

CHARTERED BANKER
31-1-11.

Aylesbury Vale District Council

Form LA06 (11/05)

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.

We Munchies (Fair Ford Leys) 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	PR0820
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Munchies 9 Hampden Square Coldharbour			
Post town	Aylesbury	Post code	HP19 7HT

Telephone number at premises (if any)	01296 487 893
Non-domestic rateable value of premises	£ 14,000

Part 2 – Applicant details

Daytime contact telephone number	07824 810766
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	

AYLESBURY VALE
DISTRICT COUNCIL
RECEIVED
ENVIRONMENTAL HEALTH & LICENSING SERVICES

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	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Vary the licence to add on sales and recorded music also amend the hours for OFF sales. Also add LNR
Remove all conditions under Annex 2 (5-9)

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

N/A

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:

- 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

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
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)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

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	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
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	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) <i>Removed</i>					
Mon	1800	2330						
Tue	1800	2330						
Wed	1800	2330				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1800	2330						
Fri	1800	2330				Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) <i>one additional hour on New Years Eve, Christmas Eve, Valentines Day and Bank Holiday weekends (Fri, Sat + Sun)</i>		
Sat	1800	2330						
Sun	1800	2330						

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (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)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both <input type="checkbox"/>		
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

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)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>	
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 at different times to those listed in the column on the left, please list (please read guidance note 5)	
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 <input type="checkbox"/>	
			Outdoors <input type="checkbox"/>	
Day	Start	Finish	Both <input type="checkbox"/>	
Mon			Please give a description of the facilities for dancing you will be providing	
Tue				
Wed			Please give further details here (please read guidance note 3)	
Thur				
Fri			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Sat				
Sun				
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri				
Sat				

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
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 i or j (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 (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish		Both	<input type="checkbox"/>	
Mon	2300	2330	Please give further details here (please read guidance note 3)			
Tue	2300	2330	Removed			
Wed	2300	2330	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur	2300	2330				
Fri	2300	2330	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	2300	2330	AS per BOX M			
Sun	2300	2330				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises <input type="checkbox"/>		
				Off the premises <input type="checkbox"/>		
Day	Start	Finish		Both <input checked="" type="checkbox"/>		
Mon	1030 1700	2330 2230	State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Tue	1030 1700	2330 2230				
Wed	1030 1700	2330 2230				
Thur	1030 1700	2330 2230			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)	
Fri	1030 1700	2330 2300			One additional hour on Christmas Eve, New years Eve, Valentines Day and Bank Holiday Weekends (Fri Sat + Sun)	
Sat	1030 1700	2330 2300				
Sun	1030 2700	2330 2130				

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 days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0000	<p><i>Removed</i></p> <hr/> <p>Non standard timings. Where you intend 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><i>AS PER BOX M</i></p>
Tue	1000	0000	
Wed	1000	0000	
Thur	1000	0000	
Fri	1000	0000	
Sat	1000	0000	
Sun	1000	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

Annex 2 (5-9)

Please tick yes

- I have enclosed the premises licence N/A
- I have enclosed the relevant part of the premises licence N/A
- 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 understand that if I do not comply with the above requirements my application will be rejected

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

unable to locate previous licence holder.

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)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Anyone appearing under 18 will be required to show a valid form of ID (eg passport or driving licence)

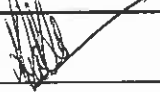
Please tick yes

- 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	
Date	31/01/2011 -
Capacity	APPLICANT.

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)

Naser Habib - 07824810766 -

Post town		Post code	
Telephone number (if any)			
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.

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.

Appendix 2

The application relates to the sale of alcohol

	Sale by retail of alcohol (Both on and off the premises)			
	Existing (off sales only)		Proposed	
	From	To	From	To
Monday	06 00	23 00	17 00	22 30
Tuesday	06 00	23 00	17 00	22 30
Wednesday	06 00	23 00	17 00	22 30
Thursday	06 00	23 00	17 00	22 30
Friday	06 00	23 00	17 00	23 00
Saturday	06 00	23 00	17 00	23 00
Sunday	06 00	23 00	17 00	21 30

Annex 2 –Conditions consistent with the operating schedule

5 General Licensing Objectives

- a) Both the premises licence holder and the designated premises supervisor fully understand their role and responsibilities under the Licensing Act. The DPS has a Personal Licence and they will take responsibility of ensuring all staff including new members of staff are trained to have a full knowledge of any licensing issues under the 2003 Act.

6 The prevention of crime and disorder

- a) Digital recording CCTV system both inside and outside with a minimum of 31 days recording capability.
- b) The CCTV will be at point of sale.
- c) It will be in colour, have a hard disc, and will enable Police to take DVD copies if required.
- d) The DPS will be responsible for ensuring all staff working within the premises will be fully trained and aware of all crime and disorder issues.
- e) Branded carrier bags are to be used for every alcohol sale.

7 Public Safety

- a) Digital recording CCTV system both inside and outside with a minimum of 31 days recording capability.
- b) DPS will conduct a fire risk assessment and health and safety assessment.
- c) All notices relating to public health and safety will be displayed.

8 The prevention of public nuisance

- a) The designated premises supervisor / premises licence holder fully understands it's their duty to prevent their business causing nuisance to local residents.
- b) External premises areas will be monitored by CCTV cameras.
- c) The premises will only accept trade deliveries or rubbish collections during normal working hours.
- d) The DPS will monitor the external areas of the premises to ensure litter is kept to a minimum.
- e) In the event of any anti-social behaviour the DPS will make any video recordings available to the Police on request.

9 The protection of children from harm

- a) In order to promote the licensing objectives with respect to children, the police ask that a "Challenge 21" scheme be instigated on the premises.
- b) All staff will be fully trained and aware of the Challenge 21 rule and will only accept valid forms of ID such as driving licence, valid passport and home office approved identity cards.
- c) All customers under the age of 21 will be required to show ID when purchasing alcohol or solvents.

- d) A refusal register will be kept on the premises and all refusals will be recorded. This will be kept for a minimum of 24 months and will be made available on request to the Police, Local Authority Licensing Officers and Trading Standards Officers.
- e) All notices regarding the protection of children will be displayed at the premises.

22 Hampden Square
Fairford Leys
Aylesbury
Buckinghamshire
HP21 7HT

Email: sallyboo171@btinternet.com

The Licensing Manager
Environment Services
Aylesbury Vale District Council
66 High Street
Aylesbury
Bucks
HP20 1SD

Email: licensing@aylesburyvaledc.gov.uk

21st February 2011

Dear Sir/Madam

Proposed Opening Hours at 9 Hampden Square – “Munchies” Coffee Shop during the day and a Restaurant (possibly Indian) in the evening till 11.30 p.m., 7 days a week.

I am writing to express my objections to the proposed opening time for the premises at 9 Hampden Square which will be trading as “Munchies” coffee shop during the day and as a Restaurant in the evening, and the impact it will have on myself as a resident of Hampden Square as follows under the “Prevention of Public Nuisance” and “Public Safety”:

1. Opening Hours in the evening till 11.30 p.m., 7 days a week.
2. Use of the car park at the rear of Hampden Square
 - a) As possible use for delivery drivers collecting take-aways
 - b) Possible use of the hard standing area outside the rear of no.9 for outside tables in the summer.
3. Use of the industrial extractor fan/air conditioning until 11.30 p.m, 7 days a week.
4. Public safety issues around the entrance to Crowell Mews and the entrance to the car park at the rear of Hampden Square.
5. Concluding comments.

1. Opening Hours in the evening

I am expressing my objections under the prevention of public nuisance with regard to the proposed opening hours in the evening.

- 10.30 a.m through to 11.30 p.m., Monday to Sunday for playing recorded music
- 10.30 a.m., through to 11.30 p.m, Monday to Sunday for the sale of alcohol.

Hampden Square is not Aylesbury Town Centre, it is part of a residential area and community. A precedent has already been set for opening hours so the new restaurant should fall in line with those already operating successful opening times.

Some of the residents of Hampden Square leave for work as early as 5.30 a.m and there are also young children in the block.

My personal preference would be for the restaurant to operate the same opening hours on a Sunday as the Wok Wagon and close at 8.00 p.m.

I would like consideration to be given to amending the evening to a closing time of:

- 10.30 p.m Monday to Thursday
- 11.00 p.m Friday and Saturday
- 8.00 p.m on a Sunday (or preferably not open in the evening on a Sunday)

This would be in line with existing trading times of restaurants in the centre of the village as detailed below:

China Brasserie evening opening times

- 6.00 p.m to 10.30 p.m Monday to Thursday
- 6.00 p.m to 11.00 p.m Friday and Saturday
- 6.00 p.m to 10.30 p.m Sunday

The WokWagon evening opening times

- 6.00 p.m to 10.30 p.m Monday to Saturday
- 12.00 p.m to 8.00 p.m Sunday and Bank Holidays

Salt and Vinegar Fish and Chip Shop

- 4.00 p.m to 10.00 p.m Monday to Saturday
- Closed on Sunday

The Co-op

- Till 10.00 p.m Monday to Sunday

Existing customers who come into the centre of the village in the evening are used to these opening times.

With the proposed closing time of 11.30 p.m., disturbance will be likely beyond that time until 12.00 a.m., while customers leave the restaurant and staff clear up and leave the premises

2. **Use of the Rear of Hampden Square Residents Car Park**

- a) **I am expressing my objections under the prevention of public nuisance with regard to the possible use of the car park at the rear of Hampden Square should the Restaurant operate a Take-Away service.**

There is a possibility that a delivery driver could drive into the car park at the rear of Hampden Square at regular intervals during the evening until the proposed closing time of 11.30 p.m, entailing:

- leaving the car engine running
- slamming car doors
- knocking on the back door of the premises of no.9 Hampden Square to collect deliveries
- revving car engine and using the car park as a turn around.

This will pose a great nuisance to myself as my bedroom window is at the rear of the block and I will be disturbed with headlights in my window and the extra noise of cars frequently arriving and departing.

I would like every assurance that any delivery driver parks in the main square and collects from the front of no.9 Hampden Square.

- b) **I am expressing my objections under the prevention of public nuisance with regard to the possible use of the car park at the rear of Hampden Square should the Coffee Shop (during the day) and Restaurant (in the evening) try to use the hard standing area at the rear of no.9 Hampden square for outside tables during the summer months and possible smoking area.**

I would like it noted that the entrance to the flats in the car park at the rear of Hampden Square is my only entrance to my flat. This could be termed as my "Front Door".

I do not wish my "comings and goings" to be observed on a daily basis, or to have to make my way past seated customers to enable me to gain access to my flat during the day or evening.

I do not wish to walk past a pile of cigarette ends or see groups of people smoking around my "Front Door" during the day or evening.

This again would pose a great nuisance to myself during the evenings as my bedroom window is at the rear of the block and will disturb my rest and sleep.

I would like every assurance that this situation will not take place.

3. The use of the Industrial Extractor Fan or Air Conditioning at the rear of the premises of 9 Hampden Square and Ventilation

I am expressing my objections under the prevention of public nuisance with regard to the use of the industrial extractor fan/air conditioning at the rear of no.9 Hampden square until 11.30 p.m. 7 days a week.

There are very large air conditioning extractor fans that are in operation throughout the day (Monday to Saturday) by the businesses in Hampden Square. These are switched off at the end of their working day. The latest ones in operation are:

- Body and Soul around 8.30 to 9.00 p,m.
- WokWagon by 10.30 p.m.
- On Sunday WokWagon finishes at 8.00 p.m.

Body and Soul's units are directly under my bedroom window so I am well aware of the times they operate and the noise they can generate. (Body and Soul has now closed but I have experienced this since I moved into Hampden Square in November 2010).

Part of the terms and conditions of my tenancy is that I keep my flat well ventilated to prevent the build-up of mould on the windows. This I have successfully done with the current business opening hours by having my windows open in the evening and weekends. The occasional waft of cooking smells from WokWagon can be tolerated as they close at 10.30 p.m during the week and 8.00 p.m on Sundays.

It has also been my experience that WokWagon sometimes have their back-doors open and this allows food smells to drift over the neighbouring area. I know this as I can smell cooking smells from half-way down Pine Street when I return from the Gym in the evenings and see their doors open when I turn into the car park at the rear of Hampden Square. This poses the question is the ventilation adequate enough for these premises?

Having an extractor fan/air conditioning unit in use at the rear of the property of 9 Hampden Square until 11.30 p.m 7 days a week will pose a nuisance to myself, not only with the low-level continuous noise but I would not want the occasional waft of cooking continuing after 10.30 p.m., especially if the back doors to the premises of no.9 have to be open as well to disperse cooking smells.

I would like to be assured that there is a proper filter and silencer fitted to the extractor fan/air conditioning and this is monitored and turned off at the end of the business day.

4. Public Safety and Public Nuisance issues affecting the first 3 houses in Crowell Mews and the rear car park of Hampden Square now that the lighter evenings are coming and indeed throughout the year as the business is established.

I am expressing concern under “Public Safety” and “prevention of “Public Nuisance” with regard to the use of the road entrance to Crowell Mews and the entrance to the rear car park at Hampden Square.

There is a possibility that the General Public may use Crowell Mews road entrance as a turning point to pull into, getting out of their cars to pop into the restaurant to pick up take-aways. This will cause extra noise and congestion up to the proposed closing time of 11.30 p.m 7 days a week.

The car park at the rear of Hampden Square could also be used as a turning point for customers picking up takeaways or parking for the restaurant.

I am also concerned that the car park at the rear of Hampden Square and the area outside the first three houses in Crowell Mews could be used by people to eat their take-aways as it is a secluded area.

The late opening times could encourage groups of people to congregate in this area as the restaurant would be the only premises open. On warmer nights it is very tempting for night revellers to sit on the pavement and eat a take-away rather than taking it home. Usually a takeaway is a pit stop on the way home from the pub or a night out. Damage to resident's cars, front doors and gardens could happen inadvertently especially if people are in high spirits.

The area around the Electricity Box is also secluded and for large groups congregating it could be used as an impromptu “toilet”.

This would pose a great nuisance to myself as my bedroom window is at the rear of the block and my rest and sleep will be disturbed by this activity.

I would like assurances that public notices are put up to say the parking areas around Crowell Mews and Hampden Square are for residents only and not for restaurant customers.

5. Concluding comments

- The area around Hampden square is a residential area and a community which needs the balance between business and residential.
- Existing businesses have established opening times which customers are used to; the latest being 11.00 p.m., on a Friday and Saturday for China Brasserie.
- Disturbance would continue after the proposed closing time of 11.30 p.m., while customers leave the restaurant and staff tidy up and leave the premises. Disturbance could continue around the Square, Crowell Mews and the car park at the rear of Hampden Square until past 12.00 a.m.

I sincerely hope you take all these concerns into consideration for the proposed evening opening times of the new restaurant.

Yours faithfully

Sally-Anne Boosey
Tenant of no, 22 Hampden Square

Cc:

Residents in the vicinity of no.9 Hampden Square

Keith Gray
Clerk to the Council
Coldharbour Parish Council
kgcpc@btconnect.com

OM Management Company
customercare@OMpropertymanagement.co.uk

Trading Standards – for info
tsd@buckscc.gov.uk

Ashton, Kerryann

From: andrea smith [andrea_smith98@hotmail.com]

Sent: 23 February 2011 19:04

To: Licensing Team; kgpc@btconnect.com; tsd@buckscc.gov.uk; sallyboo171@btinternet.com

Subject: Objection to proposed opening times for Munchies- 9 Hampden Square

Dear Sirs,

I am writing to express my objections to the hours and nature of business of Munchies, 9 Hampden Square. I am an Officer and work shift patterns which include weekend, nights and very early starts.

I am concerned about the hours the establishment proposes to operate.

My windows are above the premises. I don't want music pollution to my flat. I live above the flat, I don't want to hear music all day when I am on nights. I have a responsible job in the emergency services which demands my full concentration and alertness. How can I expect this with a licence to play music and serve alcohol until 11.30 pm 7 days at work.

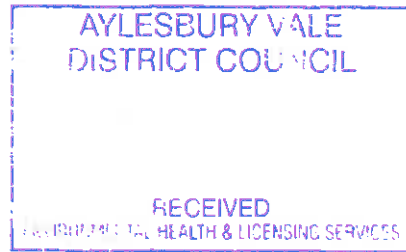
I don't want cigarette smoking drifting up from the tables outside. I am a non smoker and during the summer, why should I close my balcony windows because of other people. I don't want my privacy overlooked by outside tables.

Nor do I want intrusive aromas filling my flat if I have my windows open from the cafe/restaurant. Nor do I want industrial air extractors going until late or having my sleep interrupted by the premises late into the night.

The car park to the rear is already full, why cause residents annoyance by more vehicles taking up space.

Yours sincerely

Andrea Smith
resident of 11 Hampden Square



21, Hampden Square
Aylesbury
Bucks
HP19 7HT

Nobble69@hotmail.com

25/2/11

Dear Sir/Madam,

Having received Ms Booseys letter of objection to the proposed opening times of "Munchies", I wish to register my support for all of the points that she has raised

In terms of "**prevention of public nuisance**", I live two floors directly above no. 9 and as I am a shift worker, I am very concerned about the late night noise that may be generated from such lengthy proposed opening times.

In terms of "**prevention of public nuisance**" and "**public safety**", residents regularly have to contend with the delivery driver for "Woks Wagon" blocking empty parking spaces as he/she awaits an order at the rear of the premises. Like Ms Boosey, I seek reassurance that this will not be the case with "Munchies" and that they will endeavour to keep any vehicular noise and movement at the front of the premises to a minimum at all times.

I have attached several photos* (taken 22/2/11) of the rubbish that the builders have left at the rear of the premises which is my only entrance/exit to my flat so in effect, my front door. Despite repeated emails to OM Management Company, this unsightly mess has been in situ for a month now. Under the "**prevention of public nuisance** and the "**protection of children from harm**" I wish to raise concerns over how safety conscious the new business owners will be and how committed they are to maintaining cleanliness standards both in and out of the property. The length of time this rubbish has been left out and the fact that we live less than two miles from a recycling tip does not fill me with much hope. According to the management company this should be cleared on a daily basis and as of yet this has not happened, so I am also concerned about the owners willingness to comply with environmental and health and safety regulations.

I look forward to receiving your thoughts on the matters raised

Yours sincerely

A handwritten signature in black ink that appears to read 'L. Noble'.

Miss L. Noble

Owner of No 21, Hampden Square

* These photos were sent electronically, and received by Karen Thomas on 25/2/11 at 1020

Thomas, Karen

From: LAURA.NOBLE@london-fire.gov.uk
Sent: 25 February 2011 10:04
To: Licensing Team
Subject: FW: Hampden Square, Fairford Leys

Dear Sir/Madam,

Having received Ms Booseys letter of objection to the proposed opening times of "Munchies", I wish to register my support for all of the points that she has raised.

In terms of "**prevention of public nuisance**", I live two floors directly above no. 9 and as I am a shift worker, I am very concerned about the late night noise that may be generated from such lengthy proposed opening times.

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I look forward to receiving your thoughts on the matters raised and I will hand deliver a hard copy of this letter to your offices this evening

Yours sincerely

Miss L. Noble

Owner of No 21, Hampden Square

For fire safety advice please go to <http://www.london-fire.gov.uk/YourSafety.asp>

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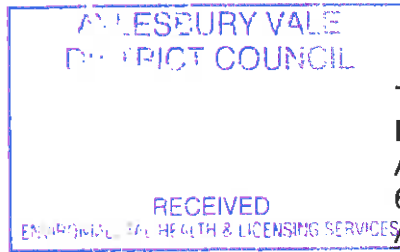






12 Hampden Square
Fairford Leys
Aylesbury
Council
Buckinghamshire
HP19 7HT

Email: adam.osborn@sky.com



The Licensing Manager
Environmental Services
Aylesbury Vale District
66 High Street
Aylesbury
Buckinghamshire
HP20 1SD

24th February 2011

Dear Sir/Madam

Proposed Opening Hours at 9 Hampden Square – Munchies Coffee Shop till 11:30pm, 7 days a week

I am writing to express my objections to the proposed opening hours for the business which will operating from No 9 Hampden Square and the impact it will have on me and my family as a resident of Hampden Square under the "The prevention of public nuisance" ," Public safety" and "The protection of children from harm"

Prevention of Public Nuisance

Current proposed opening hours in the evening

- Hours of opening from 10:30 am -11:30 pm for playing recorded music
- Hours of opening from 10:30am – 11:30 pm for the sale of alcohol

Hampden Square is a modern village which is made up of both businesses and residential living. The existing food business's consist of both restaurant and take away services currently operating no later than 10:30pm Sunday to Thursday and until 11:00 pm on a Friday and Saturday. With the proposed time of opening for no 9 being 11:30pm 7 days a week disturbance is likely beyond this time while customers leave the premises and staff close up.

I would like consideration to be given to amending the evening to closing time of:

- 10:30 pm Monday to Thursday*
- 11:00pm Friday and Saturday*
- 8:00pm Sunday* (my preference would extend beyond this to not being open at all on a Sunday evening)

*With Alcohol sales and music finishing half hour before closing

As I often leave for work from 5:00 am onwards and young children are within the residency, inclusive of my own 2 children, my preference would be for the restaurant operating hours to fall in line with that of the existing businesses within the centre of the village.

My 2 children have a bedroom which is situated to the side of the building (the same side as Munchies main entrance and with the proposed operating times potentially encouraging revellers eating their take away to congregate under my French doors to the side of my property or on the band stand which is situated to the front of my property. This could potentially result in a continued disturbance to both me and my family beyond reasonable hours which are currently in operation by other business.

In addition to this as traffic wardens do not operate at this time of night and customers would often be inclined to pull in front of the take away during these late hours, this alone would result in the continued disturbance from both car engines and slamming car doors within a close vicinity of my children's bedroom.

This has previously been demonstrated when the community centre holds functions which operate until later into the evening, however this would be deemed reasonable as it is not a regular occurrence and usually takes place on either a Friday or Saturday Evening.

This has however resulted in gatherings on the bandstand with considerable rubbish often being left and noise until late at night, often causing considerable disturbance to me and my family, police presence has also been seen in some instances.

With the proposed hours of closing extending to 7 days for both music and the sale of alcohol the premises could be seen as the only way in which somebody continues their high spirits until late into the night encouraged by the fact that music will also be played until closing. This could have a potential detrimental effect on mine and my young children's future along with all neighbouring residents.

Use of the Rear of Hampden Square Residents car park

I am expressing my objections under the prevention to public nuisance and public safety with regards to the possible use of the car park at the rear of Hampden Square should the restaurant operate a Take-Away/delivery service until the proposed closing time

There is a possibility that a delivery driver could drive into the car park at the rear of Hampden Square at regular intervals during the evening until the proposed closing time, blocking access in and out of the car parking spaces. Customers may also try to use the car park for eating at the restaurant or collecting their take-away late at night and in some cases maybe sitting in their cars to eat it.

As parking is very limited already it can already be difficult to find a space. When arriving home with 2 young children of an evening it would be unreasonable to decommission or reduce parking as a result of a business using car parking which is intended for residence use. All other businesses which operate in the centre are generally respectful of this point, especially later into the evening when residents are more likely to be at home.

I am also expressing my objections under the prevention to public nuisance and protection of children from harm with the possible use of the car park at the rear of the coffee shop/restaurant (in the evening) and or day try to use the hard standing area at the rear of no 9 Hampden for the use of outside tables and as a possible smoking area.

The entrance to my flat is located within this area (enclosed by 3 walls). I firstly like to mention that I do not wish for the comings and goings of both myself and my family to be observed on a daily basis, or having to subject my children to having to pass customers smoking and drinking both in the day at late in the evening. This brings me to the point under the protection of children from harm act that I would like to be reassured that the above will not be taking place.

Conclusion

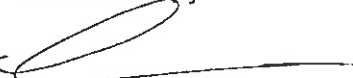
The area around Hamden Square is a residential area and a community which needs to balance both business and residential.

Existing business which operate take-away/restaurants services close by 11:00pm Friday and Saturday and 10:30pm Sunday – Thursday

Disturbance could potential continue past 11:30 in and around the area and continue until the early hours on a 7 day basis have a detrimental effect of mine and my families future

I hope that all my concerns will be taking into consideration for the proposed new times of the restaurant

Yours faithfully



Adam Osborn
Owner of no 10 Hampden Square

CC:

Keith Gray
Clerk to the Council
Coldharbour Parish Council
kgcpc@btconnect.com

OM Managment
customercare@OMpropoertymanagment.co.uk

Ernest Cooke Trust
admin@ernestcooktrust.org.uk

By Hand/27/2/2011

Mr & Mrs Hurst

1 Pine Street

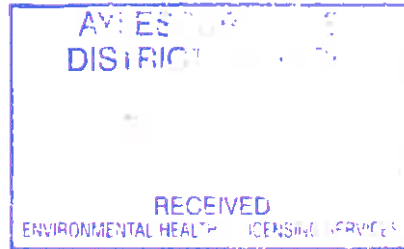
Fairford Leys

Aylesbury

Bucks

HP19 7HE

email: marcuskaeneden@btinternet.com



Dear Sirs/Madam

Ref: Application for Opening Hours/Licensing of Alcohol/Playing Recorded Music - at 9 Hampden Square, Fairford Leys, Aylesbury, Bucks.

We are writing to express our objections to the above proposal for the following reasons:-

Application for Opening Hours

1. But for the sake of a road dividing our two properties, we are effectively neighbours to 9 Hampden Square. All other traders in the village have operating hours which fall in line with sociable/residential living and up to date this has not caused a problem. We feel that an 11.30pm closing, would not be a realistic closing time, when taking taking into account the last customers to depart and in turn staff clearing up and leaving in their own vehicles. In addition to this, car doors closing, car engines starting up, cars engines revving, heightened vocal activity all around the vicinity of our property.

This residential area is normally very quiet at this time, other than the random car passing by. The buses have ceased to operate at this time aswell, which makes for peaceful living. If we were to live in a town centre, we would accept this as being part and parcel of town centre life, but we dont, we live in a predominately residential area with a few commercial outlets trading at reasonable times.

2. Parking around Pine Street/Crowell Mews has become a major issue since yellow lines were introduced all the way down Pine Street. We are a three bedroom house, with effectively one parking space now as a result of the yellow lines, which incidentally was opposed at the time of planning, but however, went ahead, much to our disapproval, not only from an inconvenience of now having no parking space in front of our property, but also from a potential future 'Sales' issue. The only parking which officially is available to us now is around the back of our property in front of our garage, so we rely on the space alongside our property, which unofficially does not belong to us and probably borders on illegal parking as my vehicle has to mount a kerb, which again has major issues with the wear and tear on my offside tyres. However, with 2 small children and 3 dogs to manoeuvre into our house, we rely on this space to be free in order to avoid a potential safety hazard. All residents within Crowell Mews and Pine Street give due care and consideration and operate in a civil manner to take the limited parking into account. However, those visiting the area do not, and park as close to their desired choice of outlet as is possible, which at times have caused us personally a problem. Officially, we have parking around the back

of our property in front of our garage, but when trying to get children in as well as dogs and shopping, this is a nightmare for us. At some point, we have to leave the children unattended either in the car or in the house, if only for a few minutes, but still out of sight, when only one of us is present whilst shopping is brought into the house. This is highly stressful if not to say hazardous. There is ample parking in the village square to accommodate the commercial outlets, but those visiting do not always take advantage of this. The point or objection that we are making is that we appreciate that parking spaces are not exclusive, but feel the increased activity that a new restaurant will generate will have a much greater impact on an already very exhaustive situation.

3. Our third and final objection would be that having an outlet operating at these hours adjacent to our property, would potentially be a disaster when advertising our property as a desirable place to live. At present, all other traders are not really within earshot or encroachment, which makes for an attractive place to live rather than the opposite. To conclude, we feel that if the new premises were to be granted these opening hours our property would become UNSALEABLE as a family dwelling. I certainly would not touch it with a barge pole, to excuse the expression if i were a prospective buyer looking to bring up a family.

Sale of Alcohol at all Trading Times

1. In the winter months, we feel this poses no threat

as people tend to stay confined within a premises when drinking, other than to go outside to smoke. In the summer months however, people tend to move outside of a premises and it is a concern of ours that there will be heightened vocal disturbances and general unsociable behaviour if alcohol is permitted to be served until this time. There is limited pavement space outside of these premises and in the summer months when people are standing outside, anyone, including ourselves will find it difficult or challenging to move around the obstacle of people, especially when pushing a buggy or guiding children through. I feel you would have no choice but to step out into the road to gain passage, which if ever anyone has visited Fairford Leys in the summers months, is a recipe for disaster because of the increased traffic, if not the speed of the traffic that passes by. The China Brasserie which offers this outside facility poses no problem as its table and chairs are contained within its boundries and are not part of a public pathway.

We ask that these factors are taken into account when making your informed decision in the interests of the village residents.

Setting our objections aside, we wish the new business every sucess and hope to make it an integral part of our community.

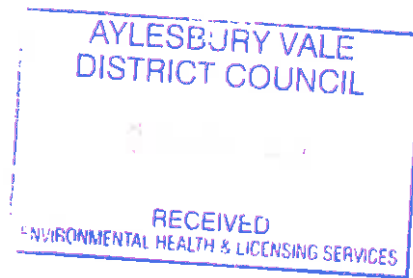
Yours Faithfully

Mr & Mrs Hurst

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

The Licensing Manager
Environment Services
Aylesbury Vale District Council
66 High Street
Aylesbury
Buckinghamshire
HP20 1SD

14 Hampden Square
Aylesbury
Buckinghamshire
HP19 7HT



24 February 2011

Dear Sirs

I'm writing to express my objections to the proposed "Munchies" coffee shop and Restaurant at 9 Hampden Square and the impact it will have on me as a resident at 14 Hampden Square under the "Prevention of Public Nuisance".

I understand that the proposed opening hours are 10.30am to 11.30pm both for playing music and for the sale of alcohol. 9 Hampden Square is part of a residential block and an 11.30pm closing time will cause disturbance beyond midnight with customers leaving and staff clearing up. I have to get up early for work and as consequence I have to go to bed early. I do not understand why an 11.30pm closing is required while other places in the square close at 11pm the latest and that's only on Friday and Saturday night (China Brasserie)

Secondly I wish to object to the proposed use of the rear of 9 Hampden Square resident's car park. As the name implies this is a resident's car park and parking is already limited. The idea of customers or delivery drivers for take away using this area at regular intervals will cause a public nuisance. My bedroom window is at the rear of the block overlooking the car park and this will cause a great amount of disturbance especially while trying to sleep due to getting up at 5.30am for work.

I would also like to express my concerns about the use of the car park as a possible smoking area. The entrance to the flats is from the car park adjacent to the rear of 9 Hampden Square, I do not wish to walk past groups of smokers and a pile of cigarette ends on the door step. Also with smoking in the car park during the summer months could result in customers using this area late into the evening and tables and chairs creeping out into the car park, this coinciding with the late closing time will pose a great nuisance to me as my bedroom window is over the car park.

I hope you take these concerns into consideration for the proposed "Munchies" coffee shop and Restaurant.

Yours faithfully

David Shutt

Ashton, Kerryann

From: Licensingcomments@aylesburyvaledc.gov.uk
Sent: 28 February 2011 10:00
To: Licensing Mailbox
Subject: PublicAccess for Licensing - Application Comments (11/00226/LAPRE)

PublicAccess for Licensing - Application Comments (11/00226/LAPRE)

Laura Capstick has used the PublicAccess website to submit their comments on a Licensing Application. You have received this message because you are the Case Officer for this application or because this is a designated mailbox for PublicAccess comments submissions.

Comments were submitted at 28/02/2011 09:59:45 from IP 217.41.241.203.

Application Summary

Application Number:
11/00226/LAPRE

Address:
9 Hampden Square
Coldharbour
Aylesbury
Buckinghamshire
HP19 7HT

Licence Description:

Case Officer:

Customer Details

Name:
Laura Capstick

Address:
Tenant of 10 Hampden Square
Aylesbury

Postcode:
HP19 7HT

Email:
laura.capstick@yahoo.com

Phone Number:
07749875834

Comments

Representation Type:
Neighbour

Objection Type:
Prevention of public nuisance

Comments:

I object to the new proposed opening hours for the restaurant in the evening - 10.30am through to 11.30pm as i live above the property and leave for work by 5.30am. Especially Sunday evenings as this is too late. I would propose the restaurant would keep in line with other take aways in the area (woks wagon) and close at 8pm on Sunday nights, close at 10.30pm Mon to Thursday and 11.00pm Friday and Saturday. i do not wish to be woken up by extractor fans, cars pulling up revving engines, headlights in my bedroom windows and car doors slamming, exiting customers, rowdy with alcohol. my bedroom window is exactly above the rear exit of the restaurant and i do not wish for that to be a designated smoking area with cigarette butts on the floor and smoke coming up in to my flat through my open windows, especially in the summer. I sincerely hope you take these concerns in to consideration for the proposed opening times of the new restaurant.

PublicAccess for Licensing. (c) CAPS Solutions Ltd.

Response to representations made against application for Premises Licence of Munchies, 9 Hampden Square, Coldharbour, Aylesbury, Buckinghamshire, HP19 7HT

Dear Sir/Madam,

We are the new tenants of 9 Hampden Square and we would like to clear any misunderstandings that may have occurred regarding our business. We have taken all your objections into consideration and we would like to emphasize our need for you all to welcome us into the neighbourhood. We do not wish to make any of our neighbours unhappy and would like to carry out our business in an amicable manner.

Firstly, we would like to clear the misunderstanding as regards to our opening hours. We have been authorised by the AVDC Planning Dept. to operate as a café between the hours of 10.00 am to 2.30 pm Mondays to Sundays, including Bank holidays and as a takeaway restaurant between the hours of 5.00 pm to 11.00 pm Mondays to Saturdays and 5.00 pm to 9.30pm Sundays and Bank holidays. Therefore, during the day no alcohol will be served. Alcohol will be served in the evenings, between the hours of 5.00 pm to 10.30pm Monday to Thursday, 5.00pm to 11.00pm on Fridays & Saturdays and between the hours of 5.00pm to 9.30pm Sunday and Bank holidays. We have amended our application to reflect those hours.

Hence, the objections as regards to late night noise that may be generated from such lengthy proposed opening times should be resolved as the actual opening times coincide with the normal practice of similar businesses within the village. You should be aware that we have previously run a similar business in Fairford Leys and therefore we are fully aware that there are few customers after 10.00pm. On many occasions we found ourselves closing up early. Therefore we would like to assure you that there will be no late night business and therefore no late night noise will be generated.

The objection raised as regards to the rear parking space should also be resolved. We are still waiting for our landlord's response as regards to the issue of a health & safety hazard arising from having residential parking in front of our fire door. We have received documents which clearly state that this space should not be used for residential parking. Hence, we are still awaiting confirmation on this matter. However, this matter is irrelevant as regards to obtaining the premises licence.

As regards to the issue of music, we have removed this from our application as we do not require it. We are an Indian in the evenings, therefore as you all should be aware the music we use is very light, simply background music, and therefore no noise will cause a nuisance from this. We will not be playing loud music as they do in pubs and clubs.

Our kitchen and the extraction system is adequately designed and approved by the AVDC's Environmental Health Dept. As per the HVCA guidelines our kitchen has been categorised as light user (2 to 6 hours use each day). Therefore, the extraction and cooking odours will be controlled and will not cause any disturbance.

Furthermore, the issue of pavement trading should not be a worry as firstly we require permission to carry out such trading and secondly we do not have the space. We are not a fast food takeaway, and

we have not yet experienced seeing anyone eating an Indian whilst walking along outside as the case is with fish and chips etc.

We would once again like to re-iterate the fact that we are not new to the village, we have previously traded here and are fully aware of the needs, likes and dislikes of the community. Therefore, we request that you accept our considerations and hope that we can mutually resolve this matter of concern.

Many thanks,

Mr & Mrs Habib.

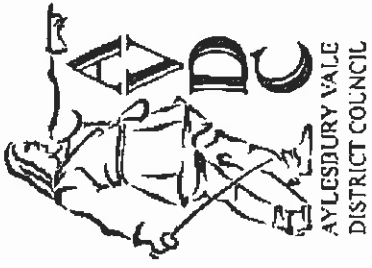
9 Hampden Square (Munchies)

Fairfordleys

Aylesbury, Bucks.

HP19 7HT.

naserhabib@ymail.com



Munchies 9 Hampden Square Coldharbour Aylesbury



1:500

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