

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

1. THE APPLICATION

Applicant(s): Mr Guy Griffin and Mrs Ruby Griffin

Premises: The Fountain Inn, 10 West Street, Steeple Claydon, Buckingham,
MK18 2NT

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 – No representation

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 5 representations were received from interested parties. These are 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.

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- The Fountain Inn -- greens may 2003
Licact19102005

£250 banked LA (A)

[insert name and address of relevant licensing authority and its reference number, optional]

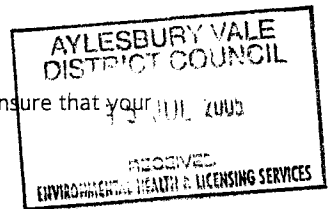
APPENDIX 1

15/7/07

(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 [] 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 THE FOUNTAIN INN 10 WEST ST STEEPLE-CLAYDON BUCKINGHAM Bucks	
Post town BUCKINGHAM	Post code MK18 2NT

Telephone number of premises (if any) 01296730286

Non-domestic rateable value of premises £5,300

Part A2 - Applicant Details

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

Please tick ✓

- a) An individual or individuals please complete section (A)
- b) a person other than an individual
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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 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

I am 18 years old or over Please tick Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part A3 - Operating Schedule

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

1112

General description of premises (please read guidance note 1)

TWO BAR PUBLIC HOUSE.
UPSTAIRS & DOWN STAIRS LIVING
ACCOMADATION, OFF LICENCE AND,
BEER GARDEN.

Please tick Y 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 GUY CLIVE FREDERICK GRIFFIN

Address THE FOUNTAIN INN 10 WEST ST STEEPLE CLAYDON BUCKS MK18 2NT

Personal Licence number, if known, APPLIED FOR WITH AVDC

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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.

NONE TO MY KNOWLEDGE AT THIS TIME.

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)

N/A

b) The prevention of crime and disorder

N/A

c) Public safety

N/A

d) The prevention of public nuisance

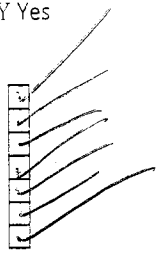
N/A

e) The protection of children from harm

N/A

Please tick Y Yes

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



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

Part 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 C. C. F. [Signature]
 Date 14-6-05
 Capacity licensee/owner

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 R. E. Griffin
 Date 14-6-05
 Capacity licensee

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Post town	Post code
Telephone number	
E-mail address (optional)	

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

GUY CLIVE FREDERICK GRIFFIN AND RUBY ELLEN GRIFFIN

I/We..... being the proposed premises licence holder of an
[Insert name of applicant]

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 Y

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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

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

TO EXTEND THE EXISTING HOURS ON EVERY DAY THAT THE SUPPLY OF ALCOHOL IS AVAILABLE TO THE PUBLIC.
TO EXTEND THE HOURS THE PREMISES ARE OPEN TO THE PUBLIC.

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)

Please tick Y Yes

Provision of regulated entertainment

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

Provision of entertainment facilities:

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

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

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

Please complete Part B3 on this form.

A

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (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			

21 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)	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	<input checked="" type="checkbox"/>	
Day	Start	Finish		Outdoors		
Mon	11am 11.00	12.00 24.00 am	Please give further details here (please read guidance note 10) LIVE MUSIC WILL BE IN ACCORDANCE WITH THE PROVISION OF SECTION 182 LICENSING ACT 1964.			
Tue	11am 11.00	12.00 24.00 am				
Wed	11am 11.00	12.00 24.00 am	State any seasonal variations for the performance of live music (please read guidance note 11)			
Thur	11am 11.00	12.00 24.00 am				
Fri	11am 11.00	12.30 00.30 am		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat	11am 11.00	12.30 00.30 am				
Sun	11am 11.00	12.30 00.30 am				

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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11am	12.00 AM	Please give further details here (please read guidance note 10). THE PREMISES ARE SUPPLIED WITH RECORDED MUSIC BY A CUSTOMER PAYING JUKE BOX.	Both	<input type="checkbox"/>
	11.00	00.00			
Tue	11am	12.00 AM			
	11.00	24.00			
Wed	11am	12.00 AM	State any seasonal variations for playing recorded music (please read guidance note 11)		
	11.00	24.00			
Thur	11am	12.00 AM			
	11.00	24.00			
Fri	11.00	00.30	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)		
	11am	12.30 AM			
Sat	11am	12.30 AM			
	11.00	00.30			
Sun	11am	12.30 AM			
	11.00	00.30			

G

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

7 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				
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)	
Sat				
Sun				
			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)	

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		
Day			Start		Finish
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 9)		Indoors
					Outdoors
					Both
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed					
Thur					
			State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Fri			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)		
Sat					
Sun					

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 9)		Indoors
Day			Start		Outdoors
					Both
Mon			Please give further details here (please read guidance note 10)		
Tue			State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Thur					
Fri			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)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 9)	Indoor	
				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 I or J (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 I or J 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	
Day	Start	Finish			Outdoors	
					Both	
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the 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	<input checked="" type="checkbox"/>	
Mon	11am	12.00am	State any seasonal variations for the supply of alcohol (please read guidance note 11) TO INCLUDE ALL PUBLIC HOLIDAYS WITHIN THE UNITED KINGDOM.			
	11.00	24.00				
Tue	11am	12.00am				
	11.00	24.00				
Wed	11am	12.00am				
	11.00	24.00				
Thur	11am	12.00am		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)		
	11.00	24.00				
Fri	11am	12.30am				
	11.00	00.30				
Sat	11am	12.30am				
	11.00	00.30				
Sun	11am	12.30am				
	11.00	00.30				

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)

NO ADULT ENTERTAINMENT IS TO BE PROVIDED.

O

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Hours premises are open to the public
Standard days and timings
(please read guidance note 8)

Day	Start	Finish
Mon	10.30 Am	12.15 Am
	10.30	00.15
Tue	10.30 Am	12.15 Am
	10.30	00.15
Wed	10.30 Am	12.15 Am
	10.30	00.15
Thur	10.30 Am	12.15 Am
	10.30	00.15
Fri	10.30 Am	12.45 Am
	10.30	00.45
Sat	10.30 Am	12.45 Am
	10.30	00.45
Sun	10.30 Am	12.45 Am
	10.30	00.45

State any seasonal variations (please read guidance note 11)

TO INCLUDE ALL PUBLIC HOLIDAYS WITHIN THE UNITED KINGDOM.

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)

P

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

Q Please describe any 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)

AS A LANDLORD OF 12 YEARS STANDING, AND WITH A LIFETIME OF EXPERIENCE IN A PUBLIC HOUSE, I WILL CONTINUE TO TAKE ALL REASONABLE STEPS TO PROMOTE HARMONY IN MY COUNTRY PUBLIC HOUSE.

b) The prevention of crime and disorder

AS BEFORE.

c) Public safety

AS BEFORE.

d) The prevention of public nuisance

AS BEFORE BUT MAKING EXTRA EMPHASIS TO THE CUSTOMERS TO LEAVE QUIETLY.

e) The protection of children from harm

AS BEFORE.

Part B3 – Premises Supervisor

10.

Full name of proposed designated premises supervisor

GUY CLIVE FREDERICK GRIFFIN

Address of proposed designated premises supervisor

THE FOUNTAIN INN 10 WEST ST
STEEPLE-CLAYDON BUCKINGHAM
BUCKS MK18 2NT.

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

PERSONAL LICENCE APPLIED FOR WITH AVDC.

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 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 34 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

G. C. C.

Date

14-6-05.

Capacity

OWNER AND LICENSEE.

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

R. E. Griffin

Date

14-6-05.

Capacity

JOINT LICENSEE.

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

*18 ASH GROVE
STEEPLE-CLAYDON
BUCKINGHAM
BUCKS.*

Post town

BUCKINGHAM

Post code

MK18 2NW.

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

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



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

RUBY EILEEN GRIFFIN, CLIVE GRIFFIN

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

Fountain Inn, 10 West Street, Steeple Claydon, Buckingham, Bucks MK18 2NT

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

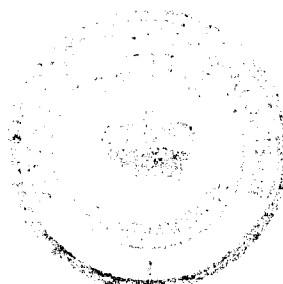
The owners of the premises in respect of which this licence is granted are

**FULLER SMITH AND TURNER
No Owner Address1, CHISWICK, LONDON**

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
affixed under their authority by me,



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

I/We, ^{1/11/05/02} GUY CLIVE FREDERICK GRIFFIN AND RUBY EILEEN GRIFFIN ^[insert full name(s) of existing licence holder(s)] being the holder(s) of an existing licence/existing licences ON LICENCE AUTHORISING THE RETAIL SALE OF ~~AL~~ INTOXICATING LIQUOR OF ALL DESCRIPTIONS FOR CONSUMPTION EITHER ON OR OFF THE PREMISES ^[insert name of licence(s), the date of grant of the licence(s) and by whom the grant(s) was/were made] hereby consent(s) to the application by GUY CLIVE FREDERICK GRIFFIN & RUBY EILEEN GRIFFIN ^[insert full name or names of applicant] 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 in respect of THE FOUNTAIN INN 10 WEST ST STEEPLE CLAYDON BUCKINGHAM Bucks ^[insert name and address of premises].

Signed G.C.F.G.  R Ely Griffin

Dated 14-6-05

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

DAWN ETHEL GRIFFIN (LANDLADY) (OF THE FOUNTAIN INN.)
 [insert first names and surname of prospective premises supervisor] hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to GUY CLIVE FREDERICK GRIFFIN [insert full name of applicant] in respect of the application to convert an existing justices' licence held by the applicant/where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for THE FOUNTAIN INN 10 WEST ST. STEEPLE CLAYDON BUCKINGHAM Bucks MK18 2NT. [insert name and address of existing licensed premises] if that application is successful.

Signed

GCF 

Dated

14-6-05.

CHEQUE £37.00 ENCLOSED!

Burke, Kerryann

From: patrick mcgovern [joe@pmcgovern.freeseve.co.uk]
Sent: 11 August 2005 20:36
To: Licensing Team
Subject: Application 05/01158LAPRE

Dear Sir/Madam

I wish to register my objections to the planned opening times for the Fountain Public House, Steeple Claydon on the grounds of public nuisance and crime and disorder.

The Fountain is situated in the centre of Steeple Claydon and a seven day a week extension to the existing opening times combined with a music licence up until 0030 would mean a flow of people leaving the premises, possibly seven days a week, into the early hours of the morning. This would not only cause disturbance to local residents in the vicinity of the premises at an unacceptable time of night but could also lead to an increase in the level of vandalism currently experienced by the village.

I have no objections to the pub obtaining occasional extensions to the existing licence at weekends, as currently happens, or to music at weekends, but the possibility of this seven days a week would be totally unacceptable causing disturbance to both adults and children going either to work or school on week days.

Yours

Joe McGovern

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Burke, Kerryann

From: patrick mcgovern [joe@pmcgovern.freeseve.co.uk]
Sent: 22 August 2005 12:54
To: Burke, Kerryann
Subject: RE: Application 05/01158LAPRE

Kerryann

My home address is 5 Old School Lane, Steeple Claydon, Buckingham, Bucks. MK18 2SB.

Regards

Joe

Message Received: Aug 22 2005, 11:37 AM
From: "Burke, Kerryann"
To: joe@pmcgovern.freeseve.co.uk
Cc:
Subject: RE: Application 05/01158LAPRE

Dear Mr McGovern,

Thank your e-mail, I am now in the process of arranging a hearing a hearing. Would it be possible to provide me with you home address as i have some documentation to send you.

Regards,

Kerryann Burke

Kerryann Burke
Licensing Admin Assistant
Environmental Health & Licensing Services
Aylesbury Vale District Council
66 High Street
Aylesbury
Bucks
HP20 1SD

Telephone: 01296 585 560
e-mail kburke@aylesburyvaledc.gov.uk

-----Original Message-----

From: patrick mcgovern [mailto:joe@pmcgovern.freeseve.co.uk]
Sent: 11 August 2005 20:36

Burke, Kerryann

From: Chris Coombs [cacombs@waitrose.com]
Sent: 11 August 2005 22:38
To: Licensing Team
Subject: Licence application 05/01158LAPRE

Dear Sir or Madam,

Regarding the application for the Fountain Public House, Steeple Claydon, Buckinghamshire.

I wish to make the following representation against this application on the grounds of public nuisance.

I see that a licence variation is being applied for so that alcohol and music may be played 7 days a week. Specifically from 11.00 to 00.30hrs for recorded music and to 00.00 for live music. This is of very serious concern because of the daily extent and lateness that disturbance may be caused to my neighbours and I by either music or people under the influence of alcohol. From 00.30hrs thereafter there is then the period when people leaving the pub can cause more noise and possible disorder having had the opportunity to consume even greater quantities of alcohol than before.

I live adjacent (share a boundary) to the Fountain PH and specifically my house is 11 metres from this. In the pub garden are facilities, a wooden building, gazebo, tables etc to enable the licensee to promote live music and other events with alcohol. For example past events have included ferret racing conducted with a public address system and music bands with electric amplification. I have no wish to be exposed to increased use of this facility at the whim of the licensee.

I believe it is reasonable that I may enjoy peace in my garden during the day and be able to sleep at night with the option of keeping windows open in the summer. Personally, as the Fountain PH is in the middle of a residential area, I would wish to see the curtailing of music and alcohol after 11pm and limits imposed during the day. To ignore this is to allow the Fountain PH to become a continuous public nuisance for its neighbours.

Yours sincerely,

Mr C Coombs
3 Old School Lane
Steeple Claydon
Buckingham
Bucks
MK18 2SB

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Burke, Kerryann

From: Nigel Yates [nigel@yates.co.uk]
Sent: 11 August 2005 15:24
To: Licensing Team
Subject: The Fountain - Steeple Claydon - Objection to Extended Licence

I understand from my neighbour that the Fountain Steeple Claydon has an application in to AVDC for a significant extension to its licensing arrangements. I regret I do not know the procedure for objecting as this is not clear from the AVDC website.

At this point I would like to be specific about the Application I am objecting too, but have to admit defeat to the vagaries of your web site, as I have not been able to find details of the specific application.

My understanding is that part of the request is a live entertainments licence for 7 days a week until midnight? Please can I beg the council to give deep consideration to rejecting this on the grounds of harassment to the immediate neighbours to the premises? My own property is approximately 50m from the Fountain in Steeple Claydon and although not affected directly by customers leaving the property late at night I am affected by two aspects arising from extended hours and extended live music license.

- 1) Live music at the Fountain is almost exclusively held outside the property in the open area at the side causing considerable inconvenience on summer evenings. When music is being played at the pub the choice is inevitably to stay indoors, with windows closed, rather than sit in our own garden and be subjected to amplified rock music and inebriated customers who take great delight at swearing at the tops of their voices.
- 2) The current procedure when the pub clears after closing time is for the landlord to shut his dog outside for the dog to do its business before being allowed in to go to bed. Problem is when the dog is finished it announces to the whole neighbourhood that it is ready to come in which elicits a response from the dogs either side of the pub plus a few others. This at present causes some irritation and amusement but rarely wakes us up. Do we have to be woken up an hour and a half later at a whim of the licensing changes? The gentleman that runs the premises and lives on site, who coincidentally is not the listed licence holder, has been rude and abusive when approached about this problem

I doubt if my own views on the ridiculous changes to the licensing regulations will hold much sway with my objections to the licence extension at the Fountain but it is a polite request from someone who works hard and is tired enough to go to bed to sleep at 11:00PM and cannot understand the increasing desire of people who have to make their presence felt after this hour.

Regards

Nigel Yates

4 Old School Lane
Steeple Claydon
Buckingham
MK18 2SB

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Burke, Kerryann

From: WALSHKATE@aol.com
Sent: 11 August 2005 16:58
To: Licensing Team
Subject: Licence application 05/01158/LAPRE

Dear Sir/Madam

With reference to the application from the Fountain Pub in Steeple Claydon we wish to object vehemently to the very idea of such a licence being granted.

Our garden backs onto the pubs and I have had to phone the police on more occasions than I can remember because of excess noise during and after hours, this would give the landlord carte blanche to do what he likes, when he likes and we have not found him to be the most considerate of landlords even under the current licence held, ie: having to sleep with the windows closed in the summer, not being able to sit in our garden in peace and quiet.

I am objecting to the licence being granted on the grounds of public nuisance

yours sincerely

Mr and Mrs Walsh
2 Old School Lane
Steeple Claydon
MK18 2SB

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Burke, Kerryann

From: tonycarroll [mailto:tonycarroll.free-online.co.uk]
Sent: 11 August 2005 18:18
To: Licensing Team
Subject: Licence application 05/01158LAPRE

We have just returned from holiday to discover the above licence application of the Fountain Public House Steeple Claydon for a variation in hours and conditions of use.

We are very concerned about this as the Fountain Public House is situated in the centre of a predominantly residential area. The noise levels at night with people exiting at 00:30hrs is of a particular worry especially to those who have to rise at 6.30am or 7.00am in order to earn their living. We note the landlord does not have to start work until 11.00am!

The Fountain Public house is surrounded by homes many of which house families with young children. We feel the extended noise nuisance along with lack of sleep will adversely not only affect the health of the children but also that of their parents. Added to this the potential problems of people under the influence of alcohol, this will all have a detrimental affect on the lives of the local community.

We have no problem with the present licencing hours and conditions. However, if the hours proposed in the application were approved we feel all the residents of Steeple Claydon will suffer.

Yours sincerely

P.J. Carroll (Mrs)

A.D. Carroll

1 Old School Lane
Steeple Claydon
Bucks MK 18 2SB

Tel: 01296 733526

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Fountain Inn, Steeple Claydon- Appendix 3

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 11.00pm
Sunday	12.00 Mid-day to 10.30 pm

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	11.00am to 00.00am
Friday to Saturday	11.00am to 00.30am
Sunday	11.00am to 00.30am

Regulated Entertainment:

(Live Music) Indoors

Monday to Thursday	11.00am to 00.00am
Friday to Saturday	11.00am to 00.30am
Sunday	11.00am to 00.30am

(Recorded Music) Indoors

Monday to Thursday	11.00am to 00.00am
Friday to Saturday	11.00am to 00.30am
Sunday	11.00am to 00.30am

Hours open to the public

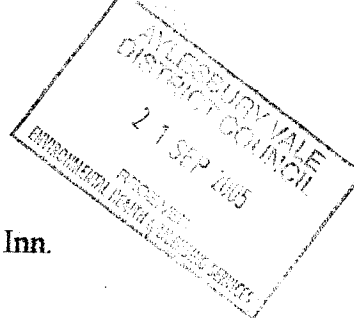
Monday to Thursday	10.30am to 00.15am
Friday to Saturday	10.30am to 00.45am
Sunday	10.30am to 00.45am

THE FOUNTAIN INN

The Fountain Inn
10 West Street
Steeple Claydon
Bucks MK18 2NT

Phone: 01296 730286

Date: 20/09/05



Re: Licensing The Fountain Inn.

Dear Mr Seal,

This business has been established since the 1800s and such, the village has been built up around it.

Anyone buying or renting property in the immediate vicinity should have been made aware of it's existence and that taken into consideration before taking up residency.

During the last two centuries, the number of complaints made against this Public House has been insignificant.

My application for an extension is merely to comply with legislation. In reality, my requirement to extend trading hours beyond my existing hours is so that my customers and I can celebrate special occasions and be able to play music to make those occasions more successful.

It has never been my intention to upset my neighbours in any way, indeed I do all that is reasonably possible to minimise the effect that my business has upon their well being.

Yours Faithfully;

G.C.F.Griffin

Seal, Peter

From: Chris Coombs [cacombs@waitrose.com]
Sent: 15 September 2005 20:33
To: Seal, Peter
Subject: Confirmation of attending

Dear Mr Seal,

Further to your letter of the 22nd Aug 05. I confirm my intent to attend the hearing for the Fountain Inn, Steeple Claydon due to be held at 11am 19th Oct at AVDC offices with the licensing sub committee.

Kind regards

Mr C Coombs

3 Old School Lane
Steeple Claydon
Buckingham
Bucks
MK18 2SB

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AYLESBURY VALE DISTRICT COUNCIL

Department of Community Services

Please ask for: Mr R Ferguson
Direct Line: (01296) 585502
Switchboard: (01296) 585858
Minicom Line: (01296) 585055
Email: rferguson@aylesburyvaledc.gov.uk or licensing@aylesburyvaledc.gov.uk

Our Ref: RF/
Your Ref:



8th September 2005

Mr C Coombs
3 Old School Lane
Steeple Claydon
Buckingham
MK18 2SB

FILE COPY

Dear Mr Coombs

Licensing Act 2003

Re: The Fountain, The Fountain PH, 10 West Street, Steeple Claydon, Buckinghamshire, MK18 2NT,

Thank you for your letter regarding the above.

I have spoken to the District Environmental Health Officer (DEHO) for Steeple Claydon and we are agreed on the following answers to your questions:

1. The DEHO is aware of your comment about external noise intrusion but the application for regulated entertainment is for indoors Section E and Section F.
2. Measures will be recommended by the DEHO if necessary e.g. All windows and doors kept closed during 'performances'. The DEHO has agreed with the applicant to restrict events to no more than 15 per year.
3. Control measures may be put in place by the Licensing Sub-Committee in response to representations or if they are on the current liquor licence.
4. We cannot make a recommendation to the Licensing Sub-Committee. There is no previous complaint history, but if there are any problems (which must be documented) a review of the licence can be requested and the Licensing Sub-Committee have a number of options they can consider to try to minimise any disturbance.

In the meantime, should you wish to discuss the matter further or any related matters, please do not hesitate to contact me.

Yours sincerely

Bob Ferguson
Licensing Enforcement Officer

David Smedley Head of Environmental Health & Licensing Services



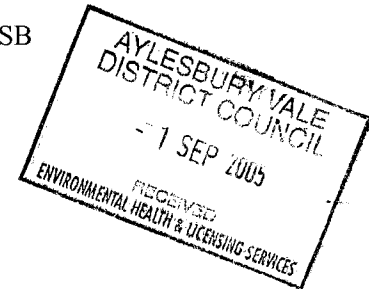
TIME ABOUT

A36



Mr P. Irwin
District Environmental Health Officer
AVDC
PO Box 622
Aylesbury
HP20 1ZL

3 Old School Lane
Steeple Claydon
Buckingham
Bucks
MK18 2SB



29th August 2005

Dear Mr Irwin,

I would be grateful if you could advise on the following environmental matters in relation to the Licensing Act 2003.

The background is that under this act I have exercised my right to make a representation to the Licensing office at AVDC.

Specifically this is objecting to the current application by the Fountain Public House, Steeple Claydon, for a variation of a premises licence on the grounds of public nuisance.

One aspect of my concern is the Licensee's wish to provide live or recorded music from 11am to 00.00hrs seven days a week and further extend this to 00.30hrs for three of those days, namely Friday, Saturday and Sunday. As I live in a quiet residential area adjacent to the public house's boundary (my house is 11mtrs from the boundary) it does not seem appropriate to request variations regarding the extension of live or recorded music.

I noted in their application that 'indoors' had only been ticked in section E for live music. Unfortunately in the guide notes section accompanying the application, note nine specifically says "Indoors may include a tent."

I highlight this because the Fountain Public House has the capability to create one or two large tent(s) over two wooden frameworks, permanently erected outside, and within a short distance of my house and other properties. They have in the past conducted events, for example beer festivals with live music and dance and a ferret racing competition, all relying on amplification equipment. On more than one occasion the event lasted for three consecutive evenings, i.e. Friday, Saturday and Sunday.

Section E of the application asks for details, defined in note ten, for example if music is amplified or unamplified. Instead the Fountain's Licensee wrote in section E of the application, "Live music will be in accordance with the provision of section 182 licensing act 1964". Not being familiar with this I wonder what safeguard(s) or relevance this provides after November 24th 2005, bearing in mind the application relates to the Licensing Act of 2003. I am equally not clear what the 2003 Licensing Act may say in

regard to noise mitigation other than the comment made in note ten. I am therefore interested to know why the Fountain's application for live music does not clarify in clear English if amplified or un-amplified live music will occur.

Having been a neighbour of the Fountain for eight years I can confirm amplified music has been used outside; hence I believe it will continue and potentially, it appears, with no controls upon it after November 24th 2005.

Regarding the playing of recorded music on the Jukebox, which is inside the public house. This is acceptable provided the windows and especially the back door of the public house is kept closed, but unfortunately this has not always been the case in the past. A solution would be to have a closed door/window policy and offered in section Q part (d) of the application, as a way of preventing public nuisance, but no such statement was made.

In summary my concern is that the Fountain Public House application shown to me,

- a) Does not clearly indicate the noise intrusion for my neighbours and I that potentially may happen anytime 7 days a week up to 00.30hrs outside the pub because of the infrastructure installed in the garden.
- b) Does not indicate what measures would be in place to limit recorded music or live music escaping the public house.
- c) Refers to legislation that is seemingly not appropriate after 24th Nov 2005.
- d) Does not clearly say to the general public what it's intent is towards amplified or un-amplified live music entertainment.
- e) Does not on the application front page (under Part B1 variation) fully describe the nature of the proposed variation in the box provided i.e. it omits to mention live music or playing of recorded music.

The answers to questions that I would be grateful for your advice upon are:

- 1) Is the District Environmental Health Office aware of (a) above?
- 2) Could measures be put in place to limit music noise escaping the Fountain public house building/premises?
- 3) After an application is granted what environmental control measures exist upon a premises for live or recorded music under the Licensing Act 2003?
- 4) What time limit's or restrictions would be reasonable in the view of your office, taking into account any past complaints there may have been against the Fountain Public House, for allowing live (amplified) music, or facilities for making music, by the Fountain Public House in the quiet residential area that it resides in.
 - i. Indoors (i.e. inside the Public House)?
 - ii. 'Indoors' (i.e. from a tent outside with an open aspect)?
 - iii. Outdoors?

I enclose a picture of the tent framework. In previous years this was scaffolding but it is now timber. Temporary extensions to this have included covered walkways to the front door of the public house to make it integral.

Yours sincerely,

C. A. Coombs

Mr C. Coombs

Cc Licensing Services Manager AVDC, Mr P Seal



Fountain Public House, Steeple Claydon.

Picture taken 25th August 2005