

Surrendered 19.10.2016

Kelham Hall, Newark, Notts, NG23 5QX

Premises Licence

Premises licence number 000455

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Gusto's Venue
39A Cartergate

Post town Newark

Post code NG24 1UA

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

1. Regulated Entertainment
 - a. The exhibition of films
 - b. The provision of Live Music
 - c. The provision of recorded music
 - d. Entertainment of a similar description to (b) & (c) above
 - e. The provision of facilities for dancing
2. Late Night Refreshment
3. The supply of alcohol by retail

The times the licence authorises the carrying out of licensable activities

1. Regulated Entertainment –
 - a. All categories permitted by this Licence except (d) above
 - Monday to Wednesday – 18:00 to 01:00 the following day
 - Thursday to Saturday – 18:00 to 02:00 the following day
 - Sunday – 18:00 to 00:00
 - b. Entertainment of a similar description to (b) & (c) above
 - Monday to Wednesday – 07:00 to 01:00 the following day
 - Thursday to Saturday – 07:00 to 02:00 the following day
 - Sunday – 07:00 to 00:00
2. Late Night Refreshment
 - Monday to Wednesday – 23:00 to 01:00 the following day
 - Thursday to Saturday – 23:00 to 02:00 the following day
 - Sunday – 23:00 to 00:00
3. The supply of alcohol by retail
 - Monday to Wednesday – 12:00 to 01:00 the following day
 - Thursday to Saturday – 12:00 to 02:00 the following day
 - Sunday – 12:00 to 00:00

The opening hours of the premises

Monday to Wednesday – 07:00 to 01:00 the following day
Thursday to Saturday – 07:00 to 02:00 the following day
Sunday – 07:00 to 00:00

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

On the premises only

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

M F Strawson Limited

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

Company Registration Number - 593315

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

Annex 1 - Mandatory conditions

- 1 No alcohol may be supplied under this Licence:
 - (a) at any time when there is no Designated Premises Supervisor in respect of these Premises; or
 - (b) At any time when the Designated Premises Supervisor does not hold a personal licence or his/her personal licence is suspended
- 2 Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence
- 3 Admission of children (i.e. persons under the age of 18 years) to any exhibition of film must be restricted in accordance with any certificate and/or recommendation relating to that film made by the British Board of Film Classification
- 4 Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority. Any such person shall be employed at the premises at the discretion of the Licence Holder/Designated Premises Supervisor and shall display their name badge at all times when on duty.

Annex 2 - Conditions consistent with the Operating Schedule

1. This licence is granted on the condition that the restrictions contained within the enactments specified under Licensing Act 2003 Schedule 8 (6) are adhered to except as specifically varied by this licence
2. The Licence Holder, shall throughout the whole time the premises are open for entertainment, ensure that a sufficient staff of competent attendants specially instructed by the Licensee, or a person nominated by him/her, as to their duties in the event of any emergency. Where required by this Licence, Door Supervisors must be employed at the Premises.
3. The Licensee shall allow any Authorised Officer, Fire Authority or Police to enter all parts of the Premises at all reasonable times and the Licensee shall comply with any reasonable request of an Authorised Officer, Fire Authority or Police.
4. The Licensee shall take all due precautions for the prevention of any accident and shall not commit any act, which is likely to cause fire or danger to the public.
5. No exhibition, demonstration or performance of hypnotism shall be given without the Council's written consent.
6. No public music, dancing, exhibition, recitation or Entertainment of a like kind shall take place in the Premises which is offensive, obscene, immoral, licentious, indecent or likely to produce riot, tumult or a breach of the peace, and the operation of the Premises shall be carried out in such a way to prevent such conduct.
7. Table dancing, lap dancing, pole dancing and all forms of Entertainment, dancing, or displays that include nudity or sexual performances of any kind are prohibited.
8. Lasers, strobes and any form of pyrotechnic or fireworks are not to be used without the written consent of the Council, a warning sign to the effect that a laser or strobe is to be

used in the Premises must be clearly displayed at all public entrances to the Premises such that the public can see the warning sign before entering.

9. The total number of persons allowed on the Premises, is 370 which shall not be exceeded. The Licence Holder shall ensure that an effective system for determining the number of persons on the Premises at any one time is used at all times when the Premises are open for Entertainment. Staff responsible for monitoring and controlling access to the Premises and management staff are to be aware of the maximum occupancy figure of the entire Premises and where appropriate specific areas within the Premises. These staff members must be instructed as to how the occupancy figure is to be monitored and the action to be taken when the maximum occupancy figure is reached.
10. The Licensee shall maintain and keep good order and decent behaviour on the Premises.
11. Free and unrestricted access to cold drinking water shall be provided at a location, which is readily accessible to customers. The water shall be provided without any charge.
12. Rest areas, which are cooler, quieter and preferably separate from the main dance area(s) shall be provided. Adequate seating shall be provided with rest facilities.
13. The Premises shall be provided with adequate air conditioning or room temperature regulation for. Such air conditioning and/or room temperature regulation shall be properly maintained and shall operate during the provision of Regulated Entertainment.
14. Adequate first aid provision shall available at all times to include having at least one nominated Trained First Aider on the Premises at all times during the event.
15. A drug prevention strategy shall be developed for the Premises, in consultation with the local drug agencies which shall be available for inspection by Authorised Officers at all times.
16. The Licensee shall co-operate and liase with all relevant authorities and organisations, including health promotion units and drug community groups.
17. The Licensee shall adopt and apply to their Premises the Council's adopted Code of Practice for dealing with drugs and violence in nightclubs/public houses.
18. A logbook shall be maintained on the Premises in which the names of all Door Supervisors, their registration number and details of all serious incidents identifying the Door Supervisors involved, shall be entered for each day that they are engaged at the Premises.
19. The logbook shall be kept for a period of at least two years from the date of the last entry and be readily available for inspection by an Authorised Officer or by a Police Officer.
20. In the case of seated audiences, adequate gangways of not less than 1.05 metres (3ft. 6 ins.) wide shall be provided for the free passage of the audience. These gangways shall not be occupied or obstructed in any manner and must be arranged opposite exit doors wherever possible.
21. Where the Premises are to be used for a seated audience (except lunches or dinners) exceeding 250 persons, all seats shall be securely fixed to the floor, or secured together in groups of four and twelve. The seats shall be so arranged that no seat or part of a seat shall be more than 4.57 metres (15 feet) from a gangway, measured in line of

seating. Seating arrangements should comply with current British Standards and Codes of Good Practice.

22. The dance floor shall be clearly delineated and shall be positioned in such a way as to ensure the safety of persons using the dance floor. Arrangements for access around the dance floor and seating in the vicinity of the dance floor shall be such that neither dancers nor patrons, seating or otherwise, are put at risk of physical injury.
23. All gangways, staircases and exits shall be kept clear of obstruction, be well illuminated and free from any trip hazard whilst the Premises are open for Entertainment.
24. The electrical system shall be in accordance with the edition of the regulations of the Institution of Electrical Engineers in force at the time of installation. All materials or equipment used in connection with the electrical system where there is a British Standard Specification, Regulation or Code of Practice shall conform to that specification, regulation or code.
25. On each anniversary of the granting of this Licence an annual report signed by a qualified electrical engineer who is an approved contractor on the roll of the National Inspection Council for Electrical Installation and Contracting (NICEIC), or the Electrical Contractors Association, or the Electrical Contractors Association of Scotland, shall be submitted to the Authority to the effect that the electrical system, the Emergency Lighting, if any, and the fire alarm system installed at the Premises, if any have been examined and tested and are in a safe working condition. Entertainers shall only be permitted to use electrical sockets fitted with residual current device protection, complying with the current British Standard. Such sockets must be maintained in good working order and marked "audio equipment only".
26. All parts of the Premises to which the public have access shall have the lighting system tested every month and the results recorded in the fire logbook. Where a secondary system of lighting is provided by the provision of hand lamps, these shall be maintained in a sufficient working order and made available to staff whose duties it is to facilitate the evacuation of the Premises.
27. The fire alarm system shall be tested weekly and the results recorded in a log book. The system shall be maintained in efficient working order.
28. Testing and maintenance shall be carried out on all fire equipment, which shall be maintained in efficient working order.
29. Portable fire extinguishers shall be examined at least once annually and tested by a British Approval for Fire Equipment Board (BAFE) Registered Extinguisher Engineer.
30. A notice or notices clearly indicating the position of the nearest telephone by which the emergency services may be summoned must be provided in suitable locations. If the Premises are to be used for the regular provision of indoor sporting entertainment, a telephone must be installed.
31. A fire log book must be kept which records details of test, examinations and fire drill instructions. The logbook must be readily available and produced for inspection by an Authorised Officer, a member of the Fire Authority or a Police Officer upon request.
32. All members of staff must receive written instruction and training appropriate to their responsibilities in the event of an emergency. The training and instruction of staff on fire safety must include actions on discovering a fire, raising the alarm, location and use of fire

fighting equipment, evacuation of the public and staff, calling the Fire Authority. This training is to be carried out immediately to new staff as part of an induction programme and periodically repeated no less than twice per year.

33. The Licence Holder shall take all reasonable steps to ensure that patrons awaiting entry to the Premises or leaving the Premises do not cause annoyance or nuisance to any other person in the vicinity of the Premises.
34. Sound insulation or control equipment which is installed to prevent noise nuisance to the occupiers of neighbouring premises shall be maintained in satisfactory working order.
35. Any noise produced or associated with the Entertainment must not be audible at the façade of the nearest residential, commercial or industrial premises.
36. The premises shall be used as a function venue only and not as a conventional public house or nightclub.
37. There shall be no entry to the premises after 10.30 p.m.
38. All drinks served in the premises shall be served in glasses that are of toughened glass and the licensee shall use his best endeavours to ensure that bottles and glasses are not taken away or removed from the premises and that prominent signs stating this shall be displayed throughout the public areas within the premises in legible and conspicuous printing.
39. A security system shall be maintained for the premises with trained staff to supervise entry to and exit from the premises. Training of such staff shall be to a standard acceptable to the Licensing Authority and at least to the standard of any industry code currently in force.
40. The Licence Holder shall participate in the Nottinghamshire Police "Radio Link" scheme.
41. Within one month of the date of grant of this licence, an electronic volume control device shall be fitted to the part of the premises where music is played and/or public entertainments are to be held, such device to be used whenever amplified music either live or recorded is used as part of such entertainment. The device shall be calibrated and set at a level determined by the Council's Environmental Health Officer(s) at such level as will, in his opinion, prevent undue disturbance to others in the neighbourhood. Unless the Council's Environmental Health Officer shall instruct otherwise, this shall be construed as a noise level which is inaudible beyond the boundary of the premises.
42. Before a Foam Party is to be run at these premises the Licensee shall liaise with the Council's authorised Officer(s) within a reasonable time period, which shall be not less than two weeks before the event takes place. The Licensee shall ensure that during a Foam Party there will be:
 - a. Competent operators of the Foam Canon who have been properly trained and proficient in the use of the equipment and are aware of the correct procedure for the dilution of the foam concentrate;
 - b. A foam concentrate shall be used at the concentrations recommended by the chemical manufacturer/supplier;
 - c. A valid electrical test certificate for the foam generating machine is made available for inspection;

- d. A suitable COSHH. assessment that complies with the Control of Substances Hazardous to Health Regulations 1999 for the type of foam provided by the Operator of the Foam shall be obtained by the Licensee;
 - e. Suitable and sufficient supervision of the area being sprayed is provided during the event of the Licensee;
 - f. Effective instruction shall be given to members of staff on the risks associated with unsafe practices and behaviour;
 - g. Key personnel shall have an adequate system of communication in place during the event; Suitable emergency procedures and facilities shall be available, including first aid and washing facilities to remove foam from skin and eyes.
43. CCTV with recording facilities shall be installed in the premises and at the entrance to and exit from the premises in accordance with the following conditions
- a. Two cameras to be located outside the premises to the front to provide views of activity on the steps around both entrance doors and on the pavement outside, the radius of view to be specified by the Police.
 - b. A colour camera to be located over the cash desk viewing persons entering the premises through the external doors.
 - c. A colour camera to be located over the entry/exit doors viewing along the corridor towards the cash desk to view persons leaving the premises.
 - d. A colour camera to be located over the cash desk viewing persons leaving the club area towards the cash desk.
 - e. The monitors shall not be less than fourteen (14) inches deep (top to bottom of screen). The monitor should be close to the records to allow easy replay of a tape.
 - f. The video recording equipment must be operated and an effective recording made at all times that the premises are used for the purpose for which the public entertainment licence is required and should include a period of thirty (30) minutes prior to the public being admitted and continue to record for a period of one (1) hour after the end of the licensing hours.
 - g. The cameras shall be capable of providing images giving full facial recognition of persons entering or leaving the premises in true colour which is suitable for use as evidence in a court of law. All recording equipment shall be capable of providing a quality picture/image at all times, in all light levels thereby enabling responsible authorities to recognise and identify individuals in the areas specified to view.
 - h. Each of these cameras should form part of a secure system which relays images from cameras through to a recording system so that all images are records at all times. These images should be recorded in such a format that all images may be replayed in real time with no breaks in recording.
 - i. This system should not form part of any system for the general management of the premises.
 - j. Cameras shall be used in conjunction with recording equipment which displays the time and date and the location of the camera from where the picture is being received.
 - k. All recordings and monitoring equipment shall be located in the manager's office with access restricted to designated staff only, notified to and agreed by the Licensing Authority. If the office is open for other staff then the recording equipment shall be secured in a secure cabinet and only accessible to the owner/manager. This is to prevent interference with equipment or tapes.
 - l. Recordings shall be stored on videotape and shall not be removed from the premises or recorded over until twenty-eight (28) days after the initial recording. All tapes shall be made available to the Licensing Authority or the Police. A supply of new (spare) tapes shall be available to replace any tapes removed.

44. These conditions apply to any exhibition of film which is not exempt under the Licensing Act 2003 i.e. one whose main purpose is to
 - a. demonstrate any product,
 - b. to advertise any goods or services, or
 - c. to provide information, education or instruction.
45. No film shall be exhibited unless it has received a “U”, “PG”, “12A”, “15” or “18” Certificate from the British Board of Film Classification.
46. A representation or written statement of the terms of any certificate given by the British Board of Film Classification shall be shown on the screen immediately before the showing of any film to which it relates, and the representation or statement shall be shown for long enough and in a form large enough for it to be read from any seat in the auditorium.
47. The nature of any certificate received in respect of a film from the British Board of Film Classification shall be clearly indicated by the figure “U”, “PG”, “12A”, “15” or “18” in any advertisement of the film displayed at the premises.
48. The licence holder shall ensure that children are only admitted to exhibitions of films in accordance with the British Board of Film Classification categories “12A”, “PG”, “15” and “18”.
49. Where the Licensing Authority has given notice in writing to the licensee of the premises prohibiting the exhibition of a film or advertisement on the ground that it contains matter which, if exhibited, would offend against good taste or decency or would be likely to encourage or incite crime or to lead to disorder or to be offensive to public feeling, that film shall not be exhibited in the premises unless the permission in writing of the Licensing Authority is first obtained and any conditions of such permission are complied with.
50. No exhibition of film shall be given except by way of projection of the output of a video tape or DVD or other electronic media
51. Any person wishing to purchase alcohol who appears to be under the age of 21 must provide a photographic form of identity to prove that they are over 18. once such proof has been provided the Licence Holder may issue a wristband or other similar identifier without which no alcohol may be purchased.

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

None

Annex 4 – Plans

Attached