



## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	096329
Granted	01/03/2007
Latest version	DPS Variation 260026 Granted 03/07/2021

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Dukes 92</b> 18-25 Castle Street, Manchester, M3 4LZ
<b>Telephone number</b>
0161 839 8642

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"><li>1. The sale by retail of alcohol*.</li><li>2. The provision of regulated entertainment, limited to: Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance;</li><li>3. The provision of late night refreshment.</li></ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

### The times the licence authorises the carrying out of licensable activities

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0200	0200	0200	0200	0200	0200	0200
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non-standard Timings:</b>							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day.							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

<b>Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0200	0200	0200	0200	0200	0200	0200
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day.							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

**Provision of late night refreshment****Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0200	0200	0200	0200	0200	0200	0200

Licensed to take place both indoors and outdoors.

**Seasonal variations and Non-standard Timings:**

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.

On the day British Summer Time commences: one additional hour following the terminal hour.

**Hours premises are open to the public****Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0300	0300	0300	0300	0300	0300	0300

**Seasonal variations and Non-standard Timings:**

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.

On the day British Summer Time commences: one additional hour following the terminal hour.

**Part 2****Details of premises licence holder**

**Name:** Elle R Leisure Limited  
**Address:** 33 Collier Street, Manchester, M3 4NA  
**Registered number:** 00890260

**Details of designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Name:** Daniel Rene Sanjuan  
**Address:** [REDACTED]  
**Personal Licence number:** NCCOOCJ2739  
**Issuing Authority:** Newcastle City Council

**Annex 1 – Mandatory conditions****Door Supervisors**

- Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
  - Unauthorised access or occupation (e.g. through door supervision),
  - Outbreaks of disorder, or
  - Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

**Supply of alcohol**

- No supply of alcohol may be made under this 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 retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
- (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.

- 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 (1) above–
  - (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.
- (3) Where the permitted price given by paragraph (2)(b) 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.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) 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.
- (b) 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.

- 6. (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).

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

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.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### **Exhibition of films**

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate 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 that Board, or
  - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

## **Annex 2 – Conditions consistent with the operating schedule**

1. Closed Circuit TV cameras shall be maintained at the premises and recordings kept for no less than 31 days.
2. The premises shall close no later than one hour after the end of all licensable activities.
3. The premises shall operate the NiteNet radio system.
4. The premises shall participate in the local Pubwatch or Clubwatch schemes and use best endeavours to ensure the premises is represented at no less than 6 meetings per calendar year.
5. Appropriate security shall be employed at the premises, registered with the Security Industry Authority, to manage the door, minimise disorder and prevent drunken people from entering in accordance with the rota.
6. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:
  - a. the door supervisor's name, date of birth and home address;
  - b. his/her Security Industry Authority licence number;
  - c. the time and date he/she starts and finishes duty;
  - d. the time of any breaks taken whilst on duty;
  - e. each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an authorised officer of the council, the Security Industry Authority or a police constable.
7. Regular toilet checks shall be provided.
8. Fire extinguishers and the fire alarm system shall be maintained and inspected on an annual basis.
9. Electrical equipment shall be inspected on an annual basis.
10. The maximum occupancy of the premises as recommended by the Fire Authority and Building Control shall be maintained.
11. A comprehensive procedure for use in emergencies shall be operated at the premises.
12. All staff shall be trained in the safe handling of emergencies.
13. Signs requesting that customers leave the premises quietly shall be displayed at the exit.
14. The operator shall use his/her best endeavours to ensure that noise shall not emanate from the premises so as to cause persons in the neighbourhood to be unreasonably disturbed. Any form of amplification shall be so controlled as to prevent such a disturbance.
15. There shall be regular and adequate refuse collection from the premises.
16. The outside areas shall cease to trade at 0000.
17. Anyone who attempts to purchase/consume alcohol and appears to be below the age of 18 – other than those permitted by section 150(4) of the Licensing Act 2003 – must produce valid ID (i.e. passport, photo driving licence, proof of age card).
18. Staff shall be trained on age identification.
19. Adequate ventilation shall be provided at the premises.
20. Children shall not be permitted in the vicinity of any gaming machines.

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

1. When regulated entertainment is taking place, a member of staff shall make regular external checks to ensure that music shall not emanate from the premises so as to cause a noise nuisance to local residents.
2. Taxi numbers shall be displayed inside the premises.
3. Speakers in internal areas shall be set at a level agreed by Environmental Health.
4. The outside areas shall be cleared of patrons and glassware by 0130 every night of the week.

5. All music shall be set at a level as agreed with Environmental Health and notices displayed on all amplification systems used.
6. The premises shall avoid the emptying of bins containing bottles and glass and early refuse collections before 0800 and after 2200.

<b>Annex 4 – Plans</b>
See attached