

**REPORT ON APPLICATION FROM NELSON STREET
BUCKINGHAM UNDER THE LICENSING ACT 2003 FOR A
MAJOR VARIATION OF A PREMISES LICENCE**

1. THE APPLICATION

Applicant(s): Louis Kitchen Ltd

Premises: Nelson Street, 53 - 54 Nelson Street, Buckingham,
MK18 1BT

1.1 Variation application

The application is for the variation of the Premises Licence under section 34 of the Act. The details of the variation 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 permissions and conditions these are set out in Appendix 2. A location map of the premises is attached as Appendix 4

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Licensing Authority - No representation

Thames Valley Police – No representation

Environmental Health – No representation

Bucks Fire and Rescue – No representation

Planning – No representation

Trading Standards – No comment

Area Child Protection Committee – No comment

Primary Health Care Trust – No comment

2.2 Other Parties

We received five representations during the consultation period from other parties. Copies of the representations are attached as Appendix 3.

3. NOTICE OF HEARING AND RESPONSES

All parties were served Notices of Hearing on receipt of the representation along with the document, 'Licensing Act 2003 – The Procedure to be followed at Hearings'. The parties have therefore been notified of the consequences of failing to attend.

No further submissions have been received to date following service of the Notice of Hearing. Members will be notified of any further responses at the hearing.

4. GENERAL INFORMATION

The general information Members need to have regard to when determining applications made under the Licensing Act 2003 is set out in a separate document which is attached to the Agenda under cover of which this report has been published.

5 ISSUES RAISED BY THE APPLICATION

The issues raised by the application are for the Sub-Committee to determine having regard to all the relevant considerations. Whatever, the Sub-Committee decides, it must give reasons.

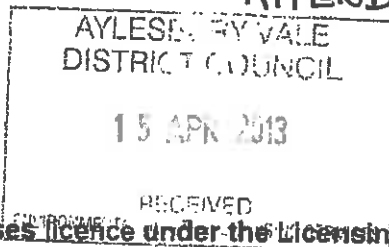
To assist Members and the parties further, The Licensing Officer will draw attention to any issues arising from this application at the hearing.

Contact Officer

Peter Seal 01296 585083

125/13/00844

APPENDIX 1



Charge Banked
£190-00
15/4/13
EH have theirs
Form LA06 (11/05)

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.

COMMENTS TO
LICENSING BY
10 MAY 2013
ENVIRONMENTAL HEALTH & LICENSING

We LOUIS MYHILL Louis Kitcher 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		
53 / 54 NELSON STREET BUCKINGHAM BUCKS		
Post town	BUCKINGHAM	Post code
		MK18 1BT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 8,700-00

Part 2 – Applicant details

Daytime contact telephone number	01280-
E-mail address (optional)	hotmail.co.uk
Current postal address if different from premises address	btinternet.com
	N/A
Post Town	AS ABOVE
Postcode	AS ABOVE

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)

We should like to extend the opening hours and supply of alcohol hours to increase the viability of the restaurant and to be more in line with similar establishments in the area. Please see attached covering letter.

Nelson Street is an existing restaurant with about 45 covers serving modern English food.

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

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			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
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			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
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			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Both	<input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 3)		
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur			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)		
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	<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						
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

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 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 playing of recorded music (please read guidance note 4)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (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 dance (please read guidance note 4)		
Thur					
Fri					
Sat			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)		
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	<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 entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat					
			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)		
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"/>	
				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					
Sat					
Sun			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)		

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					
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Fri					
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)		

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)		
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>		
Mon	23:00	23:30		Please give further details here (please read guidance note 3)	
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:30	Week leading up to Christmas Day Mon-Tues-Wed-Sun as appropriate 00:30		
Fri	23:00	00:30	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	00:30	Christmas Eve 02:00		
Sun	23:00	23:30	New Years Eve 02:00 Sundays of BH Weekends 00:30		

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00 AM	23.00	Week leading up to Christmas Day Mon-Tues. Wed. Sun as appropriate 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) Christmas Eve 1.30am New Year's Eve 1.30am Sundays of Bank Holiday Weekends - 00.30		
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	00.00			
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	23.00			

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)

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)
Day	Start	Finish	
Mon	9.00	23.30	Week leading up to Christmas Day Mon. Tues. Wed. Sun as appropriate 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) Christmas Eve 02.00 New Year's Eve 02.00 Sundays of Bank Holiday weekends 00.30
Tue	9.00	23.30	
Wed	9.00	23.30	
Thur	9.00	00.30	
Fri	9.00	00.30	
Sat	9.00	00.30	
Sun	9.00	23.30	

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

Supply of alcohol - Mon - Sun 10 - 22.40

Opening hours - 9 - 23.00
Mon - Sun.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence
- 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

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)

I PLAN TO WORK WITH THE OTHER PUBS AND RESTAURANTS, TO JOIN PUB WATCH AND TO BE AWARE OF THE LOCAL CRIMINALS AND TROUBLE MAKERS AND TO TAKE PART IN COMMUNITY ISSUES.

b) The prevention of crime and disorder

AS ABOVE

c) Public safety

I WILL MAKE SURE ALL THE FIRE EXITS ARE CLEAR AT ALL TIMES, PROVIDE FIRE EXTINGUISHERS IN KITCHEN AND RESTAURANT, COMPLY WITH LOCAL RESPONSIBLE AUTHORITIES CLEARLY INDICATE MEANS OF ESCAPE PROVIDE DISABLED WC, COMPLY WITH ALL RELEVANT REGULATIONS RE: FIRE, ENVIRONMENT, HEALTH & SAFETY.

d) The prevention of public nuisance

NOT TO SERVE PEOPLE I FEEL ARE DRUNK OR UNDER AGE.
STRICTLY COMPLY TO LICENCING HOURS
MAKE SURE MUSIC IS NOT TOO LOUD

e) The protection of children from harm

ENSURE CHILDREN UNDER SIXTEEN ARE ACCOMPANIED BY AN ADULT IN THE EVENINGS
DON'T ALLOW CHILDREN IN THE KITCHEN OR BAR AREA.
DON'T SELL ALCOHOL TO ANYONE UNDER AGE.

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	[REDACTED]
Date	26/03/13
Capacity	CURRENT LICENCE HOLDER

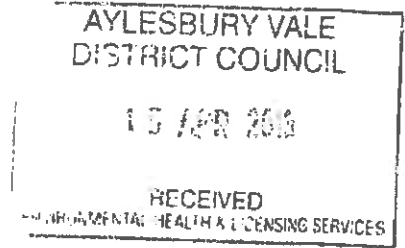
Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
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)	

Aylesbury Vale District Council
Environmental Health and Licensing Services
66 High Street
Aylesbury
Bucks
HP20 1SD

[Redacted]
[Redacted]
Buckingham
[Redacted]
MK18 [Redacted]



10th April 2013

FAO: Peter Seal

Dear Peter

Re: Nelson Street Restaurant, 53-54 Nelson Street, Buckingham, Bucks MK18 1BT

Further to our meeting at Nelson Street Restaurant we should like to apply to extend our Premises Licence and we enclose with this covering letter a completed form – Application to Vary a PREMISES LICENCE.

We should like to extend our opening hours because we need enough time for two sittings in an evening in the restaurant in order to ensure the viability financially of our business and to give customers on the later sitting, time to have a dessert and finish their drinks and/or coffees comfortably, so we need longer hours as the current arrangement is too restrictive.

We have noted other similar businesses in the town of Buckingham have later opening hours Thursday through Saturday and we wish to be more in line with them.

Nelson Street Restaurant has now been open for nearly a year and seems to have filled a niche in Buckingham as we have built up a reputation for good individual type food. We are a family run business and we believe that the restaurant has not contributed to late night noise or drunken behaviour. We have had several late night temporary licences and there has not been an increase in bad behaviour locally or complaints to the licensing authorities, we feel this sets a positive precedent.

The business has more than fulfilled the expectations of our vision and the chef hopes to achieve a 'rosette' for good food in time.

The price ranges for food and drink in the restaurant whilst being of very good value for our customers prohibit groups of people who just want to create trouble.

Our customer age range is predominately late 20's through to 70's and older and our existing licence does not allow alcohol to be consumed on the premises without food.

Alba

Nelson Street employs up to 15 local people and is attracting customers from an increasingly wide area and therefore attracting more money into the town of Buckingham.

Nelson Street primarily sources food locally and uses a local brewery – Buckingham Brewery for some beers and the restaurant is certainly an asset to the town and community.

We have put up a notice to ask customers to leave the premises quietly as we were asked to do and customers leaving have created little disturbance in the local neighbourhood.

The owner and head chef now lives next door to the restaurant and he finds most of the neighbourhood disturbance is from other sources, local get togethers and people returning from the town.

Nelson Street Restaurant still wishes to be part of the local community and work with it not against it.

We do hope that you will consider this application to vary our premises licence favourably and if you have any queries please do not hesitate to contact us.

We enclose herewith completed application form LA19 and copies have been sent to all the 'Responsible Authorities', we will display the completed 'Public Notice' in the window of the restaurant for the required period as requested and put a public notice in the local newspaper.

Yours sincerely

Sarah Myhill



On behalf of

Louis Myhill
Nelson Street Restaurant

A16b

Appendix 2

	Sale by retail of alcohol (On the premises)			
	Existing		Proposed	
	From	To	From	To
Monday	10 00	22 40	10 00	23 00
Tuesday	10 00	22 40	10 00	23 00
Wednesday	10 00	22 40	10 00	23 00
Thursday	10 00	22 40	10 00	00 00
Friday	10 00	22 40	10 00	00 00
Saturday	10 00	22 40	10 00	00 00
Sunday	10 00	22 40	10 00	23 00

	Late Night Refreshment			
	Existing		Proposed	
	From	To	From	To
Monday	N/A	N/A	23 00	23 30
Tuesday	N/A	N/A	23 00	23 30
Wednesday	N/A	N/A	23 00	23 30
Thursday	N/A	N/A	23 00	00 30
Friday	N/A	N/A	23 00	00 30
Saturday	N/A	N/A	23 00	00 30
Sunday	N/A	N/A	23 00	23 30

	Recorded Music (indoors only)			
	Existing		Proposed	
	From	To	From	To
Monday	09 00	23 00	N/A	N/A
Tuesday	09 00	23 00	N/A	N/A
Wednesday	09 00	23 00	N/A	N/A
Thursday	09 00	23 00	N/A	N/A
Friday	09 00	23 00	N/A	N/A
Saturday	09 00	23 00	N/A	N/A
Sunday	09 00	23 00	N/A	N/A

	Opening Hours			
	Existing		Proposed	
	From	To	From	To
Monday	09 00	23 00	09 00	23 30
Tuesday	09 00	23 00	09 00	23 30
Wednesday	09 00	23 00	09 00	23 30
Thursday	09 00	23 00	09 00	00 30
Friday	09 00	23 00	09 00	00 30
Saturday	09 00	23 00	09 00	00 30
Sunday	09 00	23 00	09 00	23 30

Appendix 2

Non standard timings

Late night refreshment

Christmas Eve 02 00

New Year Eve 02 00

Sunday of Bank Holiday weekends 00.30

Supply of Alcohol

Christmas Eve 01 30

New Year Eve 01 30

Sunday of Bank Holiday weekends 00.30

Opening Hours

Christmas Eve 02 00

New Year Eve 02 00

Sunday of Bank Holiday weekends 00.30

Seasonal variations

Week leading up to christmas Day Sun/Mon/Tue/Wed
until 00 00 / LNR & close 00 30

22 April 2013

For the attention of Licensing
Aylesbury Vale District Council

Ref: Application for variation to Premises Licence
53 - 54 Nelson Street Buckingham Buckinghamshire MK18 1BT
13/00540/LAPRE

Dear Sirs

I strongly object to this application for a variation to the Premises Licence at the above address.

Mr Myhill states in his application that this extension to opening hours and supply of alcohol hours is needed to increase the viability of the restaurant. When the restaurant opened in 2012, local residents questioned the viability of this restaurant in a residential neighbourhood. Mr Myhill was adamant that he had done his research and established that there was a demand. Now he is suggesting that the restaurant's viability is dependent on this extension to opening hours and sale of alcohol hours. I do not believe that the interests of one business should be given precedence over the right of the local community to live without any additional nuisance caused by this restaurant.

In his application Mr Myhill also incorrectly gives the impression that the restaurant is open Monday – Sunday within the currently approved licensing hours. In fact the restaurant is only open from Tuesday – Saturday, closed on Sunday and Monday. As the primary purpose of the business is as a restaurant, perhaps Mr Myhill should increase its viability by opening every day within the current hours, or even developing other food-related business opportunities during daytime hours that would not cause a nuisance to neighbours rather than trying to operate a late-night bar in a residential area.

In addition Mr Myhill refers to bringing the opening hours in line with 'similar establishments in the area' without citing any examples. Nelson Street Restaurant is in fact the only restaurant in this area, all other restaurants are in the town centre. The restaurant that is probably closest is the restaurant at the Villiers Hotel which is in fact only open until 11pm.

The nuisance caused by Nelson Street Restaurant takes the form of:

1. Taxis and cars stopping to drop off and pick up customers on Nelson Street even though there is a double yellow line along the length of the road. At the moment this mostly stops soon after 11pm. If the proposed hours are approved, this would mean that the slamming of car doors would go on until much later at night as well as the additional road safety risk. Many of the local residents work or have children who need to get up for school so have to get up early in the morning and can ill afford this late night disturbance.

2. There is no parking close to the restaurant so those who are not dropped off or picked up at the restaurant itself walk along the pavement directly in front of our houses to their transport. It is already noticeable that there is an increase in the volume of the conversations in the street later in the evening. This is likely to increase due to the influence of the additional alcohol that would be drunk if the restaurant is allowed to extend its opening hours. Of course, not all passers by are coming from the restaurant, but there has been a noticeable increase since the restaurant opened.
3. Unfortunately not everyone restricts themselves to loud telephone conversations or phone calls, it is not uncommon for there to be knocks on the doors or windows late at night. This can cause considerable anxiety to someone like me who lives alone.

Increased alcohol consumption could of course lead to public disorder on the street. As Nelson Street is not in the town centre it does not benefit from the deterrent effect of the late night police presence on the streets in the town centre.

Lastly, following media reports concerning about 90,000 people in Buckinghamshire causing damage to their health through drinking alcohol, costing the county's NHS services £26 million a year, I strongly believe that the Council would be failing in its public health duty if it was to approve a licence that would encourage increased alcohol consumption.

Yours sincerely

Jenny Bates

 Nelson Street
Buckingham



Ashton, Kerryann

From: no-reply@aylesburyvaldc.gov.uk
Sent: 23 April 2013 14:05
To: Licensing Team
Subject: Comments for Licensing Application 13/00540/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 2:04 PM on 23 Apr 2013 from Mr Andrew Wighton.

Application Summary

Address: 53 - 54 Nelson Street Buckingham Buckinghamshire
MK18 1BT

Proposal: Premises Licence

Case Officer: Karen Thomas

[Click for further information](#)

Customer Details

Name: Mr Andrew Wighton

Email: [REDACTED]

Address: [REDACTED] Nelson Street, Buckingham, Buckinghamshire [REDACTED]

Comments Details

Commenter Type: Neighbour

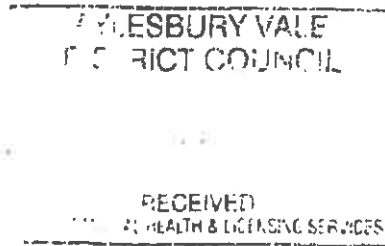
Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 2:04 PM on 23 Apr 2013 The nearest free street parking to The Nelson Street Cafe is out side our house - 3 Nelson Street. As our bedroom is on the front of the first floor we are already disturbed by diners returning to thier cars at 11pm plus. Extend this to 12 plus and we be denled a good nights sleep. This part of Nelson Street is residential area of working families with chuildren and the retired. It is not a student area. The cafe is in a row of residential homes and faces residential homes - it is not commercial. I think it is wholly unreasonable that the cafe's viability should be deemed more important that the right of residents to a nights sleep which is not disurbed by cabs and car doors into the night. The owners should have considered the viability of the cafe at the business planning stage.

Aylesbury Vale District Council
Customer Service Centre
66 High Street
Aylesbury
Bucks
HP20 1SD

Neil Turner
Nelson Street
Buckingham



App No: 13/00540/LAPRE

To Karen Thomas,

I write to you regarding the change of licence to The Nelson St Café in Buckingham, application No: 13/00540/LAPRE

I live at number 55 Nelson Street; the café joins directly to my house at the back of the property. The proposed alterations to the closing times cause me great concern.

Currently the Café closes at 11pm, the noise levels from the customers leaving at this time already causes disturbance. As this is a residential street and not the main High Street, voices carry significantly. This also applies to those customers who wish to smoke; this can only be done immediately outside the Café, and for those who do so in groups, the noise levels can get quite high.

The other issues I currently face are the taxis and private vehicles picking up/dropping off to and from the Café. They pull up directly beneath my and my eight year old daughters bedroom window. The engine noise and the car horns that are regularly used to attract attention are indeed a nuisance. The fact that these cars pull up on double yellow lines consistently throughout the course of an evening should be of huge safety concern. Nelson Street is a fast road at night, the local youths drive at high speed around the sharp blind bend from Castle St and I believe it is only a matter of time before an accident occurs.

I fully support Louis and Michael in their business venture, despite the huge inconvenience their café has caused and the eyesore their unsightly extractor has created in my back garden. However, I feel this extension to the opening hours is something I cannot support.

I look forward to hearing your decision.

Yours sincerely,

Neil Turner
29th April 2013

Ashton, Kerryann

From: Gino Ballantyne
Sent: 01 May 2013 21:35
To: Licensing Team
Subject: licensing application at 53 / 54 Nelson Street Restaurant, Buckingham

I write in reference to the licensing application at 53 / 54 Nelson Street Restaurant, Buckingham

I strongly object to any changes to the current status quo. Since its last application none of the concerns and worries I expressed previously have changed. All that has happened since is that those concerns and worries are now concrete.

Noise levels have increased sometimes bordering on anti social with smoking parties standing outside the restaurant sometimes screaming and shouting - although this is usually in a good natured way but, not always .

This takes place right outside the neighbours either side of the restaurant with very young children inside. If the noise level for me across the road is sometimes highly disturbing I can only imagine the level of disruption and persistent anxiety that it must cause them.

The only relief at present is the knowledge that by 11 pm the restaurant has to finalise its evening. I would encourage you when making your decision to put the residents environmental and health and safety issues first, and advocate responsibly for the local residents including many families with young children and retired couples who live in extremely close proximity - surrounding the restaurant. Safeguarding issues particularly for any children's well being and any other vulnerable person is a highly important component when considering this application.

I believe no matter the time of the year whether bank holidays, Christmas and New Year etc we are all entitled to enjoy some peace and quiet, and not be exposed to a constant party environment because a business believes it is important for its future growth - especially if this is late into the morning. Surely that is a basic human right.

Other unforeseen circumstances have also exacerbated the situation in that cars and motorbikes owned by employees and the owner of the restaurant are often parked outside the restaurant sometimes for long extended periods at a time. This causes poor visibility and sometimes extremely precarious overtaking by oncoming cars with many near misses which might have been extremely serious.

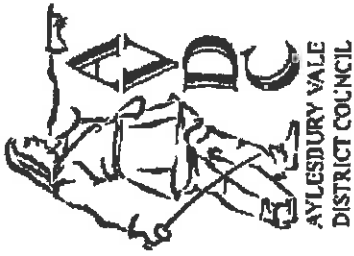
Mr Gino Ballantyne
● School Lane
Buckingham

Ashton, Kerryann

From: ANN KILBURN 
Sent: 09 May 2013 09:07
To: Ashton, Kerryann
Subject: applicaton 13/00540/LAPRE

The above application, from the restaurant a few doors down from where I live, is a request to extend their opening and licensing hours to 12 midnight. I oppose this this request. If licensing continues to midnight it could be well after midnight by the time revellers leave the premises. My initial concerns about the opening of the restaurant in the first place have proven to be unfounded, however I am sure that the restrictions placed vis-a-vis the opening hours and restrictions on when alcahol can be served are the reason for this. I fear that if the request is granted it will only be a matter of time before the previously withdrawn request for a music license is revisited.

Ann Kilburn... Nelson Street. Buckingham



**Nelson Street
53-54 Nelson Street
Buckingham
MK18 1BT**



1:500

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