

**APPLICATION FROM THE HOGS HEAD
AYLESBURY UNDER THE LICENSING ACT
2003 FOR CONVERSION AND VARIATION OF
PREMISES LICENCE**

Local Member: Councillor K Turner

1. THE APPLICATION

Applicant(s): The Laurel Pub Company

Premises: Hogs Head, The Exchange, Exchange Street, Aylesbury, HP20 1UG

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

➤ **Thames Valley Police –**
Their representation is attached as Appendix 4.

Bucks Fire and Rescue – No representation

Environmental Health – No representation

Planning – No representation

Trading Standards – No comment

Area Child Protection Committee – No comment

2.2 Interested Parties

During the consultation period 1 representation was received from interested parties. This is attached as Appendix 2.

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.

No further submissions have been received to date following service of the Notice of Hearing. 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

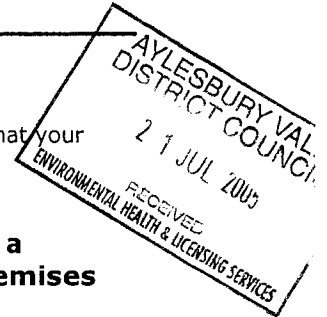
Peter Seal 01296 585083

Ps-lsc-hst-Hogs Head – greens may 2003
Licact1492005

(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 The Laurel Pub Company Ltd apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Hogshead, The Exchange, Exchange Street	
Post town Aylesbury, Buckinghamshire	Post code HP20 1UG

Telephone number of premises (if any)	01296 426 967
Non-domestic rateable value of premises	£65000

Part A2 - Applicant Details

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

- Please tick ✓
- a) An individual or individuals please complete section (A)
 - b) a person other than an individual
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)
 - d) a charity please complete section (B)
 - e) the proprietor of an educational establishment please complete section (B)
 - f) a health service body please complete section (B)
 - g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
 - h) the chief officer of police of a police force in England and Wales please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

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

Surname

First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email 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 The Laurel Pub Company Ltd
Address Porter Tun House 500 Capability Green Luton LU1 3LS
Registered number (where applicable) 4314584
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part A3 - Operating Schedule

If 5000 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)

Laurel with PEL
Established public house providing entertainment and food as identified on the deposited plans trading with a PEL and Special Hours Certificate also with rights to provide "regulated entertainment" inherent in LA 1964.
These premises are entitled to sell to residents and supply their bona fide guests 24 hours a day pursuant to section 63(2) LA 1964.
These premises are entitled to provide private entertainment.
These premises have the benefit of a function facility.
3 AWP Machines under s.34 Gaming Act 1968 Permit
The premises have an existing external area available to patrons for consumption of off supplies.

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: Cian James McMonagle

Address: Hogshead, The Exchange, Exchange Street, Aylesbury, Bucks, HP20 1UG

Personal Licence number, if known: Not 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.

Permitted licensing hours apply for on and off sales and as extended by the attached Special Hours Certificate

Monday to Thursday: 11:00 – 00:00

Friday to Saturday: 11:00 – 01:45

Sundays and Good Friday: 12:00 – 22:30

New Years Eve: 11:00 – New Years Day – terminal hour as existing

Christmas Day: 12:00 – 15:00 and 19:00 – 22:30

PEL:

Permitted licensing hours authorised under the PEL are:

Monday to Thursday: 11:00 – 00:00

Friday to Saturday: 11:00 – 01:45

Sundays: 12:00 – 22:30

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)

Only such conditions and restrictions as are inherent in the Licensing Act 1964 and in the attached Special Hours Certificate and in the attached Childrens Certificate as and per the attached PEL

Those conditions on the Justices' On Licence numbered 1-3

b) The prevention of crime and disorder

See (a) above

c) Public safety

See (a) above

d) The prevention of public nuisance

See (a) above

e) The protection of children from harm

See (a) above

- | | | |
|---|-------------------------------------|-------------------------------------|
| | Please tick | Yes |
| ▪ I have made or enclosed payment of the fee | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I have enclosed my existing licence(s) or a certified copy of each licence | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I have enclosed a plan of the premises | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I have sent copies of this application to the chief officer of police (please read guidance note 3) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I have enclosed the consent form completed by the proposed premises supervisor, if relevant | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I have enclosed the consent of the justices' licence holder to my application, if relevant | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ I understand that if I do not comply with the above requirements my application will be rejected | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE £5000, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part A4 – Signatures (please read guidance note 4)

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

Signature John Gaunt & Partners.....

Date 19th July 2005.....

Capacity: Solicitors.....

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) John Gaunt and Partners Solicitors 372 Omega Court Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number 0114 266 3400	DX 717212 Sheffield 27
E-mail address (optional) PRobson@john-gaunt.co.uk	

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

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

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

We The Laurel Pub Company Ltd being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 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?

Day Month Year

If not do you want the variation to take effect from N/A

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

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

1. To permit regulated entertainment comprising: Live music and amplified voice, recorded music by juke box and music systems, comperes for functions and quizzes and similar forms of entertainment, indoor pub games comprising a sporting event in the presence of an audience, exhibition of a film principally video entertainment on screens and TV screens and amusement machines.
2. To the extent that the variation in paragraph 3 is not granted or does not permit: to permit sale of alcohol and such regulated entertainment until 04:00 the following morning on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day.
3. To allow the sale of alcohol and such regulated entertainment as specified in the appropriate boxes below.
4. To permit provision of refreshment after 23:00
5. To remove all embedded restrictions under LA 1964 and in particular those restrictions relating to the Childrens Certificate, Special Hours Certificate, Children and Young Persons Act 1933, Cinematograph (Safety) Regulations 1955 and Sporting Events (Control of Alcohol etc) Act 1985.

Part B2 - Operating Schedule

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

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

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

Provision of regulated entertainment

Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

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

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

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

Please complete Part B3 on this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10) N/A		
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 {Y}(please read guidance note 9).	Indoors	✓
				Outdoors	

Day	Start	Finish		Both
Mon	10:00	02:00	Please give further details here (please read guidance note 10) As stated in B1 above	
Tue	10:00	02:00		
Wed	10:00	02:00	State any seasonal variations for the exhibition of films (please read guidance note 11) N/A – Save as below	
Thur	10:00	02:00		
Fri	10:00	04:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)	
Sat	10:00	04:00		
Sun	10:00	00:00		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10) As stated in B1 above
Day	Start	Finish	
Mon	10:00	02:00	State any seasonal variations for indoor sporting events (please read guidance note 11) N/A – save as below
Tue	10:00	02:00	
Wed	10:00	02:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)
Thur	10:00	02:00	
Fri	10:00	04:00	
Sat	10:00	04:00	
Sun	10:00	00:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 10) N/A	Both	
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 {Y}(please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	10:00	02:00	Please give further details here (please read guidance note 10) Live music and amplified voice as stated in B1 above		
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 11) N/A – save as below		
Thur	10:00	02:00			
Fri	10:00	04:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	10:00	04:00			
Sun	10:00	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 {Y} (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	10:00	02:00	Please give further details here (please read guidance note 10) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in B1 above.		
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for playing recorded music (please read guidance note 11) N/A – save as below		
Thur	10:00	02:00			
Fri	10:00	04:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	10:00	04:00			
Sun	10:00	00:00			

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 {Y} (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	10:00	02:00	Please give further details here (please read guidance note 10) As stated in B1 above		

Tue	10:00	02:00	
Wed	10:00	02:00	State any seasonal variations for the performance of dance (please read guidance note 11) N/A – save as below
Thur	10:00	02:00	
Fri	10:00	04:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)
Sat	10:00	04:00	
Sun	10:00	00:00	

H

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

I

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 The normal facilities for making music will be on offer as conveniently available and as appropriate for this type of venue					
			Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 9).	Indoors	✓			
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 10) To be used as and when required at any time when the premises are open for the sale of alcohol					
Mon	10:00	02:00						
Tue	10:00	02:00						
Wed	10:00	02:00				State any seasonal variations for the provision of facilities for making music (please read guidance note 11) N/A – save as below		
Thur	10:00	02:00						
Fri	10:00	04:00				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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	10:00	04:00						
Sun	10:00	00:00						

J

Provision of facilities for dancing Standard days and timings (please read guidance note 1)			Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 9).					
				Indoors	✓			
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 10) To be used as and when required at any time when the premises are open for the sale of alcohol					
Mon	10:00	02:00						
Tue	10:00	02:00						
Wed	10:00	02:00				State any seasonal variations for providing dancing facilities (please read guidance note 11) N/A – save as below		
Thur	10:00	02:00						
Fri	10:00	04:00				Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	10:00	04:00						
Sun	10:00	00:00						

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors		Indoor

			or both – please tick {Y} (please read guidance note 9).	Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 10)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 11)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 12)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	23:00	02:00	Please give further details here (please read guidance note 10) As stated in B1 above		
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11) N/A – save as below		
Thur	23:00	02:00			
Fri	23:00	04:00	Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 12)		
Sat	23:00	04:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sun	23:00	00:00			

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 13)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00	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)		
Fri	10:00	04:00			
Sat	10:00	04:00	To the extent that the variation in part B1 paragraph 3 is not granted or does not permit: to permit sale of alcohol and such regulated entertainment as authorised hereunder until 04:00 on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day.		
Sun	10:00	00:00			
			Christmas Day: 12:00 to 23:00 New Years Eve: 10:00 to New Years Day – terminal hour as proposed		

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

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)
 NONE save for the presence of AWP machines already authorised the use of which is not permitted by persons under the age of 18

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) Please see box M above
Day	Start	Finish	
Mon	10:00	02:30	
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	02:30	
Fri	10:00	04:30	
Sat	10:00	04:30	
Sun	10:00	00:30	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) The premises will close 30 minutes after the end of the non-standard timings identified in box M above.

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

Removal of all embedded restrictions inherent in Licensing Act 1964 and in the attached Childrens Certificate and Special Hours Certificate, save as specified elsewhere in part B of this application.

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

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

I have undertaken my own risk assessment to take the following proposed steps.

The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated as identified in B1 above.

No new steps have been identified in relation to the four licensing objectives save as below.

The premises will continue to comply with the Laurel Pub Company Social Responsibility Policy.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

Under the present licensing regime the premises already are able to be open until 02:15.

1. Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
2. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
3. Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
6. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
7. The maximum occupancy of the building (including staff and performers) will be restricted to:
200 persons with tables and chairs
320 persons dancing with tables and chairs and chairs remaining in place on raised floor area only

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. To comply with the reasonable requirements of the building control officer.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
3. Where necessary to liaise with the environmental health department to restrict noise pollution in residential areas.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

Persons under the age of 18 shall not be permitted to enter the premises after 22:00.

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor

Cian James McMonagle

Address of proposed designated premises supervisor

Hogshead, The Exchange, Exchange Street, Aylesbury, Bucks, HP20 1UG

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

N/A

Please tick ✓

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

Part B4 – Signatures (please read guidance note 16)

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

Signature: John Gaunt & Partners

Date 19th July 2005

Capacity: Solicitors.....

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 note18). **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) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

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

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



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

Cian James McMonagle

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

Hogshead, Exchange Street, Aylesbury, Bucks

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

**The Laurel Pub Company Ltd
PO Box 888, Porz Avenue, Dunstable, Bucks, LU5 5XA**

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

4th day of April 2007

GIVEN under the official seal of the
Licensing Justices which is hereto





Licence Conditions/Undertakings

Hogshead, Exchange Street, Aylesbury, Bucks

- [1] Children's Cert granted from Monday through to Sunday 12 noon until 9pm
- [2] Children must be accompanied by an adult
- [3] Meals and bevarages other than alcohol must be available



Central Buckinghamshire Magistrates Court

Licensing Act, 1964, Section 77

SPECIAL HOURS CERTIFICATE

AT THE LICENSING SESSIONS For the Local Justice Area of Central Buckinghamshire

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

The Licensing Justices for the said licensing division, being satisfied as respects the licensed premises known as

Hogshead, Exchange Street, Aylesbury, Bucks

- a) that a Public Entertainment Licence is in force as respects the premises; and
- b) that the premises are structurally adapted and bona fide/intended to be used for the purpose of providing for persons resorting to the premises music and dancing and substantial refreshment to which the sale of intoxicating liquor is ancillary.

hereby grant under Section 77 of the Licensing Act, 1964, this Special Hours Certificate as respect the said premises. This certificate shall be limited as in the schedule below.

SCHEDULE

For the entire area covered by the Justices' On Licence for the hours of Monday - Thursday to 12.00 midnight, Friday - Saturday to 1.45am the following morning.

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

Clerk to the Licensing Justices.





Central Buckinghamshire Magistrates Court

Licensing Act, 1964, Section 168A

CHILDRENS CERTIFICATE

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

held on the **22nd day of March 2004**

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

Hogshead, Exchange Street, Aylesbury, Bucks

has an area suitable for persons under fourteen, accompanied by an adult, to be present and that meals and beverages other than intoxicating liquor is available for sale for consumption in that area. This certificate is subject to any conditions listed overleaf.

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



LICENCE NO: MD245



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

RENEWAL LICENCE

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

Cian James McMonagle

of The Hogshead, Exchange Street, Aylesbury

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

The Hogshead

and situate at Exchange Street, Aylesbury

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

The licence shall remain in force from the 24th January 2005 during the time that the Licensee is in occupation of the said premises and shall expire on the 31st December 2005 unless this Licence is previously revoked in pursuance of the said Act.

Dated

1st January 2005

David Smedley
Head of Environmental Health & Licensing Services

APPENDIX TO SCHEDULE OF CONDITIONS

MD245

IN RESPECT OF **The Hogshead** (THE PREMISES)
Exchange Street, Aylesbury

1. Hours of Opening

Monday to Thursday:	11.00am to 12.00 midnight
Friday and Saturday:	11.00am to 1.45am the next day
Sunday:	12 noon to 10.30pm

2. Maximum Capacity

200 Persons with tables and chairs
320 Persons dancing with tables and chairs remaining in
place on raised floor area only

3. Exits

2 x 2m wide double doors direct to open air

4. Fire Appliances

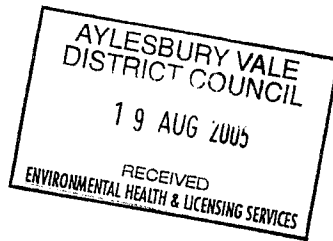
1 x 9 litre foam extinguisher
1 x 2kg carbon dioxide extinguisher behind bar

5. Other Additional Conditions

The glass frontage of the premises is to remain closed
during Public Entertainment

95 Friarscroft Way
AYLESBURY
Bucks, HP20 2TF

18th August 2005



Mr Peter Seal
Licensing Officer
AVDC
66 High Street
AYLESBURY
Bucks
HP20 1SD

Dear Sir,

Licensing Act 2003

I would like to register my objections to late night drinking in the town.

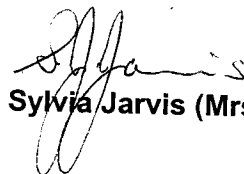
In their article dated 10th August 2005 the Bucks Herald mentioned two such applications from the Hogs Head (Friday & Saturdays until 4am) and Chicago Rock wishing to open until 3am seven days a week.

I live very close to and work in the centre of town. From a resident's point of view I have to endure rowdy behaviour in the middle of the night as people make their drunken way home. Also, when I walk to work it is so sad to see what was a lovely old town strewn with the remains of late night takeaways but, worst of all, vomit. Even after rain, the stain is left on the pavements.

Apart from anything else, what about the disruption to publicans' personal lives these extra hours will bring. I have worked in the industry and know the strain most of them are already under.

I hope you will give due consideration to these social factors before making your decision.

Yours faithfully


Sylvia Jarvis (Mrs)

APPENDIX 3**Existing permitted hours and activities**

The premises may sell alcohol for consumption on and off the premises during the following hours with a special hour's certificate:

Monday to Thursday	10.00 a.m. to 00.00am
Friday to Saturday	10.00am to 01.45am
Sunday	12.00 Mid-day to 10.30 p.m.

They can provide public entertainment during the following hours:

Monday to Thursday	11.00am to 00.00am
Friday to Saturday	11.00am to 01.45am
Sunday	12.00 Mid-day to 10.30pm

Variation application

The application relates to a change of hours for the sale of alcohol and the provision of regulated entertainment as follows

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

Monday to Thursday	10.00am to 02.00am
Friday to Saturday	10.00am to 04.00am
Sunday	10.00am to 00.00am

Regulated Entertainment:
(Live Music) Indoors

Monday to Thursday	10.00am to 02.00am
Friday to Saturday	10.00am to 04.00am
Sunday	10.00am to 00.00am

(Indoor Sporting Event)

Monday to Thursday	10.00am to 02.00am
Friday to Saturday	10.00am to 04.00am
Sunday	10.00am to 00.00am

(Recorded Music) Indoors

Monday to Thursday	10.00am to 02.00am
Friday to Saturday	10.00am to 04.00am
Sunday	10.00am to 00.00am

Hogs Head Aylesbury - Appendix 3.doc

(Films) Indoors

Monday to Thursday	10.00am to 02.00am
Friday to Saturday	10.00am to 04.00am
Sunday	10.00am to 00.00am

(Late Night Refreshment) Indoors

Monday to Thursday	11.00pm to 02.00am
Friday to Saturday	11.00pm to 04.00am
Sunday	11.00pm to 00.00am

Hours open to the public

Monday to Thursday	10.00am to 02.30am
Friday to Saturday	10.00am to 04.30am
Sunday	10.00am to 00.30am

Non standard timings:

- To the extent that the variation in part B1 paragraph 3 is not granted or does not permit; to permit sale of alcohol and such regulated entertainment as authorised hereunder until 04.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve and Boxing Day.
- Christmas Day 12.00pm till 23.00pm
- New Years Eve 10.00am to New Years Day – terminal hour as proposed

Trevor Hooper
Licensing Officer

Aylesbury Police Station
Wendover Road,
Aylesbury
HP21 7LA
Tel. 01296 396034
Fax. 01296 396031

Date 24th July 2005

Application to vary the hours of Hogshead, The Exchange, Aylesbury.

These papers refer to the Police objection to the application to vary the hours of the Hogshead.

The premises are at present subject to a licence which enables them to operate Monday to Thursday 11am to midnight Friday and Saturday 11am to 1.45am the following day, Sundays 12 noon to 10.30pm.

The public house is a large town centre venue situated in The Exchange complex. On the 1st floor is a function room and the ground floor is the part of the premise used on a daily basis. The premises face out onto the arches at the bottom of Market Square. The Exchange complex has three other licensed premises and a number of public houses are situated nearby.

The premises can hold a maximum of 320 persons.

The glass frontage of the premises is to remain closed during Public Entertainment.

The existing town centre public houses have a significant capacity and there is a potential for approx 5,500 persons to be migrating about the town during the evenings and early hours of the morning. The sale of alcohol in the town generally ceases by 02.00 a.m. by which time most premises are closed. A few remain open for a further half hour for a wind down period.

At the present time only one town centre public house is operating at a later time closing its doors at 03.30 a.m. premises stays open later with its doors shutting at 0330 although the sale of alcohol ceases at 0200.

The town centre (as defined by the inner Ring road) contains a large residential population of well over 550 residents. Longer licensing hours will inevitably affect their quality of life.

Longer licensing hours also have an impact on all agencies resources. The Police currently have to commit additional resources to cover 10 p.m. to 03.00 a.m. on Friday and Saturday nights which costs an extra £102,000 per annum. When the Licensing Committee granted an extension of 03.30 a.m. to the Public Entertainment Licence to the Lounge night club in Market Square the Police had to commit additional resources costing an extra £13, 574 per annum. Any further extensions granted to town centre public houses will obviously have a greater impact on the

Whilst all applications should be judged on their own merits it is also important to consider the cumulative impact that this application will have due to the expansion of the night time economy in the town centre.

Since 1999 the profile of the town centre has changed significantly with new licensed premises and a gradual extension of licensing hours. These changes have lead not only to an increase in drink related incidents but incidents taking place at a later hour.

The figures shown below demonstrate impact of alcohol within the inner ring road. These figures will only show the incidents that have been captured on the Police crime and Command and Control data bases. Many incidents of lower level anti-social behaviour which could be attributed to alcohol will not be recorded. In addition it will not show the knock on affect that alcohol consumption will have on the town outside of the inner ring road.

These figures show the increase in offences between the hours of 10pm and 3am.

1999 only two late night venues = 291 incidents
2000 increase in premises with later hours = 439 incidents reported to police
2001= incidents reported 473
2002= incidents reported 487
2003= incidents reported 492.
2004= incidents reported 514.

Since 1999 the hours most licensed premises operating within the town centre have extended their ability to sell alcohol through the use of a Special Hours certificate. It can be seen that this change has resulted in a significant increase in incidents recorded by the Police. Significantly it should be noted that these incidents are also taking place at a later time in the morning which will not only affect quality of life for residents but put greater strain on an agencies ability to deal with them. In 1999 on Saturday morning between midnight and 0300 only 33 offences were report but in 2004, 67 offences were recorded. For the same time period on Sunday mornings 23 offences were recoded in 1999 and in 2004 78 offences.

It should be said that all of the above reflects on other emergency services such as Two Shires Ambulance and Stoke Mandeville Hospital Accident and Emergency Department.

It could be said that the hours that have been extended to the town centre venues over the past five years are the hours the government had in mind for such venues and no further hours should be granted.

The Police have recorded the following specific incidents at the Hogshead Public House over the last 12 month period.

23/7/04 2159.

Assistance requested from premises male attempting to enter on believed false ID..

23/7/04 2349

Police attendance requested male stating he had been assaulted, he was heavily intoxicated.

24/7/04 2339

8/8/04 0058

4 males arguing outside.

14/8/0 2205 Concerned parent called stating that her daughter had been in the premises, and was "out of it for two hours in the toilet".

15/8/0 0035

CCTV Reports a disturbance at the premises.

3/9/04 1333

Female reporting that she was in premises when her drink had been spiked.

21/9/04 1821

Male person reporting his drink had been spiked.

26/9/04 0117 Male ejected from premises after leching over female customers. Male was found to be heavily intoxicated.

16/10/04 2306

Two females causing problems outside after being ejected.

23/10/04 0304

Large fight outside premises.

24/10/04 2156

Minor altercation inside premises, when leaving fight took place one person required hospital treatment.

30/10/04 2345

Patron allowed to leave premises with open bottle of alcohol he continued to drink it in the street.

16/11/04 1159

Female reporting that her drink had been spiked.

22/12/04 2251

Male refused entry as was drunk.

27/12/04 0122

Group of 6 lads involved in fight with staff in premises.

28/12/04 0145

Request from premises persons causing problems assistance required.

3/1/05

Request from staff persons causing problems.

6/2/05 0145

Call from CCTV two males causing problems outside.

12/2/05 2343

Male causing a disturbance outside premises.

26/2/05 0241

12/3/05 0049
Disturbance outside by drunk persons.

18/3/05 2318
Fight outside premises.

8/4/05 2314
Male assaulting doorstaff.

1/5/05 0055
Males fighting outside.

14/5/05 2350
Report from CCTV male being restrained by staff.

26/5/05 2342 4 males squaring up.

12/6/05 0110
Female assaulted with glass, ambulance requested.

It can be said that some of the above are minor incidents but each required police attendance or action.

A report compiled by the Area Crime Analyst is attached to support the objection.

A senior police officer will attend the hearing to make the objections.

T I Hooper,

Licensing Officer.

Alcohol Related Disorder in Aylesbury Town Centre 01/07/04 – 30/06/05

Requested by: Trevor Hooper, Warrants & Licensing

Produced by: Emily Woodward-Cunningham, Area Crime Analyst Aylesbury Vale

Date: 22nd July 2005

Introduction

This report aims to provide an analysis of alcohol related disorder within Aylesbury town centre for the period 01/07/04 – 30/06/05 for recorded offences. Due to the large number of incidents reported to police the time period for those included here was 01/01/05 – 30/06/05 for the locations Kingsbury, Market Square, Exchange Street and Cambridge Street.

It identifies not only the offences of Common Assault, Assault Occasioning Actual Bodily Harm (ABH), Assault on a Constable Grievous Bodily Harm (GBH) and Public Order but also includes analysis of non recorded incidents such as noise and general disturbance resulting from alcohol intake.

Of particular focus are the areas of Kingsbury, Market Square, Cambridge Street and Exchange Street which represent those locations accommodating the highest proportion of town centre licensed premises.

Analysis focuses on offence types, locations, days and times.

All data was taken from CEDAR and Common & Control and is accurate at the time of writing.

Results

There were 290 recorded offences for the period 01/07/04 – 30/06/05 and 77 incidents for the period 01/01/05 – 30/06/05.

Table 1 shows that the most commonly occurring offence types were Public Order and ABH, however there were a high number of Assault on a Constable offences highlighted. The most common incident type was fighting.

Table 1: Offence and incident types and numbers

Offence	Number	Incident Type	Number
Common Assault	23	Fight	57
ABH	104	Disturbance	12
Assault on a Constable	18	Other	8
GBH	0		
Public Order	145		
Total	290	Total	77

Offence Days/Times

Figure 1a shows that Disorder offences have increased in 2005 from 2004. December has seen the highest number to date however this may be due to increased attendance at licensed premises over the Christmas period. Offences have seen a gradual decrease since May 2005 however there may be a rise during the months of July and August due to warmer weather which has historically had an adverse effect on the number of alcohol related offences.

Reported incidents have shown a similar gradual decline however again this can be expected to rise through the summer.

Figure 1a: Chart showing offences and incidents by month

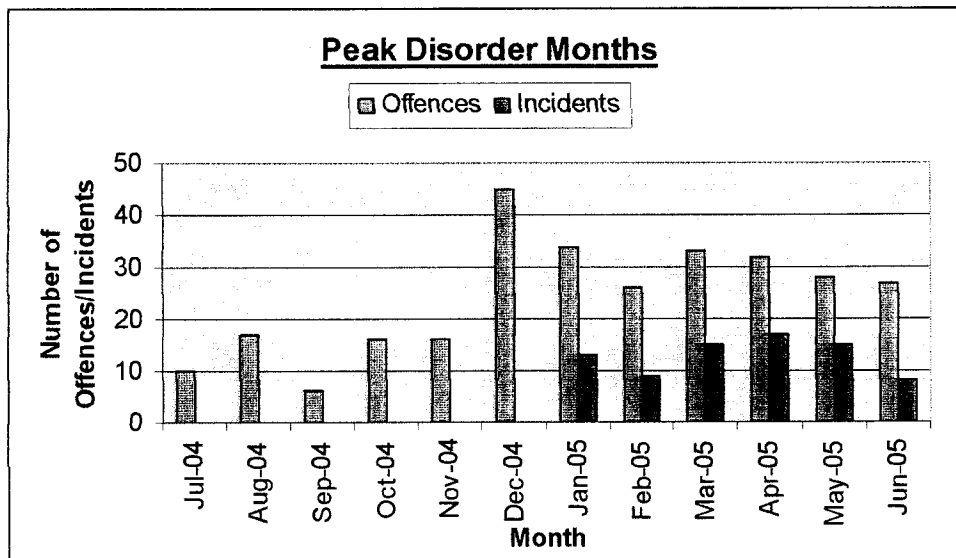
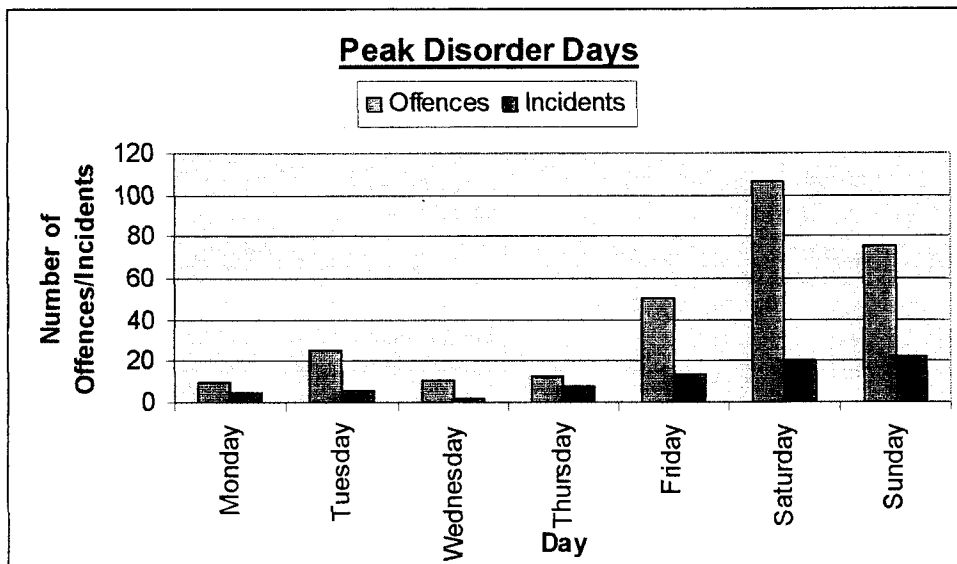


Figure 1b clearly illustrates Fridays, Saturdays and Sundays as the peak offence days, these represent the times at which licensed premises are busiest. Where Sundays have been indicated the majority of offences have occurred in the early hours of the morning thus can be attributed to late night openings on Saturday nights.

While there have been fewer incidents it is apparent that they have followed the same peak with regard to days.

Figure 1b: Chart showing offences and incidents by day



The peak time for all offences and incidents was between 02:00 and 03:00 which are the key times that late licensed premises close.

Offence Locations

Within Aylesbury town centre there are a number of key streets where the majority of disorder occurs, this is partly due to the concentration of licensed premises within these areas, fast food restaurants and also large open spaces allowing individuals to congregate in large groups.

Table 2a shows that Market Square, Kingsbury and Exchange Street had the highest levels of disorder both for offences and incidents. Market Square and Kingsbury both comprise open spaces and each accommodate a number of the towns busiest licensed premises and Market Square offers access through the town centre from premise to premise.

Table 2a: Alcohol related disorder by street

Street	Offences	Incidents
Market Square	113	29
Kingsbury	62	29
Exchange Street	31	16
Buckingham Street	23	~
Walton Street	15	~
High Street	8	~
Station Way	8	~
Cambridge Street	7	2
Castle Street	4	~
Park Street	4	~
Great Western Street	3	~
Rickfords Hill	3	~
Bourbon Street	2	~
Friarage Road	2	~
Long Lionel	2	~
Friascroft Way	1	~
St Marys Square	1	~
Vale Park Drive	1	~

Table 2b shows that Chicago Rock Café (Exchange Street) and the Litten Tree (Kingsbury) have seen the highest number of offences while the Hob Goblin (Kingsbury) and The Lounge (Market Square) have seen the highest number of incidents.

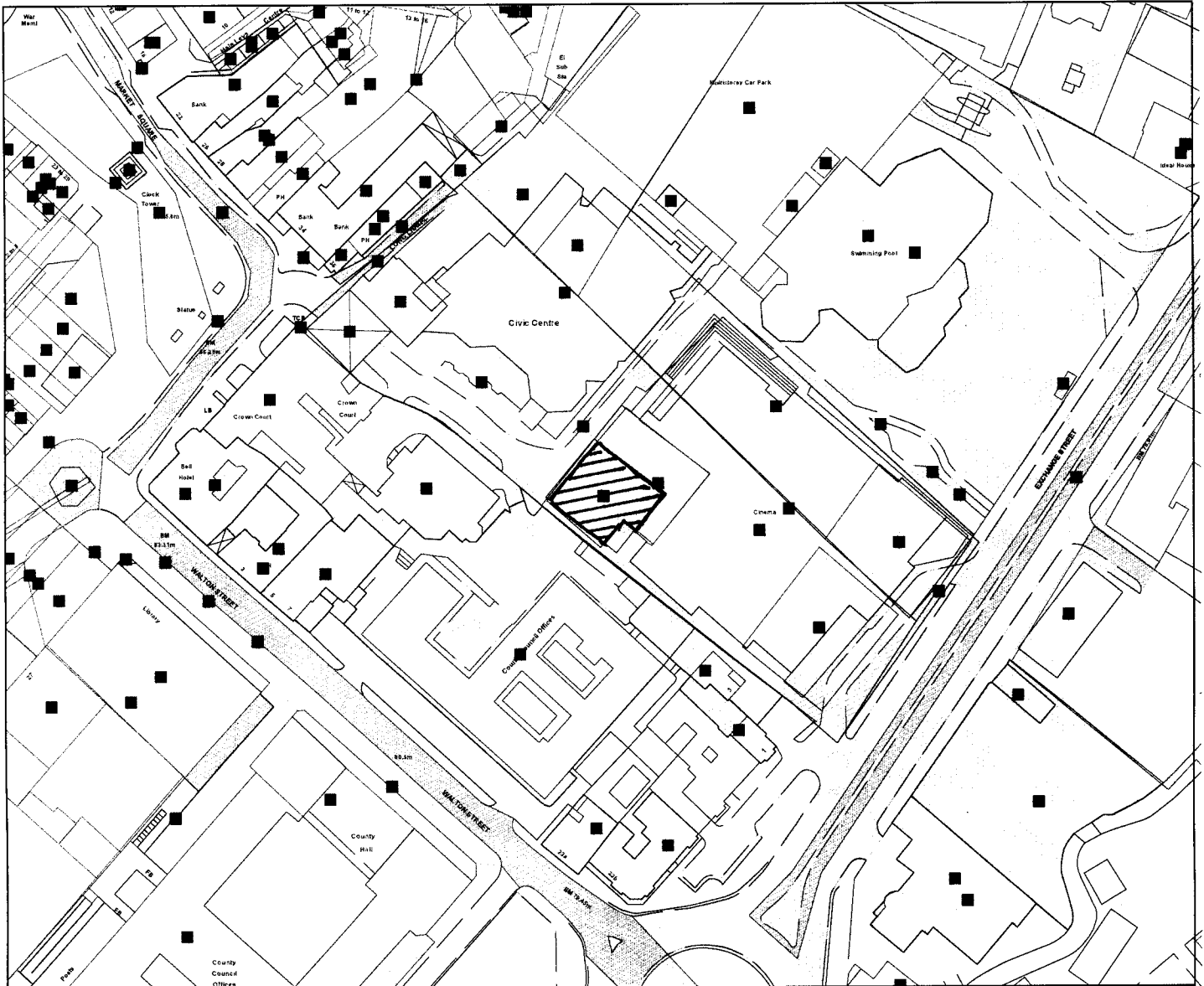
Premise	Offences	Incidents
Chicago Rock Café	20	6
Litten Tree	11	7
The Lounge	9	9
Hob Goblin	8	12
Hogs Head	3	7
Saracens Head	3	0

Conclusions

This report has shown that there have been a high number of Alcohol Related disorder offences and incidents in Aylesbury town centre over the past twelve months. Peak nights are Fridays and Saturdays with the majority of reports involving Market Square and Kingsbury.

The Hogshead

Unit 3, The Exchange, Exchange Street, Aylesbury, Bucks HP2



Legend

Km 0.02 0.04 0.06 0.08 0.1 0.12 0.14

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Department	Licensing
Comments	05/01230/LAPRE
Date	31 August 2005