



LICENSING ACT 2003

PREMISES LICENCE

Schedule 12

Part A

Part 1 Premises details

Premises licence number
CYC - 009433

Postal address of premises:

**Museum Gardens
Museum Street**

Post town: York

Post code: **YO1 7FR**

Telephone number: 01904 687687

Expiry date: This licence has no expiry date.

Licensable activities authorised by the licence:

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

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

PLAYS

Indoors and Outdoors

Monday
09:00-22:30

Tuesday
09:00-22:30

Wednesday
09:00-22:30

Thursday
09:00-22:30

Friday
09:00-22:30

Saturday
09:00-22:30

Sunday
09:00-22:30

FILMS

Indoors and Outdoors

Monday 09:00-22:30	Tuesday 09:00-22:30	Wednesday 09:00-22:30	Thursday 09:00-22:30
Friday 09:00-22:30	Saturday 09:00-22:30	Sunday 09:00-22:30	

LIVE MUSIC
Indoors and Outdoors

Monday 09:00-22:30	Tuesday 09:00-22:30	Wednesday 09:00-22:30	Thursday 09:00-22:30
Friday 09:00-22:30	Saturday 09:00-22:30	Sunday 09:00-22:30	

RECORDED MUSIC
Indoors and Outdoors

Monday 09:00-22:30	Tuesday 09:00-22:30	Wednesday 09:00-22:30	Thursday 09:00-22:30
Friday 09:00-22:30	Saturday 09:00-22:30	Sunday 09:00-22:30	

PERFORMANCES OF DANCE
Indoors and Outdoors

Monday 09:00-22:30	Tuesday 09:00-22:30	Wednesday 09:00-22:30	Thursday 09:00-22:30
Friday 09:00-22:30	Saturday 09:00-22:30	Sunday 09:00-22:30	

LATE NIGHT REFRESHMENT
Indoors and Outdoors

For the duration of the York Mystery Plays and Illuminating York only 23:00 until 00:00.

SUPPLY OF ALCOHOL

Monday 11:00-22:45	Tuesday 11:00-22:45	Wednesday 11:00-22:45	Thursday 11:00-22:45
Friday 11:00-22:45	Saturday 11:00-22:45	Sunday 11:00-22:45	

The Opening Hours of the Premises

Monday 07:00-23:00	Tuesday 07:00-23:00	Wednesday 07:00-23:00	Thursday 07:00-23:00
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Friday
07:00-23:00

Saturday
07:00-23:00

Sunday
07:00-23:00

For the duration of the York Mystery Plays and Illuminating York only 09:00 until 00:00

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 premises licence:

Name: York Museums Trust

Address: St Marys Lodge
Marygate
York
YO30 7DR

Telephone number: 01904 687687

Email address: richard.saward@ymt.org.uk

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

Name: Mr Richard Saward

Address: [REDACTED]

Telephone number: None

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

Wakefield MDC
PA 2747

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.
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: 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).

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.

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. A draft of the Event Management Plan (EMP) will be produced 2 months prior to an event and will be submitted to the Licensing Authority and all the members of the Safety Advisory Group (SAG). This shall include a noise management plan and dispersal policy. Following consultation with the SAG, the Licensing Authority shall notify the premises licence holder in writing that the draft EMP is acceptable or unacceptable before the event takes place. An event shall not take place until the draft Event Management Plan has been agreed by the Licensing Authority in consultation with the SAG. Once agreed no change shall be made to the draft EMP without the agreement of the Licensing Authority or Police.

3. The Premises Licence Holder shall give at least 28 days written notification of ANY event that involves the retail sale of alcohol to North Yorkshire Police and the Licensing Authority. For the purpose of clarity the 28 days notification shall not include the first day of the event or the date of notification.

4. The venue shall partake in the York radio scheme.

5. Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-

- retail sale of alcohol
- age verification policy
- conditions attached to the Premises Licence
- permitted licensable activities
- the licensing objectives and
- the opening times of the venue.

Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.

This training shall be refreshed every 12 months as a minimum.

Public Nuisance

6. Prominent signage will be displayed asking customers to leave the area quietly.

7. A litter pickup and waste removal from the site will not be undertaken until the morning after an event takes place.

8. Live and recorded music and performance of dance which meets the definition of Regulated Entertainment within the licensing Act 2003, shall only be permissible on a maximum of 6 days per calendar year.

9. A documented noise management plan shall be submitted to and approved by the Environmental Protection team of City of York Council within 1 month of the licence being granted. The noise management plan shall include a procedure for investigating noise complaints about the premises. Once agreed the premises Manager shall ensure compliance with all aspects of the approved noise management plan.

Protection of Children from Harm

10. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals of alcohol sales to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.

Such records shall be kept for at least one year. [For the avoidance of doubt, the one-year period relates to each respective entry in the logbook and runs from the date of that particular entry]: They will be made available immediately upon a reasonable request from any responsible authority.

11. The licence holder will operate a Challenge 25 Age Verification Policy at the premises. The only acceptable proof of age identification shall be a current Passport, photo card Driving Licence, Military ID card, or identification carrying the PASS logo (until other effective identification technology e.g., thumb print or pupil recognition, is adopted by the Premises Licence Holder).

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

No hearing held

Annex 4 – Approved Plan - Plan Number Dated 17 Sep 2012



For and on behalf of
The Director of
Environment, Transport and Planning

Date: 27 September 2005
5 August 2024 (DPS Variation)

Licensing Services
Hazel Court Eco Depot
James Street, York
YO10 3DS

Phone: 01904 552422
Email: licensing@york.gov.uk
Website: www.york.gov.uk/licensing

PREMISES LICENCE SUMMARY

Part B

Premises licence number
CYC - 009433

Part 1 Premises details

Postal address of premises:

**Museum Gardens
Museum Street**

Post town: **York**

Post code: **YO1 7FR**

Telephone number: 01904 687687

Where the licence is time limited the date:

This licence has no expiry date.

Licensable activities authorised by the licence:

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

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

PLAYS

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For the duration of the York Mystery Plays and Illuminating York only 09:00 until 00:00

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 premises licence:

Name: York Museums Trust

Address: St Marys Lodge
Marygate
York
YO30 7DR

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

Richard Saward

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 challenge 25 ploicy will be in operation


For and on behalf of
The Director of
Environment, Transport and Planning

Date: 27 September 2005
5 August 2024 (DPS Variation)

Licensing Services
Hazel Court Eco Depot
James Street, York
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