

**REPORT ON APPLICATION FROM THE BULL
& BUTCHER AKELEY UNDER THE LICENSING
ACT 2003 FOR CONVERSION AND VARIATION
OF PREMISES LICENCE**

1. THE APPLICATION

Applicant(s): Fullers, Smith & Turner PLC

Premises: Bull & Butcher, The Square, Akeley, MK18 5HP

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 2.

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 – Have made a representation which relates to conditions being placed on the licence relating to the ending of all drinking and entertainment activities at 12.0am on Friday & Saturday nights. Their representation is attached as appendix 3.

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 3 representations were received from interested parties. These are attached as Appendix 4.

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

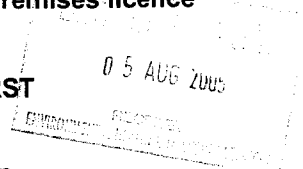
Peter Seal 01296 585083

Ps-lsc-hst-Bull & Butcher – greens may 2003
Licact02112005

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5.8.05 SJW
APPENDIX 1

(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 Fullers, Smith and Turner plc apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Bull and Butcher The Square Akeley	
Post town Nr Buckingham	Post code MK18 5HP

Telephone number of premises (if any)

01280860257

Non-domestic rateable value of premises

£ 6,400

Part A2 - Applicant Details

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

- 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 please complete section (B)
 - iv) or 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)

Part A3 - Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

One bar pub with restaurant situated in the centre of the village with a garden to the rear and car parking for two cars. The pub is 3 miles out of Buckingham town.

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	Mrs Helen Jane Fox
Address	Willows Farm Leckhampstead Road Akeley Nr Buckingham MK18 5ET
Personal Licence number,	Not Known

if known	
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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.

Sale of Alcohol

The provisions of section 59,60,61 and 63 of the the Licensing Act 1964 apply. While it is not a licensable activity the drinking up time is 20 minutes.

Regulated Entertainment

- 1) The playing of recorded music in the premises is permitted 24 hours a day pursuant to section 182 of the licensing act 1964.
- 2) The provision of private entertainment is permitted 24 hours a day pursuant to section 2(2)(b) of the Private Places of Entertainment (Licensing Act) 1967 where adopted by the local council.

Late Night Refreshment

The sale of hot food and drink is permitted up to 30 minutes after the permitted hours for the sale of alcohol end under the provisions of section 1 of the Greater London Council (General Powers) Act 1968 or section 1 of the Late Night Refreshment Houses Act 1969, whichever applies.

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 *Poppleston Allen*

Date *3/18/05*

Capacity *Solicitor for the Applicant.*

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

Signature.....

Date

Capacity.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Adam Ward - P18561/1156 Poppleston Allen 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS
Telephone number	0115 9487409
E-mail address (optional)	a.ward@popall.co.uk

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

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

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

We Fullers, Smith and Turner plc being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 of the Licensing Act 2003 for the premises described in Part A above.

Part B1 - Variation

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

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

Day	Month	Year

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

n/a

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

1) To extend the hours and permit regulated entertainment, late night refreshment and the sale of alcohol throughout the whole of the premises:

Monday – Thursday 09:00-00:00

Friday – Saturday 09:00-01:00

Sunday 09:00-22:30

And outside those hours on certain notable days.

2) To remove any embedded restrictions which are placed on the licence by virtue of schedule 8, paragraph 6(8) of the Licensing Act 2003 other than the permitted hours as varied by this application.

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 ✓

Provision of regulated entertainment

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

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

Please complete Part B3 on this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
Mon	12:00	00:30		Both	✓
Tue	12:00	00:30			
Wed	12:00	00:30			
Thu	12:00	00:30	Please give further details here (please read guidance note 10) Occasional performances including pantomime		
Fri	12:00	01:30	State any seasonal variations for performing plays (please read guidance note 11) None		
Sat	12:00	01:30	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) 24 hours a day on New Year's Eve		
Sun	12:00	22:30	An additional hour to the standard and non standard times on the commencement of British Summertime.		

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	12:00	00:30		Both	
Tue	12:00	00:30			
Wed	12:00	00:30			
Thu	12:00	00:30	Please give further details here (please read guidance note 10) Occasional screenings of DVD and or Video.		
Fri	12:00	01:30	State any seasonal variations for the exhibition of films (please read guidance note 11) None		
Sat	12:00	01:30	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) 24 hours a day on New Year's Eve		
Sun	12:00	22:30	An additional hour to the standard and non standard times on the commencement of British Summertime.		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10) The playing of indoor games eg pool, snooker, skittles and darts etc throughout the premises	
Day	Start	Finish		
Mon	12:00	00:30		
Tue	12:00	00:30		
Wed	12:00	00:30		
Thu	12:00	00:30	State any seasonal variations for indoor sporting events (please read guidance note 11) None	
Fri	12:00	01:30	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) 24 hours a day on New Year's Eve	
Sat	12:00	01:30		
Sun	12:00	22:30	An additional hour to the standard and non standard times on the commencement of British Summertime.	

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	
				Outdoors	
Day	Start	Finish	<p>Please give further details here (please read guidance note 10) Live bands playing both amplified and unamplified music throughout the premises and on select occasions outside.</p> <p>State any seasonal variations for the performance of live music (please read guidance note 11) None</p> <p>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) 24 hours a day on New Year's Eve</p> <p>An additional hour to the standard and non standard times on the commencement of British Summertime.</p>	Both	✓
Mon	12:00	00:30			
Tue	12:00	00:30			
Wed	12:00	00:30			
Thu	12:00	00:30			
Fri	12:00	01:30			
Sat	12:00	01:30			
Sun	12:00	22:30			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	
				Outdoors	
Day	Start	Finish	<p>Please give further details here (please read guidance note 10) The playing of recorded music through a PA or in house speaker system.</p> <p>State any seasonal variations for playing recorded music (please read guidance note 11) None</p> <p>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) 24 hours a day on New Year's Eve</p> <p>An additional hour to the standard and non standard times on the commencement of British Summertime.</p>	Both	✓
Mon	12:00	00:30			
Tue	12:00	00:30			
Wed	12:00	00:30			
Thu	12:00	00:30			
Fri	12:00	01:30			
Sat	12:00	01:30			
Sun	12:00	22:30			

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 (✓) (please read guidance note 9).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 10) Occasional performances by soloists or troupes.		
Mon	12:00	00:30			
Tue	12:00	00:30	State any seasonal variations for the performance of dance (please read guidance note 11) None		
Wed	12:00	00:30			
Thu	12:00	00:30	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) 24 hours a day on New Year's Eve		
Fri	12:00	01:30			
Sat	12:00	01:30	An additional hour to the standard and non standard times on the commencement of British Summertime.		
Sun	12:00	22:30			

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 (✓) (please read guidance note 9).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Thu					
Fri			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)		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing Karaoke																															
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Tue</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Wed</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Thu</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Fri</td> <td>12:00</td> <td>01:30</td> </tr> <tr> <td>Sat</td> <td>12:00</td> <td>01:30</td> </tr> <tr> <td>Sun</td> <td>12:00</td> <td>22:30</td> </tr> </tbody> </table>			Day	Start	Finish	Mon	12:00	00:30	Tue	12:00	00:30	Wed	12:00	00:30	Thu	12:00	00:30	Fri	12:00	01:30	Sat	12:00	01:30	Sun	12:00	22:30	Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 9). <table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td>✓</td> </tr> </table>		Indoors		Outdoors		Both	✓
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Please give further details here (please read guidance note 10) Occasional karaoke																																		
State any seasonal variations for the provision of facilities for making music (please read guidance note 11) None																																		
Non standard timings. Where you intend to use the premises for the 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) 24 hours a day on New Year's Eve An additional hour to the standard and non standard times on the commencement of British Summertime.																																		

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 (✓) (see guidance note 9).																															
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Tue</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Wed</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Thu</td> <td>12:00</td> <td>00:30</td> </tr> <tr> <td>Fri</td> <td>12:00</td> <td>01:30</td> </tr> <tr> <td>Sat</td> <td>12:00</td> <td>01:30</td> </tr> <tr> <td>Sun</td> <td>12:00</td> <td>22:30</td> </tr> </tbody> </table>			Day	Start	Finish	Mon	12:00	00:30	Tue	12:00	00:30	Wed	12:00	00:30	Thu	12:00	00:30	Fri	12:00	01:30	Sat	12:00	01:30	Sun	12:00	22:30	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td>✓</td> </tr> </table>		Indoors		Outdoors		Both	✓
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Outdoors																																		
Both	✓																																	
Please give further details here (please read guidance note 10) Provision of dance space																																		
State any seasonal variations for providing dancing facilities (please read guidance note 11) None																																		
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) 24 hours a day on New Year's Eve An additional hour to the standard and non standard times on the commencement of British Summertime.																																		

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 (✓) (please read guidance note 9).	Indoor	
Mon				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 10)		
Wed					
Thu			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 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 (✓) (please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
Mon	12:00	00:30		Both	✓
Tue	12:00	00:30	Please give further details here (please read guidance note 10) Serving hot food and hot drink to meet occasional demand		
Wed	12:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thu	12:00	00:30	None		
Fri	12:00	01:30	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	12:00	01:30	24 hours a day on New Year's Eve		
Sun	12:00	22:30	An additional hour to the standard and non standard times on the commencement of British Summertime.		

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 13)	On the premises	
Day	Start	Finish		Off the premises	
Mon	09:00	00:00		Both	✓
Tue	09:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Wed	09:00	00:00	None		
Thu	09:00	00:00	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		
Fri	09:00	01:00			

			list (please read guidance note 12)
Sat	09:00	01:00	An additional hour to the standard and non standard times on the commencement of British Summertime.
Sun	09:00	22:30	

In all cases please completed boxes N, O P and Q below :

N

Please highlight any adult entertainment or services, activities or 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

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) None
Day	Start	Finish	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) 24 hours a day on New Year's Eve An additional hour to the standard and non standard times on the commencement of British Summertime.
Mon	09:00	00:00	
Tue	09:00	00:00	
Wed	09:00	00:00	
Thu	09:00	00:00	
Fri	09:00	01:00	
Sat	09:00	01:00	
Sun	09:00	22:30	

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking
Any restrictions which are placed on the Licence by virtue of Schedule 8 paragraph 6(8) of the Licensing Act 2003 except:

- 1) The extended permitted hours for the sale and consumption of alcohol on New Year's Eve/New Year's Day
- 2) On commencement of British Summertime, the benefit of the clocks going forward at 02:00 instead of 01:00

The restriction on drinking up time is to be replaced with the finish time in Box O

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

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

- 1) We will continue to train our staff to the standards required by relevant legislation.
- 2) Fullers operate traditional high quality public houses selling award winning cask ale, good wine and excellent food. There is no intention to deviate from this during the extended hours of operation. The additional hours will themselves promote the licensing objectives particularly in relation to crime and disorder and public nuisance as stated in paragraph 3.29 of the guidance by allowing customers to emerge from the premises at a more gradual rate.
See b), c), d) and e)

b) The prevention of crime and disorder

- 1) We have carefully considered the risks and benefits associated with the extra hours applied for and we believe that because of the character of the premises, and its location, no additional measures are necessary.

c) Public safety

- 1) We have carried out a risk assessment.
- 2) We have a maintained emergency lighting system.
- 3) We have an effective fire evacuation procedure.
- 4) Our staff are fully trained on all safety issues, including fire safety.
- 5) Regular inspections of the premises undertaken by the management.

d) The prevention of public nuisance

- 1) Music volumes kept within Council guidelines
- 2) We have carefully considered the risks and benefits associated with the extra hours and other variations sought and do not believe that any additional measures are necessary to promote this objective.

e) The protection of children from harm

- 1) We require proof of age in appropriate cases.
- 2) A risk assessment has shown that we do not need to take any further measures beyond the restrictions in the Licensing Act 2003 and the existing training given to staff on the premises

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Address of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable
No variation is sought to the individual specified in section A3

Please tick ✓

- | | Yes |
|---|-------------------------------------|
| ▪ I enclose the consent form completed by the proposed premises supervisor | <input checked="" type="checkbox"/> |
| ▪ I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003) | <input checked="" type="checkbox"/> |
| ▪ 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) | <input checked="" type="checkbox"/> |
| ▪ I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003) | <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"/> |

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..... *Poppleston Allen*

Date *3/1/05*

Capacity..... *Solicitor for the Applicant.*

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) If signing on behalf of the applicant please state in what capacity.

Signature.....

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
Adam Ward - P18561/1162 Poppleston Allen Solicitors 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS

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

TRANSFER OF JUSTICES' 'ON' LICENCE

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

held on the **28th day of June 2005**

The Licensing Justices for the said area hereby grant, by way of transfer, to

Helen Fox

this Justices' 'On' Licence authorising him/her, in substitution for

Arthur John Rawlings, Bernard Fox

who holds a licence in respect of the premises mentioned below, authorising him/her to sell by retail at the premises situated at

Bull and Butcher, Akeley, Buckingham, Bucks MK18 5HE

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

Mr & Mrs Baines

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

4th day of April 2007

**or earlier upon
implementation of
Licensing Act 2003**

Certified as a true copy
of the licence

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

Clerk to the Licensing Justices.



Graeme Cushion, Solicitor
Poppleston Allen Solicitors
Nottingham

Undertakings Attached (Overleaf)



Licence Conditions/Undertakings

Bull and Butcher, Akeley, Buckingham, Bucks MK18 5HE

1. Undertaking and go on a training course and should notify the committee when completed.

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

I, Nigel Fox

hereby consent to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003

to **Fullers, Smith and Turner Plc** in respect of the application to convert an existing justices' licence, where the holder of the licence has consented to the application being made by the applicant for:

The Bull & Butcher, Main Street,
Akeley, Bucks MK18 5HP

Signed: Nigel Fox

Dated: 22.4.05

SCHEDULE 3

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

I Hele Skop being the holder of an *existing licence*

hereby consent to the application by **Fullers, Smith and Turner Plc** under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that schedule to succeed the said existing licence held by me in respect of :

..... THE BULL BUTCHER, MAIN ST.
..... WKELEY, DUCKS
..... MK18 5HP

Signed Hele Skop

Print name HELEW S. FOX

Dated 22.4.05

APPENDIX 2

Existing permitted hours and activities

The premises may sell alcohol for consumption on and off the premises during the following hours:

Monday to Saturday 10.00 a.m. to 11.00 p.m.
Sunday 12.00 mid-day to 10.30 p.m.

Variation application

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

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

Monday to Thursday 09.00am to 00.00am
Friday & Saturday 09.00am to 01.00am
Sunday 09.00am to 10.30pm

Regulated Entertainment:

Plays, live music, performance of dance and recorded music –
Both indoors & outdoors

Monday to Thursday 12.00pm to 00.30am
Friday and Saturday 12.00pm to 01.30am
Sunday 12.00pm to 10.30pm

Films and indoor sporting events – Indoors

Monday to Thursday 12.00pm to 00.30am
Friday and Saturday 12.00pm to 01.30am
Sunday 12.00pm to 10.30pm

Late night refreshment: Both indoors & outdoors

Monday to Thursday 11.00pm to 00.30am
Friday and Saturday 11.00pm to 01.30am
Sunday 11.00pm to 10.30pm

Hours open to the public

Monday to Thursday 09.00am to 00.00am
Friday and Saturday 09.00am to 01.00am
Sunday 09.00am to 10.30pm

Non standard timings:

- New Years Eve 24 hours
- An additional hour to the standard and non standard times on the commencement of British Summertime.

AYLESBURY VALE DISTRICT COUNCIL
MEMO

To: Peter Seal
Licensing Officer

From: Richard Swan
Environmental Health Division

Tel ext: 5084

Date: 02/09/05

Our ref: RQS/05/01812

Your ref:

Subject: Subject: Bull and Butcher, The Square, Akeley, Near Buckingham

Further to your licensing consultation. This public house is effectively in a terrace of old buildings and faces onto a small public area which provides parking directly outside domestic premises.

It is my opinion that the potential disturbance likely to be caused by people leaving this premises late at night is likely to outweigh any advantage to be gained by the potential for people to leave over an extended period. Constant minor disturbances would be likely to extend into the night at a time when this village would otherwise be quiet.

Please accept this as my objection to this application. I would like to see conditions on this business retaining the current finishing hours through the week and ending drinking and all entertainment etc at twelve midnight on Friday and Saturday nights.





2 The Square
Akeley
Buckingham
BUCKS
MK18 5HP
Tel 01280 860261 (ev'ng)
07787 563331 (day)

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

30 August 2005

Dear Licensing Team

Re: Premises Licence Variation application for Bull and Butcher, Akeley.

We are writing to object to the application to vary the Premises Licence at The Bull and Butcher Public House in Akeley. We are semi-detached to The Bull and Butcher and have lived in the property for 17 years. We have no problem in living next door to a pub or the normal activity of a licensed premise. Indeed we are in the process of extending and renovating the property with a view to many more years occupation. However we do object on a number of grounds to this Variation Application as follows:-

1. **Crime and Disorder.** On previous (relatively rare) occasions when the Pub has hosted late-night events, including 'Private Parties', there has been late night disorder in The Square and surrounding streets including broken bottles, paint tipped onto cars and noisy drunken behaviour. We believe that this will be exacerbated if the pub attracts into the village late night predominantly younger drinkers on a regular basis. Furthermore we do not believe that the Police will be best located for swift and effective response in the event of disorder in any of the villages surrounding Buckingham (including Akeley) given their understandable requirement to deploy late night resources in town centres with a greater concentration of late night activity.
2. **Public Safety.** The Square in Akeley is fairly small and contains a dozen designated parking spaces that are used by village residents from up to 100 metres away as the nearest or only suitable parking in the village. In the absence of a pub car park customers of pub also use the spaces. The amount of vacant parking varies through the day but tends to be less in the evenings when most residents are at home. Pub visitors then park not only up Church Hill but also on the outer edge of The Square (on road marked with white lines to be kept clear), or double-park in front of The Pub. The parking congestion is likely to be increased by later evening drinking, especially if numbers are swollen by the provision of 'regulated entertainment'. The worse the parking issue becomes the more the potential for accident and injury. The A413 passes across one end of The Square and narrows as it passes alongside the Bull and Butcher, visibility is not good for the driver on this stretch of road and not all

drivers slow down appropriately. Parking and public safety issues are made worse by the placement of tables on the Highway in front of the pub without appropriate permission or control. These tables provide an invitation for families with young children to occupy them and there is a clear potential danger of injury to the children from the passing traffic. The rear exit from The Bull and Butcher and the pub garden leads out onto a particularly difficult stretch of road. In the unfortunate event of an incident in the Pub or its Rear Garden that caused members of the public to have to evacuate they would have to do so onto this narrow stretch of the A road. Should the pub become one of only a few within a few miles with a late night drinking, food and entertainment licence it will increase late night traffic on the roads to and from Akeley and increase the prospect of road traffic accidents.

3. Public Nuisance. The extension of pub hours, on it's own, will extend to beyond midnight in the working week (and the small hours at the weekend) the amount of noise from cars, taxis and people arriving at and leaving the pub. If the provision of late night food is added to this it will extend the noise and smells from the extractor fans in the kitchens. Should 'regulated entertainment' be permitted, including recorded and live (amplified) music it will have a severe impact on the quality of life in the vicinity of the pub. The pub does not have any soundproofing at all on the party wall between it and our property and loud recorded sound (television or music) does pass through the wall on occasions at present. The pub also does not provide any soundproofing on the windows or through the doorway that opens directly into the square. The pub has occasionally caused noise pollution and nuisance since it was acquired by Fuller Smith & Turner 5 years or so ago and has attracted complaints from around the village. This will be exacerbated and could become a continuous problem if this permission is granted. About 2 years ago the pub placed a skip in its' rear yard that it uses on a regular basis for burning commercial waste and plastics, causing noxious fumes; should the extended permissions be granted we have to be concerned that nuisance (and public safety hazard) will be increased from this source also.

For 12 years prior to ownership of The Bull and Butcher passing into the hands of Fuller Smith & Turner we did not once have cause to complain about any action or activity that took place there. Since Fullers took ownership and appointed the present incumbents of Mr & Mrs Fox as their tenants we have unfortunately witnessed and experienced a variety of incidents where regulations have been breached, and on occasions nuisance has been caused to us. We do not believe that Fullers have demonstrated any ability to effectively control the actions of their tenants and have many concerns that problems will escalate if the License Variations are approved.

Yours sincerely



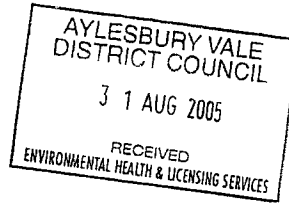
Nuala and Andrew Waide



20471

29/5

Verendale
The Square
Akeley
Buckingham
MK18 5HP



24 August 2005

Licencing Team
AVDC
Environmental Health Division
66 High Street
Aylesbury
HP20 1SD

Variation of Premises Licence – Bull & Butcher PH, The Square, Akeley.

Further to the application in the Advertiser on behalf of Fullers Smith & Turner for a Variation of Premises Licence at the above address, we wish to register our objections.

We reside within 20 yards of the Bull & Butcher.

The Bull & Butcher has no car park and so we are subject to access and parking problems in the normal everyday course of events.

A number of pub garden marquee evening discos have already been held over the past year and the very intrusive noise has gone on usually until after midnight. We have “lived” with these occasional events, although have been very close to making formal objections to the AVDC Environmental department.

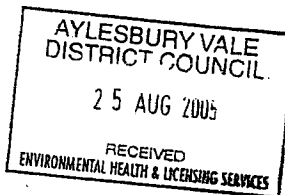
If the proposed hours are granted there will obviously be an increase in the time frame that we are affected and that would be unacceptable to us.

Yours sincerely,

G Spink
M G Spink

23 08 06

Centre Cottage.



Framhouse Cottages

Main St. Aylesbury

Bucks MK18 5TH.

1/ea Sw/Maden,

I am writing to you with reference to Fullers, Smith and Turners Plc application to vary a premises licence under section 34 of the licensing act 2003, in respect of the premises known as The Bull & Butcher Public House.

I object strongly to the application on the following grounds

- ① During time noise, vehicles etc will be increased, there has already been an increase in recent years since the Bull & Butcher has become a licensed house.

2 Loud music even before midnight is intolerable at times, although this only occurs half a dozen times a year at present.

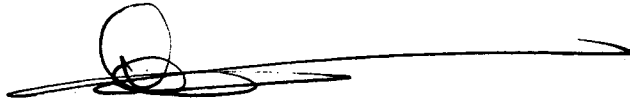
The present landlord has music played from a machine situated in the garden which is opposite my entrance, the noise reverberates around my property, and that of my neighbours, it is difficult to sleep or hear your own television in contact at a modest volume.

⑥ Parking is a problem for local residents, extends the hours and makes the situation worse.

Although not wishing to be a kulljag
I use the pub myself, it is the
entertainment aspect i.e. Low music and
sometimes unruly behaviour that is the
main concern to me.

I hope you will take my objections
and comments into consideration when
ruling on the relevant application

Yours Sincerely



M.A. DE ARAUJO