

**REPORT ON APPLICATION FROM THE RISING
SUN IN ICKFORD FOR CONVERSION AND
VARIATION OF THE PREMISES LICENCE**

Director of Community Services

Local Members: Councillors Edmonds and Smith

1. THE APPLICATION

Applicant(s): Punch Tavern Plc

Premises: Rising Sun, 36 Worminghall Road, Ickford

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 Rising Sun in Ickford 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.

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 5, the application to vary has been amended.

The proposed designated premises supervisor is Paul Honour 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Environmental Health – Originally made a representation but subsequently withdrew. See section 3, Appendix 3

Planning – No objection

Trading Standards – No Comment

Area Child Protection Committee – No comment

2.2 Interested Parties

During the consultation period five representations were received from local residents. These are attached as appendix 2. The content of the representations vary from worries of noise disturbance both directly from the premises and arising from customers sitting outside, to lack of adequate parking.

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 confirmed that they will attend the hearing and in the meantime seek to negotiate a settlement. Punch did manage a settlement in respect of the representation from Environmental Health by volunteering a further four conditions. Appendix 3 details the conditions and confirms the agreement. In addition Ickford Parish Council clarified the content of their representation by a further letter and this is attached as Appendix 4. 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 5 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:

- 8.1 In an attempt to assist Members assess the impact of the Rising Sun on the 'interested parties' a location plan showing the relevant premises will be available at the meeting.
- 8.2 The Rising Sun has given rise to complaints in the past. In particular, arising from customers drinking outside. It was in this respect that Environmental Health originally made a representation. However the applicant has subsequently volunteered to clear all external areas of the premises by 11.00 p.m. and Environmental Health are now satisfied.
- 8.3 All the representations made by individuals are within the vicinity of the premises and all but one refer to an existing problem of noise disturbance particularly from customers who apparently congregate around the front of the premises. All the representations relate to a fear of exacerbating this disturbance should the application to vary be granted.
- 8.4 Interested parties also express concern in respect to noise relating to regulated entertainment, should the premises be granted the variation. The premises do not currently benefit from a public entertainment licence and therefore it is not possible to say just how significant the intrusion, if any might be.
- 8.5 Many of the 'interested parties' express concerns about parking. Whilst parking per se is not necessarily a relevant licensing consideration, as mentioned in Aylesbury Vale District Council's Licensing Policy Statement, paragraph 8.15 (e), its impact on the licensing objectives,

particularly that one relating to the prevention of public nuisance does require consideration.

8.6 The Parish Council raise concerns that the applicant has not complied with the requirement to display a public notice on the premises for 28 days. Due to the extraordinary number of applications received, the licensing authority has been unable to make site visits and check. Notice was given in the Bucks Herald on the 29 June 2005 and the current licensee has confirmed that the notice was displayed for the statutory period.

8.7 On the facts of this particular application and in light of the representations made, the following additional conditions might be appropriate:

- A noise limiter shall be fitted to the musical amplification system in agreement with and to the satisfaction of the Head of Environmental Health and Licensing Services. The noise limiter shall be set and maintained at a level to be decided upon by the said officer.
- During the performance of regulated entertainment all windows and doors shall remain closed, save for the opening and closing of doors to allow the ingress and exit of customers.

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

Contact Officer
Background Documents

Peter Seal 01296 585053
Application form and plans

Lsg-hst-ps-Rising Sun – greens may 2003
Licensingsub1082005

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 Wednesday, Thursday and Friday.
- An additional two hours into the morning following every Saturday.
- An additional half hour every Sunday.
- 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 limited to 2 entertainers and Karaoke.

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)

	<u>Please tick</u> ✓
<u>Provision of regulated entertainment</u>	Yes
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e),(f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
 <u>Provision of entertainment facilities</u>	
i) making music (if ticking yes, fill in box I)	<input type="checkbox"/>
j) dancing (if ticking yes, fill in box J)	<input type="checkbox"/>
k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	<input checked="" type="checkbox"/>
 <u>Provision of late night refreshment (if ticking yes, fill in box L)</u>	 <input type="checkbox"/>
<u>Sale by retail of alcohol (if ticking yes, fill in box M)</u>	<input checked="" type="checkbox"/>

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 [√] (please read guidance note 9)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 11)		
Thur					
Fri			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)		
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	
Both					
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					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details here. (please read guidance note 10)
Day	Start	Finish	
Mon			<p>State any seasonal variations for indoor sporting events (please read guidance note 11)</p> <p>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 (please read guidance note 12)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)	Indoors	
				Outdoors	
Both					
Day	Start	Finish	Please give further details here (please read guidance note 10)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Wed					
Thur			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)		
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	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:00	Please give further details here (please read guidance note 10) Amplified and unamplified live music performed by no more than 2 entertainers.		
Tue	10:00	23:00			
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) <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. 		
Sat	10:00				
Sun		01:00			
	12:00	23:00			

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			
Mon	10:00	23:00	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.		
Tue	10:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 11)		
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	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) <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. 		
Sat	10:00				
Sun		01:00			
	12:00	23:00			

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

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing 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	23:00		Both	
Tue	10:00	23:00	Please give further details here (please read guidance note 10)		
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		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		01:00	<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. 		
	12:00	23:00			

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			Please give further details here (please read guidance note 10)	Both	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the sale of alcohol be for consumption please tick [✓] (please read guidance note 13)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Tue	10:00	23:00			
			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)		
Wed	10:00	00:00			
Thur	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. 		
Fri	10:00	00:00			
Sat	10:00				
Sun		01:00			
	12:00	23:00			

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 machine
1 X Cigarette machine

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	23:30	
Tue	10:00	23:30	
Wed	10:00		
Thur		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. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve/Day hours.
	10:00		
Fri		00:30	
	10:00		
Sat		00:30	
	10:00		
Sun		01:30	
	12:00	23:30	

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

None

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

The operator at the Rising Sun is a member of the local pub watch scheme, the majority of customers are locals and are well known to the operator. The car park has full illumination in the evening and the closes licensed premises is a mile away.

c) Public safety

The operators holds basic health and hygiene certificates, The Rising Sun has fire fighting appliances that are serviced regularly.

d) The prevention of public nuisance

The Rising Sun is a detached property that is of traditional construction that retains sound well.
On regular basis the operator reminds customers on departing the premises to leave quitted and with consideration to local residents. The closest other public house is around a mile away.

e) The protection of children from harm

Children are allowed into the Rising Sun, but only in the trade garden and must be accompanied by an adult.
The Rising Sun does not show any restricted films or hold adult style entertainment that may give cause to offence.

PART B3 - Premises Supervisor

Full name of proposed designated premises supervisor

Paul Jonathan Honour

Address of proposed designated premises supervisor

Rising Sun, 36 Wormington Road, Ickford, Aylesbury, HP18 9JD

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

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 *M. H. Taylor TLT*

Date 7/6/05

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/201034)	
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.

19, Worminghall Rd, Ickford, Bucks

July 15th

Dear Sir

Variation in license; Rising Sun, Worminghall Rd, Ickford

We wish to object to the proposed variation of the licence to increase the hours and to have live music and karaoke every night of the week on the following grounds:

Public nuisance:

At present the pub attracts a noisy and rowdy element who congregate outside the front of the pub during fine weather, most fine weekday evenings and weekend afternoons and evenings. The noise of shouting, shrieking and loud laughter can be heard for some distance along Worminghall Rd, which is a quiet village road. Our garden fronts directly on to the road and this noise spoils our enjoyment of being outside in our garden. Whilst we do not wish to prevent people enjoying themselves, when it is constantly at the expense of other people's enjoyment of their homes, then this is not acceptable. The proposed increase in hours and entertainment would exacerbate this. The noise already extends way beyond official opening times and the Licensing and Warrants officer at the Magistrates Court has been contacted in order to register a complaint about this. Dates of when the noise has continued beyond drinking up time have been submitted, though this was a sample only, not a comprehensive list of after hours noise and disturbance.

We are also able to hear the noise from inside our house when the windows are open, which they obviously need to be in fine weather. The noise late at night is totally unacceptable and again, the proposed variation will only make it more so.

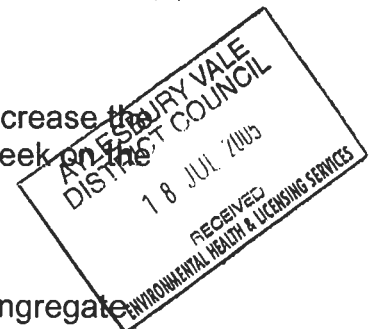
Public Safety:

The use of the benches outside the front of the pub encourages a culture of cars congregating to engage with those drinking outside the pub. The casual coming and going of people not using the pub causes additional noise nuisance and also raises road safety issues. The pub is the focus for several cars driven at dangerously high speeds through the village road as a result of drivers showing off in terms of speed, approaching and leaving the pub.

Prevention of Disorder

The congregation of people in rowdy groups is intimidating in a quiet village road and there is an element of public disorder in this. There has been smashed glass on the highway by the pub after late night drinking.

The pub should be an asset to the village not the public nuisance that it is now, particularly in summer. Rather than extend the operation of the pub, it is suggested that the existing hours of opening and drinking up time are adhered

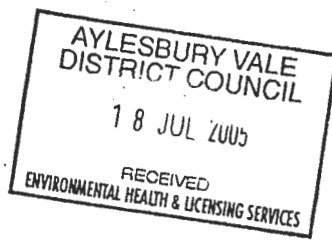


to, that the benches in front of the pub are removed (those wishing to drink outdoors will be able to do in the pub's perfectly pleasant garden which is further back from the road) and that no additional live music or karaoke is permitted.

Yours faithfully

John & Janice
Kathryn Davies

Mr & Mrs A. McPHERSON
33, WORMINGHALL ROAD,
ICKFORD, AYLESBURY
BUCKS HP18 9JB



15-07-05.

Dear Sir,

I am writing with regard to the application to extend the opening hours of the Rising Sun, located on Worminghall Road in Ickford.

Currently on most weekends and some evenings a number of customers congregate around the entrance of the pub which faces Worminghall Road. Cars are parked in the small area between the pub and the road with doors left open and music systems playing. Frequently the volume has become intolerable and we have been obliged to ask both the publican and customers to reduce the level of noise. Although normally they oblige, this behaviour is still regularly repeated.

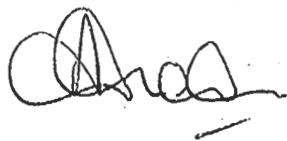
In addition to the music the loud levels of shouting, laughter and bad language continue late into the night. Whilst appreciating living close to a pub there will be a certain amount of noise, we believe these levels are unacceptable. As stated we have tried to resolve this problem amicably but feel intimidated when approaching a large group of young people who have been drinking for a considerable period.

In view of this, and your stated policy of preventing public nuisance, we have severe concerns

regarding extending the licensing hours, particularly since even under the current arrangements the noise can continue beyond midnight. We question the legality of allowing customers to drink in front of the pub, straying on to the road while listening to music from their cars - even on occasions not in them. There is a size garden to the rear and side of the pub which, if used, would eliminate some of these problems.

While not objecting to the extension of opening hours as such, we would appreciate your serious consideration of our concerns. The situation could be simply resolved by ensuring customers are persuaded to utilise the garden area, or the pub itself, rather than the main road. We look forward to hearing from you in due course.

Yours faithfully,



27 WORMINGHALL RD

15.07.05.

ICKFORD

HPIS CJB

Aylesbury Vale District Council
Licensing Authority,
66 High Street
Aylesbury



Variation of Licensing Hours
& Karaoke - "Punch Towers"

Rising Sun ICKFORD

I object most strongly to
the lengthening of licensing hours
and, in particular, to the KARAOKE

The noise will be intolerable
in the Worminghall Road. This is
a quiet village in a very rural
area and NOT conducive to
the disruption which will be

caused late at night and
maybe into the "early hours"

Parking and noise at the Rising
Sun is very problematic at the
present time without any longer
licensing hours and Karaoke

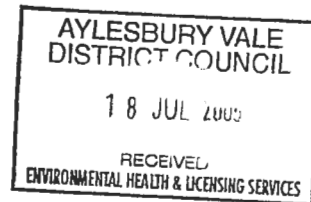
I most strongly object on the
grounds of noise disturbance,
parking - which could cause
accidents in this area of Wopmughall
Road - and the consumption of
too much alcohol. This is not
required in a small village.

J. H. Noyce

Mrs J. H. Noyce

4 Bridge Road
Ickford
HP18 9HX
15th July 2005

The Licensing Authority
AVDC
High Street
Aylesbury



Dear Sir/Madam

The Rising Sun, Ickford, Bucks
06/00788/LAPRE – Punch Taverns plc

I am writing to day to make representation regarding the above application for extended licensing hours. This has only just come to my knowledge by a local resident, Mr Chris Davis who happened to see the blue notice yesterday for the first time.

I must point out, as Parish clerk, that I have had no knowledge of this application, and if this resident has not alerted me of this application the Parish Council would have lost their right to appeal against this license.

I have, also, since my conversation with Mr Peter Seal, telephone one of my councillors, who incidentally lives just a short walk down the lane, directly opposite this pub. She has assured me, over the phone, that she or her sons have never seen this notice. Her sons actually frequent the pub. We would, therefore, wish to question if this notice has been displayed for the relevant time i.e. 28 days.

The council meets on Monday 18th July, after which I will write again with the views of the full Council. Cllr Joyce Plested wishes her name to be put on this original objection until we can discuss the matter at our meeting next week. She would have written herself if she had known. No doubt as other residents see this notice, I will be answering many more concerns this weekend.

Yours sincerely

Mary Gardner
Mary Gardner
Clerk to Ickford Parish council

P.S. No Parish notepaper used as I am at work in Aylesbury today and cannot access my notepaper from here.

Punch Taverns P.L.C.

Licensing

e/o A.V.D.C Act 2003.

Aylesbury

ref. re "The Rising Sun"

Public House

36, Worminghall Rd

Idelford

31 Worminghall Rd

Idelford

Aylesbury

Bucks

15-7-05



Dear Sir or Madam,

We are writing to you re the application from Punch Taverns P.L.C. for permission to be given for Karaoke, Entertainers and extra hours of business to be held at the above address.

We live opposite this Public House and have done for many many years. First of all there are parking problems already outside this Public House and on the Worminghall Rd and junction opposite this House, we are all waiting for an accident to happen we regret to say.

We already get quite a noise from customers and Worminghall Rd residents do not need more noise.

This application will cause more problems and effect the residents of Idelford in many ways. We do object to this application and do hope our objections will be considered together with our reasons we have pointed out in this letter to you

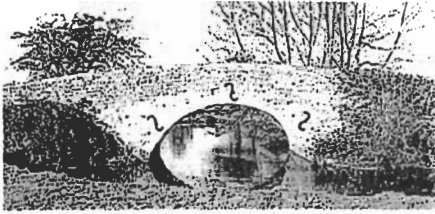
C31

Yours Faithfully
Mrs J. Pleskeed
A. Pleskeed

Punch Taverns Licensing Conditions Communication

Enter Outlet ID:	<input type="text" value="201034"/>
Outlet Name:	<input type="text" value="Rising Sun"/>
Address:	<input type="text" value="36 Worminghall Road"/>
	<input type="text" value="Ickford"/>
	<input type="text" value="Bucks"/>
	<input type="text" value="HP18 9JD"/>
Area:	<input type="text" value="J07"/>
Select the Authority:	<input type="text" value="Environmental Health Officer"/>
Name of Person Agreed With:	<input type="text" value="Karen Sepp"/>
Date Agreed:	<input type="text" value="22/07/2005"/>
Local Authority Name:	<input type="text" value="Aylesbury Vale Disdrict Council"/>
Local Authority Reference No.	<input type="text" value="RQS/05/01286"/>
Enter the Number Of Conditions:	<input type="text" value="4"/>

Condition 1	<input type="text" value="All external drinking areas to the front and garden to the rear must be cleared by 23:00 on all trading days"/>
Condition 2	<input type="text" value="Prominent notices to be placed both in the Pub and external areas to say area must be clear by 23:00."/>
Condition 3	<input type="text" value="No person will be allowed to leave carrying open bottles or unfinished drinks in glasses (Except for normal off sales and to garden area)"/>



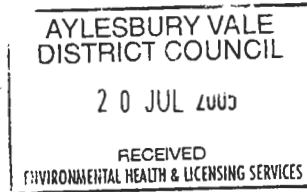
Ickford Parish Council

www.ickford.org.uk
E-mail: clerk@ickford.org.uk

Chestnut Cottage
4 Bridge Road
ICKFORD
HP18 9HX
Tel: 01844 338792
Fax: 01844 338014

19th July 2005

AVDC
Licensing Department
66 High Street
Aylesbury



Dear Sir/Madam

Further to my letter dated the 15th inst., the council has since met on the 18th July and gathered information from the residents of Ickford. There were a number of issues raised by councillors and members of the public at this meeting.

- Noise from this public house. – At the moment there is a considerable amount of noise from this establishment. With the new license this may go on even later to the detriment of the immediate neighbours.
- Parking has become an issue around this pub, as it is set inside the village with neighbours on each side of it. There are a number of cars that park and even sit drinking in their cars just outside the pub talking to others, who are sitting at the roadside benches.
- Late night drinking already causes a number of problems for the residents. With extensions the 'shut down' time will slide even further into the night.
- The residents are convinced that this notice has not been displayed for 28 days,

We pride ourselves in our village as having a diverse population with both a good mix of young and older people living in its midst. However, if the public house is given these extra provisions within the new act, the population will suffer as a result.

We hope the above will be taken into consideration and it is the Parish Council's opinion that this would not be in the best interests of the residents and therefore object to this application being granted.

Yours sincerely

Mary Gardner

Mary Gardner
Clerk to Ickford Parish Council



Ickford Parish Council

www.ickford.org.uk
E-mail: clerk@ickford.org.uk

Chestnut Cottage
4 Bridge Road
ICKFORD
HP18 9HX
Tel: 01844 338792
Fax: 01844 338014

21st July 2005

Attn: Mr Peter Seal
Licensing Services Manager
AVDC
Department of Community Services
PO Box 622
Aylesbury
HP20 1ZL



Dear Peter

Thank you for your letter regarding the application for The Rising Sun in Ickford and the date of the hearing. I would like to confirm that, hopefully, one of the councillors will attend on this date. (10th August 2005.)

Yours sincerely

Mary Gardner

Mary Gardner
Ickford Parish Clerk

APPENDIX 5

Rising Sun

Existing permitted hours and activities

The premises may 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.

Variation application

The application relates to the extension of the terminal hour for the sale of alcohol and the provision of regulated entertainment as follows

Monday and Tuesday 10.00 a.m. to 11.00 p.m.
Wednesday to Friday 10.00 a.m. to 12.00 mid-night
Saturday 10.00 a.m. to 1.00 a.m. the following day
Sunday 12.00 mid-day to 11.00 p.m.

Provision of live music – indoors
Provision of recorded music – indoors
Provision of facilities for entertainment, namely karaoke – indoors
Supply of alcohol – indoors
N.B. Alcohol not supplied for consumption off the premises after 11.00 p.m.

The application also asks for an additional 30 minutes on the above times that the premises are open to the public.

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

- A further additional hour into the morning 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, Boxing Day
- To reflect existing New Year's Eve/Day hours

N.B. Additional conditions volunteered by Punch Taverns as set in their note – Appendix 3.