

REPORT ON APPLICATION FROM THE EIGHT BELLS LONG CRENDON UNDER THE LICENSING ACT 2003 FOR A MAJOR VARIATION OF A PREMISES LICENCE

Director of Community Services

1. THE APPLICATION

Applicant(s): Newlord Ltd

Premises: Eight Bells, 51 High Street, Long Crendon, HP18 9AL

1.1 Variation application

The application is for the variation of the Premises Licence under section 34 of the Act. The detail in respect to the hours and activities applied for are set out in the application form, section A to O. Attached as Appendix 1 is a copy of the completed application form, a plan of the premises will be made available at the Sub-Committee hearing.

The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1).

In an effort to clarify the current and proposed permissions these are set out in Appendix 2.

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Environmental Health – Have made a representation as they have received insufficient information on which to assess the application. This 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 no representations were received from interested parties.

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-Eight Bells Long Crendon
Licact14122005

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

Aylesbury Vale District Council
66 High Street
Aylesbury
HP20 1SD

Application to vary a premises licence under the Licensing Act 2003

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 Newlord Ltd
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34
of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference, or description	
Eight Bells 51 High Street Long Crendon Nr. Aylesbury	
Post town Buckinghamshire	Post code HP18 9AL

Telephone number at premises (if any)

01844 208 244

Non-domestic rateable value of premises

£ 4,000.00

Part 2 - Applicant Details

Daytime contact telephone number

0870 774 7243

**E-mail address
(optional)**

**Current postal
address
if different from
premises address**

4 Clarendon Place
King Street
Maidstone

Post Town

Kent

Postcode

ME14 1BQ

Part 3 - Variation

Please tick Yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
 To sell alcohol between 1100 and 0000 Monday to Sunday and between 1200 and 2330 on Sunday and to extend drinking up time by 10 minutes to 30 minutes.

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick Yes

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

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A4

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 ✓ (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 ✓ (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			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			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)
Thur			
Fri			
Sat			
Sun			

D

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

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 ✓ (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 playing recorded music (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
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 ✓ (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
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			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Thur						
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 5)			
Sat						
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 ✓ (please read guidance note 2)		
			Outdoors		
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

J

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 ✓ (see guidance note 2)			Indoors	
						Outdoors	
						Both	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing				
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)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (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 ✓ (please read guidance note 2)		Indoors	
Day	Start	Finish			Outdoors	
Mon					Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)			
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri						
Sat			<u>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</u> (please read guidance note 5)			
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) Please refer to additional sheet E <u>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</u> (please read guidance note 5) Please refer to additional sheet E		
Mon	1100	0000			
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0000			
Fri	1100	0000			
Sat	1100	0000			
Sun	1200	2330			

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)

Other than Amusement with Prizes machines there will be no provision of 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.

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) New Years Eve and New Years Day The period between the standard finish time of the authorised period starting on New Years Eve and the standard start time on New Years day., If later than the standard finish times listed in the column on the left, 30 minutes after any seasonal finish times authorised for any licensable activities.
Day	Start	Finish	
Mon	1100	0030	<p>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)</p> <p>If later than the standard finish times listed in the column on the left, 30 minutes after any non-standard finish times authorised for any licensable activities.</p>
Tue	1100	0030	
Wed	1100	0030	
Thur	1100	0030	
Fri	1100	0030	
Sat	1100	0030	
Sun	1200	0000	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
Please refer to additional sheet F

Please tick Yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
Awaiting licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

The risks associated with the variations sought have been considered and no further steps are considered necessary to promote the licensing objectives save as detailed below

b) The prevention of crime and disorder

To ensure premises are drug free particularly the toilet area
To not serve drunken persons
Insistence on proper proof of age if any doubt
External light kept in good order
Burglar alarm regularly serviced

c) Public safety

Ensure regular service of boiler
Ensure emergency exits are clear of debris and signed
All staff are trained in fire safety procedures
Fire fighting equipment serviced annually
At least one member of staff to hold basic food and hygiene certificate

d) The prevention of public nuisance

Any patron causing a nuisance on or near the premises will be banned
Customers to leave premises in an orderly manner
Toughened glasses only to be used
Staff to assist in arranging taxis if needed at closing time

e) The protection of children from harm

No children allowed on the premises unless accompanied by parent or guardian
No children allowed to play AWP
The premises has a garden that is regularly supervised
Cigarette machine is clearly marked over 16s and can be seen from the bar
A wide selection of soft drinks is available

A13

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 - Signatures (please read guidance note 10)

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

Signature Edwards Geldard

Date 13th September 2005

Capacity Applicant's Solicitor

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 address for correspondence associated with this application (please read guidance note 13) Edwards Geldard Dumfries House Dumfries Place Cardiff	
Post town	Post code CF10 3ZF
Telephone number (if any) 029 2023 8239	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or 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 2003.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. 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.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

ADDITIONAL SHEET E

Seasonal and Non-standard timings.

Where you intend to use the premises for the provision of the licensable activity at different times to those listed in the column on the left, please list

New Years' Eve and New Year's Day

The period between the standard finish time of the authorised period starting on New Year's Eve and the standard start time on New Year's Day.

Bank Holidays and other similar special occasions

To extend until [.....] the following day the standard finishing time for the authorised periods starting on Burn's Night, Valentine's Day, St David's Day, St Patrick's Day, Good Friday, Easter Saturday, Easter Sunday, St George's Day, Christmas Eve, Boxing Day and the Saturday and Sunday immediately preceding each Bank Holiday that falls on a Monday and

Summer Time

To extend by one hour the standard finish time for any authorised period ending between 00:59 and 04:00 on the day on which a period of Summer Time starts.

On every day of the year – Sale of alcohol by retail only

To authorise, without time restriction, the sale of alcohol by retail:

- To any person staying at the premises, for consumption either on or off the premises;
- To any guest of a person staying at the premises, for consumption on the premises; and
- To persons employed on the premises for the purposes of the business carried on there, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises, for consumption on the premises.

Other occasions

~~During each period of one year, the first commencing on [the second appointed date], on no more than [...] occasions ("late finishing time occasions") to extend the standard finishing time, from that listed in the column on the left, to no later than [...] the following day subject to the additional condition set out in Box Q(a) under the heading "General – all licensing objectives"]~~

ADDITIONAL SHEET F

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

The Applicant applies to remove:

(1) all conditions, which reproduce the effect of any restrictions imposed on the use of the premises for licensable activities under the Licensing Act 1964, the Cinematography (Safety) Regulations 1953 and the Children and Young Persons Act 1933;

and

(2) the conditions, subject to which the existing licence/s had effect at the time the application for the Premises Licence was granted and which are considered by the Applicant to be not necessary and proportionate for the promotion of one or more of the licensing objectives, [and in particular all the standard, terms, conditions and restrictions ofCouncil subject to which the Applicant's Public Entertainment Licence was granted]

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:

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

Monday to Saturday 11.00am to 00.00am
Sunday 11.00am to 11.30pm

Non standard timings:

- To extend till 0100am on the following: Burns night, Valentines day, St David's day, St Patrick's day, Good Friday, Easter Saturday, Easter Sunday, St Georges day, Christmas Eve, Boxing day, and the Saturday and Sunday immediately preceding each bank holiday that falls on a Monday.
- New Years Eve and New Years Day.
- To extend by one hour the standard finish time for any authorised period ending between 00.59 and 04.00 on the day on which a period of Summer Time starts.

MEMO

To: Peter Seal
Licensing Officer

From: Karen Sepp
Environmental Health Officer
Tel Ext: 5155

Date 17/10/05

Ref:

Ref: RQS/05/02296

Licensing Application**Eight Bells, 51 High Street, Long Crendon, Buckinghamshire, HP18 9AL**

Having considered the information provided by the applicant, I contacted the applicants representative in order to obtain further information.

I have to date received no response and I have insufficient information on which to assess the application. On this basis I wish to make representation to the Licensing Committee that I have insufficient information on which to assess the application.

I have enclosed a copy of my letter to the applicant's representative for information.

AYLESBURY VALE DISTRICT COUNCIL

Department of Community Services

Please ask for: Karen Sepp
Direct Line: (01296) 585155
Switchboard: (01296) 585858
Minicom Line: (01296) 585055
Email: ksepp@aylesburyvaledc.gov.uk

Our Ref: RQS/05/022296
Your Ref: joannen/84912.58

file copy



5th October 2005

Edwards Geldard Solicitors
Dumfries House
Dumfries Place
Cardiff
CF10 3ZF

Dear Sir/Madam

Licensing Act 2003: Application for Conversion/Variation
Re: Eight Bells, 51 High Street, Long Crendon, Buckinghamshire, HP18 9AL

I write with reference to your letter dated 4th October 2005 concerning the above premises.

I would be grateful if you could respond to the following queries that I have:

- (1) Within the application form you refer to additional sheet E, which provides details of additional times that you wish to undertake the activities concerned. Under the section entitled 'Summer time' you request that the standard finish time be extended by one hour on the day of the start of summer time. However you also state that this should apply to any authorised period ending between 00:59 and 04:00 hours. Please can you clarify the actual time requested as my understanding of the application form is that the standard time for activities is 00:00, thus making a one hour extension ending at 01:00 hours.
- (2) In the application form your client states that they would like to extend the current hours during which alcohol is supplied, and permit drinking both internally and externally to the building itself (i.e. also within the outside seating area).
The provision of additional hours for the consumption of alcohol externally within the premises is concerning given that you have requested that the premises trade until 00:00 hours most nights of the week, or later on occasions. Please can you clarify if you propose to permit external activities on all occasions during which you sell alcohol, or if access to external areas will be prohibited after certain times.



David Smedley Head of Environmental Health and Licensing Services

A20
PO Box 622 Aylesbury HP20 1ZL
Fax (01296) 585674 DX 4130 Aylesbury
www.aylesburyvaledc.gov.uk

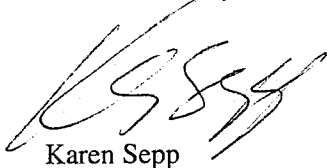
Visitors please call at 66 High Street Aylesbury



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I would be grateful for your prompt response as I am unable to submit a full response until I am in receipt of the above information.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'K Sepp', written in a cursive style.

Karen Sepp
District Environmental Health Officer