

## Details of premises licence

For: Turtle Bay



This document provides details of the premises licence issued to the stated premises and is not a licence itself.

<b>Licence number:</b>	PREM/03610/003
<b>Premises the licence relates to:</b>	Turtle Bay, Unit A14 , The Light, Albion Street, Leeds, LS1 8TL
<b>Date licence first effective:</b>	16th June 2015
<b>Date current version effective from:</b>	14th September 2016

### Licensable activities authorised by the licence:

Sale by retail of alcohol Every Day	10:00 - 00:00
Provision of late night refreshment Every Day	23:00 - 00:30
Performance of recorded music Every Day	10:00 - 00:00

### Opening hours of the premises:

Friday & Saturday	10:00 - 01:00
Sunday to Thursday	10:00 - 00:30

### Premises licence holder(s):

Turtle Bay Restaurants Limited, Ampney House, Falcon Close, Quedgeley, Gloucester, GL2 4LS

### Designated premises supervisor:

Daniel John Bragger

### Access to the premises by children

Access to the premises by children is unrestricted

## Annex 1 – Mandatory Conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
  - a. unauthorised access or occupation (e.g. through door supervision), or
  - b. outbreaks of disorder, or
  - c. damage
2. No supply of alcohol may be made under this 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.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. 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 other 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 glamorize 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  6. 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.

7. 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.

8. 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.

For the purposes of the condition set out in paragraph 1 of this 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 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" mean value added tax charged in accordance with the Value Added Tax Act 1994.

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.



17. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
18. The Premises Licence Holder/DPS will belong to a recognised trade body or Pubwatch scheme where one exists, whose aims include the promotion of the licensing objectives.
19. The premises will implement and utilise as necessary a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for the city, Leeds City Council and West Yorkshire Police.
20. No entry shall be permitted to the premises after midnight (with the exception of returning smokers).
21. Management and staff shall come to an arrangement with a private hire taxi company who will operate a ring back service. Customers will be encouraged to wait inside for their taxis.
22. For the duration of the licence, the premises will operate only as and in the style of a Turtle Bay (unless any alternative arrangement is reached with West Yorkshire Police and the Licensing Authority).
23. The use of the outside seating area on Albion Street shall cease at 22.00.

### **Public safety**

24. A first aid box will be available at the premises at all times.
25. Regular safety checks shall be carried out by staff.
26. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
27. The premises shall maintain an Incident Log and public liability insurance. The incident log will be made available at the request of an authorised officer.
28. A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
29. Empty bottles and glasses will be collected regularly paying particular attention to balcony areas and raised levels.
30. Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
31. One of the following protective measures shall be used for all socket-outlets which may be used for the connection of lighting, video or sound amplification equipment and display models:
  - a. Each socket-outlet circuit shall be protected by a residual current device having a rated residual operating current not exceeding 30mA; or
  - b. Each individual socket-outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The current operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

32. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
33. A suitably trained first aider or appointed person will be provided at all times when the premises are open.
34. Where strobes, lasers, smoke machines or other special effects equipment may be used, a written health and safety policy covering all aspects of their use will be provided and staff will be appropriately trained.
35. No strobes, lasers, smoke machines or other special effects will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

### **The prevention of public nuisance**

36. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
37. The exterior of the building shall be cleared of litter at regular intervals.
38. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
39. A Dispersal and Smoking Policy will be implemented and adhered to.
40. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.
41. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
42. Noise from amplified sound or voices will not cause a nuisance to occupants of nearby premises.
43. There shall be no external loudspeakers.
44. Bottles will not be placed in any external receptacle between 11pm and 7am the following day to minimise noise disturbance to neighbouring properties.
45. Noise from plant or machinery shall not cause a nuisance at the nearest noise sensitive premises during operation. Plant and machinery shall be regularly serviced and maintained.
46. The PLH/DPS will ensure patrons using external areas do so in a manner which does not cause disturbance to nearby residents and businesses in the vicinity. Patrons will not use such areas after 11pm including the external dining area, with the exception of smoking.
47. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly.
48. Clear and legible notices will be displayed at exits and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
49. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

## **Protection of children from harm**

50. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
51. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
52. Notices advising what forms of ID are acceptable must be displayed.
53. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

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

### **The prevention of crime and disorder**

54. A minimum of 2 SIA registered door staff shall be employed at the premises from 21:00 until close on Thursday, Friday and Saturday evenings. At all other times, SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
55. There shall be a minimum of 132 identifiable covers for customers eating at the premises.
56. There shall be a full meals menu available until 23:00.
57. There shall be waiter and waitress service of food available between 10:00 and 00:30.