



NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

Postal Address of premises or club premises: York Museum Gardens Museum Street	
Post town: York	Post code (if known): YO1 7FR

Notice of Objection relates to the following licensing objective: *(Please tick one or more boxes)*

1. The prevention of crime and disorder	☒
2. Public safety	☒
3. Prevention of Public Nuisance	☒
4. The protection of children from harm	☐

GROUND FORS FOR RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:

(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This application relates to a new premises licence submitted by Future Sound Events Ltd for Museum Gardens, York, seeking permission to carry out licensable activities for up to twelve days per calendar year as follows:

Live Music / Recorded Music / Performance of Dance

- Thursday to Saturday: 11:00 – 22:30
- Sunday: 12:00 – 22:30

Supply of Alcohol

- Thursday: 11:00 – 22:30
- Friday & Saturday: 11:00 – 23:00
- Sunday: 12:00 – 23:00

Museum Gardens currently benefits from an existing premises licence issued by City of York Council (reference CYC-009433), which permits similar activities, with alcohol sales ceasing earlier at 22:45 hours.

North Yorkshire Police have carefully considered this application, noting that it seeks to create an additional licence for the same location. Having reviewed both the operating schedule and the proposed conditions, we formally object to the application on the grounds that it fails to adequately promote the following licensing objectives:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance

Furthermore, the police have significant concerns that the proposed conditions do not comply with the Home Office Section 182 Statutory Guidance, as they are not sufficiently precise, enforceable, or unambiguous.

The application relates to licensable activities within a public open space and the nature of event/s to take place are associated with increased risk, including:

- Anti-social behaviour
- Alcohol-related disorder
- Drug use and supply
- Theft and violence

Paragraph 1.16 of the Section 182 Guidance states that licence conditions must:

- Be appropriate for the promotion of the licensing objectives
- Be precise and enforceable
- Be tailored to the specific premises and event

While the applicant proposes several control measures, these are not secured through robust or enforceable conditions. Key concerns include:

- No clearly measurable search regime (e.g. frequency, method, or threshold)
- Vague references to “screening”, “policy”, and “cooperation” without defined standards
- Lack of clear refusal, ejection, and dispersal procedures

As drafted, these measures are aspirational rather than enforceable, providing insufficient assurance that crime and disorder will be effectively prevented.

In addition, whilst the application proposes use of the premises for up to twelve days per annum, it does not specify when those events will take place, beyond a requirement to notify the Licensing Authority four months in advance. This creates uncertainty and prevents proper assessment of cumulative impact and resource planning.

The application relies heavily on the development of an Event Safety Management Plan (ESMP), rather than securing control measures through enforceable licence conditions.

Concerns include:

- The ESMP is not finalised at the point of determination
- It remains subject to amendment, including shortly before or during the event
- Core safety measures (crowd management, emergency procedures, access/egress) are not expressly secured within the licence.

This creates a lack of certainty regarding:

- Safe capacity management
- Emergency response capability
- Crowd control arrangements

As such, there is insufficient confidence that public safety risks will be adequately mitigated.

Whilst reference is made to consultation through the Safety Advisory Group (SAG), it should be noted that SAG is a non statutory advisory body and its input is not legally binding. Although it is acknowledged that event promoters are expected to work in partnership with local authorities, police, health services, and other stakeholders (often through the SAG process) such engagement does not remove or replace the requirement for licence conditions to be clear, precise,

and legally enforceable.

A central concern for North Yorkshire Police is that the proposed conditions fail to meet the statutory requirements set out in Section 182 Guidance.

Several conditions include vague and subjective wording such as:

- “reputable and experienced”
- “screening”
- “clear and definitive policy”
- “anti-crime awareness”

These terms are undefined and open to interpretation, making compliance inconsistent and enforcement impracticable.

The conditions further fail to include objective and quantifiable criteria, including:

- Minimum SIA staffing levels
- Defined search methodologies
- Clear thresholds for intoxication or refusal
- Specific CCTV coverage requirements

Without measurable standards, compliance cannot be effectively assessed.

A number of conditions attempt to rely on the ESMP, including condition 8, which states:

“The ESMP provisions will be taken as requirements of the licence”

This creates legal uncertainty as the ESMP is:

- A live, changeable document
- Not fixed at the point of licence grant
- Capable of amendment without formal variation

This approach is contrary to statutory guidance, which requires conditions to be clear and certain at the point of determination.

Furthermore certain conditions duplicate existing legal requirements, including:

- Personal Licence Holder requirements
- Fire safety obligations

The statutory guidance advises that such duplication should be avoided.

Taken as a whole, this application:

- Relies heavily on future documentation rather than enforceable controls
- Contains vague, subjective, and unenforceable conditions
- Fails to provide clear and measurable safeguards
- Does not adequately mitigate foreseeable risks

This results in a lack of confidence that the licensing objectives can or will be upheld.

Additionally, the proposal to grant a further premises licence for unspecified event dates, where an existing licence already permits similar activity, is not sufficiently justified and adds further uncertainty.

Considering the above, North Yorkshire Police respectfully submit that:

- The proposed conditions are non-compliant with Section 182 Guidance
- The application fails to demonstrate that the licensing objectives will be promoted

- The risks associated with the event are not adequately controlled

North Yorkshire Police request that members refuse this application.

Should the applicant wish to re-engage with responsible authorities and submit a revised application supported by robust, precise, and enforceable conditions, and provide clear justification for the need for an additional licence, we would be willing to review our position.

Signature: J Booth

Date: 14/05/2026

Contact name: PS 133 Jackie Booth

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