



LICENSING ACT 2003

PREMISES LICENCE

Schedule 12

Part A

Premises licence number
CYC - 008849

Part 1 Premises details

Postal address of premises:

Gallery
12 Clifford Street

Post town: **York**

Post code: **YO1 1RD**

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
Facility for making music
Facilities for dancing
Late Night Refreshment
Supply of Alcohol

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

FILMS

Indoors

Monday
11:00 - 03:00
Tuesday
11:00 - 03:00
Wednesday
11:00 - 03:00
Thursday
11:00 - 03:00

LIVE MUSIC

Indoors

Monday
11:00 - 03:00
Tuesday
11:00 - 03:00
Wednesday
11:00 - 03:00
Thursday
11:00 - 03:00

RECORDED MUSIC

Indoors

Monday
11:00 - 04:00
Tuesday
11:00 - 04:00
Wednesday
11:00 - 04:00
Thursday
11:00 - 04:00

Friday
11:00 - 03:00
Saturday
11:00 - 03:00
Sunday
11:00 - 03:00

Friday
11:00 - 03:00
Saturday
11:00 - 03:00
Sunday
11:00 - 03:00

Friday
11:00 - 04:00
Saturday
11:00 - 04:00
Sunday
11:00 - 04:00

**PERFORMANCE OF
DANCE**

Indoors

Monday
11:00 - 03:00
Tuesday
11:00 - 03:00
Wednesday
11:00 - 03:00
Thursday
11:00 - 03:00
Friday
11:00 - 03:00
Saturday
11:00 - 03:00
Sunday
11:00 - 03:00

**FACILITY FOR MAKING
MUSIC**

Indoors

Monday
11:00 - 03:00
Tuesday
11:00 - 03:00
Wednesday
11:00 - 03:00
Thursday
11:00 - 03:00
Friday
11:00 - 03:00
Saturday
11:00 - 03:00
Sunday
11:00 - 03:00

**FACILITIES FOR
DANCING**

Indoors

Monday
11:00 - 03:00
Tuesday
11:00 - 03:00
Wednesday
11:00 - 03:00
Thursday
11:00 - 03:00
Friday
11:00 - 03:00
Saturday
11:00 - 03:00
Sunday
11:00 - 03:00

**BOXING OR
WRESTLING**

Indoors

Monday
11:00 - 03:30
Tuesday
11:00 - 03:30
Wednesday
11:00 - 03:30
Thursday
11:00 - 03:30
Friday
11:00 - 03:30
Saturday
11:00 - 03:30
Sunday
11:00 - 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 – Sunday

Main Room & Basement
Room
11:00 - 03:00

VIP Lounge
11:00 - 03:30

Non Standard Timings for FILMS, BOXING OR WRESTLING, LIVE MUSIC, RECORDED MUSIC, PERFORMANCE OF DANCE, FACILITY FOR MAKING MUSIC, FACILITIES FOR DANCING, 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 11:00 - 04:00	Tuesday 11:00 - 04:00	Wednesday 11:00 - 04:00	Thursday 11:00 - 04:00
Friday 11:00 - 04:00	Saturday 11:00 - 04:00	Sunday 11:00 - 04:00	

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 premises licence

Name: Luminar Gems Limited

Address: Deltic Avenue
Rooksley
Milton Keynes
MK13 8LW

Telephone number: 01908 544100

Email address: None

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

Limited Company 5882675

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: 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, 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:

Total Occupancy - 775 persons

Licensing Objectives

General

1. Staff will be trained with regards to the relevant legislation.

Prevention of Crime & Disorder

2. If a DJ is used on any night they will ask customers to leave quietly.

3. CCTV is installed and maintained within the premise. Notices stating that CCTV is in operation 24 hours a day are displayed throughout the venue.

4. Any person who appears to be intoxicated or who is behaving disorderly will not be allowed entry to the venue. Any person within this venue who appears to be intoxicated or who is behaving disorderly will be given care and consideration in leaving the venue.

5. The venue will actively participate in the local Pubwatch or equivalent scheme.

6. Text/radio pagers are used within the venue, they are monitored by a responsible member of staff.

7. Toughened glass is used in the venue.

8. The venue will only accept photographic driving licences, passport or in agreement with the police a form of identification with the PASS hologram.

9. Music and dancing will be a prominent feature of trading.

Public Safety

10. Free drinking water will be available at all times.

11. 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.

12. A qualified first aider shall be present throughout any sporting entertainment involving boxing, wrestling, judo, karate or sport of a similar nature.

13. 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.

14. The seating layout shall be agreed with the appropriate authorities.

Public Nuisance

15. Reasonable steps will be taken to recognise the need of local residents and businesses.

Protection of Children from Harm

16. 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.

17. A person under 18 years will not be allowed to use any AWP machine.

18. 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. The sale of alcohol shall cease 60 minutes prior to the end of opening hours on each and every day, except for the VIP Bar where it shall cease 30 minutes prior to the end of opening hours on each and every day.

2. Late night refreshment shall cease 15 minutes before the end of opening hours on each and every day.

3. A dispersal policy shall be agreed in writing with the local licensing authority and shall be implemented before the licence takes effect and adhered to.

4. There shall be no off sales.

5. A complaints procedure shall be clearly displayed within the premise.

For and on behalf of
The Director of Neighbourhood Services

Date: 21/09/2005
21/11/2006 (Transfer)

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York
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