



LICENSING ACT 2003

PREMISES LICENCE

Schedule 12

Part A

Part 1 Premises details

Premises licence number
CYC - 053022

Postal address of premises:

**8 The Crescent
Micklegate**

Post town: **York**

Post code: **YO24 1AW**

Telephone number: 01904 622510

Expiry date: This licence has no expiry date.

Licensable activities authorised by the licence:

Plays
Films
Indoor sporting events
Live Music
Recorded Music
Performances of Dance
Late Night Refreshment
Supply of Alcohol

ANNEX 2

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

PLAYS

Indoors

Monday 19:00 - 23:30	Tuesday 19:00 - 23:30	Wednesday 19:00 - 23:30	Thursday 19:00 - 23:30
Friday 19:00 - 23:30	Saturday 19:00 - 23:30	Sunday 19:00 - 23:30	

FILMS

Indoors

Monday 15:00 - 23:30	Tuesday 15:00 - 23:30	Wednesday 15:00 - 23:30	Thursday 15:00 - 23:30
Friday 15:00 - 23:30	Saturday 15:00 - 23:30	Sunday 15:00 - 23:30	

INDOOR SPORTING EVENTS

Monday 10:00 - 23:30	Tuesday 10:00 - 23:30	Wednesday 10:00 - 23:30	Thursday 10:00 - 23:30
Friday 10:00 - 23:30	Saturday 10:00 - 23:30	Sunday 10:00 - 23:30	

LIVE MUSIC

Indoors

Monday 15:00 - 23:30	Tuesday 15:00 - 23:30	Wednesday 15:00 - 23:30	Thursday 15:00 - 23:30
Friday 15:00 - 00:00	Saturday 15:00 - 00:00	Sunday 15:00 - 23:00	

RECORDED MUSIC

Indoors

Monday 10:00 - 00:00	Tuesday 10:00 - 00:00	Wednesday 10:00 - 00:00	Thursday 10:00 - 00:00
Friday 10:00 - 00:00	Saturday 10:00 - 00:00	Sunday 10:00 - 23:30	

PERFORMANCES OF DANCE

Indoors

Monday 18:00 - 23:30	Tuesday 18:00 - 23:30	Wednesday 18:00 - 23:30	Thursday 18:00 - 23:30
Friday 18:00 - 00:00	Saturday 18:00 - 00:00	Sunday 18:00 - 23:30	

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LATE NIGHT REFRESHMENT

Indoors

Monday 23:00 - 00:00	Tuesday 23:00 - 00:00	Wednesday 23:00 - 00:00	Thursday 23:00 - 00:00
Friday 23:00 - 00:00	Saturday 23:00 - 00:00	Sunday 23:00 - 23:30	

SUPPLY OF ALCOHOL

Monday 10:00 - 00:00	Tuesday 10:00 - 00:00	Wednesday 10:00 - 00:00	Thursday 10:00 - 00:00
Friday 10:00 - 00:00	Saturday 10:00 - 00:00	Sunday 10:00 - 23:30	

Non Standard Timings

Films:

Halloween, Christmas Eve, New Year's Eve until 00:30

Live Music:

Bank Holiday Weekends, Halloween, Christmas Eve, New Year's Eve until 01:00

Recorded Music, Performances of Dance, Late Night Refreshment & Supply of Alcohol:

Bank Holiday Weekends, Halloween, Christmas Eve, New Year's Eve until 01:30

The Opening Hours of the Premises

Monday 07:00 - 00:30	Tuesday 07:00 - 00:30	Wednesday 07:00 - 00:30	Thursday 07:00 - 00:30
Friday 07:00 - 01:00	Saturday 07:00 - 01:00	Sunday 07:00 - 00:00	

Non Standard Timings:

Bank Holiday weekends, Halloween, Christmas Eve, New Year's Eve until 02:00

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

On the premises only

Part 2

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

Name: Three Little Birds LLP

Address: Flat 3
8 The Crescent
York
YO24 1AW

Telephone number: None

Email address: bob.morwood.leyland@gmail.com

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

OC395158

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

Name: Mr Robert James Joseph Morwood-Leyland

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
CYC052190

Annex 1 – Mandatory conditions

MANDATORY CONDITIONS IN RELATION TO THE 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.

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4. (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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (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.
7. 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

MANDATORY CONDITION - ALCOHOL PRICING

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 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.

MANDATORY CONDITION: DOOR SUPERVISION

1. In accordance with section 21 of the Licensing Act 2003 (as amended by section 25 Violent Crime Reduction Act 2006), 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 –
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
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 –

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- (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 which is licensable conduct for the purposes of that Act (see section 3(2) of that Act), 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.

MANDATORY CONDITION: EXHIBITION OF FILMS

1. In accordance with section 20 of the Licensing Act 2003, 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.

2. 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.

3. 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.

4. 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).

Annex 2 – Conditions consistent with the operating schedule

Licensing Objectives

Prevention of Crime & Disorder

1. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.
2. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.
3. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises and entrances/exits & outside designated smoking areas (excluding toilets).
4. The CCTV system recordings must be kept for a minimum of 28 days.
5. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.

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6. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or Responsible Authority.
7. All CCTV recordings will have sufficient clarity, quality, definition to allow facial recognition.
8. Door Supervisors shall wear their SIA badge on their outer clothing at all times when on duty. There shall be a minimum of two door supervisors for up to 200 occupancy on duty at the premises from 21:00hrs to close of business on Friday and Saturday nights, on Bank Holidays, and on days of York Races. (Only applicable if venue will be open after midnight). Thereafter there shall be one SIA door supervisor per 100 additional people or part thereof.
9. When door supervisors are on duty they shall sign in and out of the premises log book, providing full details of their name and SIA number.
10. Whenever door supervisors are on duty they must keep a count of the number of persons inside the premises and written records of these figures must be kept for at least one calendar month. (For the avoidance of doubt, the one month period relates to each respective count taken and the period runs from the date of each particular record).
11. The premises DPS is responsible for risk assessing the numbers of door personnel required at the venue. Special consideration should be given to the need for additional door staff on York Racedays, Fridays, Saturdays or bank holidays or other locally or nationally significant events.
12. The Duty Manager is responsible for ensuring that sufficient staff are employed at the entrance to the premises at all times to minimise the impact of customers queuing outside the premises and for the safe passage by non-customers passing the premises.
13. The premises shall possess and use the local night-time economy radio system (where this system is in operation). The radio shall be turned on and used by staff at the premises at all times the venue is open for licensable activities.
14. Appropriate risk assessments will be carried out specific to the type of event being held at the premises.
15. The General Manager or Assistant General Manager will be on the premises at all times.
16. A Refusal Register/Incident Report book shall be maintained for the premises.
17. Such registers will record incidents of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. They shall be kept for a minimum of one year. (For the avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in Register).
18. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-
 - retail sale of alcohol;
 - age verification policy;
 - conditions attached to the Premises Licence;
 - permitted licensable activities;
 - the licensing objectives; and
 - opening times for the venue.

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These records shall be kept for a minimum of one year. (For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry).

19. All managers and door supervisors shall be in radio communication with each other at all times to ensure a swift response to incidents on the premises. The management is responsible for ensuring that radios are maintained in a good working order at all times.

20. Customers who refuse to be searched, as a condition of entry, shall be refused entry to the premises.

21. A door entry policy will be in place, which includes procedures for search and seizure of weapons and illegal substances.

22. Customers shall not be permitted to take their drinks outside of the premises.

23. The venue shall operate Challenge 25 age verification policy & display posters confirming such in prominent locations at the entrance & points of sale for alcohol.

Public Nuisance

24. Prominent, clear and legible notices shall be displayed on all fire exits stating that fire exits are for emergency use only.

25. All doors (except for ingress or egress) and windows shall remain closed when live and recorded music is being played.

26. Regular checks of the noise levels shall be made at the nearest residential premises when live and recorded music is being played. All noise level checks to be logged and any issues addressed immediately. Records of noise level checks to be made available for inspection by officers of the City of York Council.

27. A direct contact number for the duty manager shall be made available to residents living in the vicinity of the premises on request.

28. Signs shall be displayed near the exits reminding members and guests to respect the needs of those living nearby and to leave the premises as quietly as possible.

29. Staff training shall be given and documented regarding control of noise and the related licence conditions. Records of training shall be kept for 3 years.

30. Bottle Bins shall not be emptied between 18:00 and 08:00 on each and everyday.

Protection of Children from Harm

31. The venue will operate a personal ID stamp or wrist band scheme for those over 18 years of age for the purpose of age identity when buying alcohol.

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

No hearing held

Annex 4 – Approved Plan

Plan Number: BS1085-03, BS1085-04, BS1085-05 & BS1085-06

For and on behalf of
The Director of Communities
& Neighbourhoods

Date: 01/05/2015
06/06/2016 (Registered Address Updated)

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YO10 3DS

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