

# PREMISES LICENCE

# Schedule 12 Part A

Part 1 Premises details

Premises licence number CYC - 008849

Postal address of premises:

Kuda

12 Clifford Street

Post town: York

Post code: YO1 9RD

Telephone number: 01904 647947

Expiry date: This licence has no expiry date.

### Licensable activities authorised by the licence:

Films

Boxing or Wrestling

Live Music

Recorded Music

Performances of Dance

Late Night Refreshment

Supply of Alcohol

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

FILMS Indoors

Monday

Tuesday

Wednesday

Thursday

11:00 - 04:00

11:00 - 04:00

11:00 - 04:00

11:00 - 04:00

11:00 - 04:00

Friday

Saturday 11:00 - 04:00 Sunday

11:00 - 04:00

## BOXING OR WRESTLING Indoors

			.*		
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			
LIVE MUSIC Indoors					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			
RECORDED MUSIC Indoors					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			
PERFORMANCES OF DANCE Indoors					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			
LATE NIGHT REFRESHMENT Indoors					
Monday	Tuesday	Wednesday	Thursday		
23:00 - 04:00	23:00 - 04:00	23:00 - 04:00	23:00 - 04:00		
Friday	Saturday	Sunday			
23:00 - 04:00	23:00 - 04:00	23:00 - 04:00			
SUPPLY OF ALCOHOL					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			

Non Standard Timings for Films, Boxing or Wrestling, Live Music, Recorded Music, Performances of Dance, Late Night Refreshment and Supply of Alcohol:

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

An additional hour to the standard and non-standard times on the day when British Summertime commences.

### The Opening Hours of the Premises

Monday

Tuesday

Wednesday

Thursday

11:00 - 04:30

11:00 - 04:30

11:00 - 04:30

11:00 - 04:30

11:00 - 04:30

Friday

Saturday

Sunday

11:00 - 04:30

11:00 - 04:30

Non Standard Timings:

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

An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

On the premises

### Part 2

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

Name:

Grantside (North Star Central Ltd)

Address:

Middlethorpe Manor

Middlethorpe

York

YO23 2QB

Telephone number: None

Email address: None

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

12669577

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

Name:

TBA

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:

**TBA** 

### **Annex 1 - Mandatory conditions**

MANDATORY CONDITIONS: 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.
- 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;

- 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
- 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 –
- the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- 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 -
  - 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**

#### General

1. This licence excludes any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Prevention of Crime & Disorder

- 2. Toughened glass is used in the premises.
- 3. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:
  - operation of the CCTV system (including the downloading of evidence);
  - 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.
- 4. All members of bar staff will receive training in the Award for Responsible Alcohol Retailing within three months of the grant of the minor variation incorporating this condition on the Premises Licence. Any new members of staff will receive such training within three months of them starting work at the premises with such records being 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].
- 5. The venue shall partake in the Nightime Economy radio system. The radio shall be turned on and carried by the Duty Manager (or the Door Supervisor situated at the front entrance when deployed) at all times the venue is open for business.
- 6. There shall be a separate radio system in use at the venue. All members of Door Staff; one member of staff behind each bar; the staff deployed as per Condition 17 (below); and the General Manager shall use this radio channel in order to communicate with each other at all times.

- 7. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities takes place and at any other times where members of the public are present on the premises and will cover all areas where public have access to consume alcohol.
- 8. The CCTV will cover areas that are inadequately lit.
- 9. There shall be an additional two cameras covering the front of the venue, specifically the front entrance and areas where patrons congregate ie the taxi rank queue and the queue to enter the venue.
- 10. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.
- 11. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets).
- 12. The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage of retention capacity for a minimum of 28 days consecutive footage.
- 13. 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.
- 14. The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.
- 15. 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.
- 16. SIA Door Supervisors shall be provided at the venue at a ratio of one Door Supervisor per 100 customers present, plus one additional Door Supervisor at all times the venue operates (including any youth related event). The Door Supervisors shall wear high visibility bibs or jackets at all times when working outside the venue, and a high visibility armband when working inside the premises. The Door Supervisors shall display their SIA licence in the high visibility armband when working. There shall be at least two of the aforementioned Door Supervisors positioned at the front entrance of the venue at all times the venue is open for business.
- 17. There shall be two members of staff wearing clothing to distinguish them from the inside of the venue looking for any drunken customers, incidents of crime, collecting glasses and carrying out the light patrol. These members shall also use the radio system as described in Condition 6.
- 18. On any occasion when any alcoholic drink is sold at less than the price of £1.20, then unless otherwise agreed with North Yorkshire Police:
  - a) An occupancy figure of 500 persons will be observed by the Premises Licence Holder to ensure that the licensing objective "the prevention of crime and disorder" is not undermined; and
  - b) The times for licensable activities will be reduced to 02:00 hours with the opening hours of the Premises reduced to 02:30 hours.
- 19. Substantial barriers shall be placed outside the front entrance of the venue one hour before the venue is due to close.

- 20. There shall be two members of staff wearing high visibility bibs or jackets deployed outside the venue one hour before the venue is due to close. These staff members shall remain in place for 30 minutes after the last customer leaves the venue.
- 21. An Incident Report Register will be kept and made available upon a reasonable request from any Responsible Authority and will be kept for at least one year. The Incident Report Register will contain consecutively numbered pages in a bound format and include the following:
  - a) Full details of the SIA Door Staff deployed. This will include names and licence numbers of the Door Staff:
  - b) Full details of the staff members deployed;
  - c) Details of all instances where staff have refused service to customers at the venue for any reason;
  - d) Details of all searches undertaken by the Door Staff whether the search results in any substance being found or is a negative search;
  - e) Details of any incident involving anti-social behaviour, injury and ejections at the venue and will cover the following points:
  - time/date
  - location within the venue
  - names of staff members or Door Staff involved in the incident
  - details of any Police Officer who attended the incident (the main Officer in the case will suffice should there be a number of Officers attend)
  - full details of any witnesses to the incident
  - full details/report of the incident in question

### Public Safety

- 22. A person trained in first aid will be at the venue who will have received training in any problems associated with alcohol and drug misuse.
- 23. A qualified first aider shall be present throughout any sporting entertainment involving boxing, wrestling, judo, karate or sport of a similar nature.
- 24. Where a ring is used it will be constructed by a competent person and shall be inspected by a competent authority before use and any material used to form the skirt of the ring shall be flame retardant.
- 25. The seating layout shall be agreed with the appropriate authorities.

### Public Nuisance

- 26. Noise or vibration from the premises shall not emanate, so as to cause a nuisance outside the facade of the nearest residential premises on Friargate or Kings Staith.
- 27. Notices shall be placed on exit doors to remind customers that there are residential premises in the area and to be quiet when leaving the property or using the smoking area.
- 28. When regulated entertainment in the form of recorded music is provided at the premises, doors and windows shall remain closed other than for ingress or egress.
- 29. Prominent, clear and legible notices shall be displayed on all fire exits stating that fire exits are for emergency use only.
- 30. Noise monitoring logs will be kept when entertainment activities are taking place.

- 31. From 23:00 hours documented patrols shall be carried out by members of staff at no less than hourly intervals during the hours of opening to the public. These checks shall be undertaken outside the building to the front and rear to check for noise from inside the premises and noise from customers outside the venue to ensure compliance with Condition 26 The findings of the patrols to be recorded in the noise monitoring log kept in accordance with Condition 30 and any action taken as a result of that patrol shall also be entered into the noise monitoring log.
- 32. A direct contact number for the duty manager shall be made available to residents living in the vicinity of the premises on request.

#### Protection of Children from Harm

- 33. A person under the age of 18 years will only visit the venue with a responsible adult usually for the purpose of dining unless there is an event especially organised for the youth market. Unaccompanied persons under the age of 18 are not welcome in the venue except at events especially organised for the youth market.
- 34. The venue intends to have specially organised events for the youth market when the venue will adhere to the following Company Policies:
- a) Admission Policy
- b) General Policies Statement
- c) Code of Conduct for Staff Statement and
- d) Child Protection Policy

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

- 1. There shall be no off sales.
- 2. A complaints procedure shall be clearly displayed within the premises.
- 3. The smoking terrace shall be marshalled at all times during its opening hours and the marshal shall control any noise and anti-social behaviour of the patrons.
- 4. No amplified or sound generating equipment shall be used in or on the smoking terrace.
- 5. No drinks are to be taken onto the smoking terrace.
- 6. When the smoking terrace at the rear, intermediate floor level, is used no more that 10 patrons are to be permitted at any one time.
- 7. Last entry to the venue shall be no later than 03:00 hours
- 8. A Fire Safety Risk Assessment will be in place and reviewed at least once a year. The Risk Assessment will be held on the premises and available for inspection by Responsible Authorities at all times. The maximum capacity of the licensed premises will not exceed the capacity stipulated within the risk assessment. This capacity will be clearly displayed within the front entrance lobby of the premises at all times.
- 9. A Dispersal Policy should be agreed with the Council's Licensing Department, and include the Neighbours Charter. The Neighbours Charter shall include details of the relevant Council departments (i.e. Licensing Department and Noise Patrol) and should be distributed annually to all properties as per the area identified within the dispersal policy.

### Annex 4 – Approved Plan

Plan Number

9530

For and on behalf of The Director of Economy & Place

Licensing Services
Hazel Court EcoDepot
James Street
York
YO10 3DS

Date: 21/09/2005

19/03/2021 (Transfer)

Phone: 01904 552422 Fax: 01904 551590

Email: licensing@york.gov.uk

Website: www.york.gov.uk/licensing



### PREMISES LICENCE SUMMARY

### Part B

### Part 1 Premises details

Premises licence number CYC - 008849

Postal address of premises:

Kuda

12 Clifford Street

Post town: York

Post code: YO1 9RD

Telephone number: 01904 647947

### Where the licence is time limited the date:

This licence has no expiry date.

### Licensable activities authorised by the licence:

Films
Boxing or Wrestling
Live Music
Recorded Music
Performances of Dance
Late Night Refreshment
Supply of Alcohol

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

FILMS Indoors

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Tuesday

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11:00 - 04:00

11:00 - 04:00

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Saturday

Sunday

11:00 - 04:00

11:00 - 04:00

11:00 - 04:00

### BOXING OR WRESTLING

Inc	loors

Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00			
LIVE MUSIC Indoors					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
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PERFORMANCES OF DANCE Indoors					
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Friday	Saturday	Sunday			
23:00 - 04:00	23:00 - 04:00	23:00 - 04:00			
SUPPLY OF ALCOHOL					
Monday	Tuesday	Wednesday	Thursday		
11:00 - 04:00	11:00 - 04:00	11:00 - 04:00	11:00 - 04:00		
Friday	Saturday	Sunday			
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Non Standard Timings for Films, Boxing or Wrestling, Live Music, Recorded Music, Performances of Dance, Late Night Refreshment and Supply of Alcohol:

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

An additional hour to the standard and non-standard times on the day when British Summertime commences.

### The Opening Hours of the Premises

Monday

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Thursday

11:00 - 04:30

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Friday

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Non Standard Timings:

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

An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

On the premises

### Name and (registered) address of holder of premise licence:

Name:

Grantside (North Star Central Ltd)

Address:

Middlethorpe Manor

Middlethorpe

York

YO23 2QB

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

12669577

Name of designated premises supervisor where the premise licence authorises the supply of alcohol:

TBA

### State whether access to the premises by children is restricted or prohibited

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.

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.

#### 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.

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).

A person under the age of 18 years will only visit the venue with a responsible adult usually for the purpose of dining unless there is an event especially organised for the youth market. Unaccompanied persons under the age of 18 are not welcome in the venue except at events especially organised for the youth market.

The venue intends to have specially organised events for the youth market when the venue will adhere to the following Company Policies:

- a) Admission Policy
- b) General Policies Statement
- c) Code of Conduct for Staff Statement and
- d) Child Protection Policy

For and on behalf of The Director of Economy & Place

Licensing Services
Hazel Court EcoDepot
James Street
York
YO10 3DS

Date: 21/09/2005

19/03/2021 (Transfer)

Phone: 01904 552422 Fax: 01904 551590

Email: licensing@york.gov.uk

Website: www.york.gov.uk/licensing

