

**REPORT ON A CONTESTED TEMPORARY
EVENT NOTICE IN RESPECT TO THE
SARACEN'S HEAD, AYLESBURY UNDER THE
LICENSING ACT 2003**

1. THE TEMPORARY EVENT NOTICE (TEN)

Premises user: Mr Kyle Michael

Premises: Saracen's Head, Rickfords Hill, Aylesbury

A copy of the completed TEN form is attached as Appendix 1. The TEN was served on the 10 November 2005 and at the same time on Thames Valley Police. The TEN has been acknowledged in the prescribed manner.

2. POLICE OBJECTION

An objection was received from Thames Valley Police on the basis that the event would undermine the crime prevention objective of the Act. The objection is attached as Appendix 2. The objection was received on the 11 November 2005. At the same time the objection was served on Mr Michael. Mr Michael responded to the police objection by way of a letter received on the 14 November. This is attached as Appendix 3. The police have submitted a further letter in support of their objection and this is 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 ISSUES RAISED BY THE NOTICE

There is one key issue for Members to determine: having regard to the Police objection, do Members consider it necessary for the promotion of the crime prevention objective (i.e. the duty to prevent crime and disorder) to uphold the objection? Members have two options. Namely, to either allow the event to take place in accordance with the TEN or to disallow it. In respect of TENs (unlike full applications), the Sub-Committee cannot modify the conditions set

out in the TEN; impose additional conditions or exclude from the scope of the TEN any of the licensable activities to which it relates.

In making its decision, Members must also have regard to statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. If Members depart from either, they must specify their reasons for doing so. Of course, Members must also have regard to all the representations made and the evidence it hears.

In addition, the Council's duty under Section 17(1) of the Crime and Disorder Act 1998 will also need to be put in the balancing exercise. Section 17(1) provides that: "without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent, crime and disorder in its area.

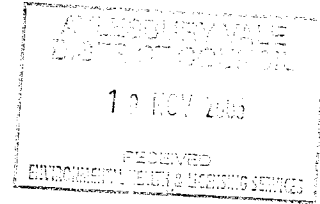
Ultimately, therefore, the Sub-Committee must balance the competing interests, strike a fair and proportionate balance and give reasons. "

Contact Officer
Background Documents

Peter Seal 01296 585083

Ps-lsc-hst-Saracens Head – greens may 2003
Licact22112005

221 banished
10.11.05 To :- AVCC APPENDIX 1
(original)



Temporary Event Notice

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. YOUR NAME			
Title	Mr		
Surname	MICHAEL		
Forenames	Kyle Arron Paul		
2. PREVIOUS NAMES (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	n/a		
Surname			
Forenames			
3. Your date of birth	11	07	1970
4. Your place of birth	High Wycombe		
5. National Insurance Number	NW 10 19 31 C		
6. YOUR CURRENT ADDRESS (We will use this address to correspond with you unless you complete the separate correspondence box below)			
c/o 83 Walton Street			
Post town	AYLESBURY	Post code	HP20 2RT
7. OTHER CONTACT DETAILS			
TELEPHONE NUMBERS			
Daytime	0207 007 1886		
Evening (optional)	01296 421528		
Mobile (optional)	07746 717989		
FAX NUMBER (optional)	n/a		
E-Mail Address (optional)	n/a		

8. ALTERNATIVE ADDRESS FOR CORRESPONDENCE (If you complete the details below, we will use this address to correspond with you)	
The Saracens 5 Rickfords Hill	
Post town AYLESBURY	Post code HP20 2RT
9. ALTERNATIVE CONTACT DETAILS (IF APPLICABLE)	
TELEPHONE NUMBERS	n/a
Daytime	
Evening (optional)	
Mobile (optional)	
FAX NUMBER (optional)	n/a
E-Mail Address (optional)	n/a

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
The Saracens 5 Rickfords Hill Aylesbury Bucks HP20 2RT	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
n/a	
Please describe the nature of the premises below. (Please read note 4)	
Public House	
Please describe the nature of the event below. (Please read note 5)	
Celebration of introduction of the Licensing Act 2003 with licensed activities as indicated throughout the period indicated i.e music, dance, entertainment, provision of alcohol and refreshment.	

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	X	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		
The provision of regulated entertainment	X	
The provision of late night refreshment	X	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)		
26 & 27 November 2005		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)		
00.00 on 26 November 2005 to 23.30 on 27 November 2005		
All activities indicated for a period of 47.5 hours as required at will and discretion of the applicant and in accordance with the four licensing objectives.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)	100	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 10)	On the premises only	
	Off the premises only	
	Both	X

4. Personal licence holders (Please read note 11)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes	No
	X	
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Aylesbury Vale District Council	
Licence number	PE 0300	
Date of issue	15/9/2005	
Date of expiry	15/9/2015	
Any further relevant details	Applicant is also DSM of premises	

5. Previous temporary event notices you have given (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No X
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No X

6. Associates and business colleagues (Please read note 13)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No X
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No X
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No X
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No X

7. Checklist (Please read note 14)	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located	X
Send a copy of this notice to the chief officer of police for the area in which the premises are located	X
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	
Make or enclose payment of the fee for the application	X
Sign the declaration in Section 9 below	X

8. Condition (Please read note 15)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 16)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

SIGNATURE	<i>K Michael</i>	DATE	10-11-2005
Name of Person signing	Kyle Arron Paul Michael		

For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)

I acknowledge receipt of this temporary event notice.

SIGNATURE	<i>Ps</i> On behalf of the Licensing Authority	DATE	16/11/05
Name of Officer Signing			

Seal, Peter

From: Hooper Trevor [Trevor.Hooper@thamesvalley.pnn.police.uk]
Sent: 10 November 2005 16:33
To: Seal, Peter
Subject: Doc32

Pete spelling mistakes adjusted.

Trevor Hooper
Licensing Officer

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

Date 10 November 2005

Temporary Event Notice The Saracens, 5 Rickfords Hill, Aylesbury.**Thames Valley Police object to the granting of the above notice for the reasons set out below.**

The applicant Mr Kyle Michael is asking for a temporary event notice for the above premises the event is to cover from 00.00 on Saturday 26th November 2005 to 23.30 Sunday 27th November to cover a total of 47.5 hours. However The Saracens is open on Friday 25th November from 10am to midnight this would extend the hours by another 14 making a total of 61.5hrs without closing.

All of the activities applied for in the application will be at the discretion of the applicant allowing him if he so required to carry them on for the whole 61.5hrs.

Whilst the premises are not a major concern to the police whilst operating under its existing licence and it is not seen that it will be a problem in the future as under the New Act they have grandfathered their rights.

Although this is just a temporary event it will greatly impact on the capability of the Police as there are no closing times and although it holds 100 people these will be in transient during the whole time thus effecting police manpower throughout that period.

This application is for a Temporary Event which would normally be an extension of a few hours on a licence, but in this case it is to extend the hours to nearly three days, this is a major change in the way this licence is to be used. The applicant has not produced an operating schedule to show how he will support the Licensing Objectives for the period of time that he will remain open. The applicant is taking advantage of a Temporary Event and will need to show steps that he will take to promote the four objectives and thus not undermine the Crime Prevention Objective.

The objection relates to crime and disorder it should be noted that these premises have this year been refused extension to their hours for noise pollution and disorder, noise and rowdiness coming from

them, these premises are surrounded by residential properties and most complaints have come from them and it is felt that if alcohol and live or recorded music are to be continuous throughout the 61.5 hours then this will lead to complaints and possible disorder from local persons.

It is known by experience that longer hours create later incidents of violence and disorder in the town and the hours asked for this event will extend the hours over nearly three continuous days and will undermine the crime and disorder objective and for that reason we would ask that this application be refused.

The premises do not participate in the local Pub Watch scheme.

T I Hooper.
Licensing Officer.

Thames Valley Police currently use the Microsoft Office 2002 suite of applications. Please be aware of this if you intend to include an attachment with your email.

This communication contains information which is confidential and may also be privileged. Any views or opinions expressed are those of the originator and not necessarily those of Thames Valley Police. It is for the exclusive use of the addressee(s). If you are not the intended recipient(s) please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to: informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. Thank you.

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

83 Walton Street
Aylesbury
Bucks
HP21 7QX

AVDC Licensing
High Street
Aylesbury
Bucks

By Hand

11 November 2005

Temporary Event Notice (TEN) - The Saracens 5 Rickfords Hill Aylesbury

I thank Trevor Hooper for his swift response and his letter dated 10 November 2005 which sets out the reasons for the Police objection to the TEN.

It should however be noted as follows:

The Licensing Act 2003 allows for a TEN to be given for events up to 96 hours in duration and it states that these may be held on any premises or piece of land. This is regardless of the existence of a premises licence. To suggest that *'this application is for a Temporary Event which would normally be an extension of a few hours on a licence'* is in disregard to the Licensing Act 2003 which clearly indicates events may run up to 96 hours under the Act (**section 100 sub(1)**).

The Police state that 'The Saracens is open on Friday 25 November 2005 from 10am to Midnight' and *'this would extend the hours by another 14 making a total of 61.5 hours without closing'*. However the premises licence has been granted and as such is not part of this notice and must not be considered when reaching a decision to object, in addition the notice makes it clear that the TEN is given to allow for opening throughout at the discretion of the premises user.

The Police further state that *'The applicant is taking advantage of a Temporary Event and will need to show steps that he will take to promote the four objectives and thus not undermine the Crime Prevention Objective'* and that *'the applicant has not produced an operating schedule to show how he will support the Licensing Objectives for the period of time that he will remain open'*. In this instance the Police' approach is simply incorrect and inconsistent with both the the guidance and application form issued by central government and the Licensing Policy adopted by AVDC in respect of TEN's.

The four objectives are applied to the application for variation of a premises licence or for the issue of such a licence which must be met when applying for a premises licence. The premises user in this instance has done so with this premise and a further premise within the licensing authority area.

The Licensing Act 2003 does not infer that these objective must be met for a TEN and in fact the TEN was placed in the act to specifically ease the pressure of the four objectives for events such as village fete's, music events, outdoor celebrations and other temporary events, together with temporary events held on premises which have already been deemed acceptable by the issuing of a premises licence.

This aside, the fact the premises user (myself) holds the relevant statutory qualifications, that the premises 'are not a major concern to the police' and that the premises user has run three 36 hour events over the previous three years with no incident or complaint demonstrates the commitment to the Crime Prevention Objective.

The event will not in any way impact of the capability of the Police as stated due to 'no closing times' and, under the Licensing Act, this is not a concern which can be taken into consideration and is a matter for the Police to decide for themselves. The premises user is not in anyway seeking extended Police coverage as this has not been required in the past and is not expected to be required for this event. The Licensing Act is clear that the sole reason for Police objection is under the Act (**section 104 (sub2)**) which states:

Where a chief officer of police who receives a copy notice under subsection (1) is satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective, he must give a notice stating the reasons why he is so satisfied (an "objection notice")-

- (a) to the relevant licensing authority, and*
- (b) to the premises user.*

The Police have sought, in this instance to use a previous decision not to extend permanently the hours for provision of music and dance to justify it's position and that the event will run for a continuous 61.5 hours which 'will lead to complaints and possible disorder from local persons'.

However this is not in itself something which undermines the crime prevention objective of the Licensing Act. The guidance notes issued on the website for central government state in this respect:

Can I object to a TEN if I believe it could lead to public nuisance or crime?

No. Only the police can intervene to prevent an event covered by a TEN taking place or agree a modification of the arrangements for such an event and then only on crime prevention grounds. However only a limited number of TENs can be given in respect of any particular premises each year, and the powers given in the Act to the police to close premises in certain cases of disorder or noise nuisance extend to premises in respect of which a TEN has effect.

and

What powers do the police and licensing authorities have to stop a temporary event once it has started?

Police have the power to seek court orders to close premises for up to 24 hours in a geographical area that is experiencing or likely to experience disorder. Police also have the power to close down instantly for up to 24 hours, premises in respect of which a temporary event notice has effect, that are disorderly, likely to become disorderly or are causing nuisance as a result of noise from the premises. Such orders may only be made where it is necessary in the interest of public safety in cases of disorder or to prevent nuisance in the case of noise coming from the premises.

It is clear from this guidance, and from the new closure powers inferred on the Police under the Act, that the idea the TEN can be refused in advance of such instances occurring is inconsistent with the Licensing Act itself.

The Police have been given powers to deal with these issues if they arise. The possibility of a complaint is not sufficient to undermine the Crime Prevention Objective, especially when one has not been made.

The police further state that *'it is known by experience that longer hours create later incidents of violence and disorder in the town'* and refers to a previous decision not to grant a permanent change to the hours for entertainment.

This is not such a request and must be only considered under the terms of the relevant Act of Parliament. However, what the Police do not state is, that this particular premise was open under deregulation for 36 hours last New Year, that the premises has held numerous occasional licences and that the premises user has held other events for 36 hours in duration at another local premises and held over 20 other late night events under special occasion licences all without incident or cause for complaint by the council, residents or the police. Nor does it mention that the event will be attended throughout by three Personal Licence Holders or that none of these have ever been cause for complaint by the Police.

Indeed, in a letter to AVDC recently, the Police raised no objections to the permanent extension of hours to 1am as there had been no complaints to them and *'few problems'* with the premises. A copy of this letter can be produced on request. It was decided not to pursue a variation under the new Act because of the existence of TEN's for the few occasions where the premises would require later licensing. To attempt to block the TEN unjustifiably would create a situation to review the permanent requirement for longer hours.

The final statement by the Police concludes that *'the premises do not participate in the local Pub Watch scheme'*. Whilst it should be noted that any premises used for a TEN is not required to be a member of any voluntary organisation, it should also be noted that this particular premises was asked not to attend the Pub Watch meetings by Steve Baker in an exchange of letters in July 2004 and that he would put it to the Pub Watch members to invite the licensee at a later date. That invitation has never been forthcoming.

It should be noted that the letter from the Police refer to the TEN as an application throughout their objection letter and that the Police are asking for the application to be refused. However, this is not the case.

The TEN is a notice of intention to hold an event and, under the Act, the Council does not have the power to 'grant' or 'refuse' such a TEN. The council is required to sign the notice and return it by the end of the following working day and if a notice of objection from the Police is received, as in this case, then it must convene a meeting.

It is now the Licensing Authorities duty to convene that meeting as set out under the Act (**section 105 (sub2)**) and to issue a counter notice, where it deems correct, setting out its reasons.

The premises user submits that the Police have not demonstrated that this TEN undermines the Crime Prevention Objective, nor given clear and defined or evidenced reasons why it does; and that the TEN is issued in full accordance with the guidelines, objectives and intentions of the legislation set by central government under the Licensing Act 2003.

This is a new piece of legislation which has been controversial throughout and no doubt will continue to be so for some time. However, the legislation is now set done and will commence on the Second Appointed Day, following much public consultation.

Although the legislation gives these new rights the Police may not agree with them, the TEN is lawful and in full compliance with the Licensing Act 2003. It is not my intention to extend the hours on a permanent basis, but in this instance to celebrate the arrival of the new law. As such I would like to reach consensus on this issue wherever possible and will of course attend any meeting set prior to the event as required under the Act (**section 105(sub2)**).

I can be contacted on the following numbers at the times stated:

Daytime (10am to 4.30pm) 0207 007 1887
Evening (9pm til Midnight) 01296 421528
Mobile (anytime) 07746 717989

This notice is served on AVDC prior to receipt of the signed copy of the TEN served on 10 November and follows receipt of the Police objection received on the evening of 10 November 2005.

Kyle Michael

CC: Trevor Hooper – Thames Valley Police (by hand)
Colin Rawson @ Charles Wells Brewery
Paula @ Licenza Solicitors (by fax)

Trevor Hooper
Licensing Officer

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

Date 14th November 2005

Application for Temporary Event Notice, Saracens, Rickfords Hill.

These papers refer to the Police objection for the above Temporary Event Notice.

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

The public house is situated at 5 Rickfords Hill, Aylesbury and is within the inner ring road, which is subject to the Saturation Policy under the New licensing Act. It has a maximum capacity of 100 people. It is surrounded by residential properties.

The application is for a Temporary Event to celebrate the New Licensing Laws and they are asking to open from 00.00 on the 26th November to 23.30 on the 27th November making a total of 47.5 hours. It should be noted that this will in effect enable them to run for 61.5 hours when the Friday hours as outlined in paragraph two are added.

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

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

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

Whilst all applications should be judged on their own merits it is also important to consider the cumulative impact that this application will have due to the expansion of

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

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

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

1999 only two late night venues = 291 incidents

2000 increase in premises with later hours = 439 incidents reported to police

2001= incidents reported 473

2002= incidents reported 487

2003= incidents reported 492.

2004= incidents reported 514.

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

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

Most incidents of public disorder occur on the street rather than inside licensed premises, however the following incidents have been directly attributable to the Saracens this year:

15/1/05 00.39 a.m.

2 people on premises fighting staff member attacked.

23/1/05 early evening.

Windows of premises smashed.

31/1/05 10.55 p.m.

Male person at premises with a baton.

24/5/05 10.26 p.m.

2 customers assaulting bar staff.

19/6/05 10.00 p.m.

Complaint from neighbours stating occupants of pub on patio, loud music, singing and being abusive and threatening to neighbours.

2/9/05 9.40 p.m.

Barred person refusing to leave Police assistance requested. Male left prior to police arrival.

17/9/05 00.21 a.m.

Two barred persons fighting with door staff.

Although there are only 7 incidents each had to be dealt with and required resources.

The Police Objection relates to crime and disorder directly attributable to the applicants premises and to the cumulative disorder within the town centre. The attached Area Crime Analyst report is to support the objection.

The New Licensing Act is designed to replace an old and outdated system replaced with a modernised integrated scheme in line with specified licensing objectives and should carefully balance the rights and responsibilities of all connected with it.

The authority unless objections are received has a mandatory obligation to grant the Temporary Event Notice. If however objections are received they do provide discretion to place conditions on the licence with a view to promote the four objectives.

Although the applicant has stated he will operate in accordance with the four licensing objectives he does not show in any operating schedule how he intends to promote them.

These premises are to operate with this event notice way beyond the hours of other premises within the town. The area is not covered by CCTV and cannot be monitored by the police.

As previously stated all other licensed premises will close at 2 a.m. This will presumably make the premises attractive to people leaving other licensed premises in the early hours of the morning. It is not known if door staff are going to be used because there is no operating schedule so it is difficult to gauge how the operator will deal with late arrivals, refusal to those wishing to gain entry etc. In addition how will the operator control drugs, young persons and drunken persons, how will they stop drinks leaving the premises in open vessels etc. All will have to be addressed so as not to undermine the crime prevention objective.

Although the objection is for crime prevention it should be noted that live and recorded music can be played at the discretion of the applicant this could mean in excess of 61 hours non stop music thus creating a public nuisance leading to disturbance. Public nuisance is a criminal offence under common law and it would undermine the Crime prevention objective. The Police have already recorded an incident of this nature at the Saracens earlier in the year.

T I Hooper,

Alcohol Related Disorder in Aylesbury Town Centre 01/07/04 – 13/11/05

Requested by: Trevor Hooper, Warrants & Licensing

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

Date: 14th November 2005

Version 3

Introduction

This report aims to provide an analysis of alcohol related disorder within Aylesbury town centre for the period 01/07/04 – 13/11/05 for recorded offences. Due to the large number of incidents reported to police the time period for those included here was 01/01/05 – 13/11/05 for the locations Kingsbury, Market Square, Exchange Street and Cambridge Street.

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

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

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

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

Results

There were 499 recorded offences for the period 01/07/04 – 13/11/05 and 112 incidents for the period 01/01/05 – 19/09/05.

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

Table 1: Offence and incident types and numbers

Offence	Number	Incident Type	Number
Common Assault	38	Fight	94
ABH	178	Disturbance	32
Assault on a Constable	23	Other	8
GBH	4		
Public Order	256		
Total	499	Total	134

Offence Days/Times

Figure 1a shows that Disorder offences have increased in 2005 from 2004. December and July have seen high numbers, however this may be due to increased attendance at licensed premises over the Christmas and summer periods. Offences saw a gradual decrease from May to June however there has been a rise since July 2005 with offence levels reaching their highest point in October.

Reported incidents have shown a similar gradual decline however have not increased through the summer.

Figure 1a: Chart showing offences and incidents by month

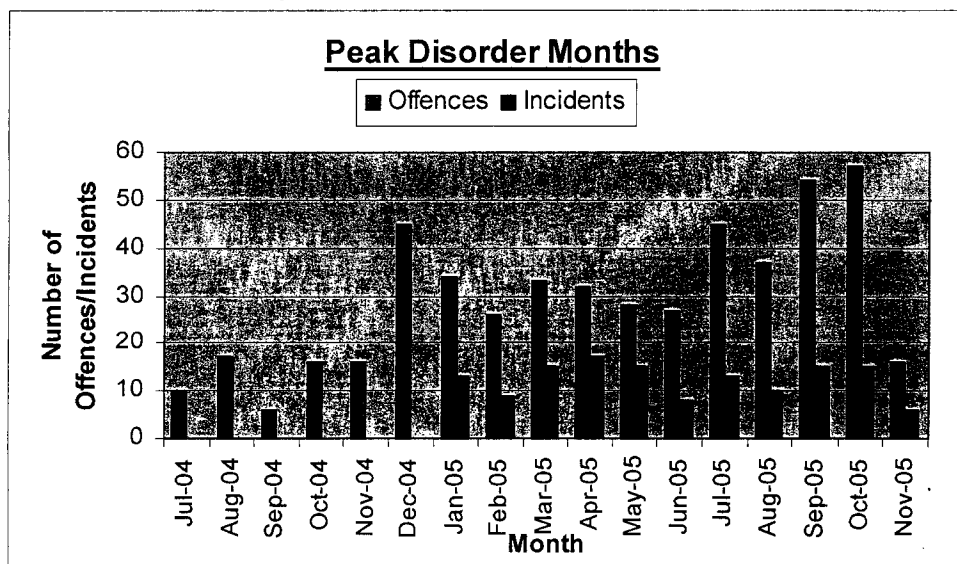
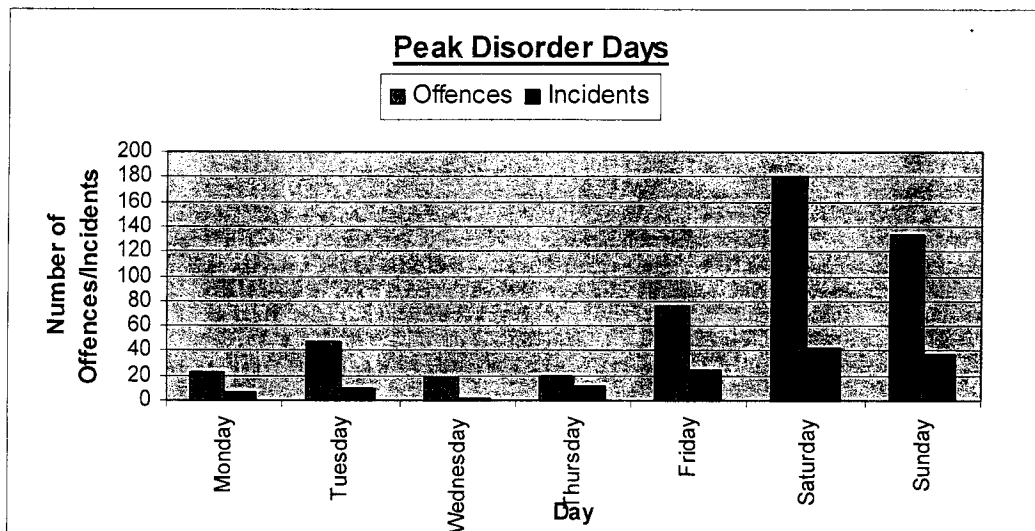


Figure 1b clearly illustrates Fridays, Saturdays and Sundays as the peak offence days, these represent the times at which licensed premises are busiest. Where Sundays have been indicated the majority of offences have occurred in the early hours of the morning thus can be attributed to late night openings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

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

Figure 1b: Chart showing offences and incidents by day



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

Offence Locations

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

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

Table 2a: Alcohol related disorder by street

Street	Offences	Incidents
Market Square	179	49
Kingsbury	92	51
Exchange Street	62	31
Buckingham Street	33	
Walton Street	25	
High Street	20	
Station Way	14	
Cambridge Street	12	
Great Western Street	6	
Park Street	6	
Rickfords Hill	6	
Friarage Road	5	
Castle Street	4	3
Friarscroft Way	4	
Silver Street	4	
Bourbon Street	3	
Castle Close	3	
George Street	3	
Pebble Lane	3	
Cambrisse Close	2	
Fleet Street	2	
Long Lionel	2	

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

Table 2b: Disorder by public house

Premise	Offences	Incidents
Chicago Rock Café	35	11
Litten Tree	13	13
The Lounge	14	9
Hob Goblin	11	15
Hogs Head	4	9
Saracens Head	4	0

Conclusions

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