

APPENDIX D

Schedule 12 Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2007/00010/LAPREV

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Al Duomo
6-7 Pavilion Buildings
Brighton
BN1 1EE

Telephone number 01273 326741

Where the licence is time limited the dates -

Licensable activities authorised by the licence

Performance of a Play	Performance of Recorded Music
Performance of Live Music	Performance of Dance
Entertainment of a similar description	Making music
Dancing	Other Entertainment falling within Act
Late Night Refreshment	Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of a Play - Indoors & Outdoors
Monday - Thursday: 10:00 – 03:00 and Friday - Sunday: 10:00 – 04:00.

Performance of Recorded Music - Indoors & Outdoors
Every Day: 10:00 – 07:00

Performance of Live Music - Indoors & Outdoors

Every Day: 10:00 – 07:00

Performance of Dance – Indoors

Every Day: 10:00 – 07:00

Entertainment of a similar description - Indoors & Outdoors

Every Day: 10:00 – 07:00

Making music - Indoors.

Monday - Saturday: 12:00 – 02:00 and Sunday: 12:00 – 24:00

Dancing – Indoors

Every Day: 12:00 – 07:00

Other Entertainment falling within Act – Indoors.

Every Day: 12:00 – 07:00

Late Night Refreshment – Indoors & Outdoors

Monday - Sunday: 23:00 – 05:00

Sale by Retail of Alcohol

Every Day: 09:00 – 06:30

The opening hours of the premises

Monday – Sunday: 09:00 – 07:00

(Outside areas to be cleared by 23:00hours)

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

Alcohol is supplied for consumption on or off the Premises.

Part 2

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

Mr Ermano Taverna and Mr Alberto Taverna
Ideal Gold Restaurants
7 Pavilion Buildings
Brighton
BN1 1EE

Annex 1 - Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

- no supply of alcohol may be made under the premises licence
 - (a) at a time when there is no designated premises supervisor in respect of the premises, or
 - (b) 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

1.—(1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) 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.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

S 21; mandatory condition: door supervision

where a premises licence includes a condition relating to security activity, the licence must include a condition that each individual must be licensed by the Security Industry Authority (there are exemptions re theatre and films and clubs)

Embedded Conditions:

1. Permitted Hours

Alcohol shall not be sold or supplied except during permitted hours.

Restrictions

The above restrictions do not prohibit:

d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;

- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there; or
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. Premises with no children's certificate-

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Source Section 168, 171 and 201 Licensing Act 1964

4. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above, and on New Years Eve until 5am on New Years Day.

5. Recorded Music

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Source Section 182 Licensing Act 1964

Supper Hours Certificate

Alcohol may be sold or supplied for one hour following the end of permitted hours and on Christmas day, between 3 p.m. and 7 p.m. to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours shall continue to apply.

Source Section 68 Licensing Act 1964

Variations to Embedded Conditions:

References to hours of sale of alcohol removed where appropriate

Conditions on Justices' Licence:

Conditions '1 – 4' removed as part of variation.



Licence Conditions/Undertakings

Al Duomo, 6/7 Pavilion Buildings, Brighton, East Sussex BN1 1EE

CONDITIONS

1. Sale of intoxicating liquor and other beverages shall be by waiter/waitress service to persons seated at tables and for consumption at those tables, except:
 - a) In that part of 6 Pavilion Buildings shown on the plan as hatched in red where a maximum of 25 persons may be permitted to stand.
 - b) In the basement when it is being operated under the provisions of a special hours certificate.
2. In the basement if the operation of a special hours certificate is intended on any occasion then 48 hours notice in writing to the police will have been given. There shall be a minimum of 3 registered door supervisors on duty and before the premises shall so operate it will have been closed for a minimum of 60 minutes since it was opened as a Cafe Bar under condition 1.
3. There shall always be seating for a minimum of 50 persons in the basement when open.
4. Substantial refreshments shall always be available throughout the whole premises at all times.
5. Sale and supply of intoxicating liquor for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the Committee.
6. CCTV and appropriate recording equipment to be installed, operated and maintained to a standard specification following consultation with Sussex Police.
7. Crime prevention measures to be instigated throughout the premises following consultation with the police.
8. Shatterproof drinking receptacles only shall be used outside.
9. The occupant capacity shall not exceed the numbers as recommended from time to time by the Fire Authority.

UNDERTAKINGS 4.12.02

1. To comply with Fire Authorities schedule.

Annex 2 - Conditions consistent with the Operating Schedule:

Staff training will be carried out to ensure that all objectives are met.

For the prevention of crime and disorder:

CCTV operated and maintained in good working order inside and outside the building.

Professional door staff will be employed as required.

All door staff must be licensed by the Security Industry Authority.

The minimum requirement of one security staff for every 100 customers will be met plus one, i.e. 300 customers will have four security staff.

The premise will operate a "Challenge 21 Policy" and will only accept as proof of age a passport, a photo driving licence or hologram ID card as issued by the Portman Group.

There will be a detailed door policy, for live music and Dance nights, which will include search/seizure/arrest procedures, particularly in relation to controlled drugs and offensive weapons.

For public safety:

Only shatterproof glass will be used.

There shall be provision of designated and suitably trained first aiders.

Glass collectors will be used on club nights.

For the prevention of public nuisance:

Staff will take all reasonable steps to control disorderly and noisy behaviour by customers inside and outside the building.

Notices are placed reminding the customers to leave the premises in an orderly manner.

A noise limiter shall be provided to control all amplified music and be set at a level agreed with the Pollution control team of the Environmental Health Department and regularly maintained.

All outdoor entertainment should stop by 23.00 hours.

Outside areas to be cleared by 23.00 hours.

For the protection of children from harm:

All children inside and outside will be accompanied by adults.

Children will be permitted on the premises during the normal restaurant hours but will not be allowed on the premises after 23.00hrs unless part of a Wedding party and accompanied by a guardian or parent.

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

Supply of alcohol to be everyday from 09.00 to 06.30

Outside areas to be cleared by 23.00hours.

SIA registered door supervisors must operate from the premises on Thursday, Friday and Saturday nights when the premises is going to transform from restaurant into a nightclub and/or bar.

The door supervisors must commence work at least half an hour before the transition from restaurant to nightclub and/or bar takes place, and in all cases no later than 23.00.

There must be a minimum of two door supervisors operating from the premises.

There will be a minimum of one door supervisor for every one hundred persons or part thereof.

When there is more than one floor inside the premises in operation, there must be a door supervisor on each floor in addition to two door supervisors on the door.

The premises will carry out an internal risk assessment and will, where necessary, employ door supervisors on other nights of the week for bank holidays, New Year's Eve etc.

Ideally, a female member of door staff should be deployed.

The premises should seek to search one in three patrons throughout the night.

Door Supervisors, ancillary provisions:

1. All personnel carrying out security (door supervisors) shall be licensed by the security Industry Authority.
2. Records shall be maintained at the premises containing the full name, date of birth and home address of every door supervisor.

3. On initial employment of the door supervisor, authentic proof of identity shall be obtained in the form of passport, driver's licence or a birth certificate.
4. The record shall include all dates and times when a door supervisor is employed.

5. If staff are employed through an agency, the name and address of the agency must be included in the entry referring to the person employed by the agency.
6. Any such record must be in a form approved by the Licensing Authority. [In the event that no form is either issued or approved by the Licensing Authority, the management may draft their own form but this must contain all the information stipulated in this section].
7. The DPS (or in the absence of the DPS the person with delegated authority) will ensure door supervisors display their SIA badges at all times they are on duty.

CCTV

Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises internally and externally to a standard specification following consultation with Sussex Police.

CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate cooperation and technical assistance to the police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. The system will be capable of downloading selected CCTV footage onto a DVD disc.

The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disc for the Police without difficulty or delay.

An easy to use instruction manual will be kept with the CCTV system unit providing clear written step-by-step instructions on how to select and record CCTV footage onto a DVD disc.

The CCTV system will provide coverage of both the entrance to the premises and the area of pavement outside the premises.

The CCTV system will record dates and times.

The premises will offer a cloakroom facility to customers [NB: Police Licensing may request in writing that the cloakroom facility is offered free of charge to patrons at a later date in the event of wallet, phone and handbag thefts]. Only small clutch bags with personal essentials, medication and make up will be permitted into the club.

Drugs

The management and premises will have an absolute zero tolerance policy towards drugs and drugs misuse. Any illegal drugs seized will be stored in a secure 'drugs box',

and periodically the management will request the Police to come and remove all drugs found in the 'drugs box' for destruction

In the event that a person is found on the premises actively dealing in drugs, that person will be detained and the Police will be called to the premises. Any person found with any more than a very small quantity of drugs on their possession which they claim is for personal use, will still be treated as 'dealing' and detained until the Police are called and arrive. That person or persons will also be banned from the premises for life.

The management will permit the Police to use an 'ION Track' drugs detector or other similar device inside the premises to detect the illegal use of drugs and will sign the Police consent form.

Public safety:

The premises will become a member of NIGHT SAFE or any similar organisation set up to replace this one. The premises will sign up for the Nightsafe Radio System. The premises will also sign up to the Business Crime Reduction Partnership (BCRP) Yellow Card Scheme.

The premises will set up an incident reporting procedure with the Police to record all incidents happening at the premises.

Shatterproof drinking receptacles and plastic bottles (plastic, toughened or glasses that disintegrate into tiny pieces with pieces with no sharp edges when broken) will be used throughout the premises each day from 23.00hrs.

From 23.00hrs no glass whatsoever (whether drinking receptacles or bottles) will be accessible or served in the public areas of the premises, with the exception of customers in the restaurant area consuming food with beverages in glasses served before 23.00hrs. This condition will also apply to private parties and functions.

Protection of children from harm

No under 18 discos or events to be held at the premises unless the matter has first been referred to Police and they have given their consent with any appropriate conditions.

A challenge 21 policy will be operated whereby all patrons who appear to be aged 21 or less are challenged to produce identification. The only proof of ID that will be accepted are passwords, photographic driving licences or one of the Portman Group proof of age cards bearing the PASS mark hologram.

