

LICENSING ACT 2003

PREMISES LICENCE SUMMARY (PART B)

PREMISES LICENCE NUMBER: 146366

PREMISES DETAILS

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


**Lebaneat
48 High Street, Yarm, TS15 9AH**

WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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

SUPPLY OF ALCOHOL FOR CONSUMPTION ON THE PREMISES

MONDAY: 12.00 until 23.00
TUESDAY: 12.00 until 23.00
WEDNESDAY: 12.00 until 23.00
THURSDAY: 12.00 until 23.00
FRIDAY: 12.00 until 23.00
SATURDAY: 12.00 until 23.00
SUNDAY: 12.00 until 23.00

SUPPLY OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

MONDAY: 12.00 until 23.00
TUESDAY: 12.00 until 23.00
WEDNESDAY: 12.00 until 23.00
THURSDAY: 12.00 until 23.00
FRIDAY: 12.00 until 23.00
SATURDAY: 12.00 until 23.00
SUNDAY: 12.00 until 23.00

THE OPENING HOURS OF THE PREMISES

MONDAY: 12.00 until 23.30
TUESDAY: 12.00 until 23.30
WEDNESDAY: 12.00 until 23.30
THURSDAY: 12.00 until 23.30
FRIDAY: 12.00 until 23.30
SATURDAY: 12.00 until 23.30
SUNDAY: 12.00 until 23.30

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

Lebaneat (Yarm) Limited
47 North Bailey, Durham, DH1 3ET

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

11252182

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

Ms Oksana Sayed

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS

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**

- **(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.**

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

- **A zero-tolerance policy towards drugs shall operate at all times.**
- **Any person appearing to be drunk shall not be served.**
- **The sale and supply of alcohol for consumption outside the restaurant, in the front seating area, shown on the licence plan. Shall be by waiter or waitress service served only to a person seated taking a substantial table meal in this area.**
- **A Challenge 25 policy will be implemented and all staff must insist on proof of age from any person appearing to be under 25 years of age and who is attempting to purchase alcohol. The only acceptable proof of age will be a valid photo identification confirming the purchaser's age, namely a passport, photo driving licence or PASS approved proof of age card.**
- **All staff will be fully trained 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 6 months.**
- **The business will maintain a refusals book to record all instances where the sale of age restricted products have been refused. This shall include the date and time of the attempted sale. The Designated Premises Supervisor/Store Manager/Business Owner will check and sign each page and the refusals book will be made available to the Licensing Authority and/or Responsible Authorities upon request.**
- **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 31 days recording.
The system will record 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.**

- **The business will maintain an incident book to record all instances where the staff deal with people who have been unruly, drunk, abusive, aggressive or have committed criminal acts or have had to call Police for such incidents. This shall include the date and time of the incident, together with a description of the incident and whether the Police were called/attended. The Designated Premise Supervisor/Store Manager/Business Owner will check and sign each page and the incident book will be made available to the Licensing Authority and/or Responsible Authorities upon request.**
- **The premises shall only operate as a restaurant;**
 - (i) In which customers are shown to their table**
 - (ii) Where the supply of alcohol is predominantly by waiter or waitress service only**
 - (iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery**
 - (iv) Which do not provide any takeaway service of food or drink for immediate consumption**
 - (v) Which do not provide any takeaway service of food and drink after 23.00 hours**

Notwithstanding the above, alcohol may be supplied and consumed in the bar area (designated on the plan) by up to a maximum at any one time, of 10 persons without a table meal

- **Children under the age of 18 years shall be accompanied by a responsible parent/guardian. Children will not be allowed at the bar or to remain in the premises beyond 21:00 hours.**
- **The licence holder shall display prominent signage confirming the company's Challenge 25 policy.**

PUBLIC SAFETY

- **The interior of the premises and all fittings and apparatus therein will be maintained in good order and in a safe condition.**

PREVENTION OF PUBLIC NUISANCE

- **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.**

- **No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises.**
- **No deliveries shall be taken at or dispatched from the site outside the hours of 07.00 and 19.00.**
- **The movement of bins and rubbish outside the premises will be kept to a minimum after 23.00. This will help to reduce the levels of noise produced by the premises.**

ANNEX 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

PREVENTION OF CRIME & DISORDER

- **An incident book will be kept on the premises at all times. The book will detail in brief, incidents of injury/ejection/refusals/drug misuse/seizure/age challenge. Such matters will be timed, dated and signed by the author and produced to Police and other Responsible Authorities immediately upon request.**
- **Training records signed by both the staff member and the Designated Premise Supervisor/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 Enforcement Agencies and/or Responsible Authorities upon request.**
- **Right to work checks shall be conducted on all potential employees prior to their employment in any capacity at the business. Checks shall be in accordance with the Home Office Code of Practice for employers as current at that time.**
- **The premises licence holder will operate a full digital HR management system where all relevant documents are stored for each individual member of staff. All relevant documents for members of staff will be retained for a period of 12 months post termination of employment and will be made available to Police, Immigration or Licensing Officers on request.**

ANNEX 4 PLANS (NOT TO SCALE)

