

## Details of premises licence

For: Guitar Cafe



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

**Licence number:** PREM/03683/001

**Premises the licence relates to:** Guitar Cafe, 41 Call Lane, Leeds, LS1 7BT

**Date licence first effective:** 8th December 2015

**Date current version effective from:** 8th December 2015

### Licensable activities authorised by the licence:

Sale by retail of alcohol Every Day	10:00 - 22:30
Exhibition of a film Every Day	10:00 - 23:00
Performance of live music Every Day	10:00 - 23:00
Performance of recorded music Every Day	10:00 - 23:00

### Opening hours of the premises:

Everyday	10:00 - 23:00
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### Premises licence holder(s):

Mr David Baguley

Mr Richard Wade

### Designated premises supervisor:

Mr David Baguley

### Access to the premises by children

Access to the premises by children is restricted

## 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 admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
  - a. By the British Board of Film Classification (BBFC,) where the film has been classified by the Board, or
  - b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
  - c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.
5. 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

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).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. 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.

8. 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.

9. 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" means 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.

- (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**

### **Additional details in respect of licensable activities authorised by this licence**

#### Exhibition of a film

Location of activity:                                      Indoors

#### Performance of live music

Location of activity:                                      Indoors

#### Performance of recorded music

Location of activity:                                      Indoors

#### All activities

Non standard timings:                                      From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

### **Conditions consistent with the operating schedule relating to the licensing objectives**

#### **General – All four licensing objectives**

- 10.            A minimum of 26 seats will be maintained inside the premises at all times the premises are operating.
- 11.            A minimum of 12 seats will be maintained in the Outside Area at all times the premises are operating.
- 12.            Waiter/waitress service will be in operation throughout the premises in relation to orders for food and/or alcohol.
- 13.            Food will be available until 30 minutes prior to the close of the premises.

## The prevention of crime and disorder

14. A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
15. The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.
16. The CCTV system will be of a satisfactory resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates.
17. The CCTV system will contain the correct time and date stamp information.
18. The CCTV system shall have sufficient storage retention capacity for a minimum of 31 days' continuous footage which will be of good quality.
19. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.
20. A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.
21. A supervisor's register will be maintained at the licensed premises, showing the names, addresses and up to date contact details for the DPS and all personal licence holders.
22. The supervisors register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.
23. The need for doorstaff will be risk assessed by the PLH/DPS and employed when deemed necessary.
24. The premises licence holder (PLH), designated premises supervisor (DPS), will ensure that a Daily Record Register is maintained on the premises by door staff when employed.
25. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).
26. The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.
27. The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as antisocial behaviour, admissions, refusals and ejections from the premises.
28. The Incident Report Register will contain consecutively numbered pages, the date, time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

29. The incident report register will be produced for inspection immediately on the request of an authorised officer.

### **Public safety**

30. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
31. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
32. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
33. A suitable 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 made available for inspection by an authorised officer.
34. 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.
35. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.
36. No strobes, lasers or smoke machines 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**

37. Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.
38. Licensable activities will be conducted and the facilities for licensed activities will be designated and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.
39. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours to minimise noise disturbance to adjoining properties.
40. The PLH/DPS will ensure that the outside area is used in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use this area after 23:00 hours daily, except for smoking.
41. There will be no external loud speakers.

### **Protection of children from harm**

42. The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.
43. The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP/WYTSS) from any person appearing to be under the age of 21 who attempts to purchase alcohol at the premises.

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

None