

## Licensing Hearing

**To:** Councillors Sue Galloway, Moore and Wiseman (Vice-Chair)

**Date:** Thursday, 9 April 2009

**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. The Determination of an Application by Julie Dianne Stables for a Premises Licence Section 18(3)(a) in respect of St. Paul's Lodge, 120 Holgate Road, York, YO24 4BB. (CYC-014775)

If you require any further information, please contact Laura Bootland on Tel 01904 552062 or Fax 01904 551035 or email [laura.bootland@york.gov.uk](mailto:laura.bootland@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. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

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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- Applicant
- Representors & the relevant Responsible Authorities

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**Agenda Item**

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**Licensing Act 2003 Sub Committee****9 April 2009**

Report of the Director of Neighbourhood Services

**Section 18(3)(a) Application for a premise licence for St Paul's Lodge, 120 Holgate Road, York, YO24 4BB****Summary**

1. This report seeks Members determination of an application for the grant of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-014775
3. Name of applicant: Julie Dianne Stables.
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application: The nature of the application is to allow for the supply of alcohol and the provision of regulated entertainment consisting of plays, films, indoor sporting events, live and recorded music, the performance of dance and the provision of entertainment facilities for making music and dancing and entertainment of a similar description. (N.B. see para 18.1)

**Background**

6. A copy of the application is attached at Annex 1.

**Promotion Of Licensing Objectives**

7. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:
8. General: 1) CCTV will be installed. 2) A risk assessment shall be carried out. 3) Staff training shall be provided.
9. The prevention of crime and disorder: 1) A management strategy shall be implemented. 2) The licence holder shall participate in local licensing initiatives.
10. Public safety: 1) External lighting shall be provided.

11. The prevention of public nuisance: 1) Notices for noise reduction and consideration for the neighbours.
12. The protection of children from harm: 1) Signage to prevent the supply of alcohol to under age drinkers. 2) Adoption of the challenge 21 Policy. 3) Children must be accompanied by an adult at all times.

### **Special Policy Consideration**

13. This premise is not located within the Special Policy area.

### **Consultation**

14. 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.
15. All procedural aspects of this application have been complied with.

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

16. A representation was received from North Yorkshire Police on the grounds of crime and disorder which was subsequently withdrawn when the applicant agreed to the following conditions being attached to the licence if granted:
  1. The venue shall remain as a Guest House style operation, primarily offering "Bed and Breakfast" facility.
  2. Alcohol will only be served ancillary to a meal except for the following.
    - a) pre-booked functions (of which 48 hours notice will have been given), which may include indoor tournaments and games nights. E.g. darts tournaments
    - b) residents and bona fide guests.
  3. CCTV will be installed to cover the premises and will include all areas (including outside areas) to where the public have access. It will be maintained, working and recording at all times when the premises are open. The recordings shall be of sufficient quality to be produced in Court or other such hearing. Copies of the recordings will be kept available for any responsible authority for 7 days.
  4. The only acceptable proof of age identification shall be a current passport photocard driving licence or identification carrying the PASS logo.

5. Drinking glasses of any type shall not be allowed to enter or leave the premises whilst under the customers care (save for the outside drinking area to the rear of the premises.)
  6. All off-sales shall be made in sealed containers (except to bona fide residents and guests for the purpose of taking alcohol to a residential room on the premises.
  7. The management of the venue will comply with any written, reasonable and justified request made by North Yorkshire Police regarding the provision of door supervisors should the need arise.
  8. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
  9. The "licensable area" shall only apply to the area marked with a red line on the attached map.
  10. A capacity figure of 60 persons shall be imposed so as not to undermine the Licensing objective "Prevention of crime and disorder" used to serve alcohol beyond 23:00 hours on a Friday and Saturday.
17. A representation was received from North Yorkshire Fire and Rescue Service on the grounds of public safety which was subsequently withdrawn when the applicant agreed to the following conditions being attached to the licence if granted:
1. The maximum permitted occupancy of the premises shall not exceed 60 persons.
18. A representation was received from the Environmental Protection Unit, City of York Council, on the grounds of public nuisance which was subsequently withdrawn when the applicant agreed to the following conditions being attached to the licence if granted:
1. The regulated entertainments consisting of plays, films, the performance of dance and the provision of entertainment facilities for making music and entertainment of a similar description are to be withdrawn from the application.
  2. No sound reproduction or amplification equipment (mechanical or electrical) shall be installed or used in or adjacent to any part of the building at any time for the purpose of external use.
  3. All doors and windows of the licensed premise to be kept closed after 22:00 hours every night.
  4. The use of the outside patio area to be restricted to 22:00 hours every night except for the provision of smoking only which will cease at midnight.

5. The provision of live and recorded music shall be limited to indoors only and shall be restricted to finish no later than 23:00 hours every night.
6. The provision of late night refreshment for non-residents shall be restricted to midnight Monday to Saturday and until 23:00 hours on a Sunday.
7. The sale of alcohol for non-residents shall be restricted to 10:00 hours until midnight Monday to Saturday and from 10:00 hours to 23:00 hours on a Sunday.
8. The hours the premises are open to the public shall be restricted to 10:00 hours until midnight every day.
9. Noise originating from within the premises shall be inaudible at the nearest noise sensitive premises after 22:00 hours every night.

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

19. Representations have been received from the interested parties listed at Annex 2 These representations are attached at Annex 3.
20. The addresses of the interested parties are indicated on the map attached as Annex 4.
21. 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.
22. 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.
23. Attached at Annex 8 is a copy of email correspondence between the applicant and the Licensing Section in relation to the application, in which the applicant responds to the representors concerns.

### **Planning Issues**

24. At the time of putting this report together the Planning Dept. at City of York Council were unable to provide their comments. They will be reported at the hearing by the Licensing Officer.

### **Options**

25. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision:-
26. Option 1: Grant the licence in the terms applied for.

27. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
28. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
29. Option 4: Reject the application.

### **Analysis**

30. The following could be the result of any decision made this Sub Committee:-
31. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
32. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
33. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
34. Option 4: This decision could be appealed at Magistrates Court by the applicant.

### **Corporate Priorities**

35. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
36. The promotion of the licensing objectives will support the Council's priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York.

### **Implications**

37.
  - **Financial** - N/A
  - **Human Resources (HR)** – N/A
  - **Equalities** – N/A
  - **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
  - **Crime and Disorder** - 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.

- **Information Technology (IT)** – N/A
- **Property** – N/A
- **Other** – none

### **Risk Management**

38. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
39. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

### **Recommendations**

40. Members determine the application.  
Reason: To address the representations received as required by the Licensing Act 2003.

#### **Contact Details**

##### **Author:**

John Lacy  
Licensing Manager  
Licensing & Regulation

Ext: 1593

##### **Chief Officer Responsible for the report:**

Andy Hudson  
Assistant Director  
Neighbourhood Services

Ext: 1814

**Report Approved**



**Date** 26 March 2009

#### **Specialist Implications Officer(s)**

Quentin Baker  
Head of Legal & Democratic Legal Services

Ext: 1004

**Wards Affected: Holgate**

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

**Background Papers:**

- Annex 1** - Copy of application form
- Annex 2** - List of Interested Parties
- Annex 3** - Representations from Interested Parties
- Annex 4** - Map showing general area from which representations received
- Annex 5** - Mandatory Conditions
- Annex 6** - Legislation and Policy Considerations

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**CITY OF YORK COUNCIL**  
Licensing Services, 9 St Leonard's Place, York, YO1 7ET

### Application for a premises licence to be granted under the Licensing Act 2003

#### 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 JULIE DIANNE STABLES..... (insert name(s) of applicant) apply for premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

#### Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description <u>ST PAUL'S LODGE</u> <u>120 HOLGATE ROAD</u>	
Post town <u>YORK</u>	Post code <u>YO24 4BB</u>

Telephone number of premises (if any)

01904-611514

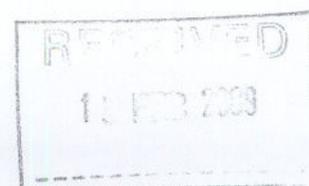
Non domestic rateable value of premises

£ 6,800

#### Part 2 – Applicant Details

Please state whether you are applying for the licence as:

- |   |   |
|---|---|
|   | Please tick ✓   |
| a) an individual or individuals*                  | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual*             |   |
| i. as a limited company                           | <input type="checkbox"/> please complete section (B)            |
| ii. as a partnership                              | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or          | <input type="checkbox"/> please complete section (B)            |
| iv. other   | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                              | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                      | <input type="checkbox"/> please complete section (B)            |
| e) The proprietor of an educational establishment | <input type="checkbox"/> 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)

\*If you are applying as a person described in (a) or (b) please confirm:

Please tick ✓

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - o Statutory function; or
  - o A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname First names

STABLES

JULIE DIANNE

Please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address ST PAUL'S LODGE  
120 HOLGATE ROAD

Post Town YORK Postcode YO24 4BB

Daytime contact telephone number 01904-611514

Email address (optional) julie@stpaulslodge.co.uk

**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 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
01	04	2009

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

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

--

Please give a general description of the premises (please read guidance note 1)

ST PAUL'S LODGE IS A BED & BREAKFAST FOR RESIDENTS LOCATED ON THE OUTSKIRTS OF THE CITY. PRIMARILY A B&B OFFERING PREBOOKED FUNCTIONS AND MEALS AND FACILITIES FOR LOCAL INDOOR GAMES AND MEALS TO MEMBERS OF THE PUBLIC

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 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 for:**

- 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)

**In all cases complete boxes N, O and P**

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for performing play (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)		
Sat	10:00	02:00			
Sun	10:00	02:00			

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)		
Sat	10:00	02:00			
Sun	10:00	02:00			

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10:00	02:00	
Tue	10:00	02:00	
Wed	10:00	02:00	
Thur	10:00	02:00	
Fri	10:00	02:00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Sat	10:00	02:00	
Sun	10:00	02:00	
			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 5)
			AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

**D**

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			Please give further details here (please read guidance note 3)	
			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)	
			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 5)	
			<del>AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME</del>	

**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 4)  NO LIVE MUSIC OUTSIDE AFTER 22:00 HOURS		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)  AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.		
Sat	10:00	02:00			
Sun	10:00	02:00			

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	✓
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)  NO RECORDED MUSIC OUTSIDE AFTER 22:00 HOURS		
Thur	10:00	02:00			
Fri	10:00	02:00	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 5)  AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.		
Sat	10:00	02:00			
Sun	10:00	02:00			

**G**

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00		State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00		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 5)	
Sun	10:00	02:00			

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	Indoors	
Day	Start	Finish			Outdoors	
Mon	10:00	02:00	THE OCCASIONAL STRIPPER GRAM FOR A PRIVATE PARTY	Both	<input checked="" type="checkbox"/>	
Tue	10:00	02:00		Please give further details here (please read guidance note 3)		
Wed	10:00	02:00			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Thur	10:00	02:00				
Fri	10:00	02:00		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 5)		
Sat	10:00	02:00				
Sun	10:00	02:00				

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

Provision of facilities for making music Standard day and timings (please read guidance note 6)			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 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon	10:00	02:00			<input checked="" type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

Please give further details here (please read guidance note 3)

State any seasonal variations for the provision of facilities for making music (please read guidance note 4)

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 5)

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

J

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		
Day	Start	Finish	Indoors	Outdoors	Both
Mon	10:00	02:00			<input checked="" type="checkbox"/>
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

Please give further details here (please read guidance note 3)

State any seasonal variations for providing dancing facilities (please read guidance note 4)

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 5)

AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.

## 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 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
			Indoors	Outdoors
Mon	10:00	02:00		
Tue	10:00	02:00		
Wed	10:00	02:00		
Thur	10:00	02:00		
Fri	10:00	02:00		
Sat	10:00	02:00		
Sun	10:00	02:00		
			Please give further details here (please read guidance note 3) NONE OUTSIDE AFTER 22:00 HOURS	
			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 4)	
			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 5) AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEARS EVE TO THE CLOSE OF BUSINESS ON NEW YEARS DAY.	

## L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish	Indoors	
			Outdoors	Both
Mon	23:00	02:00		
Tue	23:00	02:00		
Wed	23:00	02:00		
Thur	23:00	02:00		
Fri	23:00	02:00		
Sat	23:00	02:00		
Sun	23:00	02:00		
			Please give further details here (please read guidance note 3)	
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
			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 5) AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEARS EVE TO THE CLOSE OF BUSINESS ON NEW YEARS DAY	

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)</b>	<b>On the premises</b>	<input type="checkbox"/>
				<b>Off the premises</b>	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		<b>Both</b>	<input checked="" type="checkbox"/>
Mon	10:00	02:00	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00	<b>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 5)</b> AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEARS EVE TO THE CLOSE OF BUSINESS ON NEW YEARS DAY.		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	02:00			

<b>State the name and details of the individual whom you wish to specify on the licence as premises supervisor</b>	
<b>Name</b>	JULIE DIANNE STABLES
<b>Address</b>	ST PAUL'S LODGE 120 HOLGATE ROAD YORK
<b>Postcode</b>	YO24 4BB
<b>Personal licence number (if known)</b>	CYC-010228
<b>Issuing licensing authority (if known)</b>	CITY OF YORK COUNCIL

**N**

Please highlight 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 (please read guidance note 8)

THE OCCASIONAL KISS GRAM, STRIPPER GRAM,  
BUT NOT WHEN CHILDREN ARE PRESENT.

**O**

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	02:30	
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	02:30	<p>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 5)</p> <p>AN EXTRA HOUR AT THE START OF BRITISH SUMMER TIME. OPENING TIME ON NEW YEAR'S EVE TO THE CLOSE OF BUSINESS ON NEW YEAR'S DAY.</p>
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	02:30	

**P**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

CCTV WILL BE INSTALLED  
NOTICES TO REMIND GUESTS TO LEAVE QUIETLY  
STAFF TRAINING  
CHILDREN ACCOMPANIED AT ALL TIMES  
CARRY OUT RISK ASSESSMENT

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

CCTV INSTALLATION  
IMPLEMENT A MANAGEMENT STRATEGY AND APPROPRIATELY  
TRAIN STAFF  
PARTICIPATE IN LOCAL LICENSING INITIATIVES

**c) Public safety**

EXTERNAL LIGHTING  
ONGOING STAFF TRAINING

**d) The prevention of public nuisance**

NOTICES FOR NOISE REDUCTION AND CONSIDERATION FOR  
THE NEIGHBOURS  
ONGOING STAFF TRAINING

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

SIGNAGE  
PREVENT THE SUPPLY OF ALCOHOL TO UNDER AGE DRINKERS  
ADOPT THE CHALLENGE 21 POLICY  
CHILDREN TO BE ACCOMPANIED BY AN ADULT AT ALL TIMES  
ONGOING STAFF TRAINING

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
|  | Please tick ✓                       | Yes                                 |
| • I have made or enclosed payment of the fee   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| • I have enclosed the plan of the premises   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| • I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| • I understand that I must now advertise my application  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| • I understand that if I do not comply with the above requirements my application will be rejected             | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent.** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

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

Date ..... *12<sup>th</sup> February 2009* .....

Capacity .....

**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 12). **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 (please read guidance note 13)</b>	
<p><i>120 HOLGATE ROAD</i></p>	
<b>Post town</b> <i>YORK</i>	<b>Post code</b> <i>YO24 4BB</i>
<b>Telephone number (if any)</b> <i>01904-611514</i>	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>	



CITY OF YORK COUNCIL  
Licensing Services, 9 St Leonard's Place, York, YO1 7ET

**Part A**  
**Consent of individual to being specified as premises supervisor**

I JULIE DIANNE STABLES (full name of prospective premises supervisor) of  
ST PAUL'S LODGE, 120 HOLGATE ROAD, YORK, YO24 4BB  
..... (home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE (type of application) by  
JULIE DIANNE STABLES (name of applicant) relating to a  
premises licence ..... (number of existing licence, if any) for  
ST PAUL'S LODGE, 120 HOLGATE ROAD,  
YORK, YO24 4BB

(name and address of premises to which application relates). I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: CYC-010228

Personal licence issuing authority:

Name: CITY OF YORK COUNCIL

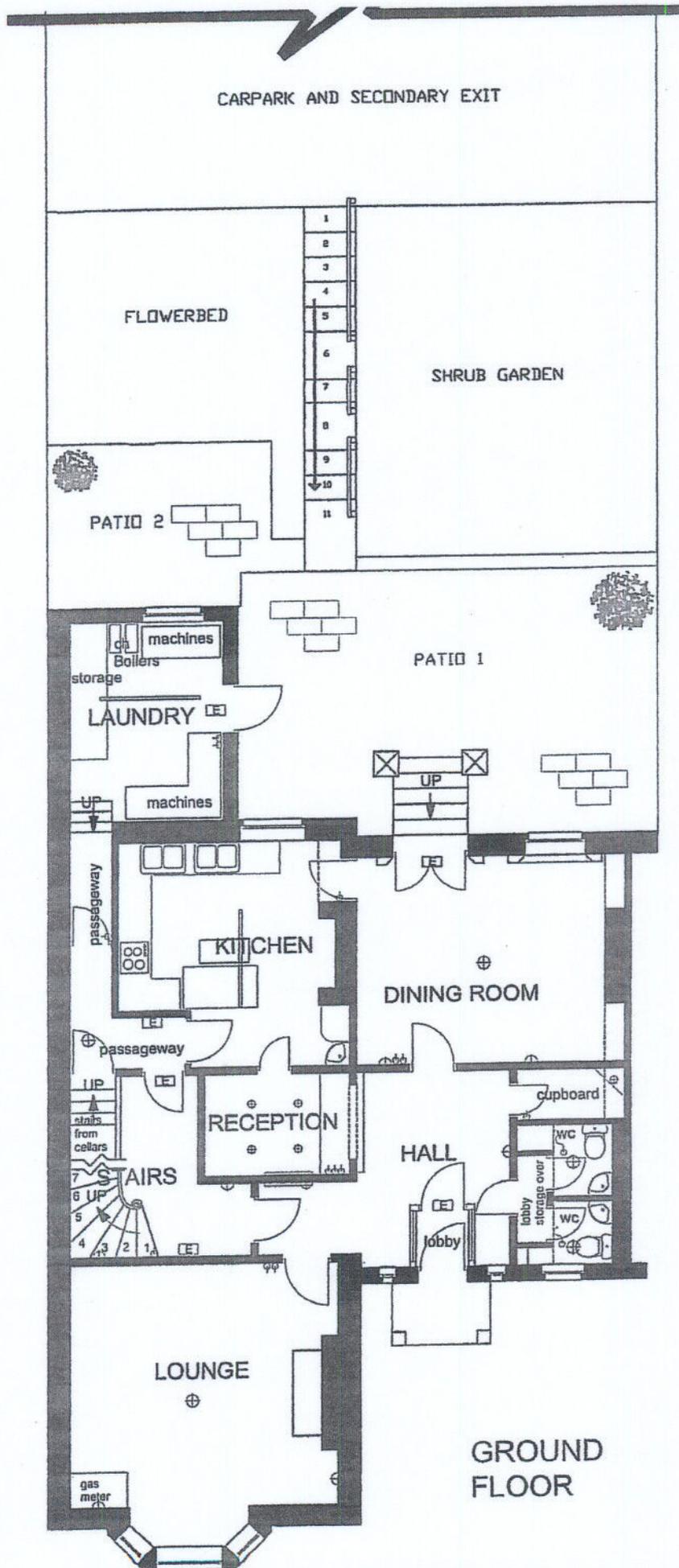
Address: 9 ST LEONARDS PLACE, YORK, YO1 7ET

Telephone number: 01904-613161

Signature

Name (please print) JULIE DIANNE STABLES

Date.....



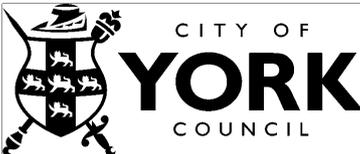
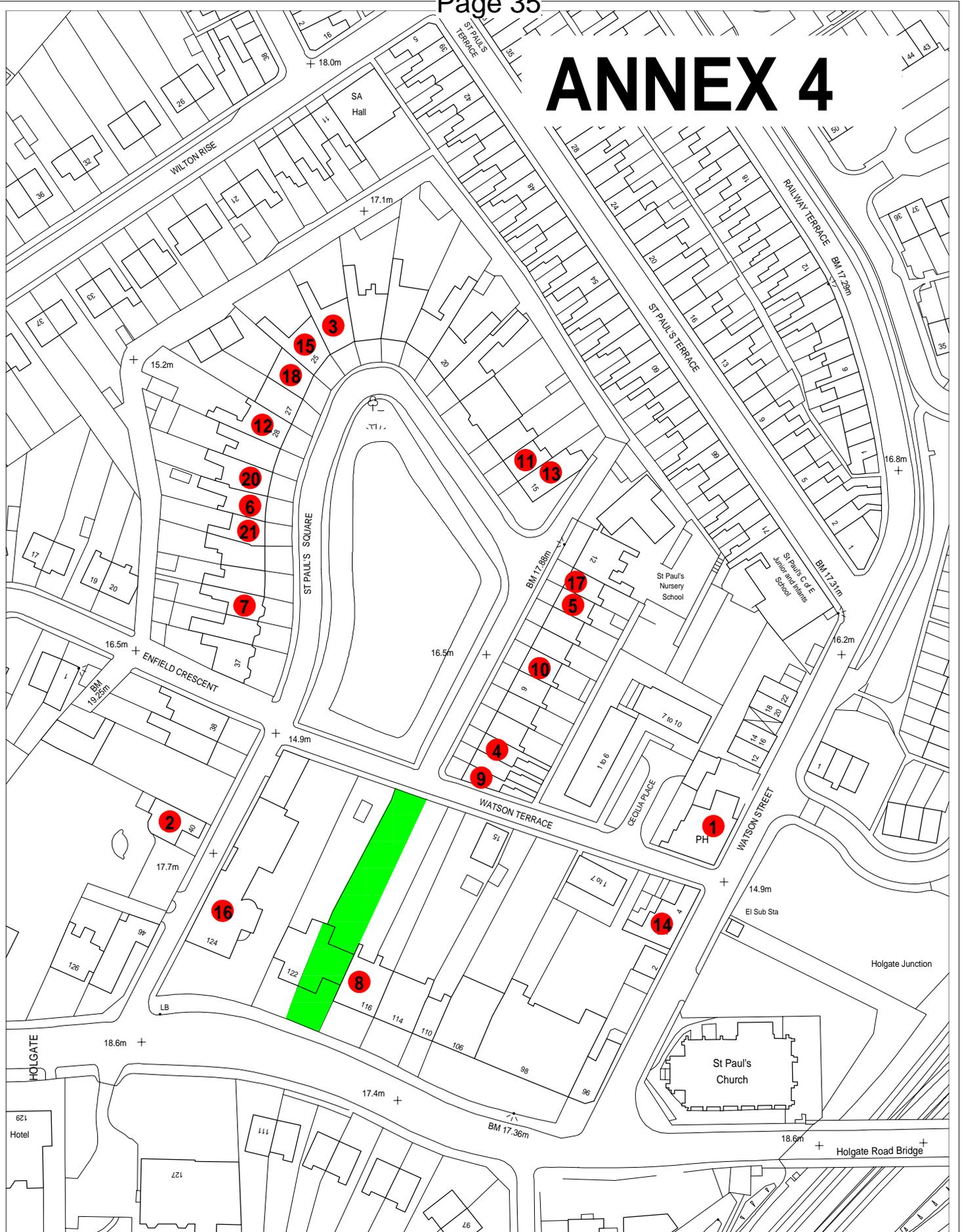
electrical key	
⊕	Pendant
⌞	Wall Light
⊙	Recessed Spot
—	Strip Light
⊞	Emergency Light
⊖	Wall Switch
⌒	Ceiling Switch

ST PAULS HOTEL 120, Holgate Road York.  
GROUND FLOOR AND GARDEN PLAN

SCALE 1:100

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# ANNEX 4



## ST. PAUL'S LODGE HOTEL, 120 HOLGATE ROAD

SCALE 1:1250  
Originating Group

DRAWN BY PSL  
Project

DATE 26/3/2009  
Drawing No.

SPLHHR



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**MANDATORY & PROHIBITED 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 (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.

**PROHIBITION CONDITIONS: PLAYS**

- (1) In relation to a premises licence which authorises the performance of plays, no conditions may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
- (2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

**Legislation and Policy Considerations**

1. 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.
2. 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
3. The following provisions of the Secretary of State's guidance apply to this application: Chapter 2 the Licensing Objectives and Paragraphs 5.47 Steps to promote the licensing objectives; and 8.33 Variations.
4. 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.
5. 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.
6. 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.

## **NOTE FOR MEMBERS**

**Extracts from Revised Guidance issued under section 182 of the Licensing Act 2003 (in force 28 June 2007). The following amendments to paragraphs in the Guidance may have relevance at a hearing to determine an application for the grant, variation or review of a premises licence or club premises certificate.**

### **Related Legislation and Strategies**

1.26 Licensing law is not the primary mechanism for the general control of individuals once they are away from a licensed premises and therefore beyond the direct control of individual licensees or certificate holders. However, licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and a public nuisance immediately outside their premises, for example on the pavement, in a beer garden, or (once the smoking ban comes into force) in a smoking shelter, where and to the extent that these matters are within their control.

1.27 In addition, when considering a new premises licence or following reviews that have identified problems with a particular premises, licensing authorities may consider imposing conditions as appropriate, such as preventing customers from taking open containers outside the premises or installing CCTV. However, any conditions imposed must not be aspirational and must be within the control of the licensee. For example, a condition may require a premises to adopt a particular dispersal policy, but a licensee cannot force customers to abide by it.

### **Hours of Trading**

10.19 In some town and city centre areas where the number, type and density of premises selling alcohol for consumption on the premises are unusual, serious problems of nuisance and disorder may arise outside or some distance from licensed premises. For example, concentrations of young drinkers can result in queues at fast food outlets and for public transport, which may in turn lead to conflict, disorder and anti-social behaviour. In some circumstances, flexible licensing hours may reduce this impact by allowing a more gradual dispersal of customers from premises.

10.20 However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times. Where there are objections to an application and the committee believes that changing the licensing hours would undermine the licensing objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.

10.21 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.