

## **APPENDIX 5**





North Tyneside Council

## PREMISES LICENCE

Schedule 12 – Part A

**Premises Licence number:** **23/1680/MINVAR**

**Part 1 - Premises details**

**Postal address of premises:**

**Cullercoats Coffee**  
 1 - 5 Countess Avenue  
 Whitley Bay  
 Tyne And Wear  
 NE26 3PN

**Licensable activities authorised by the licence:**

Supply of Alcohol  
 Playing of Recorded Music

**The times the licence authorises the carrying out of licensable activities:**

Supply of Alcohol	Sunday to Friday Saturday	<b>From:12:00 Until:22:00</b> <b>From:12:00 Until:22:30</b>
Playing of Recorded Music	Tuesday to Saturday Sunday	<b>From:09:00 Until:22:30</b> <b>From:10:00 Until:22:00</b>

**The opening hours of the premises:**

Sunday to Friday	<b>From: 08:30 Until: 22:00</b>
Saturday	<b>From: 08:30 Until: 22:30</b>

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:**

On premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

L R QUAY LTD

**Registered number of holder ):**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Stephen Angus McManners

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:**

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## **Annex 1 - Mandatory Conditions**

1. No supply of alcohol may be made under this premises licence:-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

### **The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st April 2010 as amended on 1st October 2014**

1. (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 person is unable to drink without assistance by reason of disability).
2. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

### **The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 - with effect from 1st October 2010 as amended on 1st October 2014**

3. (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 designated premises supervisor in relation to the premise 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.

4. The responsible person shall 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; and

(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.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014 with effect from 28th May 2014**

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 set out in paragraph 1—

(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 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 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)

"valued 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.

## **Annex 2 - Conditions consistent with the operating schedule**



### **Annex 3 - Conditions attached after a hearing by the licensing authority**

1. A CCTV system will be installed at the Premises and maintained in proper working order at all times and the licence holder will ensure that: -
  - a) The CCTV cameras are located at the Premises so as to provide coverage of entrance(s) and exit(s), both internally and externally and areas where the sale and consumption of alcohol takes place.
  - b) The CCTV system is able to capture clear images permitting identification of individuals.
  - c) The CCTV system will be in operation whenever the Premises are open to the public.
  - d) The CCTV system is able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
  - e) The CCTV system is capable of constantly generating an accurate date and time.
  - f) The CCTV system is fitted with security functions to prevent recordings being tampered with e.g. password protection.
2. There will be at least one member of staff present at the Premises during the operating hours trained to provide viewable copies of CCTV images as soon as possible following a request from representatives of Northumbria Police or the Licensing Authority made in accordance with the Data Protection Act 2018 (or any successor legislation).
3. The licence holder will ensure that whenever the Premises are open to the public and a licensable activity is taking place there will be a sufficient number of competent staff on duty to ensure that the terms and conditions of the licence are complied with at all times.
4. All members of staff responsible for the sale of alcohol at the Premises will seek credible photographic proof of age evidence from any person who appears to be under 25 years of age and who is seeking to purchase or obtain alcohol. Such credible evidence, which will include a photograph of the customer, will either be a current passport, photographic driving licence or proof of age card carrying a 'Pass' logo and hologram or HM Forces Identity Card.
5. All members of staff responsible for the sale or service of alcohol will receive training in relation to their duties and responsibilities under the Licensing Act 2003 (or replacement legislation) including the use of a "Challenge 25 Policy" and generally on the Act before being permitted to sell alcohol at the Premises. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.
6. All members of staff responsible for the sale or service of alcohol will receive refresher training in relation to their duties and responsibilities under the Licensing Act 2003 (or any successor legislation) annually. Such training will be provided by the Designated Premises Supervisor or external accredited trainer.
7. All training received by staff in relation to the Licensing Act 2003 (or any successor legislation) will be recorded, and such records kept at the Premises at all times and will be made available

for inspection immediately on request from authorised officers of Northumbria Police or the Licensing Authority, (including Trading Standards Officers).

8. An incident register will be maintained and kept at the Premises at all times to record any incidents at the Premises or in any area adjacent to the Premises under the direct control of the licence holder such as anti-social behaviour, refusal of admission to the Premises and ejection from the Premises.
9. The incident register will be produced for inspection immediately on request from authorised officers of Northumbria Police or the Licensing Authority (including Trading Standards Officers).
10. The licence holder will ensure that no noise will emanate from the Premises as a consequence of a licensable activity permitted by this licence that will be above background noise level at any property in Countess Avenue, Duchess Street and Park View.
11. There will be displayed at the Premises clear and legible notices displayed at the exit and other circulatory areas requesting customers to leave the Premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors and discouraging the sounding of car horns.
12. Any outside area provided by the licence holder for staff or customers to consume food or alcohol will be closed at 19:00 hours and all tables and chairs must be cleared from the area and safely stored away by 19:30 hours.
13. All doors and windows at the Premises will be closed from 18:00 hours save for access, egress, or emergency.
14. Polycarbonate glasses will be used for drinks to be consumed by staff or customers in any outside area provided by the licence holder and any bottled drinks decanted into polycarbonate glasses.

**Annex 4 - Plans**

See attached

