

APPENDIX 3

AYLESBURY VALE DISTRICT COUNCIL

Department of Community Services



Premises Licence

Premises Licence Number

18/00064/LAPRE (PR0042)

Date Issued

13 March 2018

Premises Details

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

Mirage
39a Buckingham Street
Aylesbury
Buckinghamshire
HP20 2NQ

Telephone number 01296 435690

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol	Monday to Wednesday	12:00 - 02:15
Performance of Dance	Monday to Wednesday	12:00 - 02:30
Performance of Live Music	Monday to Wednesday	12:00 - 02:30
Playing of Recorded Music	Monday to Wednesday	12:00 - 02:30
Other Entertainment of a Similar Description to Music / Dancing	Monday to Wednesday	12:00 - 02:30
Late Night Refreshment	Monday to Wednesday	23:00 - 02:30
Sale by Retail of Alcohol	Thursday to Saturday	12:00 - 02:45
Performance of Dance	Thursday to Saturday	12:00 - 03:00
Performance of Live Music	Thursday to Saturday	12:00 - 03:00
Playing of Recorded Music	Thursday to Saturday	12:00 - 03:00
Other Entertainment of a Similar Description to Music / Dancing	Thursday to Saturday	12:00 - 03:00
Late Night Refreshment	Thursday to Saturday	23:00 - 03:00
Sale by Retail of Alcohol	Sunday	12:00 - 23:00
Performance of Dance	Sunday	12:00 - 23:30
Performance of Live Music	Sunday	12:00 - 23:30
Playing of Recorded Music	Sunday	12:00 - 23:30
Other Entertainment of a Similar	Sunday	12:00 - 23:30

Description to Music / Dancing Late Night Refreshment	Sunday	23.00 - 23.30
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The opening hours of the premises		
Opening Hours	Monday to Wednesday	12:00 - 02:30
Opening Hours	Thursday to Saturday	12:00 - 03:00
Opening Hours	Sunday	12:00 - 23:30

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

Supply of alcohol from these premises is authorised for consumption on the premises only

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


Mirage (Aylesbury) Ltd
39a Buckingham Street
Aylesbury
Buckinghamshire
HP20 2NQ

Tel: 01296 435690

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

Company Number 07698110

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

Mr Peter Andreas Michael


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

PE1058
Aylesbury Vale District Council

Annex 1 – Mandatory conditions

For the purposes of this schedule

"the Act" means the Licensing Act 2003;

"Anti-Social Behaviour" has the meaning given in section 36 of the Anti-social Behaviour Act 2003;

"Disability" has the meaning given in section 1 of the Disability Discrimination Act 1995;

"Relevant Premises" has the meaning given in paragraphs (a) and (b) of the definition in section 159 of the Act;

"Responsible Person" has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act (the relevant parts of which are attached to this licence).

Mandatory Condition - s19 of the Licensing Act 2003 - 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 licence, 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 authorised by a person who holds a personal licence

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014:

Mandatory Condition 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) 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).

Mandatory Condition 2

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

Mandatory Condition 3

- (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.

Mandatory Condition 4

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."

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2013 (MANDATORY CONDITIONS) ORDER 2014:

Mandatory Condition 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 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.

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. Non-standard timings for all licensable activities (including opening hours)

In this condition, permitted hours mean the hours stated above with the following exceptions:

- a. On New Year's Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.
- b. On Christmas Eve an extension to the terminal hour by one hour.
- c. Over Bank Holiday weekends, on the Friday, Saturday, Sunday and Monday, an extension to the terminal hour by one hour.

General Licensing Objectives

- a) We adopt strict policies in respect of Dress Code
- b) Searching all customers before entry
- c) Members of Pubwatch
- d) Security staff licensed
- e) CCTV in all key areas of the club

The prevention of crime and disorder

- a) All customers are searched before being allowed to enter the premises
- b) CCTV in all key areas of the club which are monitored by the security staff
- c) Licensed security staff who constantly monitor customer activities whilst in the club
- d) Members of Pubwatch
- e) There shall be no entry or re-entry of patrons to the premises after 02.30 (this is to include patrons wishing to exit out onto the street to smoke) and that this shall be advertised outside the premises.
- f) On Thursdays, Fridays and Saturdays, at least two door supervisors shall be outside at the front of the premises whilst patrons are queuing to enter and at least one door supervisor shall be outside at the front when the premises are closing until the last patron has left.

Public Safety

- a) All customers are searched before being allowed to enter the premises
- b) CCTV in all key areas of the club which are monitored by the security staff
- c) Licensed security staff who constantly monitor customer activities whilst in the club
- d) Members of Pubwatch
- e) Function room and toilets are constantly monitored by security staff and general staff members
- f) The maximum capacity of the licensed premises is: 240 Persons

The prevention of public nuisance

- a) All customers are searched before being allowed to enter the premises
- b) CCTV in all key areas of the club which are monitored by the security staff
- c) Licensed security staff who constantly monitor customer activities whilst in the club
- d) Members of Pubwatch

- e) Function room and toilets are constantly monitored by security staff and general staff members
- f) Customers are refused alcohol if the management feel that consumption of more alcohol will result in nuisance to the general public
- g) There shall be no entry or re-entry of patrons to the premises after 02.30 (this is to include patrons wishing to exit out onto the street to smoke) and that this shall be advertised outside the premises.
- h) On Thursdays, Fridays and Saturdays, at least two door supervisors shall be outside at the front of the premises whilst patrons are queuing to enter and at least one door supervisor shall be outside at the front when the premises are closing until the last patron has left.
- i) A noise limiting device shall be fitted and maintained in such a manner as to control all sources of amplified noise (including music and speech) at the premises to the satisfaction of an authorised officer of the responsible Environmental Health Authority. Specifically, this shall mean that amplified noise (including music and speech) from the premises shall not be audible within any residential accommodation between 21:00 and 09:00 daily. The noise limiting device shall be adjusted as necessary in accordance with any reasonable written requirement from the said officer.

The protection of children from harm

- a) No children are allowed in the premises except on the occasion of a private party
- b) Children are located in one area and monitored by a dedicated member of staff
- c) Children are supervised at all times.

Other Additional Conditions

- (a) To the extent that striptease is permitted by law, it shall be deemed in these conditions to apply to all forms of striptease, or nudity by male or female performers.
- (b) The striptease entertainment shall be given only by performers / entertainers who are engaged exclusively for that purpose and have been provided with a copy of the performance code of conduct by the Licensee.
- (c) Any performance will be restricted to dancing and the removal of clothes, there must not be any other form of sexual activity or the use of sex articles as defined in the Local Government (Miscellaneous Provisions) Act 1982.
- (d) There shall be no physical participation by any member of the audience or any other performer except as detailed in (e) below.
- (e) The only time any physical contact is allowed with a customer, is when the performer introduces him / herself (handshake / kiss on the cheek) at the start of the performance and again at the conclusion of the performance; or when a tip is placed in the garter (females) or arm band (males). There shall be no other form of contact.
- (f) Should a customer touch a performer, the performer may issue a verbal warning. If this happens again the performer shall immediately withdraw, and report the matter to the Duty Manager, who will take the appropriate action. At no time will the performer respond physically to such provocation. The Duty Manager, who if necessary may be supported by a Registered / Licensed Door Supervisor, will deal with the situation.
- (g) No performer shall give or accept telephone numbers from members of the audience.
- (h) To ensure that no performer makes any arrangement to meet a customer, they will be obliged to leave the venue by a separate exit, and utilise safe transport that will be approved or arranged by the management of the premises.
- (i) No performer shall be allowed to work if, in the judgement of the Management, they appear to be intoxicated, or under the influence of illegal substances.
- (j) No customer shall be admitted to the premises if, in the judgement of the Management, they appear to be intoxicated, or under the influence of illegal substances.
- (k) If performers are invited to have a drink with a customer the performer shall remain fully clothed during this period.

- (l) Performers shall be provided with changing room(s), which shall be located so as to be separate and apart from the public facilities.
- (m) Changing rooms are to include make up lighting, mirrors and seating.
- (n) No person other than performers and authorised staff shall be permitted in the changing room(s).
- (o) No spouse, partner, or friend of the performer shall be allowed in the performance area without the management's approval.
- (p) A notice outlining Condition (e) shall be clearly displayed at each customer's table and at the entrance to the premises.
- (q) On arrival each customer shall be made aware of the 'house rules'.
- (r) There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held on the premises.
- (s) Whilst striptease is taking place no customer under the age of 21 shall be allowed on any part of the premises licensed for the sale of alcohol and a notice shall be displayed in clear terms at each entrance that:-
 NO CUSTOMER UNDER 21 TO BE ADMITTED (Whilst striptease is taking place)
- (t) The Licensee shall ensure that gratuities are not thrown at any performer.
- (u) A clear copy of these conditions shall be exhibited at all times in or near the performers changing room(s). These conditions shall be protected against theft, vandalism or defacement.
- (v) On those days where the entertainment is by way of striptease, only those dancers engaged by the licensee of the premises or their representative shall be permitted to perform striptease.
- (w) All striptease entertainments shall only be performed in the area of the club as marked on the plans deposited with the Licensing Authority.
- (x) The entertainment / performance shall not be visible from the highway (includes footway).
- (y) Pole, tableside and booth striptease performers are to remain standing during a performance of striptease.
- (z) The premises will be equipped with a CCTV system, installed and maintained to the satisfaction of the Licensing Authority, who will be advised by Thames Valley Police. All cameras will continually record during striptease and nudity performances. The recordings will be kept for a minimum of 28 days, with accurate date and time markings. Recordings shall be made immediately available to a Police Officer or a duly authorised officer of the Licensing Authority.
- (aa) Other than the recordings made in accordance with Condition (z), no photographic, filming, recording or electronic transmission of performances shall take place without the prior consent of the Licensing Authority.
- (bb) The proprietor / director of the company is to ensure that prior to engagement, all performers provide document(s) proving that they are aged 21 years and over and document(s) proving that they are legally entitled to work in the UK. Such documents are to be copied and retained on the performers file.
- (cc) All performer files are to be retained for a period of 6 months after engagement, and made available to the statutory authorities upon request if required for investigative purposes.
- (dd) Where the proprietor / director employs performers from an agency, the performers must still provide the relevant documentation as required in Condition (bb). Details of agencies providing performers are to be made available to the statutory authorities upon request.

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

Not applicable.

Annex 4 – Plans

See attached.