

**Aylesbury Vale District Council**

**DECISION OF THE LICENSING AND GAMBLING ACTS SUB-COMMITTEE  
FOLLOWING A HEARING ON 23 SEPTEMBER 2014 AT THE COUNCIL'S  
GATEWAY OFFICES, GATEHOUSE ROAD, AYLESBURY**

**Application by Kyle Michael to vary the premises licence for Mango, 1 Silver Street,  
Aylesbury, Buckinghamshire**

**Members of the Sub-Committee**

Cllr Judy Brandis (Chairman)  
Cllr Sue Renshell  
Cllr Andy Huxley

**Declarations of interest**

None.

**The application**

1. The Sub-Committee has given careful consideration to the application before it, namely, to vary the premises licence for Mango, 1 Silver Street, Aylesbury, Buckinghamshire.
2. In general terms, the application seeks permission:
  - a. **to extend the opening hours of the premises** from the current terminal hour of 03.30 to 04.00 every day;
  - b. **to extend Friday and Saturday hours on a seasonal basis** (i.e. between 1 July and the second weekend of September) as follows:
    - i. **alcohol:** 23.00 (according to Mr Michael this was a typo and should be read as 07.00) to 06.00 (currently 03.00);
    - ii. **regulated entertainment:** 07.00-0600 (currently 03.30);
    - iii. **late night refreshment:** 23.00 to 05.00 (currently 03.30);
    - iv. **opening times:** 07.00 to 06.30 (currently 03.30);
  - c. **for a one hour extension preceding a bank holiday Monday as follows:**
    - i. **alcohol:** Thursday to Sunday (i.e. 04.00);
    - ii. **regulated entertainment:** Friday to Sunday (i.e. 04.30);
    - iii. **opening times:** Thursday to Sunday (i.e. 05.00);
  - d. **for a one hour extension on all timings on Good Friday; Christmas eve; Christmas day and Boxing day;**
  - e. **for a one hour extension on all timings on the commencement of British Summertime; and**

- f. **to extend all activities from the end of permitted hours on New Year's eve to the start of permitted hours on New Year's day.** With the exception of dance performances during the week, the licence already allows for this.
3. To alleviate police concerns, the following condition was volunteered: "On all days when seasonal or bank holiday hours are in effect no persons shall be permitted to enter the premises after 3am save for the purposes of re-entering following smoking".
4. Mr Kyle Michael, who is also the designated premises supervisor, attended the hearing and was assisted by Mr Zayyan Haroon-Doyle and supported by Mr Paul Biswell and Ms Laura Slaven.

### **The representations**

5. The application received representations from the Police; Licensing Authority and Environmental Health, acting in their capacity as responsible authorities, as well as representations from other persons both in support of and against the application.
6. The police were represented by Chief Inspector Simon Steel and their Licensing Officer Mr Trevor Hooper.
7. Chief Inspector Steel is currently stationed at Aylesbury police Station. He is also deputy Local Policing Area Commander for Aylesbury Vale and a nationally accredited public order bronze commander. Drawing on his extensive and varied experience of policing the night time economy, Chief Inspector Steel described the arrangements for policing Aylesbury on a Friday and Saturday night and said that there would be a huge adverse impact if licensing hours were extended. The plain fact is, he told us, alcohol results in disorder and there were no more resources.
8. Mr Hooper expressly invoked the council's special saturation policy which deals with the cumulative impact on the licensing objectives of a concentration of licensed premises in Aylesbury town centre. It addresses the need to consider the bigger picture and the wider impact individual licensing decisions are likely to have on crime, disorder, nuisance, disturbance and public safety in sensitive locations.
9. Mr Hooper submitted the saturation policy should be applied strictly for the following reasons: Mango is not exceptional; the application would seriously undermine the licensing objectives and place an additional burden on police resources and the other blue light services and on A & E and other hospital services; the police are not keen on town centre licensed premises using TENs (temporary event notices) to extend their trading hours but accept it reluctantly and with caution and that the police do not generally oppose the use of TENs up to 04.00 because occasional use up to this time does not greatly impact on police staffing levels or shift patterns. Mr Hooper also said that this application was a repeat of the application that the council refused last year albeit limited to the summer months.
10. In a supplementary written representation Mr Hooper qualified his objection to bank holiday extensions saying he objected to an extension of hours on Thursdays; an extension of alcohol hours beyond 03.30 on any day and an extension of opening times beyond 04.00 on any day.

11. Additionally, Mr Hooper recommended that Mango apply for a Sexual Entertainment Venue (SEV) licence because of the provision of adult entertainment. Alternatively, Mr Hooper thinks a condition should be imposed requiring the premises licence holder to notify the police and the licensing authority 14 days in advance of a relevant performance.
12. The police representation also comprised of a statement from a Sergeant explaining how she and her team of officers patrol Aylesbury town centre on Friday and Saturday nights. Together with the first hand account of other officers, the statement describes their experience of policing the night time economy in Aylesbury on Friday and Saturday nights and paints a vivid picture of the challenges faced by the police.
13. The sergeant noted that throughout the night as the bars close it is common for the customers to then move on to the clubs which have extended hours. She states that the latter part of the night is usually the most problematic when the clubs start to close. The officers relay first hand accounts of witnessing: drunken behaviour; alcohol related disorder; fights; criminal damage and large groups of intoxicated customers. They describe how volatile the town centre can be late at night and the threats they have faced to their personal safety and actually being assaulted. They also describe how the atmosphere becomes increasing hostile and tense as the night wears on and an increasing amount of alcohol is consumed. The other common thread is how labour intensive and time consuming even low key arrests can be.
14. In support of the police objection and the council's saturation, Ms Kay Aitken, the council's Community Safety Manager, also objected to the application on the grounds of crime and disorder and public nuisance. Ms Aitken administers the Aylesbury Vale Community Safety Partnership which prepares and implements the Community Safety Strategy which has a basis in law. The strategy sets out the priorities for reducing local levels of crime and disorder. Ms Aitken told us that safe and secure town centres is one of the priorities of the current three year strategy (2014-2017) and relied on a recent assessment of crime figures which demonstrates that violent crime still spikes in the early hours of Sunday morning which she believes directly relates to the night time economy.
15. Ms Aitken also relied on the 'Purple Flag' status awarded to Aylesbury town centre which recognises the Partnership's efforts in effectively managing the night time economy in Aylesbury. Ms Aitken told us that the most recent Purple Flag assessment concluded that the council's Statement of Licensing Policy is excellent and worthy of sharing as best practice. Ms Aitken presented her objection to us at the hearing.
16. Mr Peter Seal is the council's/licensing authority's Licensing Services Manager and also attended the hearing. This is what he had to say about the saturation policy: the saturation policy applies and speaks loudly in relation to this type of application; it acts as a general ceiling to the night time economy and creates a generally accepted compromise to allow operators to trade successfully and competitively and at the same time for the police to ensure the safety and welfare of consumers, the general public, employees and taxi drivers and that it relates largely to what happens once customers have left licensed premises or more often than not when drunk people are refused entry to licensed premises.

17. According to Mr Seal, if the application is granted, Mango will become a magnet for late night drinking and that there would be problems arising from refusals. He said the premises could become more successful and what is currently a quiet bar could become full to capacity (220 people) and the impact of this is unknown and untested.
18. Mr Seal also sounded a note of caution about other town centre premises seeking to match Mango's hours resulting in more and later drinking.
19. Mr Seal dismissed TENs as an unreliable indicator of what might happen and the likely impact on the licensing objectives of a permanent extension of hours. He pointed to the absence of important detail such as how busy each temporary extension was, what time the premises actually closed and other such relevant facts. Besides, he argued, if we extended the licensing hours during the summer months, the premises could still trade for another 12 weeks using TENs.
20. Mr Seal was adamant that Mango is not exceptional. He said Mr Michael accepts that good management and being LGBT friendly is not exceptional. Mr Seal argued that use of TENs is not exceptional as other licensed premises in Aylesbury town centre regularly trade using TENs without incident and have done so for many years. This reason alone does not provide an evidential basis to depart from the saturation policy.
21. Mr Seal also expressed concern about the provision of adult entertainment and recommended that a condition be attached to the premises licence requiring Mr Michael to notify the licensing authority 14 days prior to any performance of a sexual nature and providing a brief description and setting out appropriate control measures.
22. Mr Seal, however did not object to non-standard timings and the British summer time extension.
23. Mr Neil Green, a council Environmental Health Officer, attended the hearing to object to the application. Mr Green said there was no recent history of noise complaints relating to the activities at Mango but expressed concern because an extension of hours would increase the possibility of noise disturbance to local residents and there are a number of residential properties in close proximity to Mango.
24. Mr Green was particularly concerned about the following. The noise generated by people entering and exiting the premises. The premises could be busier. People who had already been drinking elsewhere migrating to the premises. There would be more people on the streets at times when the area would otherwise be quiet.
25. An objection to the application was received from Mr Mel and Mrs Ewa Jones. Their representation mentioned a trend in empty offices and shops in town centres being converted back to residential premises and encouraged us to support it. They own 1 Temple/9 Market Street and have recently made a huge investment converting an empty office space into 4 luxury flats. In total, they were aware of 11 flats being built/converted close to Mango.
26. They strongly object to the application because occupants of their property would be directly affected by the additional late night noise as Mango is situated in front of their property. They argued even town centre residents are entitled to peace and quiet during night hours and that noise mitigation measures such as double/triple glazed windows

were limited because of conservation area and listed building restrictions. Mr Jones attended the hearing.

27. Aylesbury Town Council also objected along similar lines. They were represented by one of their councillors Mr Steven Mitchell. Mr Mitchell objected on the ground of public nuisance and mentioned 7 new flats being created or converted very near to Mango and expressed concern about noise emanating from Mango and noise in the street caused by customers arriving and leaving the premises. Mr Mitchell told us that there was a perception that noise at night time is getting worse.
28. Mr Michael told us we can be sure his application will not adversely impact on the licensing objectives as he has been trading during the extended hours applied for using TENs for many years. This according to Mr Michael means that he has effectively been able to open for 24 hours most weekends in the summer months. Mango is exceptional he said because he can demonstrate that Mango has in fact operated extended hours without incident and in particular without any adverse impact on the licensing objectives. Therefore, in his opinion, this is what makes his application unique.
29. Mr Michael agreed that being a well run (for example, not receiving any noise complaints) or LGBT friendly venue or already having a later licence than most in the town centre does not make Mango or his application exceptional.
30. Mr Michael said it was far better that later opening was authorised under his premises licence rather than TENs because, the conditions attached to the licence would apply and if there are any problems in the future, residents and the responsible authorities would have recourse in the form of a review of the licence. It would also be preferable because the extensions he had applied for were shorter than his temporary events and the expense and effort of serving TENs would be avoided.
31. In answer to the objections his application received, Mr Michael relied on the fact Mango has not been the subject of any noise complaints; and said he would be willing to volunteer a condition not to use TENs to extend his hours further.
32. At the hearing Mr Michael also relied on a video recording to demonstrate that the town centre is not quiet even after 03.30. Although we could not see the footage because of a technical glitch, we were still able to listen to what was recorded. According to Mr Michael, people leaving the take-aways; the setting up of market stalls; street cleaners and taxis all contribute to a noisy environment. In addition, Mr Michael made the point that residents living in the town centre should accept that there will be noise. He also questioned whether investors like Mr and Mrs Jones were seeking to simply protect their commercial interests.
33. As for the extension of standard opening hours, Mr Michael said this would allow for a better dispersal of customers and that, as this was not a licensable activity, it was not something we could regulate in any event.
34. As for the bank holiday extensions, Mr Michael asked for the same hours granted to Mirage.
35. When exercising his right to question those who had objected to his application, one of the recurring themes Mr Michael pursued was that their objections related to the town

centre in general as opposed to Mango specifically. Mr Michael therefore questioned the relevance and fairness of the objections because they did not concern matters he was responsible for or which were within his control.

36. Mr Michael also submitted that there was no evidence that his application would cause a public nuisance.
37. As for the concerns expressed about the provision of adult entertainment, Mr Michael made plain that Mango is not and does not want to be a Sexual Entertainment Venue and therefore does not need a separate licence. He dismissed the need for the kind of condition that Mr Seal and Mr Hooper recommended because it was not necessary and would merely and unlawfully duplicate SEV controls.
38. Notwithstanding the strong defence of his original application, Mr Michael said he would be willing to restrict the seasonal variation to just Saturdays and the terminal hour for alcohol to 05.00 and regulated entertainment to 05.30.
39. Mr Michael also offered, in a written submission he filed in advance of the hearing, to reduce his Bank Holiday extensions as follows: "I am willing to reduce the scope of the extension to one terminal hour on all licensed activities on Saturday and Sunday only (removing the application for Thursday and Friday) and relinquish the additional hour which is already in place on Monday".
40. If we decided to refuse his application, Mr Michael specifically requested that we explain how his application would add to the cumulative impact and what we consider to be an exceptional premises.
41. Finally, we received representations from Ms Laura Slaven; Mr Paul Biswell; Ms Nicole Woodward; Ms Amanda Wiley; Ms Ange Johnston and Ms Rachel Evett in support of the application. They are all customers of Mango and say that it is exceptional because it is friendly, safe, incident free and very well managed especially the security. They support later closing times because people should be able to choose how long they stay out and it also avoid flashpoints caused by a concentration of people leaving the town centre at the same time.

## **The decision**

42. We have listened to all the representations and have read all the material.
43. We have had regard to the statutory guidance issued under section 182 of the Licensing Act 2003, and the council's own licensing policy statement.
44. We have also taken into account our duty to have due regard to the likely effect of the exercise of our discretion on, and the need to do all we reasonably can to prevent, crime and disorder in our area.
45. We confirm that in making our decision we have sought to promote the licensing objectives.
46. We have taken into account that local residents have a right to respect for their private and family life and their home. They are entitled therefore not to be disturbed by

unreasonable noise and nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.

47. We have set out below the parts of the application we have granted or rejected:

- a. **extension of standard opening hours of the premises:** refused;
- b. **extension of hours on a seasonal basis** (i.e. between 1 July and the second weekend of September): refused;
- c. **extension of hours preceding a bank holiday Monday:** granted in part as follows:
  - i. **alcohol:** Friday to Sunday - 03.30;
  - ii. **opening times:** Friday to Sunday - 04.00;
- d. **extension of hours on Good Friday; Christmas eve; Christmas day and Boxing day:** granted in part as follows:
  - iii. **alcohol:** Friday to Sunday - 03.30;
  - iv. **opening times:** Friday to Sunday - 04.00;
- e. **for a one hour extension on all timings on the commencement of British Summertime:** granted; and
- f. **to extend all activities from the end of permitted hours on New Year's eve to the start of permitted hours on New Year's day:** granted.

## Conditions

48. We agree with Mr Michael that a condition preventing new customers from entering the premises is appropriate and necessary. The following condition is therefore imposed based largely on the condition Mr Michael volunteered:

*On Fridays to Sundays preceding a bank holiday Monday and on Good Friday; Christmas eve; Christmas day and Boxing day, no new customers shall be permitted to enter the premises after 03.00 save for those customers who have temporarily exited the premises in order to smoke.*

49. During the course of the hearing, we discussed Part P of the application form which describes any additional steps Mr Michael intends to take to promote the four licensing objectives as a result of his proposed variations. We compared the wording of the conditions on his licence with the wording of the conditions in this part of the application form and noted some changes and discrepancies. Mr Michael confirmed that it was not his intention to reduce the scope of, or make substantive changes to, for example, the CCTV and door staff conditions currently on his licence but merely to make adjustments to reflect the variations he had applied for.

50. That being the case, we agree that it is appropriate and necessary to maintain the safeguards currently in place.

## Reasons

51. Having regard to the likely impact of the extension of hours, we are easily satisfied that the council's special saturation policy applies to this application: Mango is in the saturation zone; it is a "Higher Risk Premises" and this is a "material variation".
52. The council's licensing policy plays a key role in how we exercise our discretion and warns Mr Michael that applications like his will be refused unless it is appropriate not to do so because exceptionally Mr Michael can show that there will be no negative cumulative impact on the licensing objectives.
53. Moreover, we have strictly applied the saturation policy as the council has expressly stated in its statement of licensing policy it should be. It also states that exceptions will only be made in genuinely exceptional cases and that a case will not be considered exceptional on the ground of the good character of the applicant or the size of the variation.
54. Given the nature of the application, we strongly agree with the responsible authorities that the effect of applying the policy to this application creates a rebuttable presumption that this application is likely to add to the existing cumulative impact (see below) and therefore should be refused.
55. We would, however, reassure Mr Michael that we have considered his application on its merits but within the legal and policy framework we are required to (as we would all applications like his) and having regard to the strong representations we received. The application is fundamentally at odds with policy and the licensing objectives and not surprisingly the key responsible authorities, amongst others, raised very credible and wide ranging concerns about the harm that the extension of hours would do to the licensing objectives.
56. It is against that background Mr Michael failed to demonstrate that the extension of hours he sought would not add to the cumulative impact or that his premises or this application was genuinely exceptional. The whole point of the council's saturation policy is to make it difficult for licensing hours within the saturation zone to be extended in order to prevent harm to the licensing objectives in a location like a town centre where there is a concentration of a large number of licensed premises and has become a crime and disorder hot spot.
57. Moreover, we know the saturation policy works and the Purple Flag status of Aylesbury town centre is independent validation of that. Any application such as this which would undo the good work of the saturation policy is very likely to be inappropriate.
58. The police and licensing authority, in particular, objected strongly to the application and, quite properly, what they said weighed heavily with us. Furthermore, in deciding to attach the weight that we have to the representations made by the police we have followed statutory guidance. The representations were reliable, reasonable, proportionate, directed at promoting the licensing objectives and based on local knowledge, experience and professional judgement. It is for these reasons that we were persuaded by the representations made by the police.



59. In particular, the experience based accounts of the front line police officers provided us with a valuable insight of the realities of policing Aylesbury town centre. We found their evidence very helpful and convincing. We thought that the final paragraph was worth repeating in full as it addressed explicitly the central issue arising from this application: “Whichever venue closes last will always be the focus of disorder and it is arguable that by extending licensing hours that the ‘flashpoints’ will be minimised due to the lack of a final ‘closing time’. However, in my view the result of this is more likely to be an even more extended period of extreme drunkenness with all the related disorder and violence that follows.” We strongly agree.
60. We also agree with the police and Mr Seal that there would be a significant adverse impact on the licensing objectives if licensing hours were extended. Our licensing policy states that it is our licensing experience that longer licensing hours in Aylesbury town centre will result in more and later incidents of crime, disorder and nuisance.
61. As Chief Inspector Steel told us, the plain fact is alcohol results in disorder. If we had granted the application in full, the effect would be more alcohol related disorder and at a later time. That is the licensing experience of the police and the licensing authority in this district. This kind of serious harm to the licensing objectives is totally inappropriate and unacceptable. It would also have placed yet more pressure on the police because they are already working at the limit of their available resources. Therefore, an extension of hours would put the public and frontline police officers at greater risk of harm which we also find totally unacceptable.
62. In the context of cumulative impact it is entirely appropriate for the focus to be on the wider or overall impact on the licensing objectives of the grant of this application as opposed to focusing on Mango in isolation or its track record. That is the essence of a saturation policy and why a rebuttable presumption of refusal is justified.
63. On the issue of TENs we agree strongly with the responsible authorities. The temporary, occasional and ad hoc nature of these extensions, which may or may not have been common knowledge, do not represent in our view a reliable account of the likely impact of extending the hours on a permanent basis.
64. Chief Inspector Steel told us that if an extended hours event is temporary it is not common; if permanent it becomes cultural and then there would be change. This particularly resonated with us.
65. In addition, TENs are different in principle. The role and powers of the licensing authority are very limited in respect of TENs. That is simply how the Licensing Act is framed. Conversely, in respect of premises licences the licensing authority has a key role to play and is required to do what it can to promote the licensing objectives.
66. The other difference is that an extension to the licensing hours authorised by a premises licence will help it to become a destination venue and people who have been drinking elsewhere will at least attempt to gain entry and this could be problematic.
67. In addition, other town centre premises are likely to follow suit and extend, on a permanent basis, their licensing hours too.

68. The use of TENs at Mango therefore did not make this application exceptional or unique. Anticipating that we may come to that conclusion, Mr Michael asked us to tell him what a public house had to do to become exceptional. Whether an application is exceptional or not is a question of fact and judgement and depends on all the circumstances prevailing at the time that a contested application is determined. It is not possible nor helpful in our view to attempt to provide, in the abstract, an exhaustive list of exceptional applications. The only helpful comment we can make is that whenever an application, as in this case, poses a real risk of harm to the licensing objectives it will not be exceptional.
69. Although the concerns expressed on behalf of Environmental Health, amongst others, were not as serious as the crime and disorder issues, they are still relevant and we do attach weight to them. Mr Michael complained that there was no evidence of a noise problem but in the context of variation applications such as this our obligation is to “promote” the licensing objectives. We therefore, in appropriate circumstances, have to be pro-active and avoid problems arising in the first place instead of allowing a problem to arise and then reacting to it.
70. On the information we received and the submissions that were made, we are satisfied that there is a real possibility of noise disturbances later at night and, even in Aylesbury town centre, that would be unacceptable. If the trend Mr Jones referred to continues and there are even more residents living in the heart of the town centre, this issue will only assume greater significance in the future.
71. On the issue of adult entertainment, during the course of the hearing, the parties seem to agree that it was not appropriate to impose the kind of condition Mr Seal and Mr Hooper suggested in their written representations but Mr Michael was encouraged to comply on a voluntary basis.
72. Even though, as our licensing policy states, we can regulate sexual entertainment under the Licensing Act if it is not otherwise licensed, we felt it would not be appropriate on this occasion to impose any conditions. We would instead encourage Mr Michael to co-operate with the licensing authority and the police and comply with their reasonable requirements as a matter of good practice.
73. Mr Michael submitted that we do not have the legal power to restrict opening times because it is not a licensable activity. We disagree. The Licensing Act makes provision for applications for premises licenses. Section 17(3) states that an application must be accompanied by, amongst other things, an operating schedule. Section 17(4) states that an operating schedule has to be in a prescribed form and must include a statement of, amongst other things, “any other times during which it is proposed that the premises are open to the public”.
74. Mr Michael’s operating schedule is set out in Part 4 of his standard application form which, in accordance with section 17(4) is in a form prescribed by regulations. In section ‘O’ of Part 4 he is required to state the ‘Hours premises are open to the public’ with “start” and “finish” times.
75. Opening and closing times are therefore a relevant consideration and do form part of the regulatory process. This is unsurprising and, as this application demonstrates, opening and closing times are very closely related to the provision of licensable

activities and can significantly impact upon the licensing objectives. It appears clear to us that it was the intention of the Licensing Act that in appropriate cases, which this application is for all the reasons we have already given, licensing authorities can regulate opening and closing times.

76. In actual fact, it was submitted by the claimant in the High Court case of **Daniel Thwaites Plc v. Wirral Borough Magistrates' Court and Others (2008) EWHC 838 Admin**) that imposing a condition as to the time at which the premises must close was not something which can be done under the Licensing Act. Mrs Justice Black disagreed.

77. On this issue this is what the Judge concluded:

*“67. I have considered quite separately the argument as to whether the hours of opening can be regulated as part of the licensing of premises as opposed to the hours during which licensable activities take place. It was suggested during argument that there was no power to regulate the time by which people must leave the premises. I cannot agree with this. Clearly keeping premises open (as opposed to providing entertainment or supplying alcohol there) is not a licensable activity as such. However, the operating schedule which must be supplied with an application for a premises licence must include a statement of the matters set out in section 17(4) and these include not only the times when it is proposed that the licensable activities are to take place but also “any other times during which it is proposed that the premises are to be open to the public”. On a new grant of a premises licence, where there are no representations the licensing authority has to grant the application subject only to such conditions as are consistent with the operating schedule. I see no reason why, if it is necessary to promote the licensing objectives, these conditions should not include a provision requiring the premises to be shut by the time that is specified in the operating schedule. If representations are made and the licensing authority ultimately grants the application, it can depart from the terms set out in the operating schedule when imposing conditions in so far as this is necessary for the promotion of the licensing objectives. It must follow that it can impose an earlier time for the premises to be locked up than the applicant wished and specified in its operating schedule. It is important to keep in mind in this regard that the role of the licensing authority and, if there is an appeal, the court, has two dimensions: the fundamental task is to license activities which require a licence and the associated task is to consider what, if any, conditions are imposed on the applicant to ensure the promotion of the licensing objectives. A requirement that the premises close at a particular time seems to me to be a condition just like any other, such as keeping doors and windows closed to prevent noise. I see no reason why a condition of closing up the premises at a particular time should not therefore be imposed where controlling the hours of the licensable activities on the premises (and such other conditions as may be imposed) is not sufficient to promote the licensing objectives.”*

78. This clearly puts the legal issue raised by Mr Michael beyond doubt.

### **The effective date of this decision**

79. This decision will take effect when the licence (or a certified copy) is kept at the premises and a summary of that licence (or a certified copy) is displayed at the premises. These documents will be issued by Licensing Services as soon as possible.

## **Right of Appeal**

80. The parties have a right of appeal to Aylesbury Magistrates' Court against this decision. An appeal can be made against the grant of the application in part or the refusal of the application in part.
81. If you wish to appeal you must notify Aylesbury Magistrates' Court within a period of 21 days starting with the day on which the Council notified you of this decision.

9 October 2014