

**APPENDIX A**  
**Agenda Item No. 4**

Director of Community Services

**REPORT ON APPLICATION FROM THE DUCK  
INN, ASTON CLINTON, FOR CONVERSION AND  
VARIATION OF THE PREMISES LICENCE**

**Local Members: Councillors Chapple, Mrs Paternoster and Thompson**

**1. THE APPLICATION**

Applicant(s): Mitchells and Butlers Leisure Retail Ltd

Premises: Duck Inn  
London Road  
Aston Clinton  
HP22 5HP

**1.1 Conversion Application**

No representations have been received from Thames Valley Police in respect to the application by Mitchells and Butlers Leisure Retail Ltd in relation to the Duck Inn in Aston Clinton 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 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.

Also Supper Hours Certificate

- Allowing the establishment to trade until midnight for patrons who are partaking of a table meal.

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. The detail in respect to the hours and activities applied for are set in the application form, Part B, section A to P. However as set out in section 3 and Appendix 4, the application to vary has been amended.

The proposed designated premises supervisor is William Wadey and the steps the applicant intends to take to promote the licensing objectives are set out in his operating schedule (see appendix 1, Part Q 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 Comment**  
**Area Child Protection Committee – No comment**

**2.2 Interested Parties**

During the consultation period seventeen representations were received from local residents. At the time of writing this report eight have withdrawn. The remaining nine are attached as appendix 2. The content of the representations vary from worries of noise disturbance, lack of adequate parking to fears of attracting a younger clientele and a change of use from a primarily food led establishment to an alcohol led business.

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.

Following receipt of the Notice of Hearing, the applicant’s solicitors, Popleston Allen sent a further letter to the Licensing Manager setting out an amendment to the application and attempting to reassure local residents. This letter is attached as Appendix 3. This letter was circulated to all interested parties and as a consequence, at the time of writing this report eight have withdrawn. In an attempt to assist the Sub-committee and the parties understand what exactly is the scope of the application to vary the Premises Licence, attached as Appendix 4 is a summary of existing permissions and the variation application.

4. **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.

5. **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 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.

6. **OTHER RELEVANT CONSIDERATIONS**

**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.

**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.

7. **OBSERVATIONS**

7.1 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.

7.2 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.

7.3 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.

7.4 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.

7.5 If Members grant the application, the details of the operating schedule (see appendix 1, Part Q of application form) will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.

## **8 ISSUES RAISED BY THE APPLICATION:**

- 9.1 In an attempt to assist Members assess the impact of the Duck Inn on the 'interested parties' a location plan showing the relevant premises will be available at the meeting.
- 9.2 To date the Duck Inn 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.
- 9.3 The scope of the application is vary similar to the hours the premises currently enjoy when considering the 'supper hours certificate'.
- 9.4 The majority of representations relate to a fear of what might happen should the application to vary be granted. However the applicant's solicitor has reduced the scope of the application and explained in some detail how the application relates to the current conduct of the premises.

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.

**(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.

I/We Mitchells and Butlers Leisure Retail Ltd

**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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Duck Inn London Road			
<b>Post town</b>	Aston Clinton	<b>Post code</b>	HP22 5HP

<b>Telephone number of premises (if any)</b>	01296 632777
<b>Non-domestic rateable value of premises</b>	£ 99000.00

**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                 | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual            |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |
| d) a charity                                    | <input type="checkbox"/>            | 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> 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 Mitchells and Butlers Leisure Retail Ltd
Address 27 Fleet Street, Birmingham B3 1JP
Registered number (where applicable) 01001181
Description of applicant (for example, partnership, company, unincorporated association etc.)  Limited Company
Telephone number (if any) 0870 6093000
E-mail address (optional) <a href="mailto:Licensing@mbplc.com">Licensing@mbplc.com</a>

**Part A3 - Operating Schedule**

General description of premises (please read guidance note 1)

<p>This is a managed business and is a Surburban pub restaurant with Hotel</p> <p>Description : One trading area to ground floor. External drinking area to rear. Hotel with 11 bedrooms. (Where exterior area noted this is used for off supply).</p>
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If 5,000 or more people attend the premises at any one time, please state the number

N/A
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**What existing licensable activities are authorised by your existing licence(s)?**

**Provision of regulated entertainment:**

**Please tick Yes**

- a) plays
- b) films
- c) indoor sporting events
- d) boxing and 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 of 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 William Wadey

Address

C/O Duck Inn  
London Road  
Aston Clinton  
Bucks  
HP22 5HP

Personal Licence number, if known,



Food: 12-10pm SUN  
12-10:30pm SUN  
12-10pm MON-SAT  
12-9:30pm SUN

14/06/05 CF

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.

**Sale of alcohol.**  
The provisions of section 59,60,61,63 , 68 of the Licensing Act 1964 apply. i.e. normal permitted hours as extended by section 68.  
**Regulated Entertainment.**  
The playing of recorded music is permitted 24 hours a day pursuant to section 182 Licensing Act 1964  
**Late Night Refreshment.**  
The sale of hot food and drink is permitted during all the hours permitted for the sale of alcohol and 30 minutes thereafter  
This business has accomodation and therefore there are no limitations on sales of alcohol and/or hot food and drink to residents and guests

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)**

Justices' Licence - None

**b) The prevention of crime and disorder**

N/A

**c) Public safety**

N/A

**d) The prevention of public nuisance**

N/A
-----

**e) The protection of children from harm**

N/A
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**Please tick Yes**

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

**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	
Date	9/6/05.
Capacity	Solicitors for the applicant

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)</b>			
Shaun McGough Popleston Allen Licensing Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number</b>	0115 948 7427		
<b>E-mail address (optional)</b>	s.mcgough@popall.co.uk		

**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**

I/We Mitchells and Butlers Leisure Retail Ltd.....

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

To extend hours for the sale of alcohol, hot drink &/or food and to permit the categories of regulated entertainment as indicated, all to operate Monday - Sunday 10:00 -00:00 & for hours noted on notable days & ~~certain international events~~. To remove any restrictions which are placed on the licence by virtue of schedule 8, paragraph 6(8) of the Licensing Act 2003 (unless otherwise indicated), full details of which can be inspected on the application.

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

**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)

**Provision of regulated entertainment**

Please Tick 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)**  y

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

**Please complete Part B8 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 (please read guidance note 9)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 10)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 11)		
Thur					
Fri			<b>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</b> (please read guidance note 12)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 9)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 10) To permit amplified music video, sport, entertainment programmes and any entertainment of like kind. (Nothing of an adult nature)		
Mon	10:00	00:00			
Tue	10:00	00:00	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 11)		
Wed	10:00	00:00			
Thur	10:00	00:00	<b>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</b> (please read guidance note 12) In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity commencing one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.  On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time) -Valentines Night 1 hr, Burns Night 1 hr, 1st March (St Davids) 1 hr, 17th March (St Patricks) 1 hr, Good Friday 1 hr, Easter Saturday 1 hr, Easter Monday (Bank Hol) 1 hr, 23rd April (St Georges) 1 hr, May Bank Hol (1st) 1 hr, May Bank Hol (2nd) 1 hr, August Bank Hol 1 hr, 30th Nov (St Andrews) 1 hr, Christmas Eve 1 hr		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details here</u></b> (please read guidance note 10)
Day	Start	Finish	(This section is crossed out with a diagonal line)
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 11)
Wed			(This section is crossed out with a diagonal line)
Thur			
Fri			<b><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></b> (please read guidance note 12)
Sat			(This section is crossed out with a diagonal line)
Sun			



**D**

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

**E**

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

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 9)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 10)		
Mon					
Tue			<b><u>State any seasonal variations for playing recorded music</u></b> (please read guidance note 11)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 12)		
Fri					
Sat					
Sun					

**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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 10)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 11)		
Wed			<b>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</b> (please read guidance note 12)		
Thur					
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 9)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 10)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 11)		
Fri					
Sat			<b><u>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</u></b> (please read guidance note 12)		
Sun					

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>	
			<b>Will the facilities for making music be indoors or outdoors or both – please tick</b> (please read guidance note 9)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 10)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 11)	
			<b><u>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</u></b> (please read guidance note 12)	

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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 10)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 11)		
Thur					
Fri			<b>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</b> (please read guidance note 12)		
Sat					
Sun					

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 9)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 10)		
Wed					
Thur			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 11)		
Fri					
Sat			<b><u>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</u></b> (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 (please read guidance note 9)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	10:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 10)  Hot drink or food sold in conjunction with the supply of alcohol if required.		
Tue	10:00	00:00			
Wed	10:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 11)		
Thur	10:00	00:00			
Fri	10:00	00:00	<b><u>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</u></b> (please read guidance note 12)  In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity commencing one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.  On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time) -Valentines Night 1 hr, Burns Night 1 hr, 1st March (St Davids) 1 hr, 17th March (St Patricks) 1 hr, Good Friday 1 hr, Easter Saturday 1 hr, Easter Monday (Bank Hol) 1 hr, 23rd April (St Georges) 1 hr, May Bank Hol (1st) 1 hr, May Bank Hol (2nd) 1 hr, August Bank Hol 1 hr, 30th Nov (St Andrews) 1 hr, Christmas Eve 1 hr		
Sat	10:00	00:00			
Sun	10:00	00:00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption</b> (Please tick box) (please read guidance note 13)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (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	<b>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</b> (please read guidance note 12) In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity commencing one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.  On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time) -Valentines Night 1 hr, Burns Night 1 hr, 1st March (St Davids) 1 hr, 17th March (St Patricks) 1 hr, Good Friday 1 hr, Easter Saturday 1 hr, Easter Monday (Bank Hol) 1 hr, 23rd April (St Georges) 1 hr, May Bank Hol (1st) 1 hr, May Bank Hol (2nd) 1 hr, August Bank Hol 1 hr, 30th Nov (St Andrews) 1 hr, Christmas Eve 1 hr		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

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

**N**

<p><b>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</b> (please read guidance note 14)</p> <p>None</p>
---

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 11)
Day	Start	Finish	
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	<b>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</b> (please read guidance note 12) In the boxes to the left, times stated include any early morning opening (for non-licensable activities), all hours relating to licensable activities and an additional 30 minute voluntary closure policy, as per our operating plan overleaf In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to open one hour before the start of the event and close one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.  For residents & guests, alcohol and hot drink & food to be provided 24hrs as per converted benefit. On the days/dates listed below the additional hours (these in addition to the ones listed left) are to be permitted for the licensable activity (not including drinking up time) -Valentines Night 1 hr, Burns Night 1 hr, 1st March (St Davids) 1 hr, 17th March (St Patricks) 1 hr, Good Friday 1 hr, Easter Saturday 1 hr, Easter Monday (Bank Hol) 1 hr, 23rd April (St Georges) 1 hr, May Bank Hol (1st) 1 hr, May Bank Hol (2nd) 1 hr, August Bank Hol 1 hr, 30th Nov (St Andrews) 1 hr, Christmas Eve 1 hr
Fri	09:00	00:30	
Sat	09:00	00:30	
Sun	09:00	00:30	

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

To remove any restrictions which are to be placed on the licence by virtue of schedule 8, Para 6(8) of the Licensing Act 2003 save for ability to trade for licensable activities from end of permitted hours on New Years Eve to the commencement of permitted hours on the day following under the Licensing Act 1964

The restrictions regarding drinking up times are also to be replaced with 30 minutes as marked in Box O.

**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)**

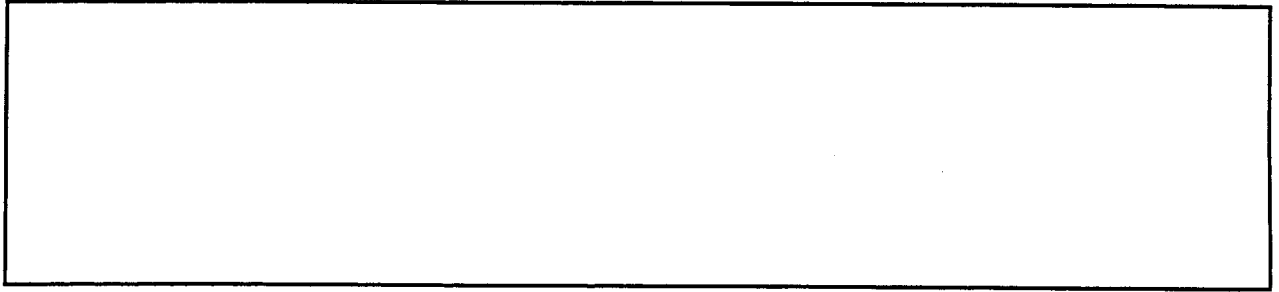
Duck In is part of and operated by Mitchells & Butlers Group (MAB). MAB own and operate over 2000 separate **managed** businesses within the United Kingdom. **Managers are employed by the company and operate under the direction and procedures of the company.** We adopt a corporate approach to risk management across the whole estate. This ensures a consistent approach to the management of risk in each of our businesses through a range of policies, procedures and roles. **This approach is fundamental to our operating principles and is integrated into the way we run our businesses.**

We refer to the attached document, "Mitchells & Butler – A Guide to our Policies". This document, which does **not** form part of this operating schedule, demonstrates our total commitment to best practice policies, enforced and monitored at this site. It is not possible to submit such policies as potential conditions as they are obviously subject to other legislation, corporate responsibility considerations and market conditions, and are therefore liable to change from time to time.

This is a variation application that does **not represent a fundamental change in the way in which this premises has already been trading under its existing licences and conditions.** We are required in schedule 1, part B2 to state "any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted". We have carefully considered the risks and benefits associated with the additional hour(s) applied for and where additional steps are necessary and proportionate to address the licensing objectives have indicated them.

We will continue to train our staff in the standards required by the relevant legislation and as required by company policy.

Our voluntary closure policy for the operation is 30 minutes after the approved closure time for the supply of alcohol.



**b) The prevention of crime and disorder**

The company monitors the need for door supervisors and in so doing takes into account any advice given by the Police.

The pub manager is required to actively participate in and support local the Pubwatch scheme (where active).

Text and/or radio pagers, where already used will be used for any additional hours.

Toughened glass is currently in use and will continue to be used during any additional hours.

Existing CCTV system will continue to operate during the additional hours.

In line with our Alcohol and Social Responsibility Policy there will be no promotions that encourage illegal, irresponsible or immoderate consumption.

**c) Public safety**

We already understand our obligations under existing Health and Safety legislation, take our responsibilities seriously and have extensive policies and practices in place to meet these obligations (see "Guide to our Policies").

It is our opinion that the nature of the operation and proposed variation will not lead to any increase in risk of the public safety. The existing policies will simply be extended to cover the relatively small increase in opening hours. Our internal health and safety due diligence and incident reporting system will operate during the additional hour(s).

**d) The prevention of public nuisance**

The style and nature of the operation will not differ significantly from the existing trading operation during the extended hour(s). Indeed, the grant of the additional hour(s) will of itself promote the licensing objectives as stated at paragraph 3.29 of the **Guidance**, in allowing customers to emerge from premises at a more gradual rate.

Reasonable steps are taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.

Managers are required to liaise with local neighbours as part of their duties and resolve any reasonable concerns in accordance with our Role in the Community Guidelines.

**e) The protection of children from harm**

We recognise the importance of protecting children from harm and this is supported by:-

- Our commitment to health and safety in the operation and maintenance of the premises
- Our approach to managing the risk of under-age drinking

We will at all times observe the law and ensure that alcohol is not served to people who are under 18 years of age. The manager and staff are briefed in the importance of their responsibilities in ensuring customers are over 18.

No adult entertainment (paid for by the company of a nude physical nature) is permitted at these premises. Any children under 16 remain the responsibility of the accompanying adult when using the premises (and/or exterior area). Staff are not allowed to be in sole supervision of children which remains the responsibility the accompanying adult at all times.

### Part B3 – Premises Supervisor

#### Full name of proposed designated premises supervisor

No variation is sought to the individual specified in section A3

#### Address of proposed designated premises supervisor

No variation is sought to the individual specified in section A3

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

Not known at time of application

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 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

y

**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	
Date	9/6/05
Capacity	Solicitors for the applicant

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> 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	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 19)			
See Part A4			
<b>Post town</b>		<b>Post code</b>	

**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.**

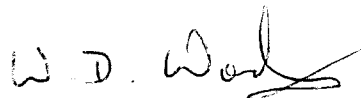
8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, 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 e.g. 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 ancilliary 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.



SCHEDULE 2

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

I WILLIAM DAVID WADEY 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 Mitchells & Butlers 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 Duck In London Road Aston Clinton AYLESBURY HP22 5HP if that application is successful.

Signed 

Dated: 050305



CERTIFICATE ISSUED  
25/10/04

**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

**William David Wadey**

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

**Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP**

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

**Mitchells & Butlers Retail Ltd  
27 Fleet Street, Birmingham**

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**

Certified as a true copy  
of the licence

Andrew Grimsey, Solicitor  
Poppleston Allen Solicitors  
Nottingham

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

**Justices' Chief Executive**

**Clerk to the Licensing Justices.**



**Undertakings Attached (Overleaf)**



## Licence Conditions/Undertakings

Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP

Undertaking given by Mr Thomas on 17-4-00 to comply with any requirements sought by Fire Authority by 3rd May 2000



**Central Buckinghamshire Magistrates Court**

**Licensing Act, 1964, Section 68**

**SUPPER HOURS CERTIFICATE**

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

held on the **2nd day of February 1954**

The Licensing Justices' for the said licensing division hereby certify that they are satisfied that the licensed premises known as

**Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP**

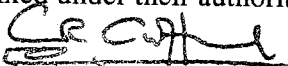
are structually adapted and bona fide used for the purpose of habitually providing, for the accommodation of persons frequenting the premises, substantial refreshment, to which the sale and supply of intoxicating liquor is ancillary.

**SCHEDULE**

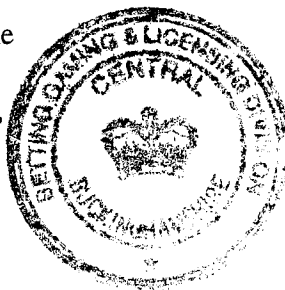
Certified as a true copy  
of the licence

-----  
Andrew Grimsey, Solicitor  
Poppleston Allen Solicitors  
Nottingham

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

  
Justices' Chief Executive

Clerk to the Licensing Justices.



Oakley  
68 London Rd  
Aston Clinton  
Aylesbury  
Bucks.  
HP22 5HN

- 7 JUL 2004

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High St  
Aylesbury  
Bucks.  
HP20 1SD

Dear Sirs

Re: Application by Mitchells & Butlers Leisure Retail Limited  
Premises- Duck Inn, London Road, Aston Clinton, HP22 5HP  
Under section 34 of the licensing Act 2003

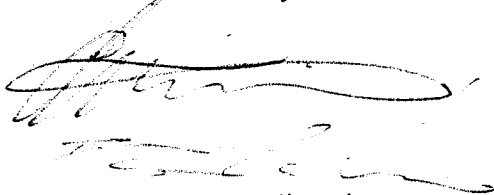
We understand that the above company has applied to extend the licensing hours and to remove any restrictions which are currently placed on their license for the above premises.

We would like to object to this on the grounds that this is a residential area and totally unsuitable for this change of use. Surely this type of establishment is best suited to town centres and out of town areas where they will have little impact on the community. In light of all the national problems surrounding binge drinking we feel that this is a wholly unsuitable area to establish another such venue, the infrastructure of Aston Clinton is not designed for this type of venue.

The loss of a family orientated eating establishment would be greatly felt by the area and we do not have the infrastructure to deal with the type of cliental that would frequent this new type of establishment. Aston Clinton already has several pubs but no other family orientated venues like the Duck Inn.

We hope that you will agree with us and refuse a change of licence to these premises.

Yours faithfully



Clive and Sandi Latimer

14A Green End Street  
Aston Clinton  
Bucks  
HP22 5JE

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
Aylesbury  
Bucks HP20 1SD

Dear Sir/Madam

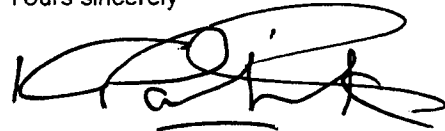
**Re: Application by Mitchells & Butlers Leisure Retail Limited: Premises - Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP under Section 34 of the Licensing Act 2003.**

I am a local resident living close to these premises. I enjoy eating in the Duck Inn and accept that there will be some local additional noise living near to a very popular pub/restaurant.

I experience delivery lorries each morning and additional cars parked in the road most evenings from the patrons of the pub. The recent application indicates that the premises may well change its clientele and positive atmosphere. An increase in noise and after hours disturbance is a likely result in the license request.

Any change that will increase the possibility of increased inconvenience through noise or local traffic is to be avoided in this residential area. Any change from its existing 'traditional' style is unwelcome and unacceptable. I hope that you see fit not to allow such a development.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Patrick', with a horizontal line underneath the name.

K Patrick

Brian & Ivy Smith  
3, Orchard Drive  
Aston Clinton  
Bucks.  
HP22 5HR

Tel: 01296 630727

4<sup>th</sup> July 2005

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66, High Street  
Aylesbury  
Buckinghamshire P20 1SD

Dear Sirs

**Re: Application by Mitchells & Butlers Leisure Retail Limited:  
Premises: Duck In, London Road, Aston Clinton, Bucks. HP22 5HP  
Under Section 34 of the Licensing Act 2003**

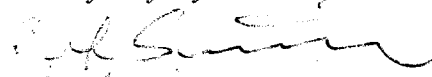
*We are concerned re the above application for change at the Duck In.*

*People from the local area and for many miles around come to enjoy a family meal at the Duck In, it will lose this popularity if the license is changed to a noisy disco type of establishment.*

*Aston Clinton does not need this type of public house there are already several pubs in the area as well as a thriving well run Youth Club and a Sports and Social Club nearby with adequate parking.  
The Duck In's Car Park has only limited parking.*

*The area is quite densely populated and this type of license could well bring in an undesirable element to the village causing late night nuisance to local residents, at the present time it is a great asset to the village, why change this. Therefore we strongly oppose the change of the license.*

Yours faithfully



*Brian & Ivy Smith*  
Brian & Ivy Smith

2 Orchard drive  
Aston Clinton  
Bucks  
HP22 5HR

4<sup>th</sup> July 2005

Dear Sir/Madam

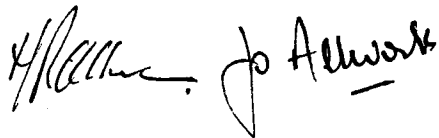
**Re: Application by Mitchells & Butlers leisure Retail Limited**  
**Premises: Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP**  
**Under Section 34 of the Licensing Act 2003**

The above application is posted outside the "Duck Inn" and it indicates that the above company wishes to change the status of the Inn from a "family" orientated restaurant to a "youth" orientated music pub serving food.

At the moment the "Duck Inn" is a very successful business and is enjoyed by most of the villagers and their families of all ages. Therefore why change an Inn that is suitable for young and old families to a noisy "Music Pub" which would undoubtedly attract unwelcome "Yoof" element which will not only deter the existing trade but will turn the local residents area into a nightmare with the very late exit.

The "Duck Inn" at the moment is a great asset to our community and therefore we would wish it to remain that way so that we can all enjoy our peacefull and joyfull village and its amenities.

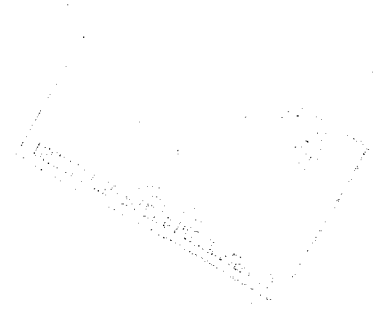
Yours faithfully

A handwritten signature in black ink, appearing to read 'Trevor & Jo Allwork'. The signature is written in a cursive style with a horizontal line under the name 'Allwork'.

Trevor & Jo Allwork



Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
AYLESBURY  
Buckinghamshire HP20 1SD



Dear Sirs,

**Application by Mitchells & Butlers Leisure Retail Limited:  
Premises: Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP  
under Section 34 of the Licensing Act 2003.**

The above application was posted outside the 'Duck Inn' on 13 June 2005.

It indicates that the national company that owns the premises wishes to change its usage from being a 'family' orientated restaurant with a bar, to a 'youth' orientated music 'pub' that serves food.

Given the obvious success of the 'Duck Inn' as a business venture since it opened a few years ago, it is apparent that the existing Premises Licence has been a great asset to Mitchells & Butlers Leisure Retail Limited. It proudly displays certification that it has achieved annual sales as 'traditional' restaurant of over £1,000,000 per year. Why does it now wish to apply for an amendment to that licence ?

The new application indicates that the premises may well change its atmosphere from that of general 'family' usage to one of 'loud music and booze' 7 days a week, for 14 hours a day.

The village is already served by two public houses and two restaurants, the latter serving foreign cuisine, and in addition the 'Duck Inn' has a sign board proclaiming 'Inn Keeping with Tradition'.

Any change from its existing 'traditional' format to that of a noisy 'Music Pub' will undoubtedly attract an unwelcome 'Yoof' element and will deter the existing family trade.

Families enjoy their meal/evening out and return home well before midnight. The new 'Midnight' application will certainly give rise to many 'too happy' drunks turning out at midnight before they carouse their own way home from our residential area.

The 'Duck Inn's' parking facilities now only just caters for the existing 'restaurant' business. The additional parking demands of 'casual' drinkers and 'Disco' followers will cause unnecessary parking aggravation in our community.

The granting of this License alteration will have seen these premises change from internationally recognised Hotel, to family restaurant, to 'Music Pub' in less than one generation. What does this say about our social values ? Especially as our small village already has two suitable music venues a short walk from the 'Duck Inn'. The Sports & Social Club is in the village park and the 'Anthony Hall' is available for hire on the London Road. Each with adequate car parking.

The 'Duck Inn' in its present format is a great asset to the village and undoubtedly of great financial reward to its owners. The suggested extension of its Premises License may well bring added rewards to its owners but that additional profit will certainly be to at to the detriment of the lifestyle of the residents of Aston Clinton.

Yours faithfully,



Name: DAVID BARKWELL

Address: 8 THE COURTYARD  
LONDON RD  
ASTON CLINTON  
BUCKS.

Date: 28/06/05.

LONDON ROAD,  
ASTON CLINTON,  
Buckinghamshire

HP 22 5 9W

14th June, 06

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
AYLESBURY  
Buckinghamshire HP20 1SD

Dear Sirs,

**Application by Mitchells & Butlers Leisure Retail Limited:  
Premises: Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP  
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Families enjoy their meal/evening out and return home well before midnight. The new 'Midnight' application will certainly give rise to many 'too happy' drunks turning out at midnight before they carouse their own way home from our residential area.

Yours Faithfully,  
Bruce Robinson

The 'Duck Inn's' parking facilities now only just caters for the existing 'restaurant' business. The additional parking demands of 'casual' drinkers and 'Disco' followers will cause unnecessary parking aggravation in our community.

The granting of this License alteration will have seen these premises change from internationally recognised Hotel, to family restaurant, to 'Music Pub' in less than one generation. What does this say about our social values ? Especially as our small village already has two suitable music venues a short walk from the 'Duck Inn'. The Sports & Social Club is in the village park and the 'Anthony Hall' is available for hire on the London Road. Each with adequate car parking.

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Yours faithfully,

Name:

Address:

Date:

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
AYLESBURY  
Buckinghamshire HP20 1SD

Dear Sirs,

**Application by Mitchells & Butlers Leisure Retail Limited:  
Premises: Duck Inn, London Road, Aston Clinton, Bucks HP22 5HP  
under Section 34 of the Licensing Act 2003.**

The above application was posted outside the 'Duck Inn' on 13 June 2005.

It indicates that the national company that owns the premises wishes to change its usage from being a 'family' orientated restaurant with a bar, to a 'youth' orientated music 'pub' that serves food.

Given the obvious success of the 'Duck Inn' as a business venture since it opened a few years ago, it is apparent that the existing Premises Licence has been a great asset to Mitchells & Butlers Leisure Retail Limited. It proudly displays certification that it has achieved annual sales as 'traditional' restaurant of over £1,000,000 per year. Why does it now wish to apply for an amendment to that licence ?

The new application indicates that the premises may well change its atmosphere from that of general 'family' usage to one of 'loud music and booze' 7 days a week, for 14 hours a day.

The village is already served by two public houses and two restaurants, the latter serving foreign cuisine, and in addition the 'Duck Inn' has a sign board proclaiming 'Inn Keeping with Tradition'.

Any change from its existing 'traditional' format to that of a noisy 'Music Pub' will undoubtedly attract an unwelcome 'Yoof' element and will deter the existing family trade.

Families enjoy their meal/evening out and return home well before midnight. The new 'Midnight' application will certainly give rise to many 'too happy' drunks turning out at midnight before they carouse their own way home from our residential area.

The 'Duck Inn's' parking facilities now only just caters for the existing 'restaurant' business. The additional parking demands of 'casual' drinkers and 'Disco' followers will cause unnecessary parking aggravation in our community.

The granting of this License alteration will have seen these premises change from internationally recognised Hotel, to family restaurant, to 'Music Pub' in less than one generation. What does this say about our social values ? Especially as our small village already has two suitable music venues a short walk from the 'Duck Inn'. The Sports & Social Club is in the village park and the 'Anthony Hall' is available for hire on the London Road. Each with adequate car parking.

The 'Duck Inn' in its present format is a great asset to the village and undoubtedly of great financial reward to its owners. The suggested extension of its Premises License may well bring added rewards to its owners but that additional profit will certainly be to at to the detriment of the lifestyle of the residents of Aston Clinton.

Yours faithfully,

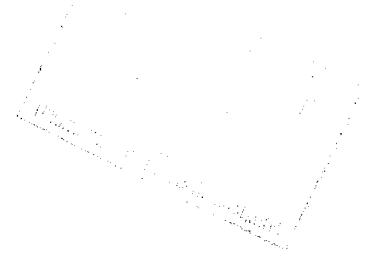


Name: C. MOSSFORD

Address: 88 LONDON RD  
ASTON CLINTON  
BUCKS, HP22 5HS.

Date: 2/7/05.

Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
AYLESBURY  
Buckinghamshire HP20 1SD



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Yours faithfully,



Name: MRS S.I. CLARE

Address: 1 ORCHARD DRIVE  
ASTON CLINTON  
HP22 5HR

Date: 30 JUNE 1905

P.S. There are enough jobs in the village, already without encouraging more.



Licensing Team  
Environmental Health Division  
Aylesbury Vale District Council  
66 High Street  
AYLESBURY  
Buckinghamshire HP20 1SD

Dear Sirs,

22nd June 2005

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Yours faithfully,

Christine Hudson

Name: DIANE HUDSON

Address: 17 The Courtyards, London Road  
Aston Clinton, Bucks

Date: 22nd June 2005

PS I would like to add the following.  
The police are unable to control the youngsters in the village especially those who frequent the bus shelter most evenings. One of my neighbours has been forced to put his house up for sale because of the trouble he is having with these people. Since the council have proposed that a household waste site may be located in Aston Clinton I have been on anti-depressants and my health is suffering. If the 'Duck' gets this 'Disco' licence I will be very ill. I cannot speak on behalf of all residents but I do have some (if not any) will

The Licensing Officer  
Aylesbury Vale District Council  
66 High Street  
Aylesbury  
Buckinghamshire  
HP20 1SD

Date: 06 July 2005  
Our ref: HW/PL/P13068-3276  
Doc Ref: 2142796503  
Your ref:  
E-mail: [h.williams@popall.co.uk](mailto:h.williams@popall.co.uk)  
Direct line: 0115 934 9169

For The Attention Of Peter Seal

Dear Sirs

**Duck Inn, London Road, Aston Clinton**  
**Premise Conversion and Variation**

I am writing further to your letter which was e-mailed to our client on 26<sup>th</sup> June 2005.

We understand that you have received representation from local residents in relation to our application to vary the premise license for the above unit.

The letters of representation from local residents indicate that they feel that there will be change in the nature of the premise. This is not the case. We have requested permission to vary the licence to enable the unit to show films because, as the council will be aware, in the event that the unit wishes to show any kind of pre-recorded material this is now a licensable activity and specific permission is required. It is certainly not the intention of the unit to show films.

It is not the intention of the unit to trade later hours on a regular basis. Instead, we were simply hoping to build in flexibility for the unit in keeping with the spirit of the Licensing Act 2003. The Duck Inn is a successful unit under Mitchell's and Butler's Vintage Inn brand. This is predominately a food led premise serving quality food and drink at premium prices. These are traditionally destination premises and are in no way aimed towards a more youthful crowd. Mitchell's and Butler have no intentions whatsoever of seeking to change this. The Duck Inn does not seek to attract younger patrons, the pricing, easy listening background music and overall image is not aimed at attracting a younger or increased crowd.

However, we have taken instruction from our client and wish to amend the application.

We are no longer seeking permission for films. Similarly, we wish to withdraw our request to trade during international events which are transmitted outside our current permitted hours and for the additional hours on notable days.

The unit currently holds a Supper Hours Certificate covering the whole premises and enabling the premises to trade until midnight under the current law for those patrons who are partaking of a table meal. This is therefore an existing permission albeit it infrequently used. Consequently, our request to trade until midnight Mon – Sun inclusive is not a substantial change.

We should be grateful if you could consider this letter our formal request to amend our application. We confirm that we have copied this letter to all responsible authorities for their information. We hope that this will reassure the local residents who made representations and will allow our application to proceed without a hearing.

We therefore would be grateful if you could mediate with the three local residents this in mind. However, should you have any queries or wish to discuss this matter we will be grateful if you could contact Helen Williams at this office.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Poppleston Allen', with a large, sweeping flourish at the beginning.

**Poppleston Allen**