

**REPORT ON APPLICATION FROM THE
CHURCHILL ARMS IN LONG CRENDON
UNDER THE LICENSING ACT 2003 FOR
CONVERSION AND VARIATION OF PREMISES
LICENCE**

Local Members: Councillors Edmonds and Smith

1. THE APPLICATION

Applicant(s): **Punch Taverns Plc**

Premises: **The Churchill Arms,
1 High Street,
Long Crendon,
HP18 9AF**

1.1 Conversion Application

No representations have been received from Thames Valley Police in respect to the application by Punch Taverns Plc in relation to the Churchill Arms in Long Crendon 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 and a Public Entertainment Licence, has been granted under delegated powers 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 for consumption on and off the premises during the following hours:

Monday to Saturday 10.00 a.m. to 11.00 p.m.
Sunday 12.00 mid-day to 10.30 p.m.

They will also be able to provide public entertainment during the same hours and doors and windows in the licensed area must be kept closed during public entertainment.

Attached as Appendix 1 is a copy of the completed application form, the designated premises supervisor consent form and a copy of the justices' licence. A plan of the premises will be made available at the Sub-Committee hearing.

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 in

respect to Monday to Sunday and the provision of regulated entertainment, namely, live music both indoors and outdoors, recorded music indoors only, the provision of facilities for dancing both indoors and outdoors and karaoke both indoors and outdoors as an additional licensable activity, as follows:

**Monday to Saturday - 10.00 a.m. to 12.00 mid-night and
Sunday 12.00 a.m. to 11.30 p.m.**

- provision of live music (indoors and outdoors)
- provision of recorded music (indoors only)
- provision of facilities for dancing (indoors and outdoors)
- provision of karaoke (indoors and outdoors)
- supply of alcohol (indoors and outdoors)

**Monday to Saturday – 10.00 a.m. to 1.00 a.m. the following day and
Sunday - 12.00 a.m. to 11.30 p.m.**

- provision of late night refreshment

**Monday to Saturday – 10.00 a.m. to 12.30 a.m.
Sunday - 12.00 a.m. to 12.00 p.m.**

- hours premises are open to the public

In addition the application is for the following non standard timings:

- A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday
- A further additional hour every Christmas Eve
- A further additional hour every Boxing Day
- To reflect existing New Year's Eve/ day hours

The proposed designated premises supervisor is David Paul Foskett and the steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1, page 23 of application form).

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Environmental Health –

Due to insufficient information on which to assess the application, the District Environmental Health Officer has made a representation. The representation relates to clarification in respect to the additional hour sought for Bank Holiday weekends and concerns about disturbance from entertainment provided outdoors. A memo and attached letter from the District Environmental Health Officer, Karen Sepp, addressed to the applicant's solicitor is attached as Appendix 2.

Thames Valley Police – No objection

Bucks Fire and Rescue – No objection

Planning – No objection
Trading Standards – No comment
Area Child Protection Committee – No comment

2.2 Interested Parties

No representations were received during the consultation period

3. NOTICE OF HEARING AND REQUESTS FOR PERMISSION TO CALL WITNESSES

All parties were served Notices of Hearing on receipt of the representation along with the document, 'Licensing Act 2003 – The Procedure to be followed at Hearings'. The parties have therefore been notified of the consequences of failing to attend.

At the time of writing this report the applicant has confirmed that they will be attending the hearing and will be legally represented, e mail attached as Appendix 3. Miss Sepp has confirmed that she will be attending the meeting too.

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 5.65 relating to variations to premises licences

Paragraphs 7.41, 7.42 and 7.43 relating to public nuisance

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 Human Rights

Under Article 8 of the European Convention on Human Rights neighbouring 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.

Having regard to the facts of this particular case, there is a suggestion that the provision of regulated entertainment outdoors could give rise to noise nuisance and disturbance and Members therefore may need to consider whether such concerns 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 24 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 In an attempt to assist Members assess the impact of the Churchill Arms on the local area attached as Appendix 4 is a location plan showing the relevant premises.

9.2 The main issue arising from Environmental Health's representation relates to noise and disturbance arising from public entertainment provided in the garden area. Miss Sepp's letter of the 6 June 2005 points out that complaints have been received from local residents in the past in relation to outside entertainment.

9.3 Despite telephone calls between representative's from Punch Tavern and officers in Environmental Health, at the time writing this report there is no written response from Punch Taverns.

9.4 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:

- The licensee shall have full control over the sound amplification equipment to the main stage. The volume and tone shall be adjusted accordingly to the requirements of Environmental Health.
- The specification, location and orientation of all house system loudspeakers shall be agreed with the responsible authority.
- Noise emanating from the premises as a result of regulated entertainment shall not exceed (insert noise limit(s)) as measured at (specify measurement location) NOTE that this applies to outdoor events only.
- The provision of regulated entertainment outdoors shall not be permitted past (*time*) and may occur no more than (*number of times each month/year*).

Contact Officer

Peter Seal 01296 585083

Background Documents

Names of Background documents

Appendix I

Received
31/5/03 £250-0-

(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.

We Punch Taverns Plc 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 if any or, if none, ordnance survey map reference or description	
Churchill Arms 1 High Street Long Crendon	
Post town	Aylesbury
Post code	HP18 9AF

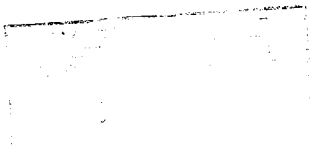
Telephone number of premises (if any)	01844-208344
Non-domestic rateable value of premises	£ 11,500.00

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

please complete section (B)

please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

Please tick

I am 18 years old or over

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

Please tick

I am 18 years old or over

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	Punch Taverns Plc
Address	Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF
Registered number (where applicable)	03752645
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	01283 501 600
E-mail address (Optional)	n/a

Part A3 Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

The Churchill Arms is a mid-market lounge bar, village local.
The trading areas comprise lounge bar and dining area.
The pub faces onto the High Street, and has a small yard area to the side and garden to the rear.
The pub has an excellent Thai food offer.

Please tick 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

Address

Personal Licence number, if known

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.

10:00 to 23:00 Monday to Saturday (inc) (Weatherspoons PSD)
12:00 to 22:30 Sunday

save

10:00 to 00:00 New Years Eve (31.12)
00:00 to 23:00 New Years Day (01.01)
12:00 to 15:00 and
19:00 to 22:30 Christmas Day (25.12)

PEL hours run in-line with the sale of alcohol Monday to Sunday.

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)

20 minutes "drinking up" time
All embedded permissions and restrictions attaching to a justices on licence.

And all the general conditions attaching to PEL's issued by Aylesbury Vale D.C.
Special conditions apply: See attached to PEL.

b) The prevention of crime and disorder

See a above

c) Public safety

See a above

d) The prevention of public nuisance

See a above

e) The protection of children from harm

See a above

Please tick Yes

- I have made or enclosed payment of the fee
- 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 A5 - 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 Mark Country TLT
 Date 18/3/05
 Capacity Solicitors to applicant

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 _____
 Date _____
 Capacity _____

Contact name (Where not previously given) and address for correspondence associated with this application (Please read guidance note 7) TLT Solicitors One Redcliff Street (Ref: 30PG3/054004/P Smith/591370)	
Post town BRISTOL	Post code BS1 6TP
Telephone number 0117 917 7777	
E-mail address (optional) psmith@TLTsolicitors.com	

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 Punch Taverns Plc being the proposed premises licence holder of an 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

Please tick

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

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

Day	Month	Year

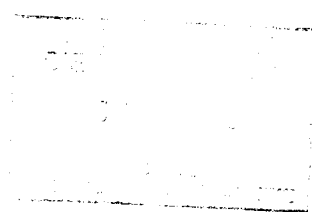
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

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

- An additional hour every day Monday to Sunday inclusive till 00:00 midnight.
- A further additional hour every day Monday to Sunday inclusive for the sale of alcohol being ancillary to the sale of food till 01:00.
- A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
- A further additional hour every Christmas Eve.
- A further additional hour every Boxing Day.
- To reflect existing New Year's Eve/Day hours.
- Drinking up time: an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

All of the above to be for the sale of alcohol, recorded music, live music, dancing, karaoke and late night refreshment.



Part B2 - Operating Schedule

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

Provision of regulated entertainment

Yes

- 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 [v] (please read guidance note 9)	
			Indoors	
			Outdoors	
			Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)	
Mon				
Tue				
Wed				
Thur				
			State any seasonal variations for performing plays (please read guidance note 11)	
			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 [✓] (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 the exhibition of films (please read guidance note 11)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 12)			
Fri						
Sat			(This area is currently blank)			
Sun						

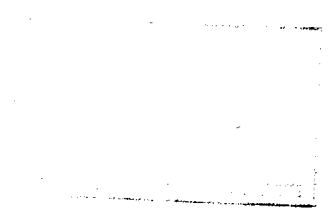
C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details here</u> (please read guidance note 10)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 11)	
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				

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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 [✓] (please read guidance note 9)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 10)			
Mon						
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)			
Tue						
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)			
Wed						
Thur						
Fri						
Sat						
Sun						

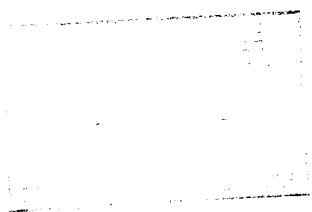


E

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 [✓] (please read guidance note 9)	
			Indoors	
			Outdoors	
			Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 10)	
Mon	10:00	00:00	To extend the existing Public Entertainment Licence as per the hours listed in standard timings and as per non standard timings.	
Tue	10:00	00:00		
Wed	10:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 11)	
Thur	10:00	00:00		
Fri	10:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (Please read guidance note 12)	
Sat	10:00	00:00	<ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. 	
Sun	12:00	23:30		

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 [✓] (please read guidance note 9)	
			Indoors	✓
			Outdoors	
			Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) To match sale of liquor at section M below. Amplified recorded music ancillary to sale of alcohol (section M) below.	
Mon	10:00	00:00		
Tue	10:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 11)	
Wed	10:00	00:00		
Thur	10:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (Please read guidance note 12)	
Fri	10:00	00:00		
Sat	10:00	00:00	<ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. 	
Sun	12:00	23:30		



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 [✓] (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 performance of dance</u> (please read guidance note 11)		
Thur					
Fri			<u>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</u> (please read guidance note 12)		
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)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)	Indoor	
				Outdoor	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 10)		
Tue					
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 11)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 12)		
Sat					
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 take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)		Indoor
			Outdoor		
			Both		
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					

J

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 [✓] (please read guidance note 9)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 10) To extend the existing Public Entertainment Licence as per the hours listed in standard timings and as per non standard timings.		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00	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)		
Sun	12:00	23:30	<ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. 		

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 Karaoke		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both. please tick [✓] (please read guidance note 9)	Indoor	
				Outdoor	
Mon	10:00	00:00		Both	✓
Tue	10:00	00:00	Please give further details here (please read guidance note 10) To extend the existing Public Entertainment Licence as per the hours listed in standard timings and as per non standard timings.		
Wed	10:00	00:00			
Thur	10:00	00:00	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	10:00	00:00			
Sat	10:00	00:00	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	12:00	23:30	<ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. 		

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 [✓] (please read guidance note 9)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	01:00	Please give further details here (please read guidance note 10) Sale of food for which the sale of alcohol will be ancillary.	Both	
Tue	10:00	01:00			
Wed	10:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur	10:00	01:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 12) <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. To enable sale of alcohol to be ancillary to sale of food for a further hour in the dining area till 01:00.		
Sat	10:00	01:00			
Sun	12:00	23:30			

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the sale of alcohol be for consumption please tick [✓] (please read guidance note 13)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	23:30			
			<p>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)</p> <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. <p>Sale of alcohol will be until 01:00 for those dining at the premises.</p>		

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)

1 x AWP machines
1 x Cigarette machines

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)
Day	Start	Finish	
Mon	10:00	00:30	<p>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> <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • An additional hour every Christmas Eve. • An additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours. <p>The premises will be open until 01:30 for those dining at the premises.</p>
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	12:00	00:00	

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

Q Please describe any proposed 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)

Following an assessment of the premises and its surrounding area the following is proposed:
30 minute "drinking up" time will allow appropriate dispersal, use of lavatories etc
In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

b) The prevention of crime and disorder

- Illumination is provided to the exterior areas of the pub.
- All interior trading areas are visible to staff from behind the bar servery.
- A rota system in place for checking the toilets/toilets checked regularly.
- The licensees/staff monitor customer behaviour especially during busy periods.
- Burglar alarm system in place, secure windows.
- There is always a minimum of two staff on duty at any one time.
- Drug prevention measures are employed.
- Drivers 'shelf' with selection of soft drinks.
- Most customers are local.

c) Public safety

- Health & Safety policy in place and adhered to. Accident / incident book on site for staff and public. Both Retailers hold Basic Food Hygiene certificates. A quarterly risk assessment is carried out. HACCP policy in place. The pub has a first aider and first aid facilities.
- The pub is equipped with emergency lighting, illuminated exit signs and a fire detection system throughout the entire building. Fire fighting equipment is serviced annually. Contract with MCFP Fire Prevention. A fire alarm test is carried out monthly.
- All portable electrical appliances are tested annually. There are current electric and gas certificates in place.
- Mechanical extraction is provided in each bar with an air cleaner in all bars.
- The pub promotes a licensed taxi service to facilitate its customers making onward journeys.
- Complies with smoking charter. Maximum effort is placed on a smoke free environment with the use of extractors and smoke filters.

d) The prevention of public nuisance

- There is a no window open policy when entertainment is on. A noise survey is carried out regularly.
- Managed customer departure.
- Being a detached property there are no adjoining neighbours .
- The Pub has a lobbied entrance which reduces noise emission.
- Noise limiter in place.
- Cellar cooling condenser is position in an area so as not to cause nuisance to neighbours / is sound proofed.
- 'Please respect our neighbours and leave quietly ' signs in place.
- Fabric of building, Cotswold stone, restricts sound.

e) The protection of children from harm

No unaccompanied children allowed on the premises.
Outside area is completely enclosed.
AWP and tobacco vending machines are in full view of servery.
No smoking areas.

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 office 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 37 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B5 - 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 Mr M. Ranting TLT

Date 12/3/05

Capacity Solicitors to applicant

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 _____

Date _____

Capacity _____

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
TLT Solicitors One Redcliff Street (Ref: 30PG3/054004/P Smith/591370)	
Post town BRISTOL	Post code BS1 6TP

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, it's 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 it's 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.

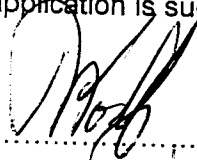
Form of Consent given by the person whom the applicant wishes to
the premises supervisor

I(1)..... DAVID PAUL FOSKETT.....

hereby consent to being named as the premises supervisor in a new licence granted under paragraph 4 of schedule 8 to the Licensing Act 2003 To **Punch Taverns Plc** in respect of the application to convert an existing Justices Licence where the holder of the licence has consented to the application being made by the applicant.

For (2)..... CHURCHILL Arms, 1 HIGH STREET, LONG CRENDON.....
AYLESBURY Bucks.
HP18 9AF

If that application is successful

Signed..... .....
Dated..... 14/3/05.....

Notes to Assist Completion

Please use Capital letters and black ink

1. Insert first names and surname of prospective premises supervisor.
2. Insert full name and address of existing licensed premises.

Duplicate. ISSUED
10/03/05



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

James David Foskett, David Paul Foskett

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

Churchill Arms, 1 High Street, Long Crendon, Aylesbury, Bucks HP18 9AF

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

**Punch Pub Co
Punch Pub Co, Aylesbury, Bucks**

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

**or earlier upon
implementation of
Licensing Act 2003**

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

[Signature]
Clerk to the Licensing Justices.



I certify that this is a true copy of its original

[Signature]
.....
Julia Lucas (Solicitor)
TLT LLP
One Redcliff Street
Bristol BS1 6TP

Undertakings Attached (Overleaf)

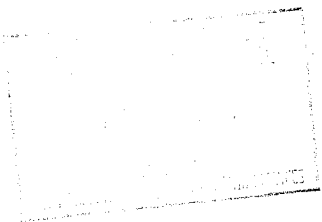


Licence Conditions/Undertakings

Churchill Arms, 1 High Street, Long Crendon, Aylesbury, Bucks HP18 9AF

Undertakings given on 28/5/98:

1. To notify the Committee when alterations complete so that a visit can take place.
2. The room at the rear of the premises only to be used as a function room . When not being used it will be locked and when bar is being used in that room it will be manned.
3. Complete proper authorised set of plans to be sent to all statutory authorities.



I certify that this is a true copy of its original

Julia Lucas
.....
Julia Lucas (Solicitor)

LICENCE NO: MD284



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

RENEWAL LICENCE

THE AYLESBURY VALE DISTRICT COUNCIL of 66 High Street, Aylesbury in the County of Buckinghamshire (hereinafter called "the Council"), in pursuance of the above mentioned Act, and of all other powers in this behalf, HEREBY GRANT THIS RENEWAL LICENCE TO:-

David P Foskett

of The Churchill Arms, 1 High Street, Long Crendon

(hereinafter called "the Licensee") to keep and use the building and premises (hereinafter called "the Premises") known as:-

The Churchill Arms

and situate at 1 High Street, Long Crendon

for the purpose of public music and dancing subject to the provisions of the said Act and to the Aylesbury Vale District Public Entertainment Licensing Regulations 1999, and to the Schedule of Conditions annexed herewith.

The licence shall remain in force from the 1st January 2005 during the time that the Licensee is in occupation of the said premises and shall expire on the 31st December 2005 unless this Licence is previously revoked in pursuance of the said Act.

Dated

25th January 2005

David Smedley
Head of Environmental Health & Licensing Services

I certify that this is a true copy of its original

APPENDIX TO SCHEDULE OF CONDITIONS

MD284

IN RESPECT OF **The Churchill Arms**
1 High Street, Long Crendon

(THE PREMISES)

1. Hours of Opening

2. Maximum Capacity

Restaurant Area: Tables and chairs: 28 persons
 Closely seated: 56 persons
 Dancing: 56 persons

Function Room: Tables and chairs: 33 persons
 Closely seated: 66 persons
 Dancing: 66 persons

3. Exits

1000mm final exit doors from function room
750mm inward opening doors from function room leading to a corridor then to a 750mm outward opening final exit door.

750mm inward opening door from public bar leading to a 750mm outward opening final exit door.

750mm outward opening door from public bar leading to a lobby then a 750mm inward opening final exit door.

750mm outward opening door leading to a lobby then to a 750mm outward final exit door.

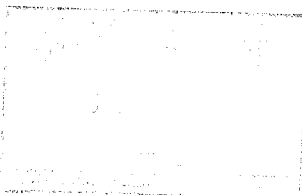
4. Fire Appliances

1 x 2.5kg carbon dioxide extinguisher behind bar.

1 x 9 litre water gas extinguisher behind bar.

5. Other Additional Conditions

During performances all external windows and doors must remain closed.



I certify that this is a true copy of its Duplicate.

..... Julia Lucas (Solicitor)

TLT LLP

One Redcliff Street

AYLESBURY VALE DISTRICT COUNCIL

MEMO

To: Peter Seal
Licensing Officer

From: Karen Sepp
Environmental Health Officer
Tel Ext: 5155

Date 14/06/05

Ref:

Ref: RQS/05/01005

Licensing Application

Churchill Arms, 1 High Street, Long Crendon, Buckinghamshire. HP18 9AF

Having considered the information provided by the applicant, I contacted their representative in order to obtain further information.

I have to date received no response and I have insufficient information on which to assess the application. On this basis I wish to make representation to the Licensing Committee that I have insufficient information on which to assess the application.

I have enclosed a copy of my letter to the applicant for information.

AYLESBURY VALE DISTRICT COUNCIL

Department of Community Services

Please ask for: Karen Sepp
Direct Line: (01296) 585155
Switchboard: (01296) 585858
Minicom Line: (01296) 585055
Email: ksepp@aylesburyvaledc.gov.uk

Our Ref:
Your Ref: PG30/PS2/054004/000741



Copy

6th June 2005

TLT Solicitors
One Redcliff Street
Bristol
BS1 6TP

Dear Sir/Madam

Licensing Act 2003: Application for Conversion/Variation Churchill Arms, 1 High Street, Long Crendon, Buckinghamshire, HP18 9AF

I write with reference to your letter dated 27th May 2005 concerning the above premises.

I would be grateful if you could respond to the following queries that I have:

- (1) Throughout the application form you use the phrase 'A further additional hour'. On some occasions this is used for several consecutive points. In order to prevent any confusion or misinterpretation of exactly what times you are asking for would you please confirm the actual times, i.e. 01:00, 02:00, etc.
- (2) Whilst in your letter you state that no licensable activities other than alcohol consumption will take place externally (unless otherwise stated) the application itself appears to request for live music (section E), dancing (section J) and other similar entertainment (section K) both internally and externally for nearly the same time periods as the alcohol supply. The provision of such entertainment, particularly externally, is concerning given that this Authority have previously received complaints about this premises concerning outside entertainment. Please can you clarify if these are the times that the applicant would actually wish to have such entertainment, as the hours detailed for entertainment in the application form are in my opinion not reasonable.

I would be grateful for your prompt response as I am unable to submit a full response until I am in receipt of the above information.

Yours Faithfully

Karen Sepp
District Environmental Health Officer



Email

One Redcliff Street
Bristol BS1 6TP
TEL +44 (0)117 917 7777
DX 7815 Bristol
WEB www.TLTsolicitors.com

TO	Aylesbury Vale District Council	FROM	Matthew Phipps
EMAIL	pséal@aylesburyvaledc.gov.uk licensing@aylesburyvaledc.gov.uk	EMAIL	mphipps@tltsolicitors.com
YOUR REF		OUR REF	30PG3/MP2/054004/000741
CC	jeremy.coulton@punchtaverns.com phil.pegler@punchtaverns.com	DIRECT TEL	0117 917 8020
		DIRECT FAX	0117 917 7781
		DATE	29 June 2005
SUBJECT	Churchill Arms Long Crendon		

Dear Sir

Thank you for notification that this matter is listed for hearing on 20 July 2005.

We write to confirm the following:

1. We do consider that a hearing is necessary at this time.
2. Our Client will be legally represented, most probably by Counsel.
3. The Business Relationship Manager for Punch Taverns (Jeremy Coulton) and/or the Regional Operations Director (Phil Pegler) and/or the existing Justices On Licence holder will all be in attendance to support the Application.
4. We shall now liaise direct with those making representations and if it proves possible to negotiate a settlement we would hope to get back to with that information ASAP.

We trust that is satisfactory.

We would be most grateful if you could forward us a map or plan of where and when the Application is to be determined.

Yours faithfully

TLT Solicitors

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