

**REPORT ON APPLICATION FROM THE  
PHOENIX IN STEEPLE CLAYDON UNDER THE  
LICENSING ACT 2003 FOR CONVERSION AND  
VARIATION OF PREMISES LICENCE**

**Local Member: Councillor E Griffin**

**1. THE APPLICATION**

Applicant(s): Punch Taverns

Premises: Phoenix, 11 Queen Catherine Road, Steeple Claydon, MK18 2PZ

**1.1 Conversion Application**

No representations have been received from Thames Valley Police in respect to this application 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 has been granted under delegated powers subject to any existing statutory restrictions and conditions and any other conditions which currently apply.

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 out in the application form, Part B, section A to P. In an effort to clarify the current and proposed permissions these are set out in Appendix 3.

The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1, Part Q of application form).

**2. RELEVANT REPRESENTATIONS**

**2.1 Responsible Authorities**

➤ **Environmental Health –**

Were unable to assess the application due to insufficient information. The representation is attached as Appendix 2.

**Thames Valley Police – No representation**

**Bucks Fire and Rescue – No representation**  
**Planning – No representation**  
**Trading Standards – No comment**  
**Area Child Protection Committee – No comment**

## **2.2 Interested Parties**

During the consultation period no representations were received from interested parties.

### **3. NOTICE OF HEARING AND RESPONSES**

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.

The submissions received to date following service of the Notice of Hearing are attached as Appendix 4 and Members will be notified of any further responses at the hearing.

### **4. GENERAL INFORMATION**

The general information Members need to have regard to when determining applications made under the Licensing Act 2003 is set out in a separate document which is attached to the Agenda under cover of which this report has been published.

### **5 ISSUES RAISED BY THE APPLICATION**

The issues raised by the application are for the Sub-Committee to determine having regard to all the relevant considerations. Whatever, the Sub-Committee decides, it must give reasons.

To assist Members and the parties further, The Licensing Services Manager will draw attention to any issues arising from this application at the hearing.

Contact Officer  
Background Documents

Peter Seal 01296 585083

Ps-lsc-hst-Phoenix – greens may 2003  
Licactsubcom192005

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**We Punch Taverns Plc apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below**

**Part A1 - Premises Details**

Postal address of premises if any or, if none, ordnance survey map reference or description	
Phoenix 11 Queen Catherine Road	
Post town Steeple Claydon	Post code MK18 2PZ

Telephone number of premises (if any)

01296 738919

Non-domestic rateable value of premises

£ 9,000.00

**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 | <input type="checkbox"/> please complete section (B)            |
| f) a health service body                          | <input type="checkbox"/> please complete section (B)            |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital
- k) the chief officer of police of a police force in England and Wales

- please complete section (B)
- please complete section (B)

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

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

Surname       First names

Please tick

I am 18 years old or over

Yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT IF APPLICABLE**

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

Surname       First names

Please tick

I am 18 years old or over

Yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

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

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

## Part A3 Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

Detached two storey thatched property.  
Two trading areas around a central servery.  
Beer garden to the rear & car parking at the front for 12 cars.  
Small function room to the side without bar servery for 50 persons.

**Please tick  Yes**

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

### Provision of regulated entertainment

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

### Provision of entertainment facilities for:

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

### Provision of late night refreshment

### Sale by retail of alcohol

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

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

Name Alison Jayne Underwood

Address The Phoenix, 11 Queen Catherine Road, Steeple Claydon, Buckingham. MK18 2 PZ

Personal Licence number, if known .....

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

11:00 to 23:00 Monday to Saturday (inc)  
12:00 to 22:30 Sunday

save

11:00 to 00:00 New Years Eve ( 31.12)  
00:00 to 23:00 New Years Day ( 01.01)  
12:00 to 15:00 and  
19:00 to 22:30 Christmas Day (25.12)

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

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

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

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

See a above

**c) Public safety**

See a above

**d) The prevention of public nuisance**

See a above

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

See a above



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



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

**Part A5 - Signatures** (please read guidance note 4)

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

Signature M. R. Smith TLT  
 Date 10/5/05  
 Capacity Solicitors to applicant

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

Signature \_\_\_\_\_  
 Date \_\_\_\_\_  
 Capacity \_\_\_\_\_

Contact name (Where not previously given) and address for correspondence associated with this application (Please read guidance note 7)  TLT Solicitors One Redcliff Street  (Ref: 30PG3/054004/P Smith/201099 )	
Post town      BRISTOL	Post code      BS1 6TP
Telephone number      0117 917 7777	
E-mail address (optional) psmith@TLTsolicitors.com	

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

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

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

**We Punch Taverns Plc being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.**

**Part B1 - Variation**

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

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

Day	Month	Year

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

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

- An additional 2 hours into the morning following every Thursday, Friday and Saturday.
- An additional 1.5 hours every Sunday evening.
- An additional hour every Sunday morning.
- 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, live music limited to 1 band of 4 members, making music, Karaoke and recorded music.

- Allow live amplified music for the annual "Phoenixbury" festival. Held on the first week end of July, where a maximum of 24 bands play over the three days in the garden. This is also a fundraising event and is registered as a charity for this purpose. Music will finish at 00:00.

## 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)

### Provision of regulated entertainment

Please tick ✓

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)<br>(if ticking yes, fill in box H) | <input type="checkbox"/>            |

### Provision of entertainment facilities

- |                                                                                                                |                                     |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| i) making music (if ticking yes, fill in box I)                                                                | <input checked="" 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)<br>(if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

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

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

**A**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 10)	Both	
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**

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

**C**

Indoor sporting events			Please give further details here (please read guidance note 10)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick [v] (please read guidance note 9)			
			Indoors			
Day	Start	Finish	Outdoors			
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)	
Thur						
Fri			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)			
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	11:00	23:00	<b>Please give further details here</b> (please read guidance note 10)  Live amplified music with no more than 4 members in any one band, one band per event, for a maximum of 12 times per year.		
Tue	11:00	23:00			
Wed	11:00	23:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 11)		
Thur	11:00				
Fri	11:00	01:00	<b>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</b> (Please read guidance note 12)  <ul style="list-style-type: none"> <li>• 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.</li> <li>• A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</li> <li>• A further additional hour every Christmas Eve.</li> <li>• A further additional hour every Boxing Day.</li> <li>• To reflect existing New Year's Eve/Day hours.</li> </ul> <ul style="list-style-type: none"> <li>• Allow live amplified music for the annual "Phoenixbury" festival, Held on the first week end of July, where a maximum of 24 bands play over the three days in the garden. This is also a fundraising event and is registered as a charity for this purpose. Music will finish at 00:00.</li> </ul>		
Sat	11:00	01:00			
Sun	11:00	00:00			



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	✓
Day	Start	Finish		Outdoors	
Mon	11:00	23:00	<b>Please give further details here</b> (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.	Both	
Tue	11:00	23:00			
Wed	11:00	23:00	<b>State any seasonal variations for playing recorded music</b> (please read guidance note 11)		
Thur	11:00				
Fri		01:00	<b>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</b> (Please read guidance note 12)		
	11:00				
Sat		01:00			
	11:00				
Sun		01:00			
	11:00	00:00	<ul style="list-style-type: none"> <li>• 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.</li> <li>• A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</li> <li>• A further additional hour every Christmas Eve.</li> <li>• A further additional hour every Boxing Day.</li> <li>• To reflect existing New Year's Eve/Day hours.</li> </ul>		

**G**

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

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 8)			<u>Please give a description of the facilities for making music you will be providing</u>	
			No equipment is provided. Only space and electricity.	
			<b>Will the facilities for making music take place indoors or outdoors or both - please tick [v] (please read guidance note 9)</b>	
			Indoor	
			Outdoor	
			Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 10)	
Mon	11:00	23:00	The premises holds jamming sessions where artists play unplanned music.	
Tue	11:00	23:00		
Wed	11:00	23:00	<b>State any seasonal variations for the provision of facilities for making music (please read guidance note 11)</b>	
Thur				
	11:00			
Fri		01:00		
	11:00		<b>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)</b>	
Sat		01:00	<ul style="list-style-type: none"> <li>• 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.</li> <li>• A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</li> <li>• A further additional hour every Christmas Eve.</li> <li>• A further additional hour every Boxing Day.</li> <li>• To reflect existing New Year's Eve/Day hours.</li> </ul>	
	11:00			
Sun		01:00		
	11:00	00:00		

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both - please tick [✓] (please read guidance note 9)	Indoors	
Standard days and timings (please read guidance note 8)				Outdoors	
Day	Start	Finish	Both		
Mon			<u>Please give further details here</u> (please read guidance note 10)		
Tue			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 11)		
Wed			<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)		
Thur					
Fri					
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)			<u>Please give a description of the type of entertainment facility you will be providing</u>  <b>Karaoke</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will the entertainment facility be indoors or outdoors or both</b> <u>please tick [✓] (please read guidance note 9)</u>	Indoor	✓
				Outdoor	
Mon	11:00	23:00		Both	
Tue	11:00	23:00	<u>Please give further details here</u> (please read guidance note 10)  Karaoke to be restricted to 6 times per year.		
Wed	11:00	23:00			
Thur	11:00		<u>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)</u>		
Fri	11:00	01:00			
Sat	11:00	01:00	<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 (please read guidance note 12)</u>		
Sun	11:00	00:00	<ul style="list-style-type: none"> <li>• 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.</li> <li>• A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</li> <li>• A further additional hour every Christmas Eve.</li> <li>• A further additional hour every Boxing Day.</li> <li>• To reflect existing New Year's Eve/Day hours.</li> </ul>		

L

<b>Late night refreshment</b> 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			<b>Please give further details here</b> (please read guidance note 10)	Both		
Tue						
Wed				<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 11)		
Thur						
Fri			<b>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</b> (please read guidance note 12)			
Sat						
Sun						

**M**

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

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 xAWP 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		00:30	<p><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)</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.</li> <li>• An additional hour every Christmas Eve.</li> <li>• An additional hour every Boxing Day.</li> <li>• To reflect existing New Year's Eve/Day hours.</li> </ul>
	11:00	23:30	
Tue	11:00	23:30	
Wed	11:00	23:30	
Thur			
	11:00		
Fri		01:30	
	11:00		
Sat		01:30	
	11:00		
Sun		01:30	
	11:00		

P

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

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**

All external areas are illuminated.  
Most customers are local.

**c) Public safety**

Public health certificate granted.  
Fire fighting equipment installed.  
Smoking Charter in place.

**d) The prevention of public nuisance**

Windows are lockable and closed.  
Fabric of the building retains sound.  
Managed customer departure.  
No adjoining local residents.

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

No unaccompanied children permitted.  
No children permitted after 21:00.  
Cigarette & AWP machines observed from the bar servery.  
No striptease or nudity allowed.

**PART B3 - Premises Supervisor**

**Full name of proposed designated premises supervisor**

Alston Jayne Underwood

**Address of proposed designated premises supervisor**

The Phoenix,  
11 Queen Catherine Road,  
Steeple Claydon,  
Buckingham.  
MK18 2PZ.

**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. L. Smith TLT*

Date 10/5/05

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 \_\_\_\_\_

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 19)	
TLT Solicitors One Redcliff Street (Ref: 30PG3/054004/P Smith/201099 )	
<b>Post town</b> BRISTOL	<b>Post code</b> 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.

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

## **PART B**

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

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

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

I(1)..... ALISON JAYNE UNDERWOOD.....

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

For (2)..... THE PHOENIX, QUEEN CATHERINE RD., STEEDLE CLAYDON  
MK18 2RZ.....

If that application is successful

Signed..... *Alison Underwood*.....

Dated..... 12/4/05.....

Notes to Assist Completion

Please use Capital letters and black ink

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

Form of Consent given by the person who holds the existing licence

I/we(1) ALISON JAYNE UNDERWOOD

Being the holder of an existing Licence

(2) JUSTICES ON LICENCE

(3) 9<sup>th</sup> February 2004

(4) PSD CENTRAL BUCKINGHAMSHIRE MAGISTRATES

Hereby consent to the application by Punch Taverns Plc Under paragraph 2 of schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that schedule to succeed the said existing licence(s) held by me/us in respect of

(5) THE PHOENIX QUEEN CATHERINE RD, STEEPLE CLAYDON MK18 2PZ

Signed x Alison Underwood

Dated 12/4/05

(6) Signed

Dated 12/4/05

Notes to Assist Completion

Please print and use black ink

1. Insert full name(s) of existing licence holder(s).
2. Insert name/type of Licence. (eg Justices On Licence)
3. Insert the date of grant of Licence. (Will be printed on the licence itself)
4. Identify who granted the Licence.(i.e. which Magistrates / PSD)
5. Insert name and address of premises.
6. If there is more than one licence holder, all must sign



## 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

**Alison Jayne Underwood**

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

**Phoenix Inn, 11 Queen Catherine Road, Steeple Claydon, Buckingham, Buck MK18 2PZ**

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

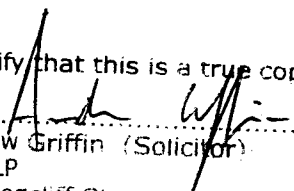
The owners of the premises in respect of which this licence is granted are

**PUBMASTER LIMITED  
Milton Keynes, BUCKS**

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

**4th day of April 2007**

I certify that this is a true copy of its original

  
.....  
Andrew Griffin (Solicitor)  
TLT LLP  
One Redcliff Street  
Bristol BS1 6TF

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



AYLESBURY VALE DISTRICT COUNCIL

MEMO

To: Peter Seal  
Licensing Officer

From: Karen Sepp  
Environmental Health Officer  
Tel Ext: 5155

Date 01/08/05

Ref:

Ref: RQS/05/01500

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**Licensing Application**

**Phoenix, 11 Queen Catherine Road, Steeple Claydon, Buckinghamshire, MK18 2PZ**

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

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

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



Department of Community Services

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

Our Ref: RQS/05/01500  
 Your Ref: PG30/PS2/054004/000920



18<sup>th</sup> July 2005

TLT Solicitors  
 One Redcliff Street  
 Bristol  
 BS1 6TP

Dear Sir/Madam

**Licensing Act 2003: Application for Conversion/Variation**  
**Re: Phoenix, 11 Queen Catherine Road, Steeple Claydon, Buckinghamshire, MK18 2PZ**

I write with reference to your letter dated 8<sup>th</sup> July 2005 concerning the above premises.

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

- (1) Throughout the application form you use the phrase 'A further additional hour'. On some occasions this is used for several consecutive points. In order to prevent any confusion or misinterpretation of exactly what times you are asking for would you please confirm the actual times, i.e. 01:00, 02:00, etc.
- (2) Within Section E (Live music) you request that live music be performed both externally and internally up until 01:00 hrs over the weekend. In addition you request additional hours. Whilst there are not other buildings that directly attach to the premises, the public house is located within a residential area. The provision of external live music up until 11:00 hours during the week and 01:00 hours or later on a weekend is concerning as this will undoubtedly be a noisy activity. Please can you clarify if these are the times that the applicant would actually wish to have such entertainment, as the hours detailed for entertainment in the application form are in my opinion not reasonable.
- (3) Within Section E (Live music) you request that in addition external entertainment is permitted during the 'Phoenixbury' festival. Whilst you state that you wish the finishing time to be 00:00 hours, you do not state when the music will begin, nor if you propose to play music continuously over 3 days for 24 hours per day. Please can you clarify what times the applicant would actually wish to have such entertainment as the application form does not provide sufficient information.
- (4) Within Section I (Provision for the making of music) you do not specify if you would like these activities to occur internally, externally, or both. If you wish such activities to take place externally then please refer to my comments in point 2 above. Please can you also clarify if you would propose to limit the number of occasions for such activities in the same manner as you have for Section E.

David Smedley Head of Environmental Health and Licensing Services



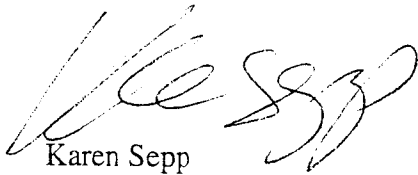
PO Box 622 Aylesbury HP20 1ZL  
 Fax (01296) 585674 DX 4130 Aylesbury  
 www.aylesburyvaledc.gov.uk



- (5) In the application form your client states that they would like to extend the current hours during which alcohol is supplied, and permit drinking both internally and externally to the building itself (i.e. also within the beer garden).  
The provision of additional hours for the consumption of alcohol externally within the premises is concerning given that you have requested that the premises trade until 01:00 hours or later on occasions. Please can you clarify if you propose to permit external drinking on all occasions during which you sell alcohol, or if the beer garden access will be restricted/prohibited after certain times.

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

Yours Faithfully

A handwritten signature in black ink, appearing to read 'K Sepp', written in a cursive style.

Karen Sepp  
District Environmental Health Officer

### **APPENDIX 3**

#### **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.

Sale of alcohol: (Both on and off the premises)

Monday to Wednesday	10.00am to 11.00pm
Thursday to Saturday	10.00am to 01.00am
Sunday	10.00am to 12.00am

Regulated Entertainment:

(Live Music) (Both indoors and outdoors)

Monday to Wednesday	10.00am to 11.00pm
Thursday to Saturday	10.00am to 01.00am
Sunday	10.00am to 12.00am

Hours open to the public

Monday to Wednesday	10.00am to 11.30pm
Thursday to Saturday	10.00am to 01.30am
Sunday	10.00am to 12.30am

Non standard timings:

- An additional hour into the morning following every Friday, Saturday, Sunday and Monday for each Bank Holiday, Spring Bank Holiday and every August Bank Holiday weekend.
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
- An additional hour every Christmas Eve.
- An additional hour every Boxing Day.
- To reflect New Years Eve/Day hours.

## Phoenix, Steeple Claydon - Appendix 3

For Live music the applicant would like to apply for the following:

Allow live amplified music for the annual "Phoenixbury" festival, held on the first weekend of July, where a maximum of 24 bands play over the three days in the garden, music will finish at 0000. This is also a fundraising event and is a registered charity.



Jubilee House | Second Avenue | Burton upon Trent | Staffordshire | DE14 2WF

T: 01283 501 600 | F: 01283 501 601 | W: www.punchtaverns.com

Appendix 4

OUR REF 201099

YOUR REF PS

DIRECT TEL 01283 523519

DATE 9<sup>th</sup> August 2005

DIRECT FAX 01283 501836

EMAIL Adele.weavin@punchtaverns.com

Peter Seal  
Department of Community Services  
Aylesbury Vale District Council  
PO Box 622  
Aylesbury  
HP20 1ZL

Dear Peter,

**Re: Phoenix, 11 Queen Catherine Road, Steeple Claydon**

Thank you for notification that this matter is listed for hearing on 1<sup>st</sup> September.

We write to confirm the following:

1. We do consider that a hearing is necessary at this time.
2. Our Business Relationship Manager, Alan Wright and/or the Regional Operations Director, Phil Pegler and/or the existing Justices On Licence holder will all be in attendance to support the Application.
3. We shall now liaise direct with those making representations. If it proves possible to negotiate a settlement, we would hope to get back to you confirming the details of any such agreement as soon as possible.

**Please note, although you will receive communication from us direct in respect of the hearing and any agreement reached, our legal representative remains TLT Solicitors of One Redcliff Street, Bristol BS1 6TP. Any Notice of Decision or ensuing licence(s) MUST be forwarded to them and not to us.**

Kind regards,

**Adele Weavin**  
Hearings Team  
Punch Taverns Plc

