

Aylesbury Vale District Council

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 Fuller, Smith & Turner Plc

(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 05/02123/LAPRE (PR0103)

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Whale 14 Market Hill			
Post town	Buckingham	Post code	MK18 1JX

Telephone number at premises (if any)	01280 815 537
Non-domestic rateable value of premises	£19,800.00

Part 2 – Applicant details

Daytime contact telephone number	020 8996 2000		
E-mail address (optional)	sara.keogh@fullers.co.uk		
Current postal address if different from premises address	Griffin Brewery Chiswick Lane South		
Post Town	London	Postcode	W4 2QB

AYLESBURY VALE
DISTRICT COUNCIL

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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 To vary the opening hours of the premise Sunday until Thursday 08:00 until 00:30, Friday and Saturday 08:00 until 01:30. To permit the sale of alcohol Sunday until Thursday 08:00 until 00:00, Friday and Saturday 08:00 until 01:00. To include the provision of late night refreshment Sunday until Thursday 23:00 until 00:00, Friday and Saturday 23:00 until 01:00. To extend the permitted hours for live music Sunday to Thursday until 00:00 and on Fridays and Saturdays until 01:00. To remove unnecessary conditions from the licence.

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	Please give further details here (please read guidance note 3)		
Mon					
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	Please give further details here (please read guidance note 3)		
Mon					
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	State any seasonal variations for indoor sporting events (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			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)	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (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			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Wed						
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (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) NO CHANGE		
Mon	11:00	00:00			
Tue	11:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	11:00	00:00			
Thur	11:00	00:00	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)		
Fri	11:00	01:00			
Sat	11:00	01:00	One additional hour on the following dates: Good Friday, Christmas Eve, Christmas Day, Boxing day and December 27 th . An additional hour to the standard and non standard times on the day when British Summertime commences.		
Sun	12:00	00:00			

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) NO CHANGE		
Mon	NO CHANGE				
Tue	NO CHANGE		State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	NO CHANGE				
Thur	NO CHANGE		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) NO CHANGE		
Fri	NO CHANGE				
Sat	NO CHANGE				
Sun	NO CHANGE				

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	<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						
Thur						
Fri						
Sat						
Sun						
			State any seasonal variations for the performance of dance (please read guidance note 4)			
			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 (please read guidance note 5)			

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	<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										
Fri										
Sat										
Sun										
							State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
							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 (please read guidance note 5)			

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"/>	
				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 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"/>	
				Both <input type="checkbox"/>	
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 at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (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"/>
Day	Start	Finish				Outdoors	<input type="checkbox"/>
						Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 3) Hot food and beverages				
Tue	23:00	00:00					
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)				
Thur	23:00	00:00					
Fri	23:00	01:00	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	23:00	01:00					
Sun	23:00	00:00	One additional hour on the following dates: Good Friday, Christmas Eve, Christmas Day, Boxing day and December 27 th . An additional hour to the standard and non standard times on the day when British Summertime commences.				

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

Amendment of the non standard timings in Annex 2 condition 5 a. b. c. and d. to reflect the above variation.

Removal of Annex 2 6 (b) relating to late night refreshment.

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

Licence already with you following a recent designated premise supervisor application.

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)

We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the existing measures will continue.

b) The prevention of crime and disorder

Please see box a above

c) Public safety

Please see box a above

d) The prevention of public nuisance

Please see box a above

e) The protection of children from harm

Please see box a above

Please tick yes

- I have made or enclosed payment of the fee



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"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00			
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
One additional hour on the following dates: Good Friday, Christmas Eve, Christmas Day, Boxing day and December 27 th .					
An additional hour to the standard and non standard times on the day when British Summertime commences.					

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)

n/a

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	08:00	00:30			
Tue	08:00	00:30			
Wed	08:00	00:30			
Thur	08:00	00:30			
Fri	08:00	01:30			
Sat	08:00	01:30			
Sun	08:00	00:30	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)		
One additional hour on the following dates: Good Friday, Christmas Eve, Christmas Day, Boxing day and December 27 th .					
An additional hour to the standard and non standard times on the day when British Summertime commences.					

- 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	[REDACTED]		
Date	13 September 2011		
Capacity	Poppleston Allen – Solicitors for & on behalf of the 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)			
Vicky Mead Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349172		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) v.mead@popall.co.uk			

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.

Thomas, Karen

From:
Sent:
To:
Cc:
Subject:

Dear AVDC Licensing,

As a local resident of the High Street Buckingham, I write to object to the Extension of the License for The Whale Public House.

It is my understanding from my discussions with AVDC Licensing that the current operating schedule for The Whale is:

10am to 11pm – Every day of the week

And the proposed opening hours are:

Sun-Thurs 8am to 12.30am

Fri-Sat 8am to 1.30am

I do not object to the pub opening at 8am for the serving of breakfast mon-sat, and 10am on Sun, however, I strongly object that it will be open before 10am for the sale of Alcohol. No one EVER needs to be drinking alcohol at 8am in a licensed premise under ANY circumstances. What I can envisage is that cheap price drinks will be introduced to encourage people in at this time in the morning and the pub will end up being just like the Wetherspoons I pass on my daily commute to London Victoria, attracting alcoholics and the subclass in our society. This “maybe acceptable” in a big city, but is not acceptable in a market town which people live directly next to and which vulnerable school children pass on their way to school each day. Such reckless serving of alcohol cannot be justified at this time in the morning ever.

With regard to closing times, I think that the closing time should be no later than Midnight every night of the week. The justification for this is that this has historically always been the drinkers pub in our town, rather than a food led business, and this venue adjoins residential homes above, behind and opposite it. The archway to the side of the venue is the access to the residential property behind The Whale, and is used by smokers.

With regard to Live Music times, a license should be granted every day of the week Midday to 11pm. The justification for this is that this will cause a public nuisance if the music times are allowed to be later. (The Whale has always been instrumental in hosting the successful Bandjam Live music event which is to be commended and continued).

I would strongly encourage all the members of the Licensing Sub Committee who do not live in our beautiful town to visit The Whale and the centre of our town especially on a Friday and Saturday night between Midnight and 2am to witness the anarchy that ensues on the High Street and Market Hill.

I am sure that the new landlords of The Whale are responsible and do care about the needs of their immediate residential neighbours and I welcome the recent refurbishment and obvious attempts to develop the business to serve the wider community. I wish the new landlords every

success in creating what should be a brilliant venue, however I hope that the landlords of The Whale do not treat their neighbours with the same contempt that the owners of No13 Pub High Street, Kings Head and Roosters take away do.

So in Summary, please grant:

Opening Times:

Mon-Sat 8am to Midnight

Sun 10am to Midnight

License to serve alcohol times:

Mon-Sat 8am to 11.30pm

Sun 11am to 11pm

Live Music Times

Every day Midday to 11pm

Regards

James Lowe



Thomas, Karen

From: Licensingcomments@aylesburyvaledc.gov.uk
Sent: 14 October 2011 11:51
To: Licensing Mailbox
Subject: PublicAccess for Licensing - Application Comments (11/01376/LAPRE)

PublicAccess for Licensing - Application Comments (11/01376/LAPRE)

Penny Irving 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 14/10/2011 11:50:42 from IP 80.254.147.52.

Application Summary

Application Number:
11/01376/LAPRE

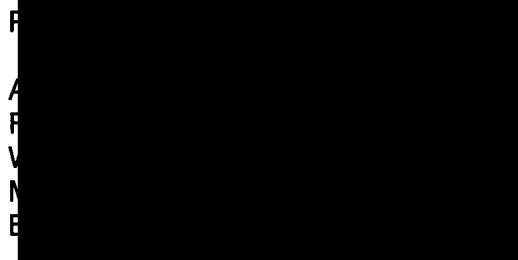
Address:
Market Hill
Buckingham
MK18 1JX

Licence Description:

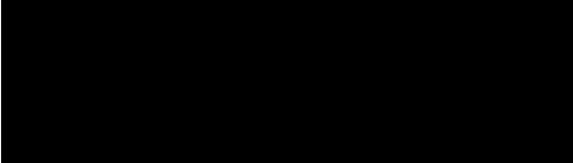
Case Officer:

Customer Details

Name:



Email:



Comments

Representation Type:
Neighbour

Objection Type:
Prevention of public nuisance

Comments:

I have only learned last night that the Whale public house which is adjacent to my house and garden has applied for extended opening hours and the playing of music after midnight throughout the week. My family and i are very concerned about the effect this could have on us, including disturbance after we have gone to bed, the presence of clients in the alleyway through which we have to walk and/or drive to get in or out of our house and the noise from taxis tooting horns to signify their arrival to collect clients in the early hours.

We are very disappointed that the occupants of the Whale, the brewery and AVDC did not think it necessary to consult the neighbours likely to be affected by this application and would like more time to consider the possible effects and get more information regarding the proposed changes.

Many thanks.

Regards,

[Redacted Signature]

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