



Licensing Act 2003 - Premises Licence

Part 1 - Premises Details

Premises Licence Number 00CH01032

Postal address of premises, or if none, ordnance survey map reference or description:

O'Malleys
168 Kells Lane
Low Fell

Post town: Gateshead

Postcode: NE9 5HY

Telephone number: 0191 491 4343

Where the licence is time limited, the dates

Not applicable

Licensable activities authorised by the licence

1.The sale by retail of alcohol

2.The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

For the supply of alcohol (on the premises):

Monday to Saturday	10:00 - 00:00 hours (midnight)
Sunday and Good Friday	12:00 - 23.30 hours
Christmas Day	12:00 - 23:30 hours
New Year's Eve falling on Monday to Saturday	10:00 to the start of permitted hours on New Year's Day
New Year's Eve falling on a Sunday	12:00 to the start of permitted hours on New Year's Day

For the supply of alcohol (off the premises):

Monday to Saturday	10:00 - 23:00 hours
Sunday	12:00 - 23.00 hours

For the provision of late night refreshment:

Monday to Saturday	23:00 - 00:00 hours (midnight)
Sunday and Good Friday	23:00 - 23:30 hours
Christmas Day	23:00 - 23:30 hours

The opening hours of the premises

Not specified

Where the licence authorises supplies of alcohol, whether these are **On** and/or **Off** supplies

Both on and off supplies

Part 2

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

KL Management Solutions Limited
Pinetree Centre
Durham Road
Chester Le Street
DH3 2TD

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

14404625

Name, address and telephone number of Designated Premises Supervisor where the premises licence authorises the supply of alcohol

Fabio Boccardi
Address redacted

Personal Licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol

Licence number redacted

Signature on behalf of the issuing licensing authority

Date of Issue: 24 November 2022

Elaine Rudman

Compliance and Regulatory Services Manager
Economy, Innovation and Growth



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 or her 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. (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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence 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.
6. 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: 25ml or 35ml; and
 - iii. Still wine in a glass: 125ml.
 - (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.

Prohibition on sale of alcohol below cost of duty plus VAT

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 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 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.
- a. Sub-paragraph b below 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.
 - 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.

Door Supervision

1. Any person(s) required to be on the premises to carry out a security activity must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2 - Conditions consistent with the operating schedule

1. Alcohol shall not be sold or supplied except during the hours set out in the licence.
2. Condition 1 does not prohibit:-

- a. During the first twenty minutes after the above hours the consumption of alcohol previously supplied;
 - b. During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to meals;
 - c. Consumption of the alcohol on the premises by or the taking or supply of alcohol to any person residing in the premises.
3. Alcohol shall not be supplied unless it is paid for before or at the time when it is supplied, except alcohol supplied:-
- a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
 - b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
 - c. To a canteen or mess.
4. Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his or her meal.
5. Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.
6. Off sales of alcohol shall be restricted to orders of takeaway meals collected from the premises by customers only. No alcohol shall be sold "off" the premises unless ancillary to a takeaway meal. The premises licence holder similarly restricts the time for the sale of alcohol for consumption off the premises until 23:00 hours daily.

Annex 3 - Conditions attached after a hearing with the Licensing Committee

None

Annex 4 - Copy of plan

See plan overleaf

