
Licensing Act 2003 Sub Committee**13 July 2026**

Report from the Director – Environment and Regulatory Services

Section 18(3) (a) Application for a premises licence for York Museum Gardens, Museum Street, York**Summary**

1. This report seeks Members determination of an application for the grant of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC 084107
3. Name of applicant: Futuresound Events Ltd
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application:

The proposal is to allow for the provision of the following activities at a park/open space within the centre of York.

Proposed Activity	Timings
Live music – indoors and outdoors	11:00 to 22:30 Thurs/Fri/Sat 12:00 to 22:30 Sun
Recorded music – indoors and outdoors	11:00 to 22:30 Thurs/Fri/Sat 12:00 to 22:30 Sun
Performance of Dance – indoors and outdoors	11:00 to 22:30 Thurs/Fri/Sat 12:00 to 22:30 Sun
Other entertainment – indoors and outdoors	11:00 to 22:30 Thurs/Fri/Sat 12:00 to 22:30 Sun
Supply of Alcohol – On the premises	11:00 to 22:30 Thurs 11:00 to 23:00 Fri/Sat 12:00 to 23:00 Sun
Opening Hours	Unrestricted Mon to Sun

Background

6. A copy of the application can be found at Annex 1, including a plan of the premises.
7. The premises is described in the application as: More than 10 acres of gardens in the heart of York.
8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.
9. For information, the gardens currently hold an existing premises licence, held by York Museums Trust, which was first granted by the Licensing Authority in September 2005. This licence, if granted, would run alongside the current licence, so in effect there could be two premises licences operating at the same time.

Promotion of Licensing Objectives

10. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:

11. General

11.1 This licence shall be valid for a period of no more than twelve days per annum.

11.2 The Premises Licence Holder (PLH) shall give notice to the Licensing Authority (LA) of any event date/s no later than four months before the first day of the event.

11.3 Attendance within the premises will be monitored and will not exceed 6000 persons or the maximum safe occupancy figure indicated by a Fire Safety Risk Assessment under the provisions of the Regulatory Reform (Fire Safety) Order 2005, whichever figure is the lesser.

11.4 All licensable activities provided at the event will take place in accordance with the relevant operational document within the Event Safety Management Plan (ESMP).

11.5 The PLH will participate, where invited, in at least two SAG meetings (minimum of one advance meeting and one de-brief

meeting) that may be convened each year in line with the LA's schedule

11.6 A draft ESMP shall be submitted to the LA no less than four calendar months in advance of the event. The ESMP shall give due regard to the Purple Guide and shall include references to:-

- Adverse weather plan
- Alcohol management plan
- Anti-drugs policy
- Crowd management, security and stewarding policies and plans (including, but not limited to search policy and procedure, drug control, weapons, eviction, ejection and deflection, counterterrorism)
- Emergency response plan
- Event schedule (to include operating hours of all licensable activities)
- Fire safety plan
- Medical plan
- Sound management plan (to include operating hours, how off site and front of house sound levels will be monitored and how any complaints of sound will be dealt with)
- Risk assessment
- Site map
- Traffic management plan
- Contact details of key personnel.
- The location of the rendezvous points for Responsible Authorities
- The location of free water dispensing points
- Glass management within the VIP area & prevention from leaving the area
- CCTV coverage, including details of data holder, data storage, accessibility to recordings, monitoring responsibility and reporting.
- Any other detailed plans agreed with the LA

11.7 The final published ESMP shall be Submitted to the LA at least 14 days before the first day of the event. The final ESMP will account for advice received via the SAG consultation process and have changes clearly logged. This version will only be amended in the 14 days prior to the event or during the event in the case of emergency or where the changes are typographical in nature. Such changes will be notified to the LA as soon as reasonably practicable.

11.8 The ESMP provisions will be taken as requirements of the licence in so far as they relate to a licensable activity and are not relevant to an existing statutory provision.

11.9 The PLH will ensure that Event Liaison Team (ELT) meetings are held daily during the event to allow dissemination of relevant information; to identify any threat or risk to the event; and to enable prompt decision making. Representatives from LA and Responsible Authorities will be invited to join ELT meetings

11.10 The PLH shall require the Event Control to keep an 'Event Control Log' in which data relating to all incidents are recorded. Report forms (including time, date and named person completing the form) will be completed as soon as is reasonably practicable.

11.11 All alcohol sales will be made or authorised by a Personal Licence Holder.

11.12 No glassware or glass bottles will be permitted in the audience areas save for within VIP areas.

12. The Prevention of Crime and Disorder

12.1 A reputable and experienced SIA accredited security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder. The details of the anticipated provider will be given to the Police

12.2 Event security and stewarding will be provided with a briefing, which shall include access and egress, emergency procedures, illegal substance use, vigilance and identification of suspicious behaviour and the need to take appropriate action to assist in the prevention of theft and robbery and the prevention of crime and disorder within the premises. Event security representatives and key event management personnel will attend any agreed counter-terrorism training delivered by the LA in advance of the event.

12.3 A Crowd Management Plan and an Access and Egress Plan shall be prepared, which shall be referenced in the ESMP. These plans shall be implemented whilst licensable activities are taking place and until 30 minutes after the premises close.

12.4 Representatives from the appointed security company/s used during events shall be contractually required by the PLH to attend event liaison team meetings during the live event.

12.5 The organiser will use screening on the entry points to the event to exercise the right to refuse entry to any unauthorised or disorderly person.

12.6 To ensure security and integrity of the site, a search policy shall be prepared and implemented.

12.7 The PLH will have a clear and definitive policy on the use or possession of illegal substances at the event and will cooperate fully with other authorities to implement this.

12.8 The PLH will provide anti-crime and drugs awareness advice to ticket holders. Security will not permit substances into the venue. Any illegal substances found will be confiscated where possible.

12.9 Prior notification that the event organisers operate a strictly no drugs policy shall be provided to ticket holders, including details of the bag policy for that event.

12.10 Anyone who appears to be drunk or intoxicated shall be refused entry to the event site.

12.11 CCTV cameras shall be installed and maintained throughout the duration of the event days. A plan detailing the location, number and viewpoint of the CCTV cameras, the operator and data holder shall be included within the ESMP. Footage recorded from the cameras shall be retained for a period of no less than 30 days from recording and shall be made available upon request to a responsible authority, subject to the requirements of data protection legislation and the tests for disclosure being met.

12.12 Organisers will ensure that clear entry terms and conditions including prohibited items are displayed at the entry points to the event.

12.13 Admission shall be by ticket or wristband only.

13. Public Safety

13.1 All matters of public safety are governed by :

- The Health and Safety at Work etc Act 1974
- The Regulatory Reform (Fire Safety) Order 2005

In view of the provisions, no additional conditions are considered to be necessary, but the ESMP will contain relevant references to the measures in place to comply with this legislation

14. The Prevention of Public Nuisance

14.1 The PLH shall hold at least one consultation meeting for local residents, local business and stakeholders. An email address published on any event website will be available to enable local residents, local businesses and stakeholders to request information about the event.

14.2 Prior to the event, information will be shared to residents in the direct locality of the venue, including a dedicated number and email address that can be used to contact the event during the live show.

14.3 A suitable qualified and experienced acoustic consultant shall be engaged no later than 28 days prior to any live music event. The competent person shall liaise with all necessary persons responsible for controlling sound before and during each event (For the purpose of the above all necessary persons includes the licensee, promoter, sound system supplier, sound engineer and representatives from the licensing authority)

14.4 The Event Organiser shall, with the acoustic consultant and having regard to any advice and guidance provided in writing before the event by the LA, develop and comply with a Sound Management Plan (SMP) specific for the event that will further have regard to the 'Code of Practice on Environmental Noise Control at Concerts' that is in publication at the time of preparation of the plan and shall contain the methodology which shall be employed to control sound produced on the premises. The SMP shall also include;

- a. The maximum sound limit
- b. The management command and communication structure/methods for ensuring that permitted sound system output and finish times are not exceeded.
- c. Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
- d. Action to be taken by the Event Organiser following complaints.

14.5 Sound propagation tests shall be undertaken prior to the event in order to set an appropriate maximum sound limit at the sound mixer position. The sound source used for the test shall be similar in character to the music likely to be produced for the event. The sound system shall be configured and operated in a similar manner as intended for the event.

14.6 A copy of the SMP shall be provided to the LA no less than 7 days prior to an event, unless otherwise agreed.

14.7 The background sound level shall be assessed at such positions as are agreed with the LA prior to the commencement of any event involving regulated entertainment in the open air which is intended to conclude after 22:00

14.8 The result of all sound monitoring that is logged during each concert will be made available to the LA no later than 28 days after the event

14.9 In the instance that sound levels are found to be in exceedance of the maximum sound limit as set out within the SMP, action shall be taken as soon as is reasonably practicable to reduce the sound to below the maximum sound limit.

14.10 Suitable communication links will be provided between the promoter, sound engineer and acoustic consultant and offered to the LA to promote effective and efficient communications between all parties be made during each event.

14.11 Sound propagation tests shall be undertaken prior to the event in order to set appropriate sound control limits at the sound mixer position to comply with the agreed levels. The sound source used for the test shall be similar in character to the music likely to be produced for the event. The sound system shall be configured and operated in a similar manner as intended for the event.

14.12 The Licensee shall ensure that the acoustic consultant, promoter and sound engineers are informed of the sound control limits any instructions from the Licensing Authority regarding sound control shall be implemented

14.13 Suitable communication links shall be created between the promoter, sound engineer and acoustic consultant and offered to the LA to ensure that communications between all parties can be made during each event.

14.14 Rehearsals and sound checks will occur only between the hours of 09:00 – 20:00

14.15 An experienced traffic management team including CSAS operatives will be engaged to assist with minimising the impact of increased traffic in the area.

14.16 A dedicated waste management team will be engaged and required to provide additional waste receptacles and litter-picking stewards for during and after each event.

15. The Protection of Children from Harm

15.1 A 'Challenge 25' policy will be in operation at all events where alcohol is served. The only documents that are to be accepted as proof of age are Photo card and Driving Licence, Passport, or PASS approved card. A refusals log will be kept and proxy sales monitored as part of this.

15.2 The ESMP shall contain reference to plans and policies relating to lost and found children.

15.3 All children under the age of 14 years must be accompanied by a person over the age of 18 years. A person over the age of 18 can accompany a maximum of 4 children. Age checks will be undertaken at point of entry.

Special Policy Consideration

16. This premises is not located within the cumulative impact area. It does however border the edge of the impact area.

Consultation

17. 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.

18. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

19. North Yorkshire Police have made representation based on the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and public safety. Their representation can be found at Annex 3.
20. City of York Council Public Protection team (Environmental Protection) have made representation based on the licensing objective of the prevention of public nuisance. Their representation can be found at Annex 4.

Summary of Representations made by Other Parties

21. There have been six relevant representations received from other persons. The list of representors is attached at Annex 5. Four of those representors object to the application whilst two write in to support the application. One of the objectors represents seven households.
22. The representations are predominantly based on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance objectives. Those who object state that these objectives will be undermined if the application is granted. Those who write to support say the objectives will not be undermined.
23. A copy of all the representations are attached at Annex 6.
24. A map showing the general area around the venue is attached at Annex 7.
25. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 8. The Legislation and Policy considerations can be found at Annex 9.

Options

26. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
27. Option 1: Grant the licence in the terms applied for.
28. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.

29. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
30. Option 4: Refuse to specify a person on the licence as premises supervisor.
31. Option 5: Reject the application.

Analysis

32. The following could be the result of any decision made this Sub Committee: -
33. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
34. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
35. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
36. Option 4: This decision could be appealed at Magistrates Court by the applicant.
37. Option 5: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

38. The Licensing Act 2003 has four objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
39. By taking the statutory requirements of the Licensing Act into consideration, as well as the four licensing objectives when determining licensing applications, the Council are supporting the new and existing licence trade, as well as local residents and businesses. The functions support the Council's Plan commitments to make York a healthier, fairer, more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations. It supports the particular priority for a fair, thriving, green economy for all.

Implications

40.

- **Financial** - N/A
- **Human Resources (HR)** – N/A

Equalities – The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions) when setting its Statement of Licensing Policy.

- **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

41. 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.
42. The report details the options available to the panel when determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

Recommendations

43. Members determine the application.

Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

Author:

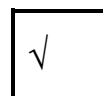
Lesley Cooke
Licensing Manager

Chief Officer Responsible for the report:

Dave Atkinson
Director Environment and Regulatory Services

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**Report
Approved**

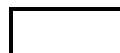


**Date
19.05.2026**

Specialist Implications Officer(s)

Head of Legal & Democratic Services
Ext: 1004

Wards Affected: Guildhall



For further information please contact the author of the report

Background Papers:

- Annex 1** - Application form, operating schedule and plans
- Annex 2** - Overview of Circumstances in which entertainment activities are not licensable
- Annex 3** - Representation from North Yorkshire Police
- Annex 4** - Representation from Public Protection
- Annex 5** - List of representors **CONFIDENTIAL**
- Annex 6** - Representations
- Annex 7** - Map
- Annex 8** - Mandatory Conditions
- Annex 9** - Legislation and Policy