



## LICENSING ACT 2003

### PREMISES LICENCE

#### Schedule 12

#### Part A

Premises licence number CYC - 009047
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#### Part 1 Premises details

Postal address of premises:

**Bar 38**  
**Coney Street**

Post town: **York**

Post code: **YO1 9QL**

Telephone number: 01904 674428

**Expiry date:** This licence has no expiry date.

#### Licensable activities authorised by the licence:

Live Music  
Recorded Music  
Performances of Dance  
Activities like music/dance  
Facility for making music  
Facilities for dancing  
Facility like music/dance  
Late Night Refreshment  
Supply of Alcohol

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

LIVE MUSIC

Indoors

Monday  
10:00 - 00:30

Tuesday  
10:00 - 00:30

Wednesday  
10:00 - 00:30

Thursday  
10:00 - 02:00

## ANNEX 3

Friday 10:00 - 02:00	Saturday 10:00 - 02:00	Sunday 10:00 - 02:00
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### RECORDED MUSIC

Indoors

Monday 10:00 - 00:30	Tuesday 10:00 - 00:30	Wednesday 10:00 - 00:30	Thursday 10:00 - 02:00
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Friday 10:00 - 02:00	Saturday 10:00 - 02:00	Sunday 10:00 - 02:00
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### PERFORMANCE OF DANCE

Monday 10:00-23:00	Tuesday 10:00-23:00	Wednesday 10:00-23:00	Thursday 10:00-24:00
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Friday 10:00-24:00	Saturday 10:00-24:00	Sunday 12:00-24:00
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### ACTIVITY LIKE MUSIC/DANCE

Indoors

Monday 10:00 - 00:30	Tuesday 10:00 - 00:30	Wednesday 10:00 - 00:30	Thursday 10:00 - 02:00
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Friday 10:00 - 02:00	Saturday 10:00 - 02:00	Sunday 10:00 - 02:00
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### FACILITY FOR MAKING MUSIC

Monday 10:00-23:00	Tuesday 10:00-23:00	Wednesday 10:00-23:00	Thursday 10:00-24:00
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Friday 10:00-24:00	Saturday 10:00-24:00	Sunday 12:00-24:00
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### FACILITIES FOR DANCING

Indoors

Monday 10:00 - 00:30	Tuesday 10:00 - 00:30	Wednesday 10:00 - 00:30	Thursday 10:00 - 02:00
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Friday 10:00 - 02:00	Saturday 10:00 - 02:00	Sunday 10:00 - 02:00
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### FACILITY LIKE MUSIC/DANCE

Monday 10:00-23:00	Tuesday 10:00-23:00	Wednesday 10:00-23:00	Thursday 10:00-24:00
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Friday 10:00-24:00	Saturday 10:00-24:00	Sunday 12:00-24:00
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**LATE NIGHT REFRESHMENT**

Indoors

Monday 23:00 - 01:30	Tuesday 23:00 - 01:30	Wednesday 23:00 - 01:30	Thursday 23:00 - 03:00
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Friday 23:00 - 03:00	Saturday 23:00 - 03:00	Sunday 23:00 - 03:00
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**SUPPLY OF ALCOHOL**

Monday 10:00 - 00:30	Tuesday 10:00 - 00:30	Wednesday 10:00 - 00:30	Thursday 10:00 - 02:00
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Friday 10:00 - 02:00	Saturday 10:00 - 02:00	Sunday 10:00 - 02:00
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Non Standard Timings for LIVE MUSIC, RECORDED MUSIC, ACTIVITY LIKE MUSIC/DANCE, FACILITIES FOR DANCING, LATE NIGHT REFRESHMENT, and SUPPLY OF ALCOHOL:

St David's Day, St Patrick's Day, St George's Day and St Andrew's Day 10:00 - 02:00 with seven days notice and agreement with the police.

Christmas Eve 10:00 - 02:00

From the end of permitted hours New Year's Eve to the start of permitted hours New Year's Day.

**The Opening Hours of the Premises**

Monday 09:00 - 01:30	Tuesday 09:00 - 01:30	Wednesday 09:00 - 01:30	Thursday 09:00 - 03:00
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Friday 09:00 - 03:00	Saturday 09:00 - 03:00	Sunday 09:00 - 03:00
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St David's Day, St Patrick's Day, St George's Day and St Andrew's Day 09:00 - 03:00 with seven days notice and agreement with the police.

Christmas Eve 09:00 - 03:00

From the end of permitted hours New Year's Eve to the start of permitted hours New Year's Day.

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

On and off the premises

**Part 2**

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

Name: TCG Acquisitions Limited

Address: Regus House  
Windmill Hill Business Park  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6QR

Telephone number: None

Email address: None

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

Private Limited Company 05562644

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

Name:

Address:

Telephone number:

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

City of York Council  
CYC-011911

**Annex 1 – Mandatory conditions**

**MANDATORY CONDITIONS WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL**

(1) In accordance with section 19 of the Licensing Act 2003, where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence -

(a) at a time where 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**MANDATORY CONDITION: DOOR SUPERVISION**

(1) In accordance with section 21 of the Licensing Act 2003, 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, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) 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).

(3) For the purposes of this section -

(a) 'security activity' means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(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.

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

For Regulated Entertainment consisting of Music and Dancing

- a) The licence holder shall attach a copy of the City Council's Rules for the Management of Places of Public Entertainment to the valid licence. This document shall form part of the licence.
- b) The licence holder shall ensure prompt compliance with any written report received from the City Council.
- c) The licence holder shall ensure prompt compliance with any written report received from North Yorkshire Fire and Rescue Service.
- d) The maximum occupancy of the licensed premises shall not exceed the following numbers at any time:  
  
Ground Floor - 300 persons  
First Floor - 100 persons
- e) There shall be no external speakers.
- f) All external doors to the riverside of the premises will be closed at 21:00.
- g) The main entrance doors will be kept closed at all times and only used for ingress and egress.

### **Licensing Objectives**

#### General

1. The premise will respect the Managements Companies Approach to Responsible Drinking

#### Prevention of Crime & Disorder

2. When door staff are used they be Security Industry Authority approved and operate in accordance with security industry guidelines.
3. A zero tolerance towards illegal drugs will be enforced at all times.
4. If a DJ is used on any night they will ask customers to leave quietly.
5. All instances of crime and disorder will be reported to the police and will be kept in an incident log book.
6. If the premise opens past 02:00 hours door supervisors shall be employed.

#### Public Safety

7. A health and safety policy is in place.
8. The policy is fully briefed and trained to all management and staff. Continued training of staff is undertaken to the standards required by relevant legislation.
9. Free drinking water will be available at all times.

Public Nuisance

10. Additional patrols will take place by members of staff, internally and externally to limit any noise pollution when entertainment is being offered within the premise.
11. Notices are displayed at exits asking customers to respect neighbours when leaving the premise.
12. No noise nuisance is to be caused by noise emanating from the premise.
13. No sound reproduction or amplification equipment (mechanical or electrical) shall be used in, or adjacent to any part of the building at anytime for the purpose of external use.
14. All doors and windows shall be closed after 23:00 hours when regulated entertainment is taking place.
15. The use of the beer garden shall be restricted to 23:00 hours Monday - Sunday.

Protection of Children from Harm

16. When children are allowed upon the premise, any entertainment offered within the premise will be suitable for young persons.
17. Children will be required to be supervised by accompanying adult at all times.
18. A no smoking area is provided.
19. A recognised proof of age policy is in place.

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

None

For and on behalf of  
The Director of Neighbourhood Services

Date: 20/09/2005  
1/11/2006 (DPS Variation)

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York  
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