

**REPORT ON APPLICATION FROM SUBWAY
AYLESBURY UNDER THE LICENSING ACT
2003 FOR A PREMISES LICENCE TO BE
GRANTED**

1. THE APPLICATION

Applicant(s): Primrose Catering Ltd

Premises: Subway, Shop A, Brook House, Market Square, Aylesbury,
HP20 1SN

1.1 New Application

The application is for a new Premises Licence under section 17 of the Act. The detail in respect to the hours and activities applied for are set out in the application form, attached as appendix 1. Appendix 2 sets out the hours and activities applied for in more detail.

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

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Thames Valley Police – No representation

Bucks Fire and Rescue – No representation

Environmental Health – No representation

Planning – No representation

Trading Standards – No comment

Area Child Protection Committee – No comment

2.2 Interested Parties

We received 2 representations during the consultation period from interested parties. These are attached as Appendix 3.

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-Subway – greens may 2003
Licact09112005

5.8.05 SJ
APPENDIX 1

Aylesbury Vale District Council - Form LA04

Application for a premises licence to be granted under the Licensing Act 2003

05 AUG 2005

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.

I/We PRIMROSE CATERING LTD apply for a premises licence under section 17 of
(Insert name(s) of applicant)
the Licensing Act 2003 for the premises described in Part 1 below (the premises)
and I/we are making this application to you as the relevant licensing authority in
accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Subway, Shop A Brook House, Market Square,	
Post town	Post code
AYLESBURY	HP20 1SN

Telephone number at premises (if any)

01296 431 333

Non-domestic rateable value of premises

£ 16,250.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- 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)

*If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname **First names**

Please tick yes

I am 18 years old or over

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 the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name	Primrose Catering Ltd.
Address	Apex Accountancy, 9A HIGH STREET YIEWSLEM MIDDX
Registered number (where applicable)	4029174
Description of applicant (for example partnership, company, unincorporated association etc)	Limited company
Telephone number (if any)	01296 431 333
E-mail address (optional)	HighWjSubway@aol.com

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
14	5	08 2005

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

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

Please give a general description of the premises (please read guidance note 1)

The premises consists of a counter for the service of our products. Then an area for the food preparation & an area for the storage & refrigeration of our products. The premises also consists of a drink machine in the customer area.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick 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 for:

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

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

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)	Both	
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 3)	Both	
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
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 5)			
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 4)
Thur			
Fri			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 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
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 5)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>	
Day	Start	Finish		Outdoors		
Mon	9.00am	22.00pm	Please give further details here (please read guidance note 3)	Both		
Tue	9.00am	22.00pm				
Wed	9.00am	22.00pm		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	9.00am	22.00pm				
Fri	9.00am	22.00pm				
Sat	9.00am	22.00pm		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 5)		
Sun	9.00am	22.00pm				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3) We play recorded music to entertain our customers.	Both	
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri					
Sat			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 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Indoor	
Day	Start	Finish		Outdoor	
Mon			Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Both	
Tue					
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		

Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur				
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 5)	
Sat				
Sun				

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)	
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)
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 5)
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 6)			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 2)	Indoor
Mon				Outdoor
				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
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 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	9.00am	22.00pm	Please give further details here (please read guidance note 3) THE SALE OF SANDWICHES, SALADS, DRINKS & CRISPS.	Both	
Tue	9.00am	22.00pm			
Wed	9.00am	22.00pm	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	9.00am	22.00pm			
Fri	9.00am	03.00 22.00pm	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 5)		
Sat	9.00am	03.00 22.00pm			
Sun	9.00am	22.00pm			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	
Tue					
Wed			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 5)		
Thur					
Fri					
Sat					

Sun			
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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name *Mark Seymour*

Address *146 Burners Wells Lane, Southall, Middlesex, London.*

Postcode *UB1 3JB*

Personal Licence number(if known)

Issuing licensing authority (if known).

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 8)

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	<i>9.30am</i>	<i>12.00pm</i>	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 5)
Tue	<i>9.30am</i>	<i>12.00pm</i>	
Wed	<i>9.30am</i>	<i>12.00pm</i>	
Thur	<i>9.30am</i>	<i>12.00pm</i>	
Fri	<i>9.30am</i>	<i>3.00am</i>	
Sat	<i>9.30am</i>	<i>3.00am</i>	
Sun	<i>11.00am</i>	<i>8.00pm</i>	

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

- Close circuit tv
- 24 Hour recording
- Set opening hours.
- No smoking hours.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) **If signing on behalf of the applicant please state in what capacity.**

Signature *M. W. Symm*

Date *4/8/05*

Capacity *M.D.*

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

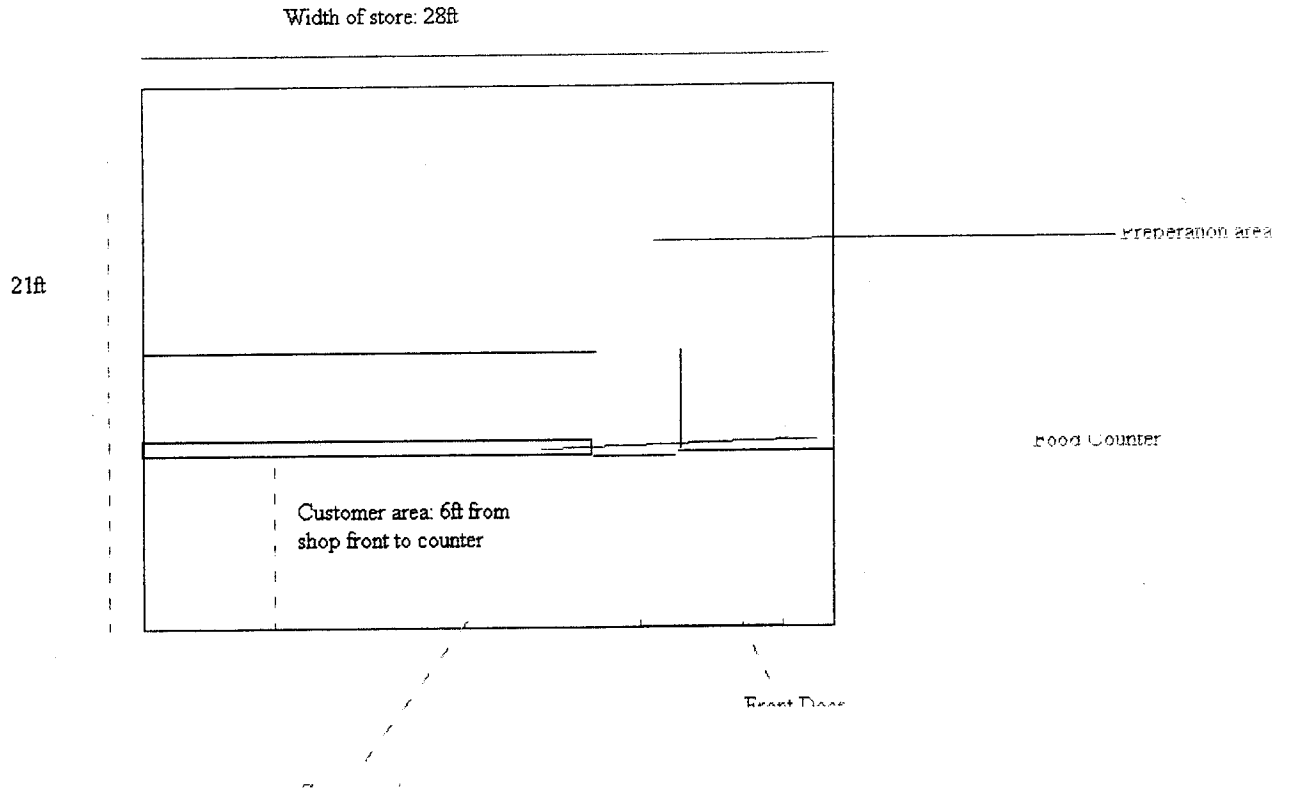
Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) <i>Mark Seymour, 146 Dormers Wells Lane, Southall,</i>	
Post town <i>London</i>	Post code <i>UB1 3JB</i>
Telephone number (if any) <i>0208 843 1390</i>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Site Plan:



APPENDIX 2

The application relates to the provision of late night refreshment live music and recorded music:

Recorded music:

No details given: To be clarified at the hearing

Live Music: Indoors

Monday to Sunday 9.00am to 10.00pm

Late night refreshment: Indoors

Friday and Saturday 11.00pm to 0.300am

Hours open to the public

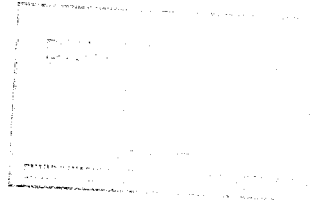
Monday to Thursday 09.30am to 10.00pm

Friday and Saturday 09.30am to 03.00am

Sunday 11.00am to 8.00pm

2/10/05
5/10/05

**Aylesbury Old Town Resident's Association,
18, St Mary's Square, Aylesbury, Bucks HP20 2JJ**



1st October 2005

Peter Seal,
Licensing Officer,
Aylesbury Vale District Council,
66, High Street,
Aylesbury,
Bucks
HP20 1SD

Dear Mr Seal,

RE: Subway, Kingsbury

The Association asks the Authority *not* to approve alteration of the existing premises licence to extend the current hours of operation.

Extension of these hours is certain to add to disorder in the town centre late at night and in the early hours of the morning. There is already considerable disturbance to residents in the hours following the closure of licensed drinking premises, and whilst it cannot be proved that all of this emanates from the various town centre takeaways, it is a matter of logic that the easy availability of refreshments after a night's drinking will only serve to encourage those drinkers to remain within the town centre rather than returning home.

It is therefore hard to see how addition to the current trading hours of takeaway premises open late at night in Aylesbury Town Centre can fail to further increase the growth of nuisance and disorder recorded by Thames Valley Police, which corresponds not only to the number but also to the *duration* of late night licences. It is imperative the Council assists the protection of town centre residents against this potential growth in anti-social behaviour.

A copy of this letter is being sent for information to Councillor Keith Turner, to Inspector Gary Thorne of Thames Valley Police and to Town Councillor Steven Mitchell.

Yours sincerely,

Rachel Ashby
(Chairman, AOTRA)



531

5/10/05

AYLESBURY TOWN COUNCIL'S COMMENTS FOR LICENSING APPLICATIONS

Licence Number: 05/01879

Licence Address: Subway
Market Square
Aylesbury

AYLESBURY TOWN COUNCIL:

- 1. HAS NO OBJECTION (Please give any supplementary comments below)
- 2. OPPOSES THE APPLICATION (Please give any supplementary comments below)

✓

**Objects to 3.00am Friday to Saturday
Should remain at 12.00 midnight
We would ask that Take-aways contribute to litter picking after 6 p-m Friday, Saturday and Sunday.
Cllr S Mitchell will attend hearing**

Signed.....*M. W. G. Staffe*
Town Clerk

Date.....*22/9/05*.....