

## LICENSING ACT 2003

## PREMISES LICENCE SUMMARY (PART B)

**PREMISES LICENCE NUMBER: 050564**

## PREMISES DETAILS

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

**Union Arms  
68 High Street, Yarm, TS15 9BH**

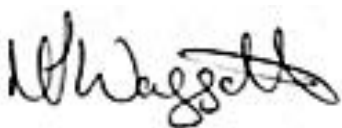
**01642 782326**

WHERE THE LICENCE IS TIME LIMITED THE DATES

**N/A**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

**LIVE MUSIC  
RECORDED MUSIC  
ACTIVITIES LIKE MUSIC/DANCE  
LATE NIGHT REFRESHMENTS  
SUPPLY OF ALCOHOL**



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

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

**LIVE MUSIC**

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>09.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>09.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>09.00 until 24.00</b> |

**On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.**

**For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.**

**RECORDED MUSIC**

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>09.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>09.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>09.00 until 24.00</b> |

**On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.**

**For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.**

**ACTIVITIES LIKE MUSIC OR DANCING**

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>09.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>09.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>09.00 until 24.00</b> |

**On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.**

**For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.**

## **LATE NIGHT REFRESHMENTS**

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>23.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>23.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>23.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>23.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>23.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>23.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>23.00 until 24.00</b> |

On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.

For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.

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

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>09.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>09.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>09.00 until 24.00</b> |

On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.

For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.

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 OFF THE PREMISES**

|                   |                          |
|-------------------|--------------------------|
| <b>MONDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>TUESDAY:</b>   | <b>09.00 until 24.00</b> |
| <b>WEDNESDAY:</b> | <b>09.00 until 24.00</b> |
| <b>THURSDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>FRIDAY:</b>    | <b>09.00 until 24.00</b> |
| <b>SATURDAY:</b>  | <b>09.00 until 24.00</b> |
| <b>SUNDAY:</b>    | <b>09.00 until 24.00</b> |

On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.

For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.

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: 08.00 until 00.30**  
**TUESDAY: 08.00 until 00.30**  
**WEDNESDAY: 08.00 until 00.30**  
**THURSDAY: 08.00 until 00.30**  
**FRIDAY: 08.00 until 00.30**  
**SATURDAY: 08.00 until 00.30**  
**SUNDAY: 08.00 until 00.30**

**On St David's Day, St Patrick's Day, St George's Day and St Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.**

**For statutory Bank Holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Christmas Eve, the finish time will be extended by one hour beyond these times.**

**Notwithstanding these usual opening times, the premise, in accordance with the converted right, may choose to open to the public at any time for non-licensable activities/purposes.**

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

**Supply Of Alcohol ON The Premises**  
**Supply Of Alcohol OFF The Premises**

## **PART 2**

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

**Spirit Pub Company (Services) Limited**  
**Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT**

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

**05266811**

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

**Mr Lewis Young**

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 taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(b) 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;

(c) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

(d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(e) the sale of alcohol to a trader or club for the purposes of the trade or club;

(f) 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;

(g) the taking of alcohol from the premises by a person residing there; or

(h) 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

(i) 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.

- Any live entertainment is to be confined to the area shown hatched on the deposited plan. There shall be no reproduction of live music in other parts of the premises or the site.
- The speakers in the rear part of the premises shall not exceed a background level of sound and no external speakers shall be installed.
- No external play equipment shall be installed.
- The wall separating the "patio area" from the "grassed area" shown on the deposited plan (2881-60) shall be maintained in its current position and at not less than its existing height.
- There shall be no sale, supply or consumption of intoxicating liquor nor admissions of patrons of the licensed premises in the area to the east of the said wall.
- Notices shall be maintained in the passageway and patio area to read "please respect our neighbours by keeping noise to a minimum".
- The use of the passageway and patio area shall be subject to the maintenance of the above conditions.
- The fire doors shall be self-closing and not fixed in an open position. The fire escape at first floor level from the toilets shall not be used except for emergency purposes.



## **ANNEX 2**

### **CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

#### **GENERAL**

- **The Committee shall visit the premises once the building works are complete and before the rear of the premises are open to the public.**
- **The fixed light upstairs bedroom window (26"x18") at Brewery House that overlooks the grassed and patio areas shall be glazed with a sealed unit before the passageway and patio area are used by the licensee.**

#### **PREVENTION OF CRIME & DISORDER**

- **Ensure sight of evidence of age from any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.**
- **A zero-tolerance policy towards illegal drugs shall be enforced at all times.**
- **If a disc jockey is used on any night, then he/she shall ask customers to leave quietly.**

#### **PROTECTION OF CHILDREN FROM HARM**

- **A supply of soft drinks and non-alcoholic drinks shall be available.**
- **Children shall be required to be supervised by an accompanying adult at all times when on the premises.**
- **When children are on the premises any entertainment offered within the premises shall be suitable for young persons.**

## **ANNEX 3**

# **CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

### **PREVENTION OF CRIME & DISORDER**

- **A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped.  
The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation.  
CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition.  
Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs.  
There will be a minimum of 14 days recording.  
The system will have a minimum of a simplex multiplexing facility and be recording for 24 hours a day.  
The system will 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 will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.  
There will 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.  
In the event of a technical failure of the CCTV equipment the Premise Licence Holder/DPS must report the failure to Police on contact number 01642 302360 immediately.**
- **The current CCTV system shall be maintained in satisfactory working order.**
- **Discs from the CCTV system shall be kept for 31 days in a locked and secure storage facility and produced to the Police upon request.**
- **Secure bottle bins installed shall be maintained.**
- **A member of staff shall attend Pubwatch meetings four times a year.**
- **An incident book shall be maintained.**
- **The restriction on the permitted hours for the supply of alcohol shall not prohibit the consumption of alcohol during the first 30 minutes after the terminal hour for the supply of alcohol.**
- **A "Challenge 25" policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 25 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 25" policy.**

- **All staff will be fully trained and retrained on a 3 monthly basis in relation to the laws relating to the sale of alcohol to underage persons, persons buying on behalf of under 18's (proxy sales), persons appearing to be under the influence of alcohol and also the operation of the associated "Challenge 25" policy. Staff will receive refresher training at least 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.**
- **An incident book will be kept on the premises at all times. The book will detail in brief, incident of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters shall be timed, dated and signed by the author and produced to Police/Authorised Licensing Officers on demand.**
- **All permanent staff who work more than 30 hours per week and are involved in the sale or supply of alcohol shall possess an accredited National Certificate for Personal Licence Holders within 3 months from the start of their employment or 18 October 2011 whichever is the latter.**
- **All door supervisors shall be SIA registered and a minimum of 2 door supervisors shall be employed from 8.00pm until closing on Fridays and Saturdays.**

## **PREVENTION OF PUBLIC NUISANCE**

- **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.**
- **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)**
- **Any odours created from cooking on the premises shall be adequately vented and/or provided with odour control 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.**
- **Have appropriate systems in place to control pest infestations, such as a pest control contract.**
- **Bottles shall not be disposed of in the outside bins when the premises are closed to the public at night.**
- **No speakers shall be installed in the rear part of the premises currently used for a pool table.**
- **Noise and vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.**
- **The use of the beer garden by customers shall be limited from 09.00 to 22.30 (except for Bank Holiday weekends, to 23.30). There shall be no music played in the beer garden and no use of flood lighting likely to cause a nuisance to local residential properties.**
- **A daily schedule of inspections and cleaning of the patio and passageway areas shall be maintained.**

# ANNEX 4 – PLANS (NOT TO SCALE)

