

**APPLICATION FROM THE SWAN IN WINSLOW
UNDER THE LICENSING ACT 2003 FOR
CONVERSION AND VARIATION OF PREMISES
LICENCE**

Nigel Brooke

Local Members: Councillors Mrs L Rowlands and D Wigley

1. THE APPLICATION

Applicant(s): **Mr Colin Horton and Mrs Jane Horton**

Premises: **The Swan,
2 Buckingham Road,
Winslow, Bucks, MK18 3DY**

1.1 Conversion Application

No representations have been received from Thames Valley Police in respect to the application by the Swan in Winslow to convert the existing permissions to a Premises Licence. Therefore in accordance with the transitional provisions of the Licensing Act 2003 the application to convert the existing permissions, namely, a justices' licence, must be granted subject to any existing statutory restrictions and conditions and any other conditions which currently apply. In respect to the limitation on hours, this would permit the premises to sell alcohol during the following hours:

Monday to Saturday 11.00 a.m. to 11.00 p.m.
Sunday 12.00 mid-day to 10.30 p.m.

Attached as Appendix 1 is a copy of the completed application form, the designated premises supervisor consent form, a copy of the justices' licence and a plan of the premises.

1.2 Variation application

The application is for the variation of the Premises Licence during the transitional period under Schedule 8, paragraph 7 (1)(b) of the Act. More specifically, the application relates to the extension of the terminal hour and the provision of regulated entertainment, namely, music and dancing, as an additional licensable activity, as follows:

Monday to Thursday from 11.00 p.m. to 12.00 mid-night
Friday and Saturday from 11.00 p.m. to 1.00 a.m. the following day
Sunday from 10.30 p.m. to 11.30 p.m.
Christmas Eve from 11.00 p.m. to 1.00 a.m. the following day

It is not proposed that the premises be open to the public at any other times. The proposed designated premises supervisor is Mr Colin Horton, the co-applicant and the steps the applicant intends to take to promote the licensing objectives are set out in his operating schedule (see appendix 1, page 18 of application form).

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Thames Valley Police – No objection
Bucks Fire and Rescue – No objection
Environmental Health – No objection
Planning – No objection
Trading Standards – No objection
Area Child Protection Committee – No comment

2.2 Interested Parties

2.2.1 Mr and Mrs A Scott – 3 Buckingham Road, Winslow

Mr and Mrs Scott are concerned that should the management of the premises subsequently change the tranquillity they currently enjoy will be disrupted. They also express concerns regarding exacerbating the existing disturbance caused by young people who use a nearby recreational area and point out the lack of designated parking. Mr and Mrs Scott's representation is attached as Appendix 2.

2.2.2 Mr and Mrs K Templeton – 8 Buckingham Road, Winslow

Mr and Mrs Templeton are concerned that the application to vary the hours might lead to a considerable increase in the number of clients drinking throughout the day and well into the night. They point out that the Swan is situated in a residential area and problems arising from the lack of parking. Finally they express a worry of encroaching urbanisation. Mr and Mrs Templeton's representation is attached as Appendix 3.

2.2.3 Mr Boggis and Ms Mainwaring – Chalfont House, Station Road

Mr Boggis and Ms Mainwaring are worried that the character of the Swan will change. They acknowledge that it currently has a good reputation and is the only public house in Winslow suited to an older customer. Their concern is that the extended opening hours will attract a younger clientele who already appear to be a nuisance in other pubs in the town. Mr Boggis and Ms Mainwaring are not convinced with the arguments proposed supporting longer drinking hours and cite the town of Aylesbury as an example supporting their view. Their representation is attached as Appendix 4.

3. REQUESTS FOR PERMISSION TO CALL WITNESSES

All parties were served Notices of Hearing on the 19 May 2005 along with the document, 'Licensing Act 2003 – The Procedure to be followed at Hearings'. A copy of this document will be available to the Sub-Committee at the hearing. At the time of writing this report no requests have been made for permission to call witnesses.

4. REQUESTS FOR CLARIFICATION AT THE HEARING FROM A PARTY

At the time of writing this report no requests for clarification have been made.

5. STATEMENT OF LICENSING POLICY

The following references are to the Council's Statement of Licensing Policy. It is considered that the following paragraphs have a bearing upon the application:

Paragraph 2.0 – Licensing objectives

Paragraphs 8.12 to 8.15 – Prevention of nuisance

Paragraph 9.0 to 9.2 – Complaints against licensed premises

Paragraph 11.19 Licence reviews

Members will have the opportunity to discuss these and any other policies which they or any of the parties consider are relevant at the hearing.

6. STATUTORY GUIDANCE

Members are asked to consider the statutory guidance on the following issues:

Paragraph 5.32 relating to 'interested parties'

Paragraph 5.65 relating to variations to premises licences

Paragraphs 6.5 and 6.6 relating to the principle of flexibility

Members will have the opportunity to discuss these and other parts of the guidance, if relevant, with the parties at the hearing.

7. OTHER RELEVANT CONSIDERATIONS

7.1 Section 17(1) of the Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 provides that "without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent, crime and disorder in its area". This duty applies to the Council in determining the application and, therefore, needs to be put in the balancing exercise together with all the other relevant considerations.

7.2 Human Rights

Under Article 8 of the European Convention on Human Rights the 'interested parties' 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.

Having regard to the facts of this particular case, Members need to consider whether the objections are sufficiently serious to justify rejecting the application.

8. OBSERVATIONS

- 8.1 Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a **duty** to act with a view to promoting the licensing objectives. These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.
- 8.2 In making its decision, Members must also have regard to statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. If Members depart from either, they must specify their reasons for doing so. Of course, Members must also have regard to all the representations made and the evidence it hears.
- 8.3 The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
 1. Grant the licence in accordance with the application.
 2. Modify the conditions of the operating schedule by altering or omitting or adding to them.
 3. Exclude from the scope of the licence any of the licensable activities to which the application relates.
 4. Refuse to specify a person in the licence as the premises supervisor.
 5. Reject the whole of the application.

The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.

- 8.4 Members are asked to note that they may not modify the conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be **necessary** to do so in order to promote the licensing objectives and any such step must relate to the actual representations made.
- 8.5 If Members grant the application, the details of the operating schedule (as set out in page 18 of Appendix 1) will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.

9 ISSUES RAISED BY THE APPLICATION

- 9.1 To date the Swan has not been a cause for complaint either in respect to noise or crime and disturbance and there is no evidence of any such problems.
- 9.2 The 'interested parties' are basing their representations on the potential impact that the conversion will have on their enjoyment of their properties and others. This concern appears to relate to the increased terminal hour rather than the application to include music and dancing.
- 9.3 Two of the 'interested parties' express concerns about parking. Whilst parking per se is not necessarily a relevant licensing consideration, as mentioned in Aylesbury Vale District Council's Licensing Policy Statement, paragraph 8.15 (e), its impact on the licensing objectives, particularly that one relating to the prevention of public nuisance does require consideration.
- 9.4 In terms of concerns of problems arising from the additional length of time customers can consume alcohol. Members are reminded that allowing disorderly conduct on licensed premises and the sale of alcohol to a person who is drunk are explicit offences under sections 140 and 141 of the Licensing Act 2003.
- 9.5 Mr and Mrs Templeton's comments regarding 'encroaching urbanisation' is not a relevant consideration as it does not fall within the scope of any of the four licensing objectives.
- 9.6 In an attempt to assist Members assess the impact of the Swan on the 'interested parties' and indicate how residential the local area is, attached as Appendix 5 is a location plan showing the relevant premises.
- 9.7 Whilst Mr Boggis' and Mrs Mainwaring's views on the principles of increased licensing hours conflict with the statutory guidance perspective as set out in paragraphs 6.5 and 6.6, the effect of such an increase in hours and its attractiveness to a wider and problematic clientele is worthy of consideration. At the time of writing this report no other public houses in Winslow have submitted applications for premises licences.
- 9.8 On the facts of this particular application and in light of the representations made, if Members are minded to grant the application the following additional conditions might be appropriate:
- There shall be a minimum of two door supervisors on duty at the premises from 8.00 p.m. until closing time on Fridays and Saturdays.
 - Customers shall be prevented from taking any alcoholic drinks, or other drinks, from the premises in open containers (e.g. glasses and opened bottles)
 - A maximum capacity of (*to be agreed*) shall be restricted at all times.
 - Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

- Entertainment shall be held within the building only and no music or loudspeakers shall be provided to external areas of the premises.

At the hearing Members should invite the parties to discuss these and any other conditions the Sub-Committee and the parties themselves propose.

Ultimately, however, these issues are for the Sub-Committee to determine having regard to all the relevant considerations. Whatever the Sub-Committee decides, it must give reasons.

Contact Officer

Peter Seal 01296 585083

Background Documents

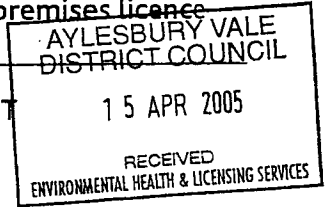
Names of Background documents

Swan Winslow – conversion-variation – greens may 2003

Licensingact862005

[insert name and address of relevant licensing authority and its reference number, optional]

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



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that 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.

MR & MRS
We [HORTON] apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description THE SWAN 2 BUCKINGHAM ROAD. WINSLOW. BUCKS.	
Post town WINSLOW.	Post code MK18 3DY

Telephone number of premises (if any)

01296-714924

Non-domestic rateable value of premises

£ 5700

Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

Please tick ✓

- a) An individual or individuals please complete section (A)
- b) a person other than an individual
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital

please complete section (B)

h) the chief officer of police of a police force in England and Wales

please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname 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

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Surname First names

I am 18 years old or over

Please tick Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

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

Part A3 - Operating Schedule

If 5,000 or more people attend the premises at any one time, please state the number

[Empty box for number of attendees]

General description of premises (please read guidance note 1)

SINGLE ROOM PUBLIC HOUSE
WITH ONE BAR [SERVING AREA]
ALSO ENCLOSED COURTYARD.

Please tick Y Yes

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

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

Provision of late night refreshment

Sale by retail of alcohol

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

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

Name MR COLIN JOHN HORTON

Address THE SWAN 2 BUCKINGHAM ROAD WINSLOW

Personal Licence number, if known, UNKNOWN AS YET

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

MONDAY TO SATURDAY [INCLUSIVE] 1100-2300
SUNDAY. 1200-2230
BANK HOLIDAY EXTENTIONS
AS PER ORDER OF THE COURT.

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

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

JUSTICE'S 'ON' LICENSE,
TO SELL BY RETAIL, AT THE PREMISES;
"SWAN", 2 BUCKINGHAM ROAD, WINSLOW,
BUCKINGHAM. BUCKS. MK18. 3DY. INTOXICATING
LIQUOR OF ALL DESCRIPTIONS EITHER ON^{OR} OFF
PREMISES

b) The prevention of crime and disorder

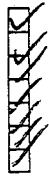
c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick Y Yes

- I have made or enclosed payment of the fee ~~£190~~ £60 CHQ SENT 1/4/05
- I have enclosed my existing licence(s) or a certified copy of each licence
- I have enclosed a plan of the premises
- I have sent copies of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- I have enclosed the consent of the justices' licence holder to my application, if relevant
- I understand that if I do not comply with the above requirements my application will be rejected



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

Part A4 – Signatures (please read guidance note 4)

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

Signature J Horton
 Date 14TH APRIL 2005.
 Capacity LANDLORD.

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

Signature J Horton.
 Date 14TH APRIL 2005.
 Capacity LANDLADY.

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
SAME	
Post town	Post code
Telephone number	
E-mail address (optional)	

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

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

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

~~We~~ MR & MRS HORTON being the proposed premises licence holder of an
[Insert name of applicant]

existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

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

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

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

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

MONDAY TO THURSDAY [INCLUSIVE] 2300 TO 2400 [MIDNIGHT]
FRIDAY & SATURDAY. 2300 TO 0100 [NEXT DAY]
SUNDAY 2230 TO 2330.
CHRISTMAS EVE 2300 TO 0100 [NEXT DAY]

Part B2 - Operating Schedule

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

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

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

Please tick Y 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) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of entertainment facilities:

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

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

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

~~Please complete Part B3 on this form.~~

A

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

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y](please read guidance note 9)	Indoors		
Day	Start	Finish		Outdoors		
				Both		
Mon			<u>Please give further details here</u> (please read guidance note 10)			
Tue						
Wed				<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 11)		
Thur						
Fri			<u>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</u> (please read guidance note 12)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 12)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y](please read guidance note 9)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 10)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 11)		
Thur					
Fri			<u>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</u> (please read guidance note 12)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [Y](please read guidance note 9)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 10)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 11)		
Thur					
Fri			<u>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</u> (please read guidance note 12)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1100	2400	Please give further details here (please read guidance note 10)	Both	<input type="checkbox"/>
Tue	1100	2400			
Wed	1100	2400	State any seasonal variations for playing recorded music (please read guidance note 11)	Both	<input type="checkbox"/>
Thur	1100	2400			
Fri	1100	0100	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)	Both	<input type="checkbox"/>
Sat	1100	0100			
Sun	1200	2330			

CHRISTMAS EVE 0100 (NEXT DAY)

G

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

H

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

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

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 9)		Indoors <input type="checkbox"/>	<input type="checkbox"/>
					Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>		<input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 10)			
Mon						
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

K

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

L

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

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 13)	On the premises	
Day	Start	Finish		Off the premises	
Mon	1100	2400	State any seasonal variations for the supply of alcohol (please read guidance note 11)	Both	Y
Tue	1100	2400			
Wed	1100	2400			
Thur	1100	2400		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)	
Fri	1100	0100		CHRISTMAS EVE 0100 (NEXT DAY)	
Sat	1100	0100			
Sun	1200	2330			

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

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 14)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 11)
Day	Start	Finish	
Mon	1100		
		2400	
Tue	1100		
		2400	
Wed	1100		
		2400	
Thur	1100		
		2400	
Fri	1100		
		0100	
Sat	1100		
		0100	
Sun	1200		
		2330	

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)

P

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

NONE.

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

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

A responsible person will be serving at all times.
Anyone not looking 18 will be asked for I,D,no I.D.no drink.
No swearing and no drinking out of bottles will be allowed.

b) The prevention of crime and disorder

Nobody will be served if they appear to be intoxicated.
All areas of the bar can be seen from the bar servery.

c) Public safety

All public areas are kept in good condition, ie Tables,
Chairs & Carpets.
Steps are signed and everywhere is well lit.

d) The prevention of public nuisance

Notice warning people to be quiet when leaving.
Low level background music at all times with volume
control behind the bar servery.
Bar windows closed early in summer.

e) The protection of children from harm

No children allowed in bar area.
Courtyard garden closed in from the road.

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor

MR COLIN JOHN HORTON

Address of proposed designated premises supervisor

THE SWAN.
2. BUCKINGHAM ROAD.
WINSLOW.
BUCKS. MK18 3DY.

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

NOT KNOWN YET.

Please tick ✓ Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B4 – Signatures (please read guidance note 16)

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

Signature J. Horton

Date 14TH APRIL 2005

Capacity LANDLORD

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

Signature J. Horton

Date 14TH APRIL 2005

Capacity LANDLADY

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
Post town	Post code

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

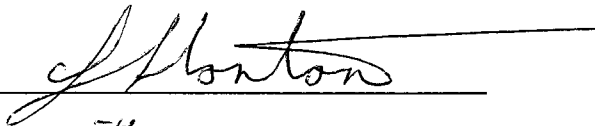
PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

Form of consent given by the person whom the applicant wishes to be the premises supervisor - LA24

I, MR. COLIN JOHN HORTON [insert first names and surname of prospective premises supervisor] hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to MR. COLIN JOHN HORTON [insert full name of applicant] in respect of the application to convert an existing justices' licence held by the applicant/where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for "THE SWAN" 2 BUCKINGHAM ROAD WINSLOW MK18 3DY [insert name and address of existing licensed premises] if that application is successful.

Signed 

Dated 14TH APRIL 2005.



Central Buckinghamshire Magistrates Court

Licensing Act, 1964

RENEWAL OF JUSTICES' 'ON' LICENCE

AT THE LICENSING SESSIONS for the Petty Sessional Area of Central Buckinghamshire

held on the **9th day of February 2004**

The Licensing Justices for the said division hereby grant by way of renewal to

Colin John Horton, Jane Horton

this Justices' 'On' Licence authorising him/her to sell by retail, at the premises,

Swan, 2 Buckingham Road, Winslow, Buckingham, Bucks MK18 3DY

intoxicating liquor of all descriptions for consumption either on or off the premises.

The owners of the premises in respect of which this licence is granted are

INN BUSINESS

THE FIRS, WHITCHURCH, BUCKS, HP22 4TH

This licence is subject to any conditions/undertakings endorsed on the justices' licence hereby renewed and shall have effect from the date hereof until and including the

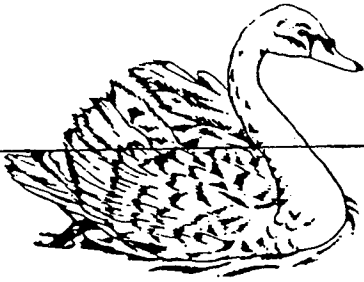
4th day of April 2007

GIVEN under the official seal of the
Licensing Justices which is hereto
affixed under their authority by me,



"THE SWAN"

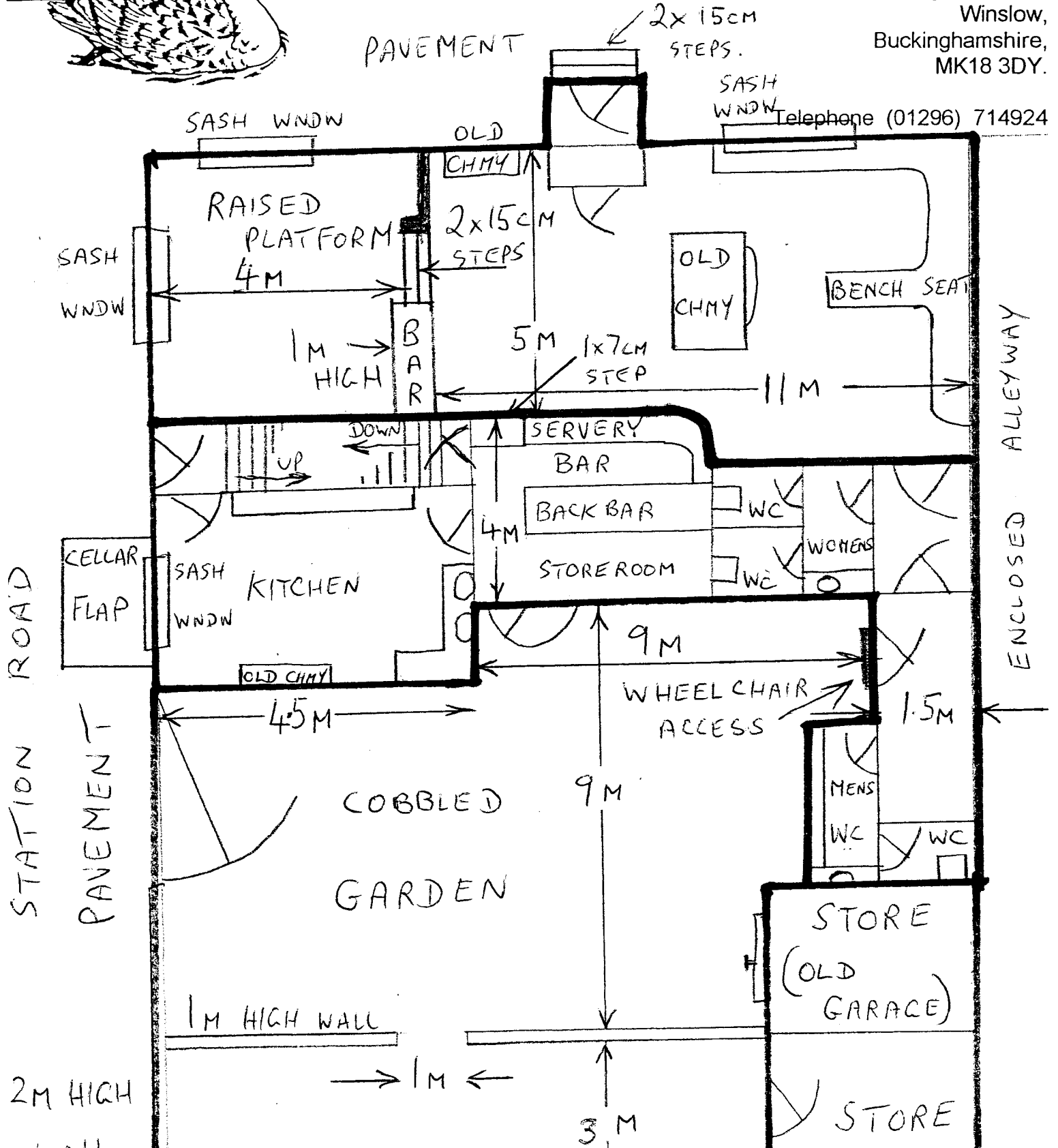
Colin & Jane Horton



BUCKINGHAM ROAD

2 Buckingham Road,
Winslow,
Buckinghamshire,
MK18 3DY.

Telephone (01296) 714924



Appendix 2

Burke, Kerryann

From: val.scott@tesco.net
Sent: 13 May 2005 10:45
To: Licensing Team
Subject: Licence Application Swan PH Winslow

From Mr & Mrs A Scott
3 Buckingham Road
Winslow
Bucks. MK18 3DT

Dear Sirs

The Swan Public House - 2 Buckingham Road, Winslow. Licensing Application.

It was with some concern to read that the above PH has applied to extend if day and night time licensing hours.

We are given to understand that a licence is granted to a Public House and not to the tenant/owner/manager. If this is the case, how can we be sure that should Mr & Mrs Horton leave the Swan, that the tranquility, which the residents of this area appreciate, will not be violated?

It is common knowledge that groups of young people hang around the area adjacent to the Swan, and in the adjoining football field and recreation areas, at times causing considerable damage and disturbance to local people. If the PH is to remain open, this could be an added problem in the future.

The Public House does not have any designated parking, and is situated on a busy main road, increased noise and traffic would be detrimental to all residents within the vicinity.

I hope you will think seriously about granting these additional hours.

Yours faithfully

Anthony and Valerie Scott
01296 712437

It was with some concern to read that the

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For more information please visit <http://www.messagelabs.com/email>

Appendix 3

Burke, Kerryann

From: Margaret Templeton [margaret@alwyn.demon.co.uk]
Sent: 11 May 2005 10:35
To: Licensing Team
Subject: licensing application, The Swan, 2 Buckingham Road, Winslow

From : Mr & Mrs K Templeton
8 Buckingham Road
Winslow
Bucks MK18 3DY

Dear Sir

Re: The licensing application, The Swan, 2 Buckingham Road, Winslow

We note, with dismay, that the licensee of the above named Public House has applied for considerably extended opening hours, both during the day and late at night.

Whilst it is true to say that to date we have had very little disturbance as a result of our proximity to the premises, we are concerned that any extension might lead to a considerably increased number of clients drinking throughout the day and well into the night.

Not only is the Public House sited in a residential area, it is also on a busy and dangerous corner with no designated specific parking. School buses drop off children during the proposed extension time and there are many elderly people, as well as people with young families living in the vicinity. Increased noise and traffic would be detrimental to all.

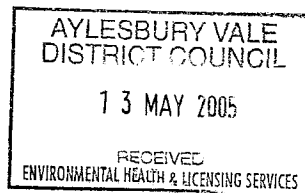
Our house is a listed building and whilst we are not in the conservation area of Winslow we believe it is reasonable to protect the area from encroaching urbanisation.

Yours faithfully

Keith and Margaret Templeton
01297 712728

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For more information please visit <http://www.messagelabs.com/email>

Appendix 4



Chalfont House
Station Rd.
Winslow
Bucks.
MK18 3DZ
01296 713514 (T)
01296 711806 (F)
0777 552 4365 (M)
boggis@gxn.co.uk (E)

Licensing Services Manager
AVDC
66 High St.
Aylesbury
HP20 1SD

11 May 2005

Dear Sir/Madam,

Re: Application for Licence Variation – The Swan, 2 Buckingham Rd., Winslow

We note the present application from the above licenced premises for all-day and late-hours opening.

As local residents, we view the prospect of any pub in Winslow being granted a late-hours licence with considerable concern. The Swan is currently a local family pub with a good reputation and has no association with anti-social behaviour, and we feel that this will inevitably change with extended hours opening.

Winslow currently has four pubs (including the Bell Hotel), three of which are at the opposite end of the town. It is probably fair to say that the other three already attract a younger clientele, which leaves the Swan as the only pub in the town more suited to an older customer. In particular, the George in Market Square already has a poor reputation locally for the thuggish behaviour of its clientele; Winslow does not need a second pub for this type of customer.

The Council must be only too aware from the example of Aylesbury town centre itself of the consequences of late-hours drinking. The often-voiced argument that longer drinking hours will somehow introduce 'a civilised drinking culture' and a 'European-style café society' to the UK has been proved hopelessly incorrect in every town in the country. Far from encouraging 'civilised drinking', premises with late hours attract only one type of clientele – young yobbos who are unable to drink sensibly in the first place, and to whom excessive drinking is a badge of achievement. Visit Aylesbury town centre any Friday or Saturday night for the proof of this. We urge you not to allow the pleasant small market town of Winslow to go down the same road.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Mick Boggis & Jenny Mainwaring".

Mick Boggis & Jenny Mainwaring

Appendix 5

The Swan Public House

2 Buckingham Road, Winslow, Bucks MK18 3DY



Legend

[Empty legend box]



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Organisation	AVDC
Department	Licensing
Comments	05/00247/LAPRE
Date	20 May 2005
Checked by	