

## Schedule 12 Part A

Regulation 33,34

### Tendring District Council Premises Licence

Premises Licence Number

20/00329/PREMVA

**Part 1 – Premises Details**

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

Kassaba Restaurant  
7 - 9 Marine Parade East  
Clacton-on-Sea  
Essex  
CO15 1PS

Telephone number

01255 421206

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence**

Sale of Alcohol only on the premises  
Performance of Dance  
Provision of facilities for dancing  
Performance of Live Music  
Provision of facilities for making music  
Performance of Recorded Music  
Provision of facilities Similar Entertainment  
Other Entertainment falling within Act  
Late Night Refreshment

**Times the licence authorises the carrying out of licensable activities**

**Sale of Alcohol only on the premises**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Performance of Dance**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Provision of facilities for dancing**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Performance of Live Music**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Provision of facilities for making music**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Performance of Recorded Music**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Provision of facilities Similar Entertainment**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Other Entertainment falling within Act**

Monday to Wednesday	11:00 - 01:00
Thursday to Saturday	11:00 - 02:00
Sunday	11:00 - 01:00

**Late Night Refreshment**

Monday to Wednesday	23:00 - 01:00
Thursday to Saturday	23:00 - 02:00
Sunday	23:00 - 01:00

**Non Standard Timings**

**Sale of Alcohol only on the premises, Performance of Dance, Provision of facilities for dancing, Performance of Live Music, Provision of facilities for making music, Performance of Recorded Music, Provision of facilities Similar Entertainment, Other Entertainment falling within Act, Late Night Refreshment**

Christmas and New Year's Eve and Bank Holidays until 3 a.m.

**The opening hours of the premises**

Monday to Sunday 00:01 - 00:00

Christmas and New Year's Eve and Bank Holidays until 3 a.m.

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

Supply of Alcohol only on the premises

**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Giesha Ltd  
7 - 9 Marine Parade East  
Clacton-on-Sea  
Essex CO15 1PS

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

11691388

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

Mr Neeraj Kumar Arora  
Flat 4  
1 Corfe Close  
Whitton  
HOUNSLOW  
TW4 5PX

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol****Personal Licence Number**

055637

**Licensing Authority**

London Borough of Richmond Upon Thames

for and on behalf of the Licensing Authority


**Damian Williams**

ACTING CORPORATE DIRECTOR FOR OPERATIONS AND DELIVERY

**Dated: 20 July 2020**

**Annex 1 – Mandatory conditions**

- 1 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 Licence, or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- 2 Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
- 3 Door Staff
  1. Where people are used as door/security staff, they must be currently licensed by the Security Industry Authority or exempt under Section 4 of the Private Security Industry Act 2001.
- 4 (1) Schedule 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) Schedule 1(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.
- 5 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).
- 6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 7 (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.

- 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 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 -

$$P = D + (D.V)$$

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) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. 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.

4. (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**

- 1 The permitted hours of sale or supply of alcohol do not prohibit
  - (a) Consumption of the alcohol on the premises or the taking of or sale or supply of alcohol to any person residing in the licensed premises
  - (b) The ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered.
  - (c) The sale of alcohol to a trader or Club for the purposes of the trade or Club.
  - (d) The sale or supply 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.
  - (e) The taking of alcohol from the premises by a person residing there.
  - (f) 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
  - (g) 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 for the consumption of liquor 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 All external windows and doors to the bar and restaurant areas to be kept closed, other than for access and egress during the performance of live music, recorded music and dancing after 23.00 hours.
- 3 The provision of live music, recorded music, dancing and anything of a similar description as regulated entertainment shall not be audible, so as to cause nuisance at the boundaries of surrounding premises.
- 4 Any conditions consistent with the Operating Schedule not specified above.

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

None

### **Annex 4 – Plans**

Plans are attached to this Licence - Plans Ref: July2020/kassaba/Var