

Thanet District Council
Part A
Premises Licence



Premises licence number

LN/200501506

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Gallery 15 Cecil Square	
Post town Margate, Kent	Post code CT9 1BT
Telephone number 01843 [REDACTED]	

Where the licence is time limited the dates
None

Licensable activities authorised by the licence
<ol style="list-style-type: none">1) Films (indoors)2) Live music (indoors)3) Facilities for dancing (indoors)4) Recorded music (indoors)5) Late night refreshment (indoors)6) Supply of alcohol (on and off the premises)

The times the licence authorises the carrying out of licensable activities
<ol style="list-style-type: none">1) Mon – Wed 10am to 11.30pm, Thurs – Sat 10am to 2.30am, Sun – 12noon to 1am Easter, May, Spring, August Bank Holiday Saturdays, Christmas Eve, Boxing Day and New Year’s Day extended to 2.30am Easter, May, Spring, August Bank Holiday Sundays extended to 12.30am2) Mon – Wed 10am to 11pm, Thurs 10am to 2am, Fri/Sat 9am to 3.30am, Sun 12noon to 12.30am, Easter, May, Spring, August Bank Holiday Mondays extended to 12.30am, Bank Holiday Sundays extended to 2am, Christmas Eve, Boxing Day and New Year’s Day extended to 2.30am3) Mon – Wed 10am to 11pm, Thurs – Sat 10am to 2am, Sun – 12 noon to 12.30am, Easter, May, Spring, August Bank Holiday Mondays extended to 12.30am Bank Holiday Sundays extended to 2am, Christmas Eve, Boxing Day and New Year’s Day extended to 2.30am4) Mon – Wed 10am to 11.30pm, Thurs 10am to 2.30am, Fri/Sat 9am to 3.30am, Sun 10am to 1am

Non-standard days and times as at 3) above, except Bank Holiday Sundays extended to 2.30am

5) Thurs – Sat 9am to 3.30am

Non-standard days and times as at 3) above, excluding Bank Holiday Sundays

6) Mon – Wed 10am to 11pm, Thurs 10am to 2am, Fri/Sat 9am to 3.30am, Sun 12noon to 12.30am, Easter, May, Spring, August Bank Holiday Mondays extended to midnight, Christmas Eve, Boxing Day, New Year's Day and Bank Holiday Sundays extended to 2am

New Year's Eve by order of Secretary of State

The opening hours of the premises

Mon – Wed 10am to 11.30pm

Thurs 10am to 2.30am

Fri/Sat 9am to 4am, Sun – 10am to 1am

Non-standard days and times as at 3) above

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

On and off subject to mandatory conditions

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Dayne Stephen Gooding

Wallwood Road, Ramsgate, Kent CT11 8AS

01843 [REDACTED]

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

None

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

Mr Dayne Stephen Gooding

Wallwood Road, Ramsgate, Kent CT11 8AS

01843 [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

LN/ [REDACTED]

Thanet District Council

Issued on the 03 June 2016

To commence on the 24 November 2005

Regulatory Services Manager _____

Annex 1 – Mandatory conditions

No supply of alcohol may be made under the premises licence: -

At a time when there is no designated premises supervisor in respect of the premises licence, or

At a 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.

The admission of children (persons under 18 years) to the exhibition of any film is restricted in accordance with any recommendation of the British Board of Film Classification (BBFC) or the Licensing Authority.

Where a film exhibition has not been classified, the licence holder will certify to the Licensing Authority that an assessment of the suitability of the film for exhibition to children, in accordance with the BBFC Guidelines has been carried out, and that this has been confirmed by the Licensing Authority, in writing, prior to public viewing.

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 other person is unable to drink without assistance by reason of disability).

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

3. (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 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.

(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 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.”

5. (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 rate 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.

Regulated Entertainment (see below and following pages)

Maximum number of persons admitted: -

Ground Floor 300

1. All doors and windows shall be kept closed, except for access and egress, when operating under this licence.
2. The noise from any entertainment must not be audible in any neighbouring or adjoining premises.
3. Dancing will only be allowed on the designated dance floor.

THANET DISTRICT COUNCIL
CONDITIONS UPON WHICH THE ATTACHED
LICENCE IS GRANTED

WARNING

Failure to comply fully may result in legal proceedings being instituted and the Licence being reviewed.

CONTROL AND CONDUCT OF PREMISES

1. The licensed premises shall only be kept or used for regulated entertainment between the hours as shown on the premises licence.
2. The Designated Premises Supervisor (DPS) shall take all due precautions for the safety of the audience, the performers and the employees, and, except with the consent of the Council in writing, shall retain control over all parts of the premises.
3. The DPS/Licence Holder shall comply with any reasonable fire prevention or safety measure that may be required of them by the Kent Fire Brigade or Council.

4. The maximum numbers of persons admitted to the licensed area of the premises shall not exceed those shown on the attached Schedule. Having regard to the part of the premises subject to the Licence, if the public are allowed access to that area via more than one entrance, or the licensed area consists of more than one floor level, then the DPS must make and maintain suitable provision to ensure that the above maximum permitted number are not exceeded.
5. The DPS shall ensure, when letting the premises, hall or room for any function, that the hirer is aware of all the conditions attached to the Licence and complies with them.
6.
 - (a) The DPS, or the person in charge nominated by the DPS and being a responsible person, shall throughout the whole time the premises are open to the public be present and be assisted by a sufficient staff of competent attendants on the basis of at least one attendant for every 100 persons or part thereof. If the number exceeds 100 on any floor, a minimum of two attendants is required on that floor. In the case of regulated entertainment wholly or mainly for children, the number of attendants shall be at least four for every 100 persons or part thereof. All attendants shall be instructed by the DPS or the person in charge as to their duties in the event of a fire or panic.
 - (b) The DPS, the person in charge and all such attendants shall take due precautions for the prevention of accidents, and shall abstain from any act whatever which tends to cause fire.
 - (c) The DPS, the person in charge of the premises and all such attendants shall be properly instructed in the protection of the premises from fire, the use of the fire appliances provided and the method of summoning the Fire Brigade.
7. Authorised Officers of the Thanet District Council, Kent County Council, Police Officers on duty and Officers of the Fire Brigade on duty shall be admitted immediately at all reasonable times to all parts of the premises.
8. The DPS shall, having regard to the licensed premises, ensure that:
 - (a) no special effects, such as foam, smoke producing equipment, pyrotechnics of any description or lasers, shall be used or introduced; and
 - (b) no structural or other alterations or change of use to any part of the premises affecting fire precautions or safety shall be made; and
 - (c) no exhibition, demonstration or performance of hypnotism (as defined in Section 6 of the Hypnotism Act 1952) shall be given on any person;
 unless:-
 - (i) An application in writing for approval has been submitted to the Council with such details as the Council may require, and
 - (ii) The Council is given at least 28 days prior notice to consider any such application, and
 - (iii) If written approval is subsequently given by the Council, there is full compliance with such terms, restrictions and conditions as the Council may reasonably attach.
9. A notice stating the position of the nearest telephone which would be available whilst the premises are in use under the Licence shall be prominently displayed in a

conspicuous position adjacent to each fire extinguisher. The Fire Brigade shall be called to any outbreak of fire, no matter how small it may appear.

10. The licensed premises shall not be open for the purposes for which this Licence is granted on any occasion when the Council shall have signified their desire in writing to the occupier or other person having at the time the care and management of such premises that the same should not be open.
11. The DPS shall, to the best of his ability, maintain and keep good order and decent behaviour in the building during the permitted hours of entertainment.
12. (Paragraph deleted).

MEANS OF ESCAPE IN CASE OF FIRE

13. Where drinks are supplied to persons attending the entertainment in glasses or bottles, the DPS should ensure that empty glasses and bottles are collected regularly and that no person is permitted to take a glass or bottle from the premises.
14. All gangways shall be at least 1070 mm in width, and all gangways and exits shall be maintained clear of obstruction during the whole time the premises are used for licensed purposes. Persons shall not be permitted to sit or stand in gangways unless prior approval has been obtained from the Council.
15. Exit doors, if fastened during the time persons are on the premises, should be secured only by a form of fastening which will allow the doors to open immediately upon slight pressure being applied from within. Where panic bars or latches are fitted, the words "PUSH BAR TO OPEN" shall be indicated on the doors in bold block lettering of a conspicuous colour above the operating bar.
16. All exit doors approved by the Council for the purpose of egress from the premises shall be clearly indicated by a "FIRE EXIT" and if required "TO FIRE EXIT" signs. The sign shall be clearly visible from the access route to the door at all times.
17. All exits shall be instantly available for free egress during the whole time the public are on the premises.
18. Persons awaiting admission to the premises shall not be allowed to congregate in any position which will cause an obstruction to any persons leaving the building.
19. Only such parts of the premises as have been approved by the Council shall be used as retiring rooms, or cloakrooms, and provision for hanging hats or coats shall not be made in corridors, passages, gangways or exit ways used by the public.
20. Where collapsible gates or roll-up shutters are used these shall be locked in the open position whilst the public are present. Revolving doors shall not be used as exit doors.
21. The edges of the treads of steps and stairways shall be made conspicuous. All gangways, exit ways and the treads of steps and stairways shall be maintained with a non-slip surface.
22. The hangings or curtains over exit doors or across gangways shall be made to part in the centre, to hang so as to be readily drawn aside and not to trail on the floor, and be arranged so as not to conceal notices.

CONDITION OF PREMISES

Seating

23. In premises where seating is permitted for more than 200 persons, in the case of any entertainment for a close-seated audience, all chairs shall be clipped or battened together in units of not less than four, nor more than twelve.
24. The premises shall not be used for a closely-seated audience except in accordance with seating plans previously submitted to, and approved by, the Council in writing.

Electrical Installation and Equipment

25. All electricity supply controls to the electrical services or to any provision of main or primary lighting on the premises to be such that they are not able to be operated by any unauthorised person.
26. All electrical wiring, fittings, switches etc and appliances shall be properly maintained. Any alterations to the electrical installations shall comply with the current IEE Wiring Regulations.
27. All temporary electrical fittings are to be correctly wired and powered via recognised standard electrical outlets. Electrical leads to such fittings are to be run out of reach of the public.
28. Electric lamps and other electrical appliances used within the stage area shall be sited so that they are not liable to come into contact with drapes, scenery or properties.
29. All electric lampholders within reach of the public shall be kept fitted with lamps or otherwise protected and shall be so sited or protected to prevent burns.
30. A Certificate in accordance with the current edition of the IEE Wiring Regulations, issued by a Certificate holder of the National Inspection Council for Electrical Installation Contracting or a member of the Electrical Contractors' Association or a professionally qualified electrical engineer, confirming that the electrical installations have been examined and tested and are in a safe working condition, shall be submitted to the Council. This Certificate shall be provided at least once every year, or if a shorter time is recommended on the current Certificate within that time, or on completion of any alteration to the electrical installation.
31. The DPS shall ensure that socket outlets for use with temporary or portable electrical equipment on or in the vicinity of any stage area, and any circuits associated with spotlights or other stage lighting equipment, shall be protected by one or more Residual Current Devices, as necessary, having an adequate load current rating and a 30mA tripping current.
32. Any Residual Current Device provided shall be correctly installed as an integral part of the fixed electrical installation and not be of the "plug-in" or portable type.

Gas Installation and Fittings

33. All mains gas installations and flues to gas appliances shall be properly maintained to the satisfaction of the Council who may require from time to time the testing and certification of the installation by a person considered suitably competent by the Council i.e. CORGI registered at the expense of the Licence Holder/DPS.

34. All gas supply controls to the gas services or to any gas appliance on the premises to be such that they are not able to be operated by any unauthorised person.

Fire Extinguishing Equipment

35. Fire appliances and equipment compatible with the nature and use of the premises shall be provided to the satisfaction of the Council and Kent Fire Brigade, with a minimum of 2 x 13A rating (9-litre capacity) extinguishers being provided within the premises.
36. All fire appliances and equipment provided within the premises shall be maintained in efficient working order at all times. The DPS shall submit to the Council together with the application for renewal a current certificate issued by a competent fire engineering organisation or body to the effect that each of the appliances and equipment provided in the premises has been inspected and tested in accordance with the current British Standard and is in good working order.

Toilets and Hand washing Facilities

37. Conveniently accessible sanitary conveniences and hand washing facilities shall be provided to the satisfaction of the Council.

These shall be at all times kept in good order and repair and be properly and effectively cleansed, ventilated, disinfected and supplied with hot and cold water, and the doors leading thereto shall be suitably marked. Adequate and separate sanitary conveniences shall be provided for person of each sex. Regard shall be had to British Standard 6465: Part 1: 1994 for cinemas, concert halls and theatres.

General

38. All stage scenery, drapes and curtains on stage shall be either of inherently flame-resisting material or be treated with a flame-retardant solution and maintained in this condition to the satisfaction of the Council and Kent Fire Brigade.
39. Accepted temporary decorations associated with festive occasions shall be confined to the main body of the hall. Such temporary decorations shall not be displayed on escape routes and shall be so hung that there is no danger of them coming into contact with a source of ignition. More extensive decorations of a combustible nature shall not be used without the prior consent of the Council.
40. No rubbish or waste paper shall be stored or allowed to accumulate in any part of the licensed premises. Storage of necessary combustible materials shall be in such positions as may be approved by the Council. Rubbish or waste paper receptacles shall be of non-combustible material so as to minimise risk of fire. The licensed premises shall be maintained in a clean condition free of vermin.
41. All parts of the premises and fittings therein, including the seating, door fastenings and notices, shall be maintained at all times in good order and condition.
42. All floors, floor coverings and upholstery in the licensed premises shall be maintained in proper repair and in a clean condition.
43. Mats, matting and other floor coverings shall be secured and maintained so that they will not ruck or be in any way a source of danger.
44. A report shall be provided at the Licence Holder/DPS's expense, at any time when reasonably required to do so by the Council, from a competent qualified surveyor (accompanied during his inspection by a representative of the Council) regarding the structural safety and suitability of the premises for regulated entertainment.

45. The DPS shall ensure at any time when the public are present, and the premises are being used for dancing and anything of a similar description, that the playing of darts or similar are not permitted in the dance area. Also any raised oche or similar potential trip hazard on the floor surface must not be present.

HEATING VENTILATION AND LIGHTING

Heating

46. Every heating appliance used in the premises, which is so situated as to be within reach of any member of the public, shall be fitted with guards which comply to the standards of construction and fitting required by any regulations for the time being in force applying to heating appliances of a type, which are so designed that they are suitable for use in places of public assembly; and every heating appliance used in the premises shall be situated sufficiently far from woodwork, hangings or other materials, or substances liable to catch fire so that there shall be no likelihood of fire by reason of their proximity to the heating appliance. Combustible hangings are not to be placed over any heating appliance.
47. Every heating appliance situated in a part of the premises to which the public are admitted shall be fixed in position in such a manner as to prevent it being knocked over.
48. Liquid petroleum installations (portable or fixed) of any kind or gas, oil or candle lamps shall not be installed or used within the premises without the prior approval of the Council.

Ventilation

49. The public parts of the premises shall be kept effectively ventilated, whilst occupied by members of the public, by means of the circulation of adequate supplies of fresh or artificially purified air.

Lighting

50. All parts of the premises accessible to persons, including circulation spaces, stairs, passages and egress routes within the building or in the open, which may be used to lead to or from the public street or other approved open place of safety, shall be adequately illuminated for safe use by general mains electric lighting when they are not adequately illuminated by natural light. This lighting may be reduced or extinguished only:
- (a) within any room where entertainment is provided; and
 - (b) when essential for the purpose of that entertainment; and
 - (c) when the system of safety lighting is kept illuminated at all times; and
 - (d) where control over the general lighting is such that full illumination can be restored quickly.
51. Emergency lighting, supplied from a source entirely independent of the general lighting, shall be provided to the satisfaction of the Council. The degree of lighting available shall be sufficient to allow persons to leave the premises in safety should be adequately illuminated by the general lighting and/or emergency lighting.

PREVENTION OF NUISANCE AND NOISE

52. (a) The DPS shall cause to be exercised such effective control over the volume of sound produced from within the licensed premises so that no nuisance from noise from any public performance, entertainment or rehearsal or use of a public address system or other use of sound amplifying equipment, is caused to the occupier or occupiers of any immediately adjoining or neighbouring property.
- (b) The DPS shall cause to be displayed in a conspicuous position at or near all main exits from the premises a notice in a clearly legible form requesting patrons to leave the premises in a quiet orderly fashion.

Noise Level Guidelines

The following guideline for noise control does not form part of the conditions attached to this Licence but is a basis upon which the Council, on receiving a complaint, would, together with a purely subjective assessment, judge the reasonableness of the complaint:

- (1) Regulated entertainment noise does not need to be of a high volume to be extremely intrusive and annoying to neighbours, this is particularly so in regard to low frequency noise. Soundproofing of premises can prove to be very expensive and the most effective means of preventing nuisance is to exercise proper control over the level of amplification.
- (2) You should take effective measures to ensure that no noise from regulated entertainment etc, provided on your premises, is audible within any adjoining or neighbouring property. In order to give you the degree of control necessary to prevent nuisance it may be necessary for you to obtain and have installed a noise level control system.

Environmental Health Officers employed by the Council will be pleased to discuss the content of these guidelines and to provide further information on noise control systems should you consider that this might be of assistance to you.

Door Supervisors

53. N.B. In these conditions door supervisor is defined as any person employed primarily to vet customers and maintain order.
- (a) No door supervisor shall be employed at the premises unless currently licensed with the Security Industry Authority (SIA).
- (b) Door supervisors shall at all times when the licensed premises is in operation wear conspicuously the identity badge provided by the SIA
- (c) The DPS shall maintain a bound register of all door supervisors employed (on payment or otherwise) showing:-
- (i) their full name
 - (ii) their SIA badge number
 - (iii) their agency address (if applicable)
 - (iv) the date they commenced their duties

- (v) their signature at the time of commencement of their duties

The register shall be available on the premises for inspection by an authorised officer of the Council, Fire Brigade or Police at all reasonable times.

NOTES

1. This Licence is without prejudice to the requirements of other legislation, such as the Health and Safety at Work Act, etc. For example, your attention is drawn to the Children and Young Persons Act 1933/63 which make special provision for entertainment which children attend or in which children participate.
2. Additional conditions are applicable for close seated audiences exceeding 300 persons, or may be required in the particular circumstances of the case.
3. Any enquiries regarding these conditions should be made to the Council's Licensing Department.

Annex 2 – Conditions consistent with the operating Schedule

- 1. CCTV shall be installed at the premises. The number and location of the cameras/monitors and recording equipment to be agreed with the Police.**
- 2. CCTV to be fitted to a standard agreed to by the Police that complies with the CCTV Code of Practice (2008 edition) produced by the Information Commissioners Office, with all public areas including all access and egress points covered. The CCTV system will be maintained and serviced on a regular basis and records kept to that effect. Save for periods of maintenance, servicing or breakdown, it shall be operational at all times that members of the public and/or staff are on the premises and images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate. In instances of breakdown the premises shall ensure that the fault is reported to the appropriate persons so arrangements can be made for the repairs within 48 hours if possible, any major repairs affecting the covering of the CCTV not able to be repaired within 48 hours to be reported to the Licensing Officer. The management shall maintain written details of the steps taken to affect any repair and make such details available to the Police or Local Authority for inspection upon request. The Police or Local Authority will have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made. The Police or Local Authority will be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours**

of the initial request being made either by the Police or Local Authority.

3. The system shall be maintained and images stored in accordance with the Data Protection Act and any other relevant legislation relating to the use of the systems.
4. CCTV shall be operational at all times that members of the public and/or staff are on the premises.
5. Images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.
6. The Police or Local Authority will have access to these images at any reasonable time.
7. All drinks shall be served in toughened glass/polycarbonate glasses from midnight every Thursday, Friday and Saturday. This shall also include Sunday when the following day is a Bank Holiday. The following to also be applied on all Bank Holidays, Temporary Event Notices and ticketed events with the exception of champagne and wine bottles.
8. No glasses or glass bottles allowed outside after 10pm any evening.

Annex 3 – Conditions attached after a hearing by the licensing Authority

None

Annex 4 - Plans

Plans considered May 2005