

Appendix 2

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number MBRO/PR0139/019085

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Middlesbrough Empire The Empire Corporation Road	
Post town Middlesbrough	Post code TS1 2RT
Telephone number 01642 253553	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Plays Films Live Music Recorded Music Performances of Dance Sale of Alcohol

The times the licence authorises the carrying out of licensable activities
PLAYS, FILMS, LIVE MUSIC, RECORDED MUSIC & PERFORMANCES OF DANCE
Monday to Sunday : 11am to 4am Boxing Day : 11am to 6am New Years Eve : 11am to 6am
SALE OF ALCOHOL ON PREMISES
Monday to Sunday : 11am to 3.30am Boxing Day : 11am to 5.30am New Years Eve : 11am to 5.30am

The opening hours of the premises

Monday to Sunday : 11am to 4am
Boxing Day : 11am to 6am
New Years Eve : 11am to 6am

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

Alcohol sales permitted ON the premises

Part 2

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

The Middlesbrough Empire 2008 Limited
The Empire Theatre
Corporation Road
Middlesbrough TS1 2RT

253553

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

06498135

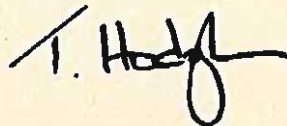
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Ashley Stephen Wem
[REDACTED]
[REDACTED]
[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

MBRO/PL0173/019242 issued by Middlesbrough Borough Council

Granted on 10 February 2023



Authorised Officer

Annex 1 - Mandatory conditions

Supply of Alcohol

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.

Exhibition of Films

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

4. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

5. Where-

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

6. In this section "Children" - means persons aged under 18; and "Film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door Supervision

7. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, that licence must include a condition that each such individual must:

(a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;

(b) Be entitled to carry out activity by virtue of section 4 of the Act.

8. But nothing in subsection (1) requires such a condition to be imposed:

(a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films); or

(b) In respect of premises in relation to:

(i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

9. For the purposes of this section:

(a) "Security activity" means an activity to which paragraph 2(1) (a) of that Schedule applies, and which is licensable conduct for the

purposes of that Act.

(b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Age Verification

10. 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.

11. 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.

12. 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.

Permitted Price

13. 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.

14. For the purpose of this 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 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.

15. 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.

16. (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.

Irresponsible Drink Promotions (applicable to 'on' & 'off' sales)

17. 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.

18. 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).

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

Alcoholic Drink Measures

20. 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: 1/2 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."

Annex 2 - Conditions consistent with the operating Schedule

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

See Annex 3

THE PREVENTION OF CRIME AND DISORDER

See Annex 3

PUBLIC SAFETY

See Annex 3

THE PREVENTION OF PUBLIC NUISANCE

See Annex 3

THE PROTECTION OF CHILDREN FROM HARM

See Annex 3

Annex 3 - Conditions attached by a Consent Order between Middlesbrough Council and Middlesbrough Empire 2008 ordered by Teesside Magistrates Court on 10 February 2023.

No.	Description	Condition
CCTV		
1.	CCTV SYSTEM	<p>A digital Closed Circuit Television System (CCTV) will be installed and maintained in good working order and be correctly time and date stamped:</p> <ul style="list-style-type: none">• the system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed;• CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition;• cameras will encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs and all outside areas;• CCTV cameras will cover the entrance areas and queuing areas• the system will record and retain CCTV footage for a minimum of 28 days;• the system will record for from opening until close of the premises;• the system will incorporate a means of transferring images from the hard-drive to a format that can be played back on a compatible computer;• the Digital recorder will be password protected to prevent unauthorised access, tampering, or deletion of images;• there will be at all times, when the premises is open, a member of staff on duty with access to the CCTV system who is trained in the use of the equipment;• upon receipt of a lawful request for a copy of CCTV footage from Police, Licensing Officers or any other Responsible Authority, the member of staff will produce the footage within 24 hours, or less if urgently required for investigations of serious crime;• CCTV footage must be made available to be viewed by the Police, Licensing Officers or other Responsible Authorities on lawful request during an inspection of or visit to the Premises.
2.	CCTV Monitored	<p>A member of staff will be designated to monitor the CCTV screens. They shall have the ability to contact and liaise</p>

with both staff and the door security team.

3. CCTV screen at Reception
A TV screen will be installed in reception, above the pay desk. The screen will show a picture of the reception area focusing on facial recognition of customers entering the premises, so that customers' attention is drawn to the fact that they are on CCTV.
4. Entrance Area and queuing area lit
The entrance area and any queuing areas will be sufficiently lit to enable the areas to be clearly visible to staff and for CCTV to capture clear footage.
5. Outside Lighting
Adequate lighting will be installed on the exterior of the premises to ensure the area is sufficiently illuminated to be able to be visible to staff and for CCTV to capture clear footage covering those areas.
6. Cleaning the outside area
The area immediately outside of the premises will be cleaned regularly.
7. Removing Disorderly Customers
The premises licence holder will ensure that individuals who are drunk, disorderly or both will not be permitted to access to the premises.

Any person who is drunk or disorderly within the premises will be removed from the premises.
8. Door Supervisor Register
The premises licence holder is to maintain a door supervisor register. This will contain name, address, SIA badge numbers. Door staff will sign on duty at the start of the shift and off duty when they leave.
9. Door Supervisor Numbers
The premises will have in place adequate SIA registered security for evenings when open to the public, to an approximate ratio of 1 door supervisor to 100 patrons.
10. Body cameras
When the premises is open, a body camera device will be worn by at least 5 door supervisors or worn by 50 % of the number of door supervisors on duty at the time, whichever is the greater. The head door supervisor will be one of the door supervisors who wears a body camera device.

If an event requires less than five door supervisors on duty then all door supervisors on duty at that event shall wear a body camera device.

11. **Manager and Door Team Communications** The premises manager is to be connected to the door team at all times on the premises radio system.
12. **Containers** Patrons or customers will not be permitted to enter or leave the premises with any glass bottle or other open container
13. **First Aid** A fully qualified first aider will be on the premises during the hours of operation.
14. **Street Marshalls** Door Supervisors and the Management Team shall work with Street Marshalls when they are deployed adjacent to the premises.
15. **Leave quietly** Prominent notices will be displayed asking customers to leave the premises quietly.

TRAINING

16. **Training of All Staff** Training must be provided to and undertaken by all staff before they commence their duties and at least every six months thereafter.
Training should include but is not limited to the following areas:
Promotion of the Licensing Objectives
Challenge 25, underage sales and the protection of children and young people
Drunkenness
Recognising vulnerability in customers and Safeguarding
The Premises' Risk Assessment
The Premises' Policies on
Staff communication and Reporting
The conditions on the Premises Licence
General vigilance in all aspects of the job
Health and Safety
17. **Training Record** A training record of all members of staff will be maintained and capable of being produced immediately to any Responsible Authority.

The Training Record must include the name of the member of staff, date time and content of the training and signed by the member of staff receiving the training and the manager of the premises
18. **Training of Door Supervisors** In addition to the training in condition 16 above, and training provided as part of the SIA Licence, Door Supervisors must receive training on the use of hand held metal detectors, the Scannet system, searching and the

implementation and operation of the Premises Licences Policies.

That training should be updated and carried out every six months

The Training should be documented to include the name of the door supervisor, date time and content of the training, signed by the door supervisor and the trainer and made available to the Police or Licensing Officers on request or during an inspection.

19. Incident Book

An incident book must be kept at the Premises and maintained up to date (no later than 24 hours after the incident) at all times, and will record the following:

- time date and details of all incidents/complaints of crime and disorder or anti-social behaviour;
- all crimes reported to the venue;
- all ejections of patrons;
- all seizures of drugs or offensive weapons;
- any faults in the CCTV system, searching equipment or scanning equipment;
- any visit by a relevant authority or emergency service.

The incident book must be made available to Police, Licensing Officers and all other Responsible Authorities on request or during an inspection.

20. Fire Risk Safety Assessment

The premises licence holder will undertake a fire risk assessment which will be shared with the fire department and Cleveland Police. The fire risk assessment will be made available to any responsible authority immediately on request.

Any use of pyrotechnics must be included within the relevant fire risk assessment and shared with the Fire authority if requested.

21. Minimum of Two Personal Licence Holders

A minimum of 2 personal licence holders will be on the premises when the premises operates.

22. Provision of a Weekly Report to the Police

The premises will email to the police a weekly report of incidents, proposed bans, door staff employed and customer numbers, so that the police can easily gauge whether there is an escalation in crime and disorder associated with the premises. This will continue until the police confirm it is no longer required. It can then be re-implemented upon police request.

Debrief at the end of each

There shall be a debrief at the end of each trading period

23. trading period

between a manager and the head doorman. Such debriefs will be documented and used to inform the weekly report provided to the police.

24. 14+ Events

Persons under 18 years of age are not allowed on the premises other than at an under 18s event or on Middlesbrough Football Club matchdays.

1. In the case of Middlesbrough Football Club matchdays:

- i. All children must be accompanied by an adult and,
- ii. Must leave the premises by 8pm.

2. In the case of an under 18's event:

- i. The event will take place between 12 Noon and 10pm
- ii. A fully qualified paramedic shall be on the premises.
- iii. The age range of patrons shall be limited to 14 to 17 year olds only.
- iv. Only soft and non alcoholic drinks shall be sold or be on display.
- v. If any patron is found to be under the influence of drugs or alcohol then their parents or guardian shall be contact and asked to collect the child or children. The management will not turn away patrons without ensuring they are safe and are able to be collected by a parent or guardian.
- vi. Random searches are made of any patron wishing to gain access to an Empire under 18 event. Refusal to allow search will result in refusal of entry.
- vii. Any patrons found to be intimidating other patrons, pushing or shoving or attempting to jump the queue will not gain entry. Any patron found fighting or using bad language will be escorted out of the venue and a parent or guardian called to pick them up.
- viii. Patrons will be allowed into the premises with cigarettes if they are over 16 (and have proof of age) Cigarettes are not sold at the event and any cigarette machines are turned off for the event
- ix. A professional registered security team all having had criminal records check for suitability, will be on hand to assist anyone at all times and Empire Security will also be available to assist and answer any questions.

3. In addition to the above conditions regarding under 18 nights:

- i. On any Sunday, Monday, Tuesday, Wednesday or Thursday over 14's will be admitted to the premises, they will also be admitted on 4 occasions throughout the year

to events held on Fridays or Saturdays, with prior consultation with Cleveland Police, providing the following additional conditions apply:

- all customers will be given a secure wristband of differing colours, differentiating under 18's from over 18's;
- the theme of the night will be live music event;
- all drinks will be served in plastic glasses.
- a First Aider will be on the premises throughout the night;
- if any patron is found to be under the influence of drugs or alcohol then their parents or guardian shall be contacted and asked to collect the child or children.

- ii. The management will not turn away patrons without ensuring they are safe and are able to be collected by a parent or guardian

25. Challenge 25

The premises licence holder shall adopt a Challenge 25 scheme.

Appropriate signage will be placed at the entrance to the premises and adjacent to any bar servery.

Any person attempting to buy alcohol or attempting to gain entry to the premises who appears to be under the age of 25 shall be required to provide ID for staff or door supervisors to verify the person is over 18 before entry to the premises is permitted or a sale of alcohol is made. The only acceptable ID is a current ten year passport, photo card driving licence or PASS Hologram identity card.

26. Scannet

The premises will operate a Scannet ID system (or similar) at all times the premises is open to the public. The system will be used in accordance with Challenge 25 scheme, and anybody providing ID in accordance with Challenge 25 will do so in conjunction with the machine. If the machine malfunctions the premises will notify the Licensing Authority and the system will be fixed or replaced within 28 days.

27. Refusals Record
A record of the number of refused entries to the premises should be maintained showing the date time and reason.

The record shall be accessible at the Premises and shall be made available to the Police and Licensing Officers on request or during an inspection
28. Hand Held Metal Detectors
The Premises shall use hand held metal detectors commonly known as "wands" and will carry out searches in accordance with its Search Policy
29. Magnetic Locks
Magnetic Locks for external fire doors other than the main entrance doors and the external door leading to designated smoking area will be installed and maintained at the Premises subject to the fire authority's approval.
30. Polycarbonate containers
All glasses should be made from polycarbonate or other similar safety material
- POLICIES**
31. Risk Assessment
The Premises Licence Holder must carry out a Risk Assessment in relation to the operation of the premises which shall be kept under continuous review
The Premises Licence Holder's duty of care to protect children and young people, its customers and staff to be at the forefront of risk assessments carried out
32. Lost and Found Policy
The premises will have a documented lost and found policy.
33. Drugs Policy
The premises shall have in place and operate a drug policy, drug register and drug box in which to place prohibited substances. The drug box is located in the reception area of the premises which is monitored by CCTV.

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld
34. Entry and Queuing Policy
The premises licence holder will have in place and operate a queuing/entry policy. This will include having queues form down the right hand side of the premises.

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld
35. Search Policy
The premises shall have in place and operate a search policy which shall include but not be limited to the use and operation of hand held metal detectors (wands) and

pat downs

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld

36. Dispersal Policy

The premise shall have in place and operate a dispersal policy setting out the dispersal procedure

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld

37. Management of the Smoking Area Policy

The premises shall have in place and operate a policy regarding the management and operation of a designated smoking area including but not limited to door supervision, cctv coverage, search requirements and any risk of weapons drugs etc being passed to users of the smoking area

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld

38. Refusal Ejection and Removal Policy

The premises shall have and implement a policy on managing the refusal, ejection or removal of customers and patrons from the Premises

The Policy must be prior approved by the Police and that approval shall not be unreasonably withheld

39. Access to paperwork

All policies and procedures will be accessible to all responsible authorities when requested.

Annex 4 - Plans

Attached