

LICENSING ACT 2003

PREMISES LICENCE (PART A)

PREMISES LICENCE NUMBER: 047984

PART 1

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

**The Merlin
Marsh House Avenue, Billingham, TS23 3QJ**

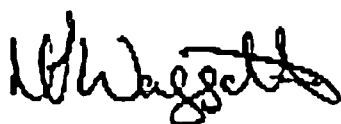
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WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

**FILMS
LIVE MUSIC
RECORDED MUSIC
SUPPLY OF ALCOHOL**



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

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

FILMS

MONDAY:	11.00 until 23.30
TUESDAY:	11.00 until 23.30
WEDNESDAY:	11.00 until 23.30
THURSDAY:	11.00 until 00.00
FRIDAY:	11.00 until 00.30
SATURDAY:	11.00 until 00.30
SUNDAY:	11.00 until 23.30

A further additional hour every Friday, Saturday, Sunday and Monday for all Bank Holiday weekends.

**A further additional hour every Christmas Eve
A further additional hour every Boxing Day**

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).

LIVE MUSIC

MONDAY:	11.00 until 23.30
TUESDAY:	11.00 until 23.30
WEDNESDAY:	11.00 until 23.30
THURSDAY:	11.00 until 23.30
FRIDAY:	11.00 until 23.30
SATURDAY:	11.00 until 23.30
SUNDAY:	11.00 until 23.30

A further additional hour every Friday, Saturday, Sunday and Monday for all Bank Holiday weekends.

**A further additional hour every Christmas Eve
A further additional hour every Boxing Day**

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).

RECORDED MUSIC

MONDAY:	11.00 until 23.30
TUESDAY:	11.00 until 23.30
WEDNESDAY:	11.00 until 23.30
THURSDAY:	11.00 until 23.30
FRIDAY:	11.00 until 23.30
SATURDAY:	11.00 until 23.30
SUNDAY:	11.00 until 23.30

A further additional hour every Friday, Saturday, Sunday and Monday for all Bank Holiday weekends.

**A further additional hour every Christmas Eve
A further additional hour every Boxing Day**

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 ON THE PREMISES

MONDAY: 11.00 until 23.30
TUESDAY: 11.00 until 23.30
WEDNESDAY: 11.00 until 23.30
THURSDAY: 11.00 until 00.00
FRIDAY: 11.00 until 00.30
SATURDAY: 11.00 until 00.30
SUNDAY: 11.00 until 23.30

A further additional hour every Friday, Saturday, Sunday and Monday for all Bank Holiday weekends.

A further additional hour every Christmas Eve
A further additional hour every Boxing Day

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

MONDAY: 11.00 until 23.30
TUESDAY: 11.00 until 23.30
WEDNESDAY: 11.00 until 23.30
THURSDAY: 11.00 until 00.00
FRIDAY: 11.00 until 00.30
SATURDAY: 11.00 until 00.30
SUNDAY: 11.00 until 23.30

A further additional hour every Friday, Saturday, Sunday and Monday for all Bank Holiday weekends.

A further additional hour every Christmas Eve
A further additional hour every Boxing Day

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: 11.00 until 00.00
TUESDAY: 11.00 until 00.00
WEDNESDAY: 11.00 until 00.00
THURSDAY: 11.00 until 00.30
FRIDAY: 11.00 until 01.00
SATURDAY: 11.00 until 01.00
SUNDAY: 11.00 until 00.00

A further additional hour every Christmas Eve
A further additional hour every Boxing Day

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).

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, TELEPHONE NUMBER AND E-MAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

[REDACTED]

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

[REDACTED]

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

[REDACTED]

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**
- **1. The admission of children under 18 to the exhibition of any film shall be restricted in accordance with any classification and recommendation in respect of that film made by the British Board of Film Classification or any other film classification body designated under Section 4 of the Video Recording Act 1984.**
 - 2. Notwithstanding the above condition a film may be exhibited and children under 18 may be admitted thereto if the permission of Stockton Borough Council is first obtained and any condition of such permission are complied with. For the purpose of this condition the venue operator must submit any film to the council that it intends to exhibit 28 days before it is proposed to show it.**
- **(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

- **This licence is subject to such further conditions as are consistent with any restriction imposed on the existing licence of the premises:**

For the showing of films under the provisions of the Cinemas Act 1985

and/or

The performance of plays under the Theatres Act 1968

and/or

The provision of public entertainment under the Local Government (Miscellaneous Provisions Act 1982) as below;
 - 1. Permitted Hours Of Operation**
7.00pm - 11.00pm Monday - Saturday
 - 2. Maximum Permitted Occupancy Level**
Lounge 180
 - 3. Special Conditions**
 - 3.1 All doors and windows shall be kept closed whilst entertainment is in progress.**
 - 3.2 During an event, the licensee (or Suitable representative) shall make subjective assessments, both internally and externally, of the likelihood of noise disturbance being caused by the entertainment. The result of these assessments shall be recorded in a log book, including any action required as a result, which shall be retained for one year.**
 - 3.3 The relay system to the fire door(s) shall be maintained in good working order.**
 - 3.4 The licensee or nominated person shall take all reasonable steps to prevent disturbance or nuisance by persons leaving the premises and shall undertake such monitoring, if any in this respect, as may be required by the Council.**
 - 3.5 A sign shall be erected at all exits asking patrons to leave the premises in a quiet manner and to consider the occupiers of nearby dwellings.**

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

- **The licence holder and/or the Designated Premises Supervisor or a person nominated by them shall actively participate and be a member of a Pubwatch scheme for the area within which the premises is located.**
- **Any person barred under the Pubwatch scheme shall not be allowed on the premises.**
- **Doors and windows shall be alarmed.**
- **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.**

- **Toilet areas shall be checked regularly by staff when the premises are open to the public.**
- **Glassware of any type shall not be allowed to leave or enter the premises under customer care, save for the outside drinking area at the front of the premises.**
- **When the premises is to be open for licensable activities after midnight on a Friday evening, a minimum of two (2) SIA registered door supervisors will be provided at the premises between 21:00 hours until closing time.**

PUBLIC SAFETY

- **The fire alarm system, firefighting equipment, emergency lighting system, gas and electrical installations shall be maintained in satisfactory working order.**

PREVENTION OF PUBLIC NUISANCE

- **To provide, install and maintain a suitable system of mechanical extract ventilation.**

PROTECTION OF CHILDREN FROM HARM

- **A full range of soft drinks shall be available.**
- **There shall be no unaccompanied children allowed on the premises.**

ANNEX 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

PREVENTION OF CRIME & DISORDER

- **An incident book will be kept and maintained on the premises at all times. The book will detail in brief, incidents 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.**
- **Signage will be clearly displayed prominently at all points of access, point of sale of alcohol and toilet areas in relation to the premises Age Verification Policy and Drug Policy.**
- **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 notices displayed at all points of sale and at all entrances and exits to inform customers and remind staff that the premises is operating a "Challenge 25" policy.**
- **All staff will be fully trained on a 4 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 4 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 4 months. All staff training records will be made available to the Licensing Authority and/or Responsible Authorities upon request.**
- **There will be adequate notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under the age of 18 are committing an offence.**
- **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 a member of staff 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.24 hours routine or less if urgently required for the 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 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.**

PREVENTION OF PUBLIC NUISANCE

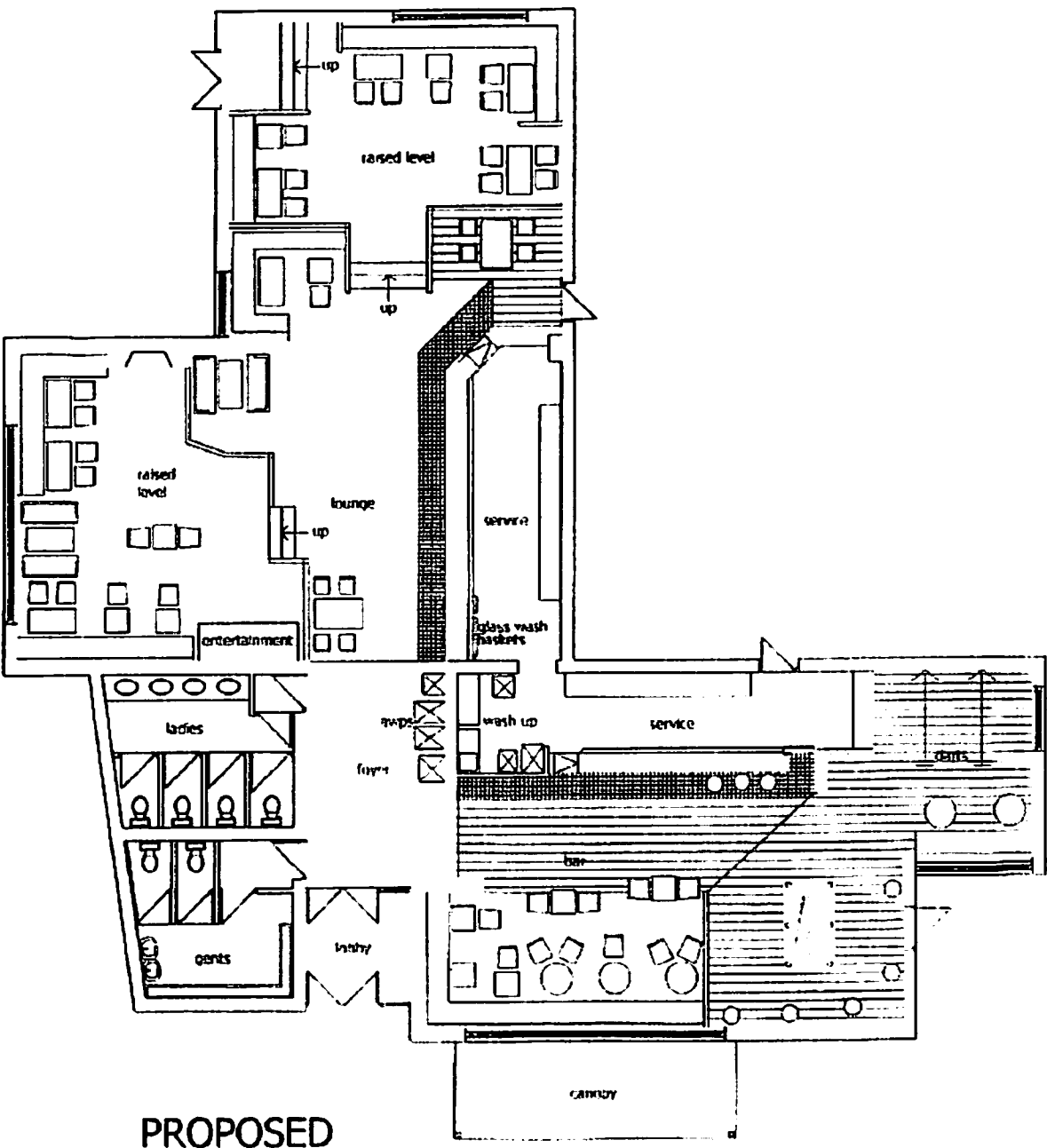
- **The relay system to the fire door(s) shall be maintained in good working order.**
- **All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest 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)**
- **The use of the beer garden by customers shall be limited from 09:00 to 23:00. 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.**
- **Any recorded music played within the premises after 23.30 shall be background music only and shall not cause a disturbance at the nearest residential premises. Recorded music shall be played indoors only.**
- **Any live music played within the premises shall cease at 23.30 and shall not cause a disturbance at the nearest residential premises.**

PROTECTION OF CHILDREN FROM HARM

- **No person under the age of 18 years will be allowed on the premises after 21.00 hours except for children of the Premise Licence Holder/DPS and other employed staff members.**

ANNEX 4

PLANS (NOT TO SCALE)



PROPOSED