



LICENSING ACT 2003

PREMISES LICENCE

Schedule 12

Part A

Part 1 Premises details

Premises licence number CYC - 009095

Postal address of premises:

Bohemia
127 Micklegate

Post town: York

Post code: **YO1 6LB**

Telephone number: None

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 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

RECORDED MUSIC

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

PERFORMANCES OF DANCE

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

ACTIVITIES LIKE MUSIC/DANCE

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

FACILITY FOR MAKING MUSIC

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

FACILITIES FOR DANCING

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

FACILITY LIKE MUSIC/DANCE

Indoors

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

LATE NIGHT REFRESHMENT

Indoors

Monday 23:00 - 03:30	Tuesday 23:00 - 03:30	Wednesday 23:00 - 03:30	Thursday 23:00 - 03:30
Friday 23:00 - 03:30	Saturday 23:00 - 03:30	Sunday 23:00 - 03:30	

SUPPLY OF ALCOHOL

Monday 10:00 - 03:30	Tuesday 10:00 - 03:30	Wednesday 10:00 - 03:30	Thursday 10:00 - 03:30
Friday 10:00 - 03:30	Saturday 10:00 - 03:30	Sunday 10:00 - 03:30	

Non Standard Timings for 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 and Supply of Alcohol:

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

From the start of permitted hours New Years Eve to the end of permitted hours New Years Day.

The Opening Hours of the Premises

Monday 10:00 - 04:00	Tuesday 10:00 - 04:00	Wednesday 10:00 - 04:00	Thursday 10:00 - 04:00
Friday 10:00 - 04:00	Saturday 10:00 - 04:00	Sunday 10:00 - 04:00	

Non Standard Timings:

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

From the start of permitted hours New Years Eve to the end of permitted hours New Years 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 premise licence:

Name: Mr Hon Son Poc

Address: Flat 4
29 Walmgate
York
YO1 9TX

Telephone number: None

Email address: None

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

Name: Mr Hon Son Poc

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-011016

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.
4. – (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
4. – (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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. – (1) The premise licence holder or club premise certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

7. – (2) 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 a holographic mark.

8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.

Embedded Restrictions

Recorded Music

Recorded music may be played throughout the premises without limitation in line with previous provisions as set out in Section 182 of the Licensing Act 1964.

Annex 2 – Conditions consistent with the operating schedule

Licensing Objectives

General

1. Entertainment of an adult nature and performances of lap dancing are permitted in accordance with the conditions attached at Annex 3

Prevention of Crime & Disorder

2. Staff will be trained to the standards required by relevant legislation.

3. A personal licence holder will be on the premise at all times the sale of alcohol is taking place.

4. Receptacles for the disposal of glass and other sharp objects will be provided on the premise.

5. Criminal conduct will be discouraged, in particular the use of illegal substances by displaying notices in and at the entrances to the premise. Notices will state "Entry will be refused to any person who is drunk, threatening or violent. Entry may be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use of or distribution of illegal substances at a licensed venue. Evidence may be recorded on imaging equipment for CCTV and offences will be reported to the police."

6. Offences outside the premise will be discouraged, if an offence takes places the police will be informed at the earliest opportunity.

7. The licence holder will operate a Licensees Association (Pubwatch) or other licensees representative body.

8. An incident log will be kept of full details of the circumstances surrounding any seizure of drugs or articles taken as a consequence of a criminal offence or other incidents. Any retained items which may be required as evidence will be brought to the attention of the police.

9. Suitable receptacles will be provided in accordance with the police guidance for the safe retention of illegal substances and inform the police to arrange appropriate disposal.

10. An appropriate proof of age scheme will be in operation in accordance with guidance issued by North Yorkshire Police.

Public Safety

11. The total occupancy of the premises should not exceed 350 persons.

12. Members of staff have first aid training and treatment is available on the premise.

13. The premise will be managed by a sufficient number of staff at all times.

Public Nuisance

14. Door supervisors will take reasonable steps to prevent the removal of glasses and bottles taken away from the premise.

15. Queues will be monitored by door supervisors and any person who is causing a nuisance or who appears intoxicated will not be allowed into the premise and will be asked to leave the queue.

Protection of Children from Harm

16. No person under the age of 18 will be admitted to the premise.

For Regulated Entertainment consisting of Recorded Music:

a) The licence holder shall ensure prompt compliance with any written report received from the City Council.

b) The licence holder shall ensure prompt compliance with any written report received from North Yorkshire Fire and Rescue Service.

c) Bottle bins will not be emptied after 23:00 hours.

d) The inner main entrance doors will be closed at 22:00 hours and only used for ingress and egress.

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

1. A dispersal policy and procedure shall be agreed in writing with the local Licensing Authority.

2. No off sales to take place after 02:30 hours on each and every day.

3. There will be no admissions allowed after 03:00 hours.

Additional Conditions for Lap Dancing and Adult Entertainment

4. The premise will be conducted in a decent, sober and orderly manner at all times. Steps will be taken to ensure that none of the following takes place:

a. indecent behaviour including sexual intercourse;

b. the offer of any sexual or other indecent service for reward;

c. unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971;

d. any acts of violence against persons or property and/or the attempt or threat of such act likely to cause a breach of the peace.

5. No one under the age of 18 shall be permitted to enter the premises (or remain on the premises) whilst entertainment of an adult nature is being provided.

6. All performers shall be over 18 years of age.

7. Notices to be displayed within the premises and at the entrance informing customers of the "House Rules" that affect them and a warning that "adult entertainment" is provided within the premises.

8. Written information shall be given to the dancers/entertainers advising them of the house rules for performers and customers and possible consequences of failure to comply.

9. Adult entertainment shall not take place in a location that could be viewed from outside the premises.

10. Advertising of adult entertainment either on the premises or otherwise shall not include any photographs or images which indicate that entertainment involving nudity or sexual performance takes place on the premises.

11. CCTV for both monitoring and recording shall be installed, maintained and operated in accordance with Data Protection guidelines and will cover all areas where dancing takes place. All cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a period of 28 days with times and dates indicated. These recordings shall be kept secure and shall be made available to an authorised officer of the Local Authority or a Police Officer on request.

12. Performers shall be provided with separate dressing/changing rooms which shall be located so as to be separate and set apart from the public facilities. No person other than performers and authorised staff will be allowed in or near the dressing/changing room. Safe and controlled access to the dressing/changing room will be maintained at all times.

13. There shall be at least one female member of staff authorised to be responsible for the safety and welfare of the performers.

14. Door Supervisors shall be positioned at all entrances to the premises throughout the performance and shall be present in the room/area in which the performance takes place.

15. Dance entertainment shall be given only by performers/entertainers who are engaged exclusively for that purpose. Audience participation shall not be permitted.

16. Dance entertainment shall only be performed in the areas of the club as marked on the plans deposited with the Licensing Authority and with the Authority's approval. These areas can only be changed with the approval of the Licensing Authority.

17. If performers are invited to have a drink with a customer, the performer will remain fully clothed during this period. Performers will not be paid commission on the sale of beverages.

18. On leaving the premise performers will be escorted to their transport by a door supervisor.

19. Adult entertainment shall not take place before 21:00 hours.

20. Adult entertainment shall not take place on a Sunday as the premise is located near several places of religious worship.

21. The premises licence holder shall ensure that the house rules for both customers and performers are strictly adhered to.

House Rules (Customers)

1. Dancers may only dance to seated customers.

2. Customers must remain clothed at all times.

3. Dancers must not be touched by the customer while they are dancing except for the placing of gratuities into the hand or garter of the dancer at the beginning or conclusion of the performance.

4. No person shall take any video recordings or photographs by any means of the authorised adult entertainment.

5. No persons other than performers and authorised staff shall be permitted in the dressing/changing rooms.

6. Dancers shall re-dress at the conclusion of the performance.

7. Customers who fail to comply with these rules shall be removed from the premise by the management or security staff

8. No customers shall be admitted to the premises or allowed to remain on the premises if they appear to be intoxicated or unruly.

9. The duty manager and security staff will ensure that all customers and performers adhere to the house rules.

House Rules (Performers)

1. All performers shall be over 18 years of age. Prior to engagement all performers will provide documentation that they are aged 18 years or over. Checks will be made to make sure the necessary legal work permits to work in the United Kingdom are in place. Should performers be employed from an agencies the same checks will be carried out. Management shall keep written record of these checks which shall be available to authorised officers of the council and the Police.

2. No performer shall be allowed to work, if under the judgement of the management, they appear to be intoxicated or under the influence of illegal substances.

3. No performance shall involve the use of sex articles (as defined in the Local Government (Miscellaneous Provisions) Act 1982).

4. Performers shall not use any props or clothing in the act which portrays them as a minor.

5. Garters worn for the collection of gratuities shall be situated no higher than mid-thigh.

6. Dancers shall re-dress at the conclusion of the performance and are to remain clothed (minimum bikini top and bottoms) at all times except when giving a performance.

7. Performances of adult nature must be restricted to the designated areas.

8. All staff and performers are forbidden to give personal details including real name and address or other contact details of any

other performer or staff member to a customer. Performers are strongly advised not to pass their own personal details to customers.

9. The duty manager and security staff will ensure that all customers and performers comply with the house rules.

For and on behalf of
The Director of Communities
& Neighbourhoods

Date: 07/09/2005
11/06/2007 (Variation)

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