

Agenda Item 2

Premises Licence – Lux Bar

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LICENSING ACT 2003 PREMISES LICENCE

Premises Licence Number
Granted
Issued

DWTSPR0240
08 August 2006
21 November 2018

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<p>TIME BAR 28-30 FRONT STREET CONSETT DH8 5AQ</p>	<p>DURHAM COUNTY COUNCIL REGENERATION & LOCAL SERVICES LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number:</p>	

<p>Where the licence is time limited the dates N/A</p>
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<p>Licensable activities authorised by this licence Films Indoor Sporting Events Boxing or Wrestling Entertainment Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Facilities for Making Music Facilities for Dancing Other Entertainment Facilities Similar to Making Music or Dancing Late Night Refreshment Sale by retail of alcohol</p>
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Opening Hours of the Premises																
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<p>Where the licence authorises the sale by retail of alcohol whether these are on and/or off sales: ON AND OFF ALCOHOL SALES</p>

The times the licence authorises the carrying out of licensable activities (all in 24hr format)

<p>Films Indoors</p> <p>Mon 10:00-03:30 Tue 10:00-03:30 Wed 10:00-03:30 Thu 10:00-03:30 Fri 10:00-03:30 Sat 10:00-03:30 Sun 10:00-03:30</p>	<p>Further details N/A Non-standard/seasonal timings New Years Eve permitted hours are extended from the end of permitted hours on New Years Eve to the start of permitted hours the following day</p>
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Late Night Refreshment Indoors Mon 23:00-03:30 Tue 23:00-03:30 Wed 23:00-03:30 Thu 23:00-03:30 Fri 23:00-03:30 Sat 23:00-03:30 Sun 23:00-03:30	Further details N/A Non-standard/seasonal timings New Years Eve permitted hours are extended from the end of permitted hours on New Years Eve to the start of permitted hours the following day.
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Part 2

Name, (Registered) address, telephone number and email (where relevant) of holder of premises licence	
BAR LUX LTD 28-30 FRONT STREET CONSETT DH8 5AQ	
Registered number of holder, for example company number, charity number (where applicable)	
Company no:	11655804
Charity no:	N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the sale by retail of alcohol
MR PETER SKOTIDAKIS

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale by retail of alcohol
GATESHEAD METROPOLITAN COUNCIL

Annex 1 – Mandatory conditions

No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or his or her licence has been suspended. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

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.

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.

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 -

The designated premises 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.

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 is 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: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; 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.

Minimum Price of Alcohol:

1 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.

2 For the purposes of the condition:

(a) "duty" is to be 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 the duty were charged on the date of the sale or supply of 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 premises 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.

3 Where the permitted price given by Paragraph (b) of paragraph 2 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.

4 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

Mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

2. But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section-
- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Mandatory condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where-
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section-
 - "children" means persons aged under 18; and
 - "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the premises Operating Schedule

General

At all times when the premises are open to the public for any licensable activity there are sufficient competent staff on duty for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

The premises will ensure there are sufficient competent staff on duty for the purpose of fulfilling the terms and conditions.

Prevention of Crime & Disorder

CCTV images to be kept for 28 days and made available to Police on request. CCTV system to be installed within 3 months.

Public Safety

The premises display notices detailing actions to be taken in the event of a fire.

Notices detailing actions to be taken in the event of fire including how to summon the Fire Brigade are prominently displayed.

Fire fighting equipment is provided in the premises in accordance with the reasonable requirements of the Fire Authority.

Fire escape routes are identified by adequate signage.

All polycarbonate glasses.

Door Supervisors are provided at the ratio of 1 to 100.

Prevention of Public Nuisance

Clear and legible notice are displayed at exits requesting patrons to leave the premises having regard to the needs of local residents.

The only entrance and exit to the premises will be located on the front street, directly away from residential properties.

Air conditioning vents are provided with acoustic filters to reduce the possibility of noise escaping from the premises.

Protection of Children from Harm

All staff have been informed to ensure that any persons they believe are under the age of 18 should produce identification.

The management of the premises have informed bar staff that any person whom they believe to be under age attempting to purchase alcohol should be asked to provide identification to prove their age. This shall consist of either passport or photo card driving licence.

The premises may provide a maximum of 2 AWP machines.

Annex 3 – Conditions attached after a hearing by the licensing authority

Statutory Licensing Sub-Committee 24 May 2011

1. CCTV images to be kept for 28 days and made available to Police on request. CCTV system to be installed within 3 months.
2. Age verification policy to be adopted - Challenge 25.
3. Staff training to be undertaken every six months in all aspects of the 4 licensing objectives.
4. High visibility jackets to be worn for the emptying out period in the premises when last orders have been called.

Annex 4 – Plans attached

Attached

Signature of Authorised Officer
Head of Environment, Health and Consumer Protection



LICENSING ACT 2003 PREMISES LICENCE SUMMARY

Premises Licence Number
Granted
Issued

DWTSPR0240
08 August 2006
21 November 2018

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	Issuing Authority
<p>TIME BAR 28-30 FRONT STREET CONSETT DH8 5AQ</p>	<p>DURHAM COUNTY COUNCIL REGENERATION & LOCAL SERVICES LICENSING SERVICES PO BOX 617 DURHAM DH1 9HZ</p>
<p>Telephone number:</p>	

<p>Where the licence is time limited the dates N/A</p>

<p>Licensable activities authorised by this licence</p> <ul style="list-style-type: none"> Films Indoor Sporting Events Boxing or Wrestling Entertainment Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Facilities for Making Music Facilities for Dancing Other Entertainment Facilities Similar to Making Music or Dancing Late Night Refreshment Sale by retail of alcohol

<p>The opening hours of the premises (all times in 24hr format)</p>		
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Part 2

Name, (Registered) address, telephone number and email (where relevant) of holder of premises licence	
BAR LUX LTD 28-30 FRONT STREET CONSETT DH8 5AQ	

Registered number of holder, for example company number, charity number (where applicable) Company no: 11655804 Charity no: N/A
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Name of designated premises supervisor where the premises licence authorises the sale by retail of alcohol MR PETER SKOTIDAKIS
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State whether access to the premises by children is restricted or prohibited NOT APPLICABLE

Signature of Authorised Officer
Head of Environment, Health and Consumer Protection