

APPENDIX 6



North Tyneside Council

PREMISES LICENCE

Schedule 12 – Part A

Premises Licence number: 00CK/13/2206

Part 1 - Premises details

Postal address of premises:

The Windsor Hotel
 South Parade
 Whitley Bay
 Tyne And Wear
 NE26 2RF

Where the licence is time limited the dates:

Licensable activities authorised by the licence:

Supply of Alcohol
 Performance of Live Music - Indoors
 Performance of Dance - Indoors
 Playing of Recorded Music - Indoors
 Provision of Facilities for Making Music - Indoors
 Provision of Facilities for Dancing - Indoors
 Provision of Facilities for Entertainment of a similar description to making music or dance - Indoors
 Provision of Entertainment of a similar description to live music, recorded music or performance of dance - Indoors
 Late Night Refreshment - Indoors
 Private Places of Entertainment Act 1967 - Indoors

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

Supply of Alcohol: Monday to Wednesday **From:**11:00 **Until:**01:00, Thursday to Saturday **From:**11:00 **Until:**03:00, Sunday **From:**12:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Supply of Alcohol: Every Day **From:** 00:00 **Until:** 00:00 Residential
Performance of Dance: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Provision of Facilities for Dancing: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Provision of Facilities for Making Music: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Performance of Live Music: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar

Playing of Recorded Music: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Anything of a similar description to live music, recorded music or performance of dance: Monday to Wednesday **From:** 10:00 **Until:**01:00, Thursday to Saturday **From:** 10:00 **Until:**03:00, Sunday **From:**10:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Provision of Facilities for Entertainment of a similar description to making music or dancing: Monday to Wednesday **From:**10:00 **Until:**01:00, Thursday to Saturday **From:**10:00 **Until:**03:00, Sunday **From:** 12:00 **Until:** 23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Late Night Refreshment: Monday to Wednesday **From:**23:00 **Until:**01:00, Thursday to Saturday **From:**23:00 **Until:**03:00, Sunday **From:**10:00 **Until:**23:30 – applies to Restaurant, Lounge Bar, Function Room and Zynk Bar
Private entertainment as permitted by Private Places of Entertainment (Licensing) Act 1967 – Every day

The opening hours of the premises:

Monday to Wednesday **From:**10:00 **Until:** 01:30, Thursday to Saturday **From:**10:00 **Until:** 03:30, Sunday **From:** 11:00 **Until:** 00:00
Every Day 00:00 to 00:00 - Residential

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:

Registered number of holder, for example company number, charity number (where applicable):

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

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)

"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.

Annex 2 - Conditions consistent with the operating schedule**WINDSOR HOTEL**

1. This licence is granted subject to conditions which reproduce the effect of any restrictions imposed on the use of the premises for the existing licensable activity by virtue of schedule 8, Paragraph 6(8) and 18(5) of the Licensing Act 2003. The restrictions are contained in the following Acts: the Licensing Act 1964, the Children and Young Persons Act 1963, the Cinematograph (Safety) Regulations 1955 and the Sporting Events (Control of Alcohol Etc) Act 1985.
2. The doors and windows of the premises shall be kept closed during any entertainment function held on the premises except for the purposes of access, egress or in the case of emergency.
3. The volume control restriction device installed on the entertainment console on the premises shall be set at a level to be agreed with officers of the Environmental Services Function. The device shall be kept maintained at this level during all entertainment held on the premises: and
4. Noise from any entertainment function held on the premises shall be inaudible within the nearest neighbouring residential property.
5. Alcohol may be sold or supplied for one hour following permitted hours under Licensing Act 1964 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises permitted hours under Licensing Act 1964 shall continue to apply."
6. The provisions of section 68(1)(a) of the Licensing Act 1964 apply to the licensed premises, providing for an extension between the first and second parts of the general licensing hours on Christmas Day, during which extension intoxicating liquor may be sold or supplied only for consumption as an ancillary.
7. The provisions of section 68(1)(b) of the Licensing Act 1964 apply to the licensed premises, providing for an hours extension of the permitted hours in the evening, during which extension intoxicating liquor may be sold or supplied only for consumption as an ancillary.
8. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to (a) persons taking table meals there and for consumption by such person as an ancillary to his meal (b) Persons residing there or their private friends bona fide entertained by them at their own expense and for consumption by such a person or his private friend so entertained by him either in the premises with a meal supplied at but to be consumed off the premises.
9. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.
10. This Licence is subject to all embedded restrictions under s.77 Licensing Act 1964.

Minor Variation 10.07.2013 Conditions for ZYNK BAR Only.

1. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of and in consultation with Northumbria Police. such a system shall:-
 - i) be operated by properly trained staff;
 - ii) be in operation at all times that the premises are being used for a licensable activity;
 - iii) ensure coverage of the entrances to the licensed premises internally and externally;
 - iv) ensure coverage of such other areas as may be required by Northumbria Police.
 - v) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained for a period of 28 days and shall be supplied to the Licensing Authority or Northumbria Police on request.
2. Signs are to be placed both internally and externally at the premises indicating to customers that CCTV is in operation on the premises. The signs are to be a minimum of A5 size.

- 3. The Designated Premises Supervisor (DPS) shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events. Such risk assessment shall take into account the level of staffing, including the numbers of registered door staff, to be employed at the premises from opening to closing time.**
- 4. The Designated Premise Supervisor or a designated senior member of staff shall be in charge of and present in the licensed premises at all times when they are open for the purpose of this licence.**
- 5. All staff involved in the sale of alcohol will be trained in respect of the licensing laws in relation to detecting and preventing under age sales. Training records and manuals will be kept on site and be available to the Police on request. Training will be updated and recorded on a quarterly basis.**
- 6. The Designated Premises Supervisor is to provide written authorisation to all staff involved in the sale of alcohol. Such authorisation is to be retained as part of the staff training records.**
- 7. The Premises Licence Holder will operate a 'Challenge 25 Policy' whilst the premises are open to the public. This is to be in operation by the door supervisors and the bar staff. All members of door staff and bar staff shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and is either seeking to enter the premises or purchase alcohol. Such credible photographic proof will be a passport, driving licence or proof of age card carrying the 'PASS' logo; in addition, military identification cards, carrying a photograph and date of birth, will also be acceptable for this purpose. If a member of door staff or bar staff knows without doubt that a person is over 18 then such a challenge for proof of age will not be necessary.**
- 8. A refusals register or registers will be maintained by both door and bar staff and kept at the premises. These shall be documented and kept on file for the inspection by the Local Authority, Trading Standards officer, Police Officer or representative of Northumbria Police on request.**
- 9. One pint and half pint capacity drinking glassware and highball (tumbler) drinking glassware, in which drinks are served and any bottles with a capacity of less than 75cl in which drinks are served shall be made of polycarbonate, plastic or similar non glass material.**
- 10. An individual risk assessment shall be carried out in respect of any dedicated event hosted at the premises which is attended primarily by persons under 18 years of age (i.e. Birthday parties). When such events are being hosted no alcohol will be sold anywhere within the area known as Zync Bar.**
- 11. There shall be no exhibition, recitation, acting, singing or dancing in the premises which is of an obscene character or in any way offensive to public decency or calculated to excite any breach of the peace or disorder.**
- 12. No young person under the age of fourteen shall be admitted to the premises when they are also licensed for the sale of intoxicating liquor unless accompanied by his or her parent or guardian.**
- 13. The doors and windows of the premises shall be kept closed during any entertainment function held on the premises except for the purposes of access, egress or in the case of emergency.**
- 14. The volume control restriction device installed on the entertainment console on the premises shall be set at a level agreed with the officers of the Environmental Services Function. The device shall be kept maintained at this level during all entertainment held on the premises and noise from any entertainment function held on the premises shall be inaudible within the nearest neighbouring residential property.**

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

Regulation 33, 34

North Tyneside Council – Licensing Section

Annex 4 - Plans

See attached