of the condition set out in paragraph A -**
 - (a) "duty" is to 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 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 premise 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**
- C. Where the permitted price given by Paragraph (b) of paragraph B 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**
- D. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph B 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.**

EMBEDDED RESTRICTIONS

- **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.

- 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 below;

1. Permitted hours of operation

9.30am - 1.00am Monday - Saturday
12Noon - 12Midnight Sunday

2. Maximum permitted occupancy level

First floor nightclub 200

3. Special Conditions

- 3.1 All doors and windows shall be kept closed whilst entertainment is in progress.**

- 3.2 During an event, the licensee (or a suitable representative) shall make subjective assessments, both internally and externally, of the likelihood of noise disturbance being caused by entertainment. The results of these assessments shall be recorded in a logbook including any action required as a result, which shall be retained for one year.
- 3.3 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 Manager and shall be maintained in good working order.
- 3.4 The relay system to the fire door(s) shall be maintained in good working order.
- 3.5 The licensee or nominated person shall take all reasonable steps to prevent disturbance or nuisance by persons leaving the premises and shall undertake such monitoring, if any, in this respect, as may be required by the Council.
- 3.6 A sign shall be erected at all exits asking patrons to leave the premises in a quiet manner and to consider the occupiers of nearby dwellings.

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

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

Tuesday – Minimum 5 door staff, 2 starting at 9pm, further 3 door staff starting at 10pm, all working till closing time.
Friday – Minimum 8 door staff, 2 starting at 9pm, further 6 door staff starting at 10pm, all working till closing time.
Saturday – Minimum 8 door staff, 2 starting at 9pm, further 6 door staff starting at 10pm, all working till closing.
Sunday before Bank Holiday, Boxing Day and New Year's Eve – minimum 8 door staff, 2 starting at 9pm, further 6 door staff starting at 10pm, all working till closing time.
- 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.

- **Secure bottle bins shall be available at the premises.**
- **When the premises is to be open for licensable activity after midnight on a Tuesday a minimum of 3 door supervisors will be provided between the hours of 22.00 until closing time.**
- **Managers to oversee customers exiting the premises.**

PREVENTION OF PUBLIC NUISANCE

- **Two extra sound checks will be done during the extra hour.**
- **Last entry to club will be 02:00.**

ANNEX 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

PREVENTION OF CRIME & DISORDER

- **CCTV to be installed inside and outside, and also to cover High Church Wynd.**
- **A drugs policy, drugs safe and drugs register to be completed and maintained.**
- **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.**
- **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.**
- **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

- **No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.**
- **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.**
- **The relay system to the fire door(s) shall be maintained in good working order.**
- **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.**
- **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.**
- **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)**

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- During the hours of 09:30 to 02:00 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 and shall be maintained in good working order. Between the hours of 02:00 and 03:00 the noise limiter shall be set and operated at a maximum level 5dB (A) less than that set by Environmental Health for the period before 02:00.
- 14 clear days notification of each event shall be given by the Premises Licence Holder and/or a representative of the Premises Licence Holder to the Council Licensing Section, Environmental Health Section and to Cleveland Police Licensing Section. Evidence of the notification of each event must be retained by the Premises Licence Holder and a log kept of the number of events held per annum.

ANNEX 4 - PLANS

A copy of plan drawing No.6110-225, dated June 2007, can be viewed upon request.