

## Licensing Hearing

**To:** Councillors King, Moore and Nimmo

**Date:** Tuesday, 30 May 2006

**Time:** 10.00 am

**Venue:** The Guildhall

### AGENDA

**1. Chair**

To elect a Member to act as Chair of the meeting.

**2. Introductions**

**3. Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

**4. Exclusion of Press and Public**

To consider excluding the public and press from the meeting prior to consideration of the personal data contained in annexes 4a and 6 to Agenda Item 5 as provided by the Data Protection Act 1998.

**5. The Determination of an Application by Mr Ali Gurgar to vary a Premises Licence Section 35(3)(a) in respect of Ali G, 11A, Tower Street, York, YO1 9SA ((CYC-010581)**

**If you require any further information, please contact Tracy Wallis on Tel 01904 551027 or Fax 01904 551035 or email [tracy.wallis@york.gov.uk](mailto:tracy.wallis@york.gov.uk)**

**Distribution:**

Members of Licensing Act 2003 Sub-Committee

Licensing Officer

Legal Services

Applicant

Representors

Press, Libraries, Council Receptions



## **LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR HEARINGS**

### **Introduction**

The procedure outlined below will be followed at all Licensing Hearings.

As Licensing Hearings are quasi-judicial the Sub-Committee will, in effect, act like a Court and the rules of natural justice will apply. The Sub-Committee will be guided by legal principles in determining whether evidence is both relevant and fairly admitted. Committee Members have a duty to view all evidence presented before them impartially. Members of the Licensing Sub-Committee have all received relevant training and are used to making decisions of this type. No matter how strong local opinion may be, Committee Members can only make decisions based on relevant licensing issues as set out before the Sub-Committee in determining applications.

The hearing will be in public session. However, the Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so. However, the decision will be made in private.

The purpose of the hearing is

- To enable those with a right to appear to advance their point of view and to test the case of their opponents
- To assist the Sub-Committee to gather evidence and understand the relevant issues

**In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned.** In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

### **Representations at Licensing Hearings**

The Applicant, Ward Councillors, and Representors who have made written submissions will be allowed to speak at the Sub-Committee. At any hearing of an application, the Applicant and any Representors shall attend in person wherever possible. Any party to a hearing may be assisted or represented by any person, legally or otherwise.

All parties will be given a fair hearing and each party will have the same amount of time in which to address the Sub-Committee. A time limit has been set because of the pressures on the Sub-Committees to hear so many applications in a short period of time. **Each party will have 15 minutes to address the Sub-Committee, give any further information, and call any witnesses.** If any party considers this time to

be insufficient then a request in writing may be made to the Democracy Officer for an extension of time at least 2 working days before the hearing. However, this will not be automatically granted and will be at the discretion of the Sub-Committee.

The Sub-Committee may take into account any documentary evidence or other information in support of the application, representations or notice, either before the hearing or, with the consent of all other parties, at the hearing.

If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written objection and hear and consider any evidence and argument in relation to it put forward by the Applicant. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by the Applicant and Members.

**The Sub-Committee is required to disregard any information given or evidence produced by a party or witness which is not relevant to the application, representations, or notice, and the promotion of the licensing objectives.** Duplication should be avoided. Comments must be confined to those points already made, although the parties may extend or expand on their written submissions. The Sub-Committee will have read and familiarised themselves with all the written submissions and the issues prior to the hearing, and therefore do not require the points to be repeated or made at length. The Applicant and Representors cannot raise substantial new information at a hearing which has not been seen previously by the other parties.

A Representor **may not** introduce any new ground or objection not referred to in the written submission unless the Sub-Committee considers there are exceptional circumstances for doing so and the Representor is able to justify why the ground or objection should be raised. The Applicant may make representations to the Sub-Committee as to why any such request to introduce a new ground should or should not be granted. In considering whether to grant a request by a Representor to introduce a new ground, the Sub-Committee will consider why the new evidence has not been produced earlier and whether the admission of such a ground would necessitate the grant of an adjournment and will consider any unfairness to the Applicant or other Representors by reason of the extra cost or delay thereby caused.

Any person behaving in a disruptive manner will be asked to leave the hearing. If this does occur, that person may, before the end of the hearing, submit in writing any information which they would have been entitled to give orally.

### **Procedure prior to the Hearing**

The Members sitting on the Sub-Committee will meet prior to the hearing to note the matters that are to be presented. They will only be accompanied by the Democracy Officer and Legal Advisor (*if present*). Attention will only be drawn to the nature of the application and the premises or person to which it relates. The actual application will not be discussed.

At any hearing of an application, the Licensing Officer, the Applicant and any Representors or representatives will report to reception and be asked to wait in reception until the democracy officer calls them through to the committee room.

**Procedure at the Hearing**

1. Members of the Sub-Committee will appoint a chair.
2. The Chair introduces the Committee Members and officers [*Democracy Officer, Legal Advisor to the committee (if present) and the Licensing Officer*], welcomes the Applicant and Representors (or their representatives), and establishes the identity of all who will be taking part.
3. The Chair will explain to the parties the procedure that will be followed at the hearing.
4. The Chair will proceed with the order of business on the agenda.
5. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application.
6. The Licensing Officer outlines the application, confirms the application details, introduces the report and gives an update on any recent changes.
7. The Chair will invite Committee Members, the Applicant and Representors (or representatives) to ask the Licensing Officer questions to clarify any points raised in the report.
8. The Chair will ask the Applicant (or their representative) to present their case.
9. The Applicant (or their representative) will present their case and may call any witnesses to support their case [*maximum 15 minutes*].
10. The Chair will invite the Representors (or their representative) in the following order to ask questions of the Applicant (or their representative) and/or witnesses [*maximum 5 minutes each party*]
  - (i) Police
  - (ii) Other Responsible Authorities
  - (iii) Ward Councillors
  - (iv) Interested Parties
11. The Chair will invite the Committee Members to ask questions of the Applicant (or their representative) and/or witnesses.
12. The Chair will invite the Representors (or their representative) in the following order to state the nature of their interest in the matter, present their case and call any witnesses to support their case [*maximum 15 minutes each party*]
  - (i) Police
  - (ii) Other Responsible Authorities
  - (iii) Ward Councillors
  - (iv) Interested Parties

13. The Chair will invite the Applicant to ask questions of each Representor (or their representative) and/or their witnesses after each presentation [*maximum 5 minutes per Representor*].
14. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.
15. The Chair will invite the Representors (or their representative) in the following order to summarise their case [*maximum 5 minutes each party*]
  - (i) Police
  - (ii) Other Responsible Authorities
  - (iii) Ward Councillors
  - (iv) Interested Parties
16. The Chair will invite the Applicant (or their representative) to summarise their case [*maximum 5 minutes*].
17. The Chair will provide the Sub-Committee with a final opportunity to seek clarification from any of the parties on any points raised, or seek advice from the Licensing Officer on policy, or from the Legal Advisor (*if present*) on law and jurisdiction.
18. When all the evidence has been heard, the Chair will declare the hearing closed and ask the Licensing Officer, the Applicant and Representors (or their representatives) plus any witnesses present to leave the committee room and wait in reception while the Sub-Committee considers the evidence.

### **Procedure after the Hearing**

19. If the Sub-Committee wish to seek further clarification on the evidence given, the Democracy Officer will invite all parties back into the committee room.
20. If possible, and for all hearings under:-
  - section 35 or 39 which is in respect of an application made at the same time as an application for conversion of an existing licence under paragraph 2 of Schedule 8 (determination of application under section 34 or 37)
  - section 85 which is in respect of an application made at the same time as an application for conversion of an existing club certificate under paragraph 14 of Schedule 8 (determination of application under section 85)
  - section 105(2)(a) (counter notice following police objection to temporary event notice)
  - section 167(5)(a) (review of premises licence following closure order)
  - paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)

- paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)

the Sub-Committee will make a decision on conclusion of the hearing and only the Democracy Officer and the Legal Advisor to the Sub-Committee (*if present*) will remain in the room with the Committee Members. These officers will not comment on the merits of the application, but will be present to provide advice on legal and procedural points and to record the decision.

21. If the decision has been made, all the parties will be invited back into the committee room by the Democracy Officer. The Chair will announce the decision including reasons together with, if appropriate, details of any conditions to be attached to the grant of the licence. This decision will then be communicated in writing to the Applicant and Representors within 3 working days of the hearing. There can be no further questions or statements.
22. For all other hearings not listed above, if the Sub-Committee is unable to make a decision on the day of the hearing, the decision will be made within 5 working days beginning with the day or the last day on which the hearing was held. The Democracy Officer will inform the parties that they are no longer required and the decision will be communicated in writing to the Applicant and Representors within 3 working days of the decision being made.
23. The notification will include information about the rights of appeal against the determination made.

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If you have any further access requirements such as parking close by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin tercümesini hazırlamak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel. (01904) 613161.

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話(01904) 613161。

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- Public libraries, Council Receptions and the Press get copies of **all** public agenda/reports.
- Applicant
- Representors & the relevant Responsible Authorities

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## Agenda Item 5

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**LICENSING ACT 2003 SUB-COMMITTEE  
HEARING**

30 May 2006

Report of the Deputy Chief Executive

**Section 35(3)(a) Application for the variation of a premises licence for  
Ali G, 11A Tower Street, York, YO1 9SA****Application reference number: CYC-010581****Ward: Guildhall****Summary of Application**

1. Name of applicant: Mr Ali Gurgur
2. Type of authorisation applied for: Variation of a premises licence.
3. Summary of application: The nature of the proposed variation consists of extending the existing terminal hour for the provision of late night refreshment to 03:00 hours daily.
4. A copy of the existing premise licence is attached at Annex 1.
5. A copy of the application to vary the licence is attached at Annex 2.

**Promotion Of Licensing Objectives**

6. The operating schedule submitted by the applicant shows that, in addition to existing conditions attached to the current licence, the licensing objectives would be met as follows:
7. The prevention of crime and disorder: 1) Food will not be supplied to anyone who is abusive to staff or patrons. 2) No disorderly conduct will be allowed. 3) No goods, which have had no UK duty, will be sold.
8. Public safety: 1) All measures requested by the Fire Safety Officer will be adhered to for all patrons and staff safety. 2) There are freely accessible areas so that the emergency services can enter and work safely. 3) No patrons will be allowed to obstruct any exits or fire exits.
9. The prevention of public nuisance: 1) Bins will be provided and patrons encouraged to use them to prevent litter. 2) Customers will be asked to leave and disperse quietly.
10. The protection of children from harm: 1) As no alcohol is being sold children are allowed on the premises.

## **Consultation**

11. Consultation was carried out by the applicant in accordance with s13, and s17(5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition the relevant ward councillors and/or parish council were notified by way of register.

## **Summary of Representations made by Responsible Authorities**

12. A representation has been received from the following responsible authority relating to this application. This is attached at Annex 3 and summarised below:
13. City of York Council Environment & Development Services (Planning): Make representations on the grounds of the prevention of public nuisance licensing objective. A planning application for extended hours was refused at a hearing on 2 March 2006 on the grounds that the extension of hours would be a constant source of nuisance to nearby residents who would suffer from a loss of amenity.

## **Summary of Representations made by Interested Parties**

14. Representations have been received from the interested parties listed at Annex 4a (confidential) and Annex 4b. Their representations are attached at Annex 5.
15. The addresses of the interested parties are indicated on the map attached as Annex 6 (confidential). A further map indicating the general area from which representations were received is attached at Annex 7. One representor is from the South Esplanade area and one is from the Tower Street area. An "interested party" is defined at s13(3) of the Act as being a person living in the vicinity of the premises, a body representing persons who live in that vicinity, a person involved in a business in that vicinity, or a body representing persons involved in such businesses.
16. Members are reminded that representations are only "relevant" if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

## **Legislation and Policy Considerations**

17. The following provisions of the Licensing Act 2003 apply to this application: S4 general duties of licensing authorities; s34 application to vary premises licence; s35 determination of application under section 34; s36 supplementary provision about determinations under section 35; and ss19, 20 and 21 mandatory conditions (attached at Annex 8).
18. The following provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 apply to this application: Regulation 42, Part 2 (Premises licences) and Part 4 (General) relating to applications, notices and representations and advertisement of applications
19. The following provisions of the Secretary of State's guidance apply to this application: Paragraphs 5.47 Steps to promote the licensing objectives; 13.25 to 13.29 Variations of new premises licences; Paragraphs 3.13 to 3.21 relating to cumulative impact of a

concentration of licensed premises; 3.22 to 3.27 concerning the limitations on special policies relating to cumulative impact; Paragraph 5.47 Steps to promote the licensing objectives.

20. The following paragraphs of the licensing authority's statement of licensing policy apply to this application: 3.2 Crime and Disorder; 4.1 Consultation on New Premises Applications, Club Premises Certificates, Variations and Provisional Statements; 4.2 General Principles for Determination of Applications; 5.0 Guidelines for Applicants; 7.0 Licensing Hours and Appendix D Pool Conditions.
21. The premises fall within an area that has been identified as one where the concentration of a significant number of licensed premises has a considerable impact on the licensing objectives. As part of a series of measures to address the problems of a city centre increasingly blighted by alcohol misuse, this area has been made the subject of a special policy that addresses the impact of the concentration of licensed premises in this particular part of the city centre. The special policy was approved by the licensing committee on 1 April 2005 and considered by full council on 12 April 2005, a copy of the special policy statement is attached at Annex 10.
22. The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
23. The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

### **Conditions**

28. Should members be minded to grant this application they should be aware that they may apply any additional conditions in order to mitigate the issues raised by the responsible authorities and interested parties. These conditions would be in addition to those contained within the applicant's operating schedule and applied to the licence.

### **Options**

29. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision:-
30. Option 1: Grant the variation of the licence in the terms applied for.
31. Option 2: Grant the variation of the licence with modified/additional conditions imposed by the licensing committee.
32. Option 3: Grant the variation of the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
33. Option 4: Reject the application.

## **Recommendation**

34. The Committee are asked to determine the application in accordance with the licensing objectives, the relevant legislation, regulations and statutory guidance and the City of York Council Licensing Policy and Special Policy Statements.

### **Contact Details**

**Author:**

John Lacy  
Acting Licensing Manager

**Chief Officer responsible for the Report:**

Andy Hudson  
Assistant Director  
(Environment and Neighbourhoods)

**For further information please contact the author of the report.**

### **Background Papers:**

Licensing Act 2003

Secretary of State's Guidance issued under section 183 of the Licensing Act 2003

Explanatory Notes to the Licensing Act 2003

Regulations to the Licensing Act 2003

City of York Council Statement of Licensing Policy made under the Licensing Act 2003

### **Annexes**

**Annex 1** - Copy of converted premises licence

**Annex 2** - Application form

**Annex 3** - Representations from Responsible Authorities

**Annex 4a (Confidential)** - List of Interested Parties

**Annex 4b** - List of Interested Parties

**Annex 5** - Representations from Interested Parties

**Annex 6 (Confidential)** - Map of area indicating addresses of Interested Parties

**Annex 7** - Map showing general area from which representations received

**Annex 8** - Mandatory Conditions

**Annex 9** - City Centre Special Policy Statement



## LICENSING ACT 2003

### PREMISES LICENCE

#### Schedule 12

#### Part A

#### Part 1 Premises details

Premises licence number CYC - 010581
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Postal address of premises:

**Ali G Pizza House  
11A Tower Street**

Post town: **York**

Post code: **YO1 9SA**

Telephone number: 01904 654654

**Expiry date:** This licence has no expiry date.

#### Licensable activities authorised by the licence:

Late Night Refreshment

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

##### LATE NIGHT REFRESHMENT

Indoors

Monday

23:00-23:30

Tuesday

23:00-23:30

Wednesday

23:00-23:30

Thursday

23:00-23:30

Friday

23:00-00:00

Saturday

23:00-00:00

**The Opening Hours of the Premises**

Monday 16:00-23:30	Tuesday 16:00-23:30	Wednesday 16:00-23:30	Thursday 16:00-23:30
Friday 16:00-00:00	Saturday 16:00-00:00	Sunday 16:00-23:00	

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

No Supply of Alcohol authorised

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Name: Mr Ali Gurgar  
Address: 7 Longwood Link  
York  
YO30 4UG  
Telephone number: 07833 591660  
Email address: None

**Annex 1 – Mandatory conditions**

None

**Annex 2 – Conditions consistent with the operating schedule**

**Licensing Objectives**

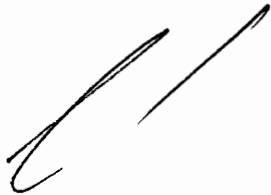
Prevention of Crime & Disorder

1. CCTV is installed on the premises and maintained.



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

1. A litter pick up shall be conducted each and every day.
2. The frontage of the premises shall be cleared and cleaned on a daily basis.
3. Any planning restrictions shall be adhered to.



For and on behalf of  
The Deputy Chief Executive

Licensing & Regulatory Services  
9 St Leonard's Place  
York  
Y01 7ET

Date: 22/09/2006

Phone: 01904 551521  
Fax: 01904 551590  
Email: [licensing.unit@york.gov.uk](mailto:licensing.unit@york.gov.uk)  
Website: [www.york.gov.uk/licensing](http://www.york.gov.uk/licensing)

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CITY OF YORK COUNCIL  
Licensing & Regulatory Services, 9 St Leonards Place, York, YO1 7ET

**(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and  
(Part B) application to vary the premises licence simultaneously**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

I/We ALI GURGUR apply to convert an existing licence to a premises licence under Schedule 8 of the Licensing Act 2003 for the premises described in Part A1 below

**Part A1 – Premises Details**

<b>Postal address of premises or, if none, ordinance survey map reference or description</b>	
11A TOWER STREET YORK	
<b>Post town</b>	<b>Post code</b>
YORK	YO1 9SA

Telephone number of premises (if any)	01904 654654
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Non domestic rateable value of premises	£, 600.00
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**Part A2 – Applicant Details**

In what capacity are you applying to convert you existing licence

- Please tick ✓
- a) an individual or individuals  please complete section (A)
  - b) a person other than an individual
    - i. as a limited company  please complete section (B)
    - ii. as a partnership  please complete section (B)
    - iii. as an unincorporated association or  please complete section (B)
    - iv. Other (for example a statutory corporation)  please complete section (B)
  - c) a recognised club  please complete section (B)
  - d) a charity  please complete section (B)

- e) The proprietor of an educational establishment  please complete section (B)
- f) A health service body  please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) The chief officer of police of a police force in England and Wales  please complete section (B)

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname: GURGUR First names: ALI

I am 18 years old or over  Please tick ✓ Yes

Current postal address if different from premises address: 7 LONGWOOD LINK, CLIFTON MOOR, YORK

Post Town: YORK Postcode: YO30 4UG

Daytime contact telephone number: 07833591660

Email address (optional):

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname: First names:

I am 18 years old or over  Please tick ✓ Yes

Current postal address if different from premises address:

Post Town: Postcode:

Daytime contact telephone number

Email address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate, please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part A3 Operating Schedule**

If 5000 or more people attend the premises at any one time please state the number

General description of premises (see guidance note 1)

Double fronted street level shop with two flats above. Fast Food takeaway selling kebabs, burgers, chicken and pizza. Seating for twelve patrons.

Please tick ✓ Yes

**What existing licensable activities are authorised by your existing licence(s)?**

**Provision of regulated entertainment**

- a) play
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performance of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

**Provision of entertainment facilities for:**

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

**Provision of late night refreshment**

**Sale by retail of alcohol**

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified as the premises supervisor under the new licence

Name .....

Address .....

Personal Licence number, if known, .....

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

No sale of alcohol

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

**a) General – all four licensing objectives (b,c,d,e)**

To work with all stated agencies.

**b) The prevention of crime and disorder**

We will not supply food to anyone who is abusive to staff or patrons. No disorderly conduct will be allowed. No goods which has had no UK duty will be sold.

**c) Public safety**

All measures requested by the Fire Safety Officer will be adhered to for all patrons and staff safety. There is freely accessible areas so that the emergency services can enter and work safely.

No patrons will be allowed to obstruct any exits or fire exits.

**d) The prevention of public nuisance**

Bins will be provided and patrons encouraged to use them to prevent litter. Patrons who are having late night refreshments will be asked to leave and disperse quietly.

**e) The protection of children from harm**

As no alcohol is being sold children are allowed on the premises.



- Please tick ✓ Yes
- I have made or enclosed payment of the fee
  - I have enclosed my existing licence(s) or a certified copy of each licence
  - I have enclosed a plan of the premises
  - I have sent copies of this application to the chief officer of police (please read guidance note 3)
  - I have enclosed the consent form completed by the proposed premises supervisor, if relevant
  - I have enclosed the consent of the justices' licence holder to my application, if relevant
  - I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE OF UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part A4 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature ..... *[Handwritten Signature]* .....

Date 4th April 2006 .....

Capacity ..... Solicitor for Applicant .....

**For joint applications signature, of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

<b>Contact Name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 7)	
Guest Walker & Co Solicitors 12A The Shambles York	
DX 61519 - YORK	(Reference : JMc/GL/06/8039)
<b>Post town</b> YORK	<b>Post code</b> YO1 7LZ
<b>Telephone number</b> 01904 624903	01904 624903
<b>E-mail address (optional)</b>	john.mcloughlin@guestwalker.co.uk

**IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.**

**IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.**

**PART B – Application to vary a premises licence under the Licensing Act 2003**

I/We ALI GURGUR..... (insert name of applicant) being the proposed premises licence holder of an existing licence to be converted under the terms Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

**Part B1 – Variation**

Do you want the proposed variation to have effect from the second appointed day? Please tick ✓

If not, when do you want the variation to take effect from?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If your proposed variation would mean that 5000 or more people are expected to attend the premises at any one time. Please state the number expected to attend.

**Please describe briefly the nature of the proposed variation. (Please read guidance note 8)**

To open the fast food take away until 03:00 Monday to Sunday.  
The take away opens from 16:00 Hours.

**Part B2 – Operating Schedule**

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick ✓ Yes

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

**Provision of late night refreshment (if ticking yes, fill in box L)**

**Sale by retail of alcohol (if ticking yes, fill in box M)**

Please complete Part B3 on this form

**A**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 10)	Both	
Tue					
Wed			State any seasonal variations for performing of a play (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)</b>	<b>Indoors</b>	
				<b>Outdoors</b>	
				<b>Both</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 10)</b>		
<b>Mon</b>					
<b>Tue</b>			<b>State any seasonal variations for the exhibition of films (please read guidance note 11)</b>		
<b>Wed</b>					
<b>Thur</b>			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 12)</b>		
<b>Fri</b>					
<b>Sat</b>					
<b>Sun</b>					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details (please read guidance note 10)</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
<b>Mon</b>			<b>State any seasonal variations for indoor sporting events (please read guidance note 11)</b>		
<b>Tue</b>					
<b>Wed</b>					
<b>Thur</b>					
<b>Fri</b>			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 12)</b>		
<b>Sat</b>					
<b>Sun</b>					

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here (please read guidance note 10)</b>		
Tue					
Wed			<b>State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 11)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 12)</b>		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here (please read guidance note 10)</b>		
Tue					
Wed			<b>State any seasonal variations for the performance of live music (please read guidance note 11)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 12)</b>		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here (please read guidance note 10)</b>	Both	
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music (please read guidance note 11)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 12)</b>		
Sat					
Sun					

**G**

<b>Performance of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here (please read guidance note 10)</b>	Both	
Tue					
Wed			<b>State any seasonal variations for the performance of dance (please read guidance note 11)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 12)</b>		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing					
			Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)		Indoors			
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 10)					
Mon								
Tue								
Wed						State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Sat								
Sun								

# I

<b>Provision of facilities for making music</b> Standard day and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing					
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 9)		Indoors			
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 10)					
Mon								
Tue								
Wed						State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Sat								
Sun								

**J**

Provision of facilities for dancing Standard timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 9)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Sat					
Sun					

**K**

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be placed indoors or outdoors or both – please tick (✓) (please read guidance note 9)	Indoors	
				Outdoors	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Sat					
Sun					



**L**

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9)	Indoors	
Day	Start	Finish		Outdoors	
Mon	16:00	03:00	Please give further details here (please read guidance note 10)	Both	
Tue	16:00	03:00			
Wed	16:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur	16:00	03:00			
Fri	16:00	03:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Sat	16:00	03:00			
Sun	16:00	03:00			

**M**

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 13)	On the premises	
Day	Start	Finish		Off the premises	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 11)	Both	
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 12)		
Fri					
Sat					
Sun					

**IN ALL CASES PLEASE COMPLETE BOXES N, O, P AND Q BELOW**

**N**

Please highlight any services, activities, entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)

**O**

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 11)
Day	Start	Finish	
Mon	16:00	03:00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 12)
Tue	16:00	03:00	
Wed	16:00	03:00	
Thur	16:00	03:00	
Fri	16:00	03:00	
Sat	16:00	03:00	
Sun	16:00	03:00	

**P**

**Please identify any of the conditions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking.**

The only restriction that is on the licence that needs to be removed is the restriction as to the time.

**Q**

Please describe any proposed additional steps that you intend to take in order to promote the four licensing objectives of the proposed variation is granted:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)**

To work with all stated agencies.

**b) The prevention of crime and disorder**

We will not supply food to anyone who is abusive to staff or patrons. No disorderly conduct will be allowed. No goods which has had no UK duty will be sold.

**c) Public safety**

All measures requested by the Fire Safety Officer will be adhered to for all patrons and staff safety. There is freely accessible areas so that the emergency services can enter and work safely.

No patrons will be allowed to obstruct any exits or fire exits.

**d) The prevention of public nuisance**

Bins will be provided and patrons encouraged to use them to prevent litter. Patrons who are having late night refreshments will be asked to leave and disperse quietly.

**e) The protection of children from harm**

As no alcohol is being sold children are allowed on the premises.

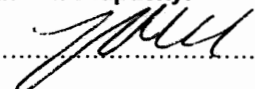
**Part B3 - Premises Supervisor**

Full name of proposed designated premises supervisor
Address of proposed designated premises supervisor
Personal licence number of proposed designated premises supervisor, if any, and issuing authority of that personal licence, if applicable.

- |   |                          |                          |
|---|--------------------------|--------------------------|
|   | Please tick ✓            | Yes                      |
| • I enclosed the consent form completed by the proposed premises supervisor   | <input type="checkbox"/> | <input type="checkbox"/> |
| • I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)                                       | <input type="checkbox"/> | <input type="checkbox"/> |
| • I have sent copies of this application to vary (except part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003) | <input type="checkbox"/> | <input type="checkbox"/> |
| • I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)  | <input type="checkbox"/> | <input type="checkbox"/> |
| • I understand that if I do not comply with the above requirements my application will be rejected  | <input type="checkbox"/> | <input type="checkbox"/> |

**Part B4 – Signatures** (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17). If signing on behalf of the applicant please state in what capacity.

Signature ..... 

Date ..... 4th April 2006

Capacity ..... Applicant's Solicitor

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 18). If signing on behalf of the applicant please state in what capacity.

Signature .....

Date .....

Capacity .....

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19) <i>JOHN Mc LOUGHRAN</i>	
Guest Walker & Co Solicitors 12A The Shambles York                      DX 61519 - YORK (Ref. JMc/GL/06/8039)	
Post town YORK	Post code YO1 7LZ

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CITY OF  
**YORK**  
COUNCIL**ENVIRONMENT & DEVELOPMENT SERVICES****MEMORANDUM**

**From:** Jonathan Kenyon (Development Control)  
**To:** Janice Teague Licensing Assistant, Licensing & Regulations Unit  
**Ext.:** 1323 **Our Ref:** 06/112/FUL  
**Date:** 13.4.06 **Your Ref:**

**RE: Ali G Pizza, Tower Street**

I write to inform you that a planning application to extend the opening hours of this premises was recently refused. The application proposed to extend the opening hours from 16.00 hours - midnight Sunday -Thursday and 16.00 hours - 02.30 hours the following day on Fridays and Saturdays.

The application was refused at planning committee on 2.3.06, as members were concerned that the extension of the hours would be a constant source of nuisance to nearby residents whom would suffer from a loss of amenity. It was deemed that opening into the early hours on Saturday and Sunday mornings would be likely to result in an increase in patronage from people leaving nearby drinking establishments and the nightclub on Clifford Street, significantly adding to the levels of disturbance experienced by residents at this time. It was not accepted that residents should be expected to suffer additional disturbance, to the hours sought by the applicant.

Local residents and the Council's Environmental Protection Unit made representations in objection to the proposal.

I hope this is assistance

Regards,

Jonathan Kenyon  
Planning Officer

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>Ref No</b>	<b>Address</b>	<b>Representative Body (YES/NO)</b>	<b>Relevant licensing objective</b>
1.	South Esplanade, York YO1	No	Public Nuisance
2.	Tower Street, York YO1	No	Public Nuisance

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[Redacted]

South Esplanade  
York YO1 [Redacted]  
10 April 2006

CITY OF YORK  
DEDS  
13 APR 2006  
RECEIVED

City of York Council Licensing  
and Regulatory Services  
9 St Leonards Place  
York YO1 7ET

Dear Sir/Madam,

116154

**Application for Extension of Hours at AliG, Tower Street**

I would like to object to an extension until 3am as it will bring many more people into the area in the early hours. Although the premises are well run and there is no problem for us at present, it is a different matter when the weather is warm and people sit by the river to eat late at night. I realise that many other takeaways in the area may be partly to blame, but this one is very near to residential properties in Tower Street and Tower Place.

I do not understand why this application has been submitted, as Planning Permission for an extension has just been refused, so unless Ali G has already appealed against this, an extended licence is irrelevant.

Yours faithfully

[Redacted signature]

[Redacted text]

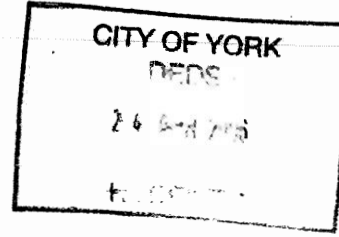
CITY OF YORK COUNCIL  
APPLICATION ACKNOWLEDGED  
DATE 13/04 [Signature]

2

[Redacted]  
Tower Street  
York  
YO1 [Redacted]

18<sup>th</sup> April 2006

City of York Council  
Licensing and Regulatory Services  
9 St Leonard's Place  
York  
YO1 7ET



116211

Dear Sirs,

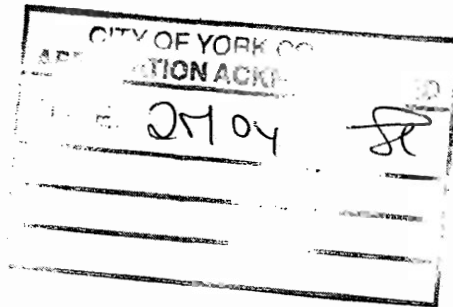
**RE : Ali G Pizza 11 Tower Street Extension of opening hours**

With regards to the application by Ali G, we strongly object to the extended opening hours from 4pm to 3am 7 days a week. As residents we experience noise disturbance's most evenings from people coming and going from the named premises.

We object to the premises being open past 11pm and your records will show that the original licence had restricted late night opening hours and was granted on these terms.

Yours Sincerely

[Redacted signature]

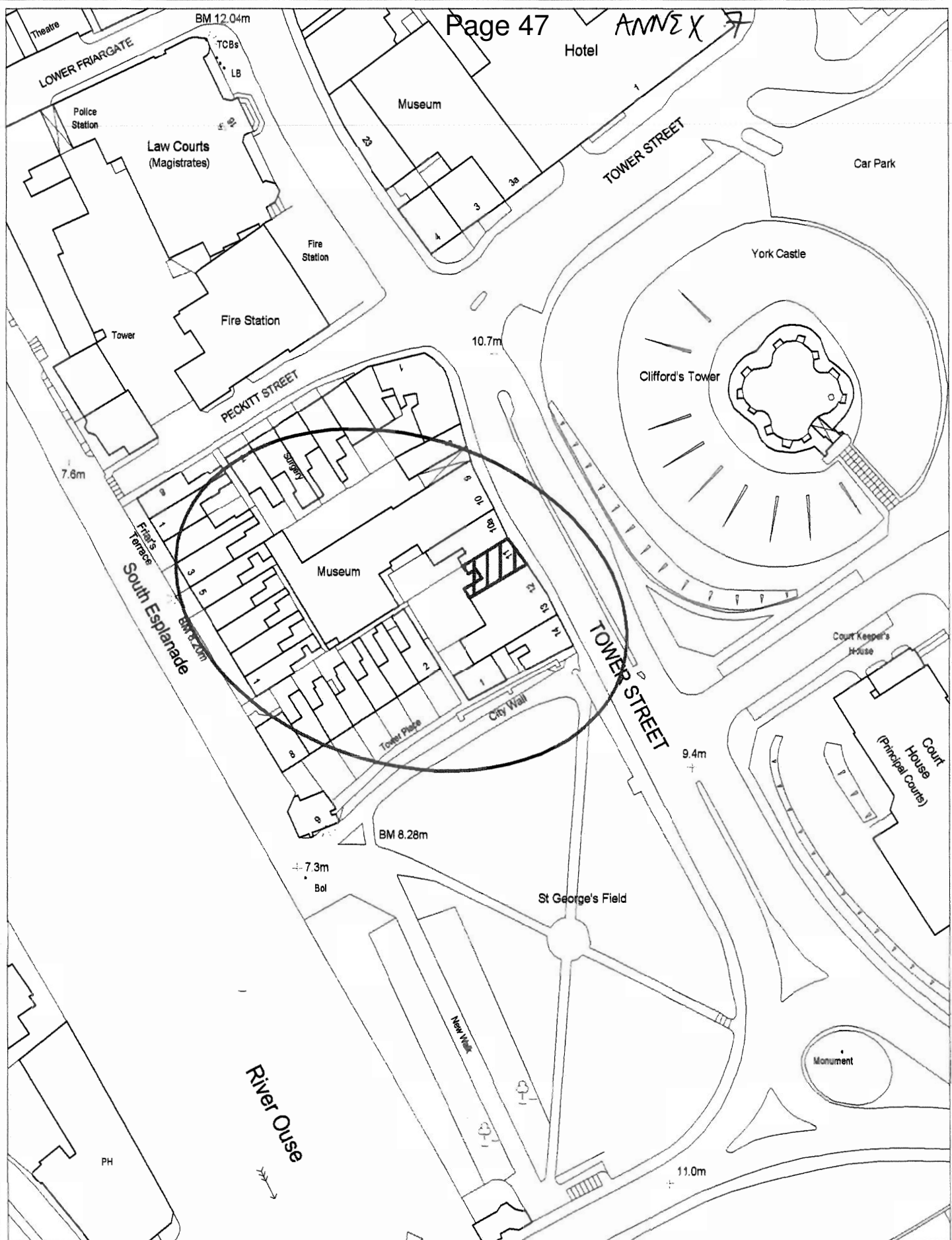


By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Ali G - 11 Tower Street York

SCALE 1:1000	DRAWN BY JB	DATE 5/5/2006
Originating Group	Project	Drawing No. JC 8A
Organisation		

9, St. Leonards Place, York, YO1 2ET  
Telephone: 01904 613161

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York City Council LA 1000 20816

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**MANDATORY CONDITIONS – PREMISES LICENCE  
LICENSING ACT 2003**

**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.

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### **6.3 CITY CENTRE SPECIAL POLICY STATEMENT**

This Special Policy was approved by the City of York on 12 April 2005 and shall have effect from 13th April 2005 to 6 January 2008 unless otherwise reviewed by the Council.

This Special Policy is a supplement to the Council's Statement of Licensing Policy and must be read in conjunction with that document.

This Special Policy relates to the following streets:

Micklegate, Toft Green, Tanner Row, Rougier Street, George Hudson Street, Bridge Street, Low Ousegate, Clifford Street, Tower Street, Tanner Moat, Wellington Row, North Street, Cumberland Street, King Street, Lower Friargate, Kings Staith, Peckitt Street, Blossom Street (to Holgate Road) and The Crescent (see Appendix K, Map of Special Policy Area).

This area has been identified as requiring additional licensing controls to promote the licensing objectives due to the cumulative effect of the concentration of late night drink led, refreshment and entertainment premises on crime, disorder and/or public nuisance affecting residents, visitors and other businesses.

A statistical, evidence based report was submitted by North Yorkshire Police to substantiate this statement and was considered by the City of York Council in approving this policy.

Consultation on the Special Policy was carried out in accordance with Section 5(3) of the Licensing Act 2003.

#### **Effects of the Special Policy**

1. This policy relates to applications for the grant and/or variation of premises licences or club premises certificates or the issue of provisional statements.
2. Each application will be considered on its own merits.
3. Where no representations are received any application will be granted in terms consistent with the operating schedule.
4. Applications for the grant of a new premises licence or club premises certificate or provisional statement :

Where relevant representations are received there will be a presumption against the grant of such a licence or certificate unless the applicant can rebut the presumption that the granting of such a licence or certificate would undermine the licensing objectives.

5. Application for the variation of a premises licence or club premises certificate due to a change of style of operation :

Any application for the variation of style of operation which is subject to relevant representations will be considered on its own merits having regard to the promotion of the licensing objectives.

6. Application for the variation of a premises licence or club premises certificate resulting in an extension of the premises and increased capacity:

There will be a presumption to refuse such applications, where relevant representations are received and where the increase in capacity would undermine the licensing objectives unless the applicant can rebut the presumption that the granting of such a variation would undermine the licensing objectives.

7. Application to vary the hours of operation attached to a premises licence or club premises certificate:

All applications that seek to extend the licensed hours will be considered on an individual basis. No different policy will apply in this area as opposed to the rest of the city.