

**Licensing and Gambling Acts
Sub-Committee 15.12.14**

**APPLICATION FROM FEVER AND BOUTIQUE AYLESBURY
UNDER THE LICENSING ACT 2003 FOR A MAJOR
VARIATION OF A PREMISES LICENCE**

1. THE APPLICATION

Applicant(s): Bar Fever (Aylesbury) Limited

Premises: Fever and Boutique, 14 Kingsbury, Buckinghamshire, HP20 2HT

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

A copy of the current premises licence is attached as Appendix 2. A plan of the premises is attached as Appendix 8 and a location map of the premises is attached as Appendix 9.

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Licensing Authority - No representation

Thames Valley Police – A representation from Thames Valley Police was received during the consultation period. A copy of the representation is attached as Appendix 3. This representation has subsequently been withdrawn following the applicant amending the application.

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 four representations during the consultation period from other parties. Copies of the representations are attached as Appendix 4.

3. NOTICE OF HEARING AND RESPONSES

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

The submissions that have been received to date following service of the Notice of Hearing are attached as appendix 5, 6 and 7. This consists of a supplementary e-mail from the applicant amending the application attached as Appendix 5, a supplementary e-mail from one of the other parties attached as Appendix 6 and an email from Thames Valley Police confirm they wish to withdraw their representation attached as appendix 7.

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 | Kerryann Ashton 01296 585560 |
| Background Documents | None |

Cheque payment £315.00
 29/10/14 LM.
 APPENDIX 1

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.

I/We Bar Fever (Aylesbury) Limited
 (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 11/01932/LAPRE (PR0274) |
|---|

Part 1 – Premises Details

| | | | |
|---|-----------|----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description Fever and Boutique (formerly The Hobgoblin) 14 Kingsbury | | | |
| Post town | Aylesbury | Postcode | HP20 2HT |

| | |
|---|------------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £36,750.00 |

Part 2 – Applicant details

| | | | |
|---|---|----------|----------|
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |
| Current postal address if different from premises address | 4 Rockfield Business Park Old Station Drive Leckhampton | | |
| Post town | Cheltenham | Postcode | GL53 0AN |

AYLESBURY VALE
 DISTRICT COUNCIL
 29 OCT 2014
 RECEIVED
 ENVIRONMENTAL HEALTH & LICENSING SERVICES

Part 3 - Variation

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

| DD | MM | YYYY |
|----|----|------|
| | | |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

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

~~The proposed variation is to extend the sale of alcohol on Sunday from the current hours of 07:00 to 00:00 to the proposed hours of 07:00 to 02:00 the following morning. The hours for Monday to Saturday will remain as existing.~~

~~To extend the provision of regulated entertainment on Sunday (to include performance of live music and recorded music, performance of dance, other entertainment of a similar description to live music and recorded music, exhibition of a film, indoor sporting event) from the current hours of 07:00 to 00:00 to the proposed hours of 07:00 to 02:00 the following morning. The hours for Monday to Saturday will remain as existing.~~

~~To extend the provision of late night refreshment on Sunday from the current hours of 23:00 to 00:00 to the proposed hours of 23:00 to 02:00 the following morning. The hours for Monday to Saturday will remain as existing.~~

To seek approval of proposed alterations detailed in the plan submitted with the application. The alterations comprise of the creation of bars 4 and 5 on the ground floor with additional fixed seating and removal of existing kitchen to create additional seating booths.

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 all that apply

- 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

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"/> |
| 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 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 checked="" 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 exhibition of films (please read guidance note 4) | | |
| Thur | | | | | |

| | | | |
|-----|-------|-------|---|
| Fri | | | <p><u>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)</u></p> <p>On the day when British Summertime commences and on that day only licensable activities will be extended by one hour.</p> |
| Sat | | | |
| Sun | 07:00 | 02:00 | |

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 | | | <p><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 (please read guidance note 5)</u></p> <p>On the day when British Summertime commences and on that day only licensable activities will be extended by one hour.</p> |
| Fri | | | |
| Sat | | | |
| Sun | 07:00 | 02:00 | |

D

| | | | | |
|--|-------|--------|---|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <p><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u></p> | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| Mon | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| | | | Please give further details here (please read guidance note 3) | |

| | | | |
|------|--|--|---|
| | | | |
| Tue | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) |
| Thur | | | |
| Fri | | | <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) |
| Sat | | | |
| Sun | | | |

E

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>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</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | 07:00 | 02:00 | On the day when British Summertime commences and on that day only licensable activities will be extended by one hour. | | |

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"/> | |
| 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 playing of recorded music (please read guidance note 4) | | | |
| Thur | | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) On the day when British Summertime commences and on that day only licensable activities will be extended by one hour. | | | |
| Sat | | | | | | |
| Sun | 07:00 | 02:00 | | | | |

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 checked="" 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 performance of dance (please read guidance note 4) | | | |
| Thur | | | | | | |

| | | | |
|-----|-------|-------|--|
| Fri | | | <p>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)</p> <p>On the day when British Summertime commences and on that day only licensable activities will be extended by one hour.</p> |
| Sat | | | |
| Sun | 07:00 | 02:00 | |

H

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| <p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p> | | | <p>Please give a description of the type of entertainment you will be providing</p> | | |
| Day | Start | Finish | <p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p> | Indoors | <input checked="" type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <p>Please give further details here (please read guidance note 3)</p> | | |
| Wed | | | | | |
| Thur | | | <p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p> | | |
| Fri | | | | | |
| Sat | | | <p>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)</p> <p>On the day when British Summertime commences and on that day only licensable activities will be extended by one hour.</p> | | |
| Sun | 07:00 | 02:00 | | | |

I

| | | | | | |
|---|-------|--------|---|----------|-------------------------------------|
| 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"/> |
| | | | | 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 provision of late night refreshment (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | 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) On the day when British Summertime commences and on that day only licensable activities will be extended by one hour. | | |
| Sat | | | | | |
| Sun | 23:00 | 02:00 | | | |

J

| | | | | | |
|--|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption – please tick (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 | | | |
| Mon | | | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | 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) | | |
| Thur | | | | | |

| | | | |
|-----|-------|-------|---|
| Fri | | | On the day when British Summertime commences and on that day only licensable activities will be extended by one hour. |
| | | | |
| Sat | | | |
| | | | |
| Sun | 07:00 | 02:00 | |
| | | | |

K

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

L

| | | | |
|---|-------|--------|---|
| 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 | <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>On the day when British Summertime commences and on that day only the opening hours will be extended by one hour.</p> |
| Mon | | | |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | |
| | | | |

| | | | |
|-----|-------|-------|--|
| Sat | | | |
| | | | |
| Sun | 07:00 | 02:00 | |
| | | | |

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.
 N/A

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.
 The premises licence has not been provided by the current licence holder.

M

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 and e) (please read guidance note 9)

The existing conditions of the premises licence to remain which promote the licensing objectives.

b) The prevention of crime and disorder

See (a) above

c) Public safety

See (a) above

d) The prevention of public nuisance

See (a) above

e) The protection of children from harm

See (a) above

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 | 28 October 2014 |
| Capacity | Woods Whur 2014 Limited – Solicitors for 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) | | | |
| Carole Collingwood Woods Whur 2014 Limited Devonshire House 38 York Place | | | |
| Post town | Leeds | Post code | LS1 2ED |

Telephone number (if any)

0113 234 3055

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

carole@woodswhur.co.uk



Premises Licence

FILE COPY

AYLESBURY VALE
DISTRICT COUNCIL

Premises Licence Number

14/01628/LAPRE (PR0274)

Date Issued

29th October 2014

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Fever And Boutique
14 Kingsbury
Aylesbury
Buckinghamshire
HP20 2HT

Telephone number 01296 415100

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

| | | |
|---|--------------------|---------------|
| Sale by Retail of Alcohol | Monday to Thursday | 07:00 - 02:00 |
| Late Night Refreshment | Monday to Thursday | 23:00 - 02:00 |
| Performance of Live Music | Monday to Thursday | 07:00 - 02:00 |
| Performance of Recorded Music | Monday to Thursday | 07:00 - 02:00 |
| Performance of Dance | Monday to Thursday | 07:00 - 02:00 |
| Other Entertainment of a Similar Description to Music / Dancing | Monday to Thursday | 07:00 - 02:00 |
| Exhibition of a Film | Monday to Thursday | 07:00 - 02:00 |
| Indoor Sporting Event | Monday to Thursday | 07:00 - 02:00 |
| Sale by Retail of Alcohol | Friday to Saturday | 07:00 - 02:15 |
| Late Night Refreshment | Friday to Saturday | 23:00 - 02:30 |
| Performance of Live Music | Friday to Saturday | 07:00 - 02:30 |
| Performance of Recorded Music | Friday to Saturday | 07:00 - 02:30 |
| Performance of Dance | Friday to Saturday | 07:00 - 02:30 |

| | | |
|---|--------------------|---------------|
| Other Entertainment of a Similar Description to Music / Dancing | Friday to Saturday | 07:00 - 02:30 |
| Exhibition of a Film | Friday to Saturday | 07:00 - 02:30 |
| Indoor Sporting Event | Friday to Saturday | 07:00 - 02:30 |
| Sale by Retail of Alcohol | Sunday | 07:00 - 00:00 |
| Late Night Refreshment | Sunday | 23:00 - 00:00 |
| Performance of Live Music | Sunday | 07:00 - 00:00 |
| Performance of Recorded Music | Sunday | 07:00 - 00:00 |
| Performance of Dance | Sunday | 07:00 - 00:00 |
| Other Entertainment of a Similar Description to Music / Dancing | Sunday | 07:00 - 00:00 |
| Exhibition of a Film | Sunday | 07:00 - 00:00 |
| Indoor Sporting Event | Sunday | 07:00 - 00:00 |

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| | | |
|--|--------------------|---------------|
| The opening hours of the premises | | |
| Opening Hours | Monday to Thursday | 07:00 - 02:00 |
| Opening Hours | Friday to Saturday | 07:00 - 02:30 |
| Opening Hours | Sunday | 07:00 - 00:00 |

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Supply of alcohol from these premises is authorised for consumption on the premises only.

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Bar Fever (Aylesbury) Limited
 4 Rockfield Business Park
 Old Station Drive
 Leckhampton
 Cheltenham
 GL53 0AN

Registered number of holder, for example company number, charity number (where applicable)

Company Number 08292714

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made at a time when:
 - (i) there is no designated premises supervisor in respect of the premises; or
 - (ii) the designated premises supervisor does not hold a personal licence or his/her personal licence has been suspended.

- 2 Every supply of alcohol must be made or authorised by a person who holds a personal licence.

- 3 Where a premises licence authorises the exhibition of films, the admission of children must be restricted in accordance with the recommendations (e.g. 12A, 15 or 18) given to films by either the British Board of Films Classification or the Licensing Authority.

- 4 Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (i) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (ii) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 –Conditions consistent with the operating schedule

5 Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours mean the hours stated above with the following exceptions:

1. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above house, the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

6. Non Standard timings for all licensable activities:

- a) One additional hour on Friday, Saturday, Sunday, Monday of Bank Holidays.
- b) One additional hour Christmas Eve and New Years Eve.

7. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary

In this condition 'bar' includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

8. CONDITIONS FOR PUBLIC ENTERTAINMENT

Hours of Opening

1. The licensed premises shall not be kept or used for public music and dancing or other public entertainment of a like kind except between the hours specified in this licence.
2. The licensed premises shall not be kept or used for public music and dancing or other entertainment of a like kind on Christmas Day.

Maximum Capacity

3. The maximum capacity of the licensed premises is:

| | |
|---|-------------|
| First floor only: | 200 persons |
| Ground floor only: | 260 persons |
| Ground floor plus first floor together: | 260 persons |

Staff

4. (a) The licensee or some responsible person nominated by him in writing, not being a person under 18 years of age, shall be in charge at, and present in, the premises at all times when the public are on the premises for the purpose of ensuring that the conditions of the licence are properly observed.

(b) In the case of premises which are managed by voluntary organisations and which are hired out from time to time to other organisations for public entertainments, a person should be nominated as responsible for both the entertainment and safety arrangements. It is recommended that the hirer fulfils the following conditions:-
 - (i) is 18 years of age or over;
 - (ii) signs a written undertaking to accept responsibility for being in charge of and on the premises at all times when the public are present and for ensuring that all conditions of the entertainment licence relating to management and supervision are met;
 - (iii) possesses a full copy of the licence conditions for the premises;
 - (iv) ensures that he receives instructions and training in respect of fire regulations and evacuation;
 - (v) carries out a safety check in respect of exit doors and escape routes; and
 - (vi) provides such attendants as may be required under these conditions and instructs them as to their essential responsibilities in the event of fire or other emergency.

Furthermore all voluntary management committees should be encouraged to provide instruction for their committee members and booking secretaries in emergency procedures at least once every year.

Exhibition of Hypnotism

- 5 No person shall give at the premises (otherwise than as provided by Section 5 of the Hypnotism Act 1952) any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which the susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased, unless authorised by the Council and subject to appropriate additional conditions.

Control and Conduct of Premises

- 6 (a) The licensee shall, to the best of his ability, maintain and keep good order and decent behaviour in the premises at all times the premises are being used for the purpose of the licence. In particular the licensee shall ensure that none of the following shall take place:
- acts of violence against person or property and/or the attempt or threat of such acts.
 - unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971.
- (b) The licensee shall ensure the music provided at the premises shall not cause a nuisance to nearby residents and any form of amplification shall be so controlled by the licensee as to prevent such a nuisance.
- (c) No poster, advertisement, photograph, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of the licensee which is unsuitable for general exhibition. If the licensee is notified by the Council in writing that it objects under this rule to a poster, advertisement, photograph, synopsis or programme, it shall not be displayed, sold or supplied.
7. (a) The licensee shall take all reasonable precautions for the safety of the public, the performers and employees and shall retain control over all portions of the premises.
- (b) If the premises are being used for ice skating (whether on ice or a synthetic surface) or roller discos or similar entertainment to music, a fully equipped First Aid point shall be provided to the satisfaction of the Council. The First Aid point shall be clearly identified by proper signposting and shall be staffed adequately by a person who has been trained by and holds a current First Aid certificate issued by an organisation whose training and qualification for First Aid have been approved by the Council.

Provision of Toilets

8. Such number of separate water closets and urinals for persons of each sex as may be required by the Council shall be available free of charge.
9. Adequate washing facilities with hot and cold running water as may be required by the Council shall be available for use by the public and performers.
10. All sanitary and washing facilities shall be kept clean and in good working condition.

Cleanliness

11. All parts of the premises and any yard of such premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.

A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises. The receptacles shall be maintained in a clean and wholesome condition to the satisfaction of the Council and shall be kept in positions approved by the Council.

Exits

12. The premises shall be provided with the following exits:
 - The rear door leading from the bar area, currently fitted with a panic bolt, is to be maintained easily open able and not secured with any device not approved by the Fire Authority.
13. All exits for use by the public in leaving the hall shall be maintained free from obstruction and be clearly indicated by exit notices to the current British Standard and all such notices shall be illuminated at all times when members of the public are present in the premises.
14. All exit doors and all internal doors leading to exits shall be constructed to open outwards except as provided for in Condition 20.
15. Every door in the building for use by members of the public going from the hall to outside the building shall be so constructed and maintained as to open easily and fully in such manner that the door when open does not restrict the egress of the public.
16. Every door in the building for use by members of the public going from the hall to outside the building shall only be fastened in a manner approved by the Council. Doors fitted with panic bolts shall bear a notice "PUSH BAR TO OPEN" in 100mm block white letters on a dark background immediately below the push bar.
17. All doors and outside gates affording a means of escape for the public which have been permitted by the Council to open inwards shall be kept fastened back in a manner approved by the Council in the fully opened position during the whole time the public are on the premises.
18. All passages, courts, ramps and stairways to which the public have access and which lead from the hall to outside the premises shall, at all times when the public are on the premises, be kept free from obstruction.
19. Doors and openings in sight of the audience, other than exits, which lead to parts of the premises accessible to the public, shall be marked "PRIVATE" or have notices placed over them indicating the use of such parts.

Curtains, Drapes and Other Textile Hangings

20. (a) All curtains or drapes should be of durably flame retarded fabric or inherently flame retarded fabric and should conform with British Standard 5867: Part 2 Fabric Type B.

- (b) Curtains across doorways shall be adequately supported, shall not conceal any notice other than a "PUSH BAR TO OPEN" and shall be arranged as to draw easily from the centre and slide freely. All curtains shall be hung so that they are 75mm clear of the floor.

Seating and Other Furniture

21. (a) Any seating or other furniture, e.g. tables and chairs, shall be so arranged that there are clear unobstructed gangways not less than 1050mm in width leading directly to exits.
- (b) Upholstered furniture shall be maintained free from tears, rips, etc and should only contain those filling materials specified in the Furniture and Furnishings (FIRE) (SAFETY) Regulations. Upholstered furniture shall not be introduced within the premises unless approval of the Council is first obtained.

Alterations to Premises

22. No alterations shall be made to the premises, either in construction, arrangements of public accommodation, exits, nature of entertainment or otherwise without the prior notification in writing to the Council.

Fire Precautions

23. The following fire appliances shall be provided:
- 1 x water type or general purpose dry powder extinguisher is to be provided adjacent to both the front and rear exits.
 - 1 x Carbon Dioxide extinguisher and one fire blanket are to be fitted in the kitchen area.
 - To guard against the possibility of accidental discharge, and to make them readily visible, all fire fighting equipment is to be mounted on suitable wall brackets at a convenient height from floor level to facilitate easy removal in case of fire.
24. The fire appliances shall be maintained in proper working order and be available for instant use.
25. All heating appliances and the siting thereof shall be approved by the Council and any open fireplace, stove, gas or electric fire or heating appliance, other than low pressure hot water pipes and radiators, shall be provided with substantial fixed guards.
26. (a) Paper decorations, cotton wool or other combustible materials used to decorate the hall shall be kept well clear of any source of ignition.
- (b) There shall be no unnecessary accumulations of flammable materials in any part of the building.
27. In all parts of the building to which the public are admitted, a means of illumination shall be provided capable of illuminating those parts clearly.
28. A system of secondary or safety lighting shall be used to illuminate all exit signs and those parts of the premises considered by the Council necessary to be illuminated by this form of lighting.

Electrical

29. (a) All electrical installations shall be kept in a sound, clean and safe working condition. The licensee shall supply a certificate as to the condition of the installation if required to do so by the Council. The certificate shall be provided by a competent electrician after his inspection. All electrical installations should be inspected at least every five years.
- (b) One of the following protective measures shall be used for all socket outlets which may be used for the connection of sound amplification and associated equipment:-
- (i) Each socket outlet shall be protected by a residual current device having a rated residual operating current not exceeding 30mA; or
 - (ii) Each individual socket outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The correct operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time, action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

Attendants

30. (a) There should be competent attendants on duty during the whole time that the public are on the premises. These attendants should have been specifically instructed as to their essential responsibilities in the event of a fire or other emergency. Account should be taken of the additional responsibility caused by the attendance of disabled persons.
- (b) Attendants should be readily identifiable to the public by means of some conspicuous clothing or marking system which is visible under all lighting conditions. They should carry an effective hand torch in premises where part or all of the public areas may be darkened when the public are present.
- (c) The number of attendants on duty on the premises to assist persons entering or leaving should not be less than 1 for every 250, or part 250, persons present; and
- (i) if the number of persons on the floor or tier is less than 100, there should be at least 1 additional attendant on duty on that floor or tier;
 - (ii) if the number of persons present on any floor or tier exceeds 100, there should be at least 2 additional attendants on duty on that floor or tier.
- (d) Where most of the audience is under the age of 16, the number of attendants on duty should be not less than 1 for every 100, or part of 100, within the auditorium and 1 attendant for every 50, or part 50, above the lowest floor.
- (e) The main duty of attendants is to ensure that safe conditions are maintained in the premises and to achieve this, they should:-
- (i) ensure that no over-crowding occurs in any part of the premises;
 - (ii) keep all gangways and exits clear at all times;
 - (iii) prevent standing on seats or furniture; and
 - (iv) be aware of any special requirements needed to ensure the safe evacuation of the audience.
- (f) The manager should ensure that attendants are trained in fire procedures with the fire authority being consulted as appropriate. Instruction should include a demonstration of the locations and use of the fire-fighting equipment provided how to call the fire brigade and evacuation procedures.

Facilities for the Disabled

31. Facilities to ensure disabled persons can visit performances at the licensed premises shall be as follows:-
- (a) disabled persons who are able to leave their wheelchairs in approved positions outside the hall and walk to their seats provided:-
 - (i) admission and the need for a disabled person to be accompanied by an able bodied person, capable of assisting him/her from the hall in case of emergency, shall be at the discretion of the licensee.
 - (ii) any such person accompanying a disabled person shall be seated in a seat adjacent to them.
 - (b) disabled persons unable to leave their wheelchairs provided:-
 - (i) admission should always be at the discretion of the licensee.
 - (ii) the chair shall be of the manually operated or electrically driven type and placed in an agreed position which will facilitate easy evacuation from the premises in case of emergency.
 - (iii) the disabled person shall be accompanied by an able bodied person capable of assisting him/her from the building in case of emergency.
 - (iv) any such person accompanying a disabled person shall be seated in a seat adjacent to him/her.
 - (c) provided that in all cases the admission of a disabled person to any premises shall not be unreasonably refused by a licensee.
 - (d) provided that admission shall be restricted to the ground floor of any premises, unless access to other floors is approved in writing by the Council.

Use of Lasers for Display Purposes

32. (a) Prior to the public use of any laser product, the licensee shall inform the Council in writing, giving 14 days notice of the display.
- (b) The operator of the display laser system shall also inform the Council in writing that the equipment complies with the Health and Safety Executive Guidance Note PM19, "USE OF LASERS FOR DISPLAY PURPOSES". Only equipment which falls within Class 1, 2 or 3A of the said Guidance Note PM19 shall be permitted.

9. General Licensing Objectives

Not stated.

10. The prevention of crime and disorder

Not stated.

11. Public Safety

Not stated.

12. **The prevention of public nuisance**

Not stated.

13. **The protection of children from harm**

- a) No children allowed on the premises at any time of day

Annex 3—Conditions attached after a hearing by the licensing authority

Not applicable.

Annex 4 – Plans



Trevor Hooper
Licensing Officer
Aylesbury/chiltern

Aylesbury Police Station
Walton Grove
Wendover Road, Aylesbury
BUCKS, HP12 7LA

Tel: 01296 396034

Fax:

trevor.hooper@thamesvalley.pnn.police.uk

www.thamesvalley.police.uk

21 November 2014

Dear Mr Seal,

Application to vary licence, Fever and Boutique.

I refer to the above application to vary the licence of this premises by way of extending the sale of alcohol on Sunday from 0700 to 00.00 to 07.00 to 02.00 the following morning. Also to extend to the same hours regulated entertainment and late night refreshment.

The police having due regard to AVDC Licensing Policy statement would not object to this application. It seeks to bring these premises in line with some others in the town for Sunday trading and would extend the hours at Bank holidays withdrawing the need to apply and pay for a TEN on each occasion.

I have received an application to change the DPS for these premises when it opens. Mr Duncan Squires will be the DPS and he has previous experience at another venue owned by the group. I have spoken to the licensing officer for the area and they experienced no problems.

I am aware that some premises have only later hours on Bank holiday Sundays in this area and this may be a route the applicant wishes to take.

The police would like to see the 2 documents supplied by the applicant adopted into the licence as conditions and suitable wording to ensure they can be enforced.

The police would also like a further condition restricting the use of the front of the premises in that smoking only takes place in the area set aside in the plans. It is felt this will stop any confrontation with members of the public. It is felt it would also make the door staff job easier.

T I Hooper

Licensing Officer.

Ashton, Kerryann

From: no-reply@aylesburyvaledc.gov.uk
Sent: 18 November 2014 13:55
To: Licensing Team
Subject: Comments for Licensing Application 14/01628/LAPRE

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

Comments were submitted at 1:56 PM on 18 Nov 2014 from Mr Aylesbury Town Council.

Application Summary

Address: 14 Kingsbury Aylesbury Buckinghamshire HP20 2HT

Proposal: Premises Licence

Case Officer: Kerryann Ashton

[Click for further information](#)

Customer Details

Name: Mr Aylesbury Town Council

Email: b.daytonn@aylesburytowncouncil.gov.uk

Address: Aylesbury Town Council, Town Hall, 5 Church Street
Aylesbury, Buckinghamshire HP20 2QP

Comments Details

Commenter Type: Parish Council

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 1:56 PM on 18 Nov 2014 Aylesbury Town Council objected to this application on the grounds on the prevention of public nuisance. If the application is considered at Committee, PC will speak at the Committee.

Ashton, Kerryann

From: Adrian Harford ~~adrian.harford@otara.govt.nz~~
Sent: 25 November 2014 11:09
To: Licensing Team
Subject: Unable to submit representation re application 14/01628/LAPRE
Attachments: AOTRA Hobgoblin Draft Representation.doc

My online submission on behalf of AOTRA was rejected due to 'a system error'.

The attached document contains the text of the representation that we wished to make. Please acknowledge receipt of this submission.

Regards
Adrian Harford (AOTRA secretary)

This representation is made on behalf of Aylesbury Old Town Residents Association (AOTRA) in relation to the Variation Application 14/01628/LAPRE made by Bar Fever (Aylesbury) Limited.

The Association objects to the variation application in its entirety for the following reasons.

The premises are located in the Cumulative Impact Zone cited in the Saturation Policy set out in paragraph 5 (sub-paragraph 5.16) of the AVDC Licensing Policy Statement.

Saturation Policies derive from the Secretary of State's S 182 Guidance [October 2014]

In particular:

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

and

13.37 Special policies can also not be used to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (as would be the case with an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly appropriate for the promotion of the licensing objectives.

Here, the Applicant has failed to take account of the Saturation Policy at all, and has not attempted to rebut the presumption set out in the legal requirements. Caselaw confirms the correct approach. (see: ***R (on the application of JD Wetherspoon) v Guildford Borough Council [2006] EWHC 815 (Admin)***)

And

R (on the application of Portsmouth City Council) v 3D Entertainment Group (CRC) Ltd [2011] EWHC 507 (Admin).)

The Applicant has not dealt with Cumulative Impact at all in this application, and it is, therefore, not a valid application, and not one which could rebut the presumption. A failure to consider this application in accordance with the Secretary of State's S 182 Guidance, and the High Court caselaw would also constitute an error of law. The correct response to this application, as it stands, therefore would be a refusal in accordance with "*3D Entertainment*" above.


The Applicant has not indicated the steps that would be taken to control the potential risk to the licensing objectives by extending the hours of this licence. This licence has not traded for a very long time, and the circumstances in the town centre have changed considerably since the last time this licence was addressed. The Applicants have not demonstrated that they have taken note of this.

There is a substantial risk that the extension of the hours sought, and the associated licensable activities / regulated entertainments will impact on crime and disorder, and public nuisance in particular. There are also concerns about public safety and the protection of children from harm. AOTRA reserves the right to amplify concerns in relation to all four licensing objectives.

AOTRA is particularly concerned about issues of noise; disturbance; anti-social behaviour; concentrations of people and impacts on public transport, including taxis; problems around dispersal and an increase in crime and disorder. These concerns are based upon the experiences of other similar premises in the cumulative impact zone, but also on the trading of the premises in question historically, when flagrant breaches of the licensing objectives were demonstrated. The locality is critical. There is a substantial risk of impact to neighbours and residents in the vicinity. None of this has been addressed by the Applicant.

AOTRA opposes the variation in its entirety. AOTRA highlights in particular the existing restrictions on the licence, including the capacity limitations, which, it is noted, the Applicant has not sought to vary. This is not something that can be done now, as this would materially alter the variation as made, and it would also be inappropriate.

Thomas, Karen

From: Kyle Michael 
Sent: 26 November 2014 02:07
To: Licensing Team; Ashton, Kerryann
Subject: Fever & Boutique Variation Application

Dear Sirs

I wish to object to the granting of the variation for the premises now known as Fever & Boutique in Kingsbury Square.

The objection is made under the Prevention of Crime & Disorder & Public Nuisance objectives and due to the strict policy AVDC have adopted in relation to applications within the Cumulative Impact Policy which I wish to evoke in this objection. I make this objection as an interested party on two counts, firstly as a resident of the town centre and secondly as a owner of a licenced premises within the Cumulative Impact Policy Zone.

As you are aware, I own a premises which has made applications which been denied as a direct result of this policy. Whilst I do not agree with the policy and have tried to convince the Licensing Committee the policy is not fit for purpose and does not allow for flexibility based on individual circumstances, I was reminded again that the policy must be strictly adhered to in the recent decision notice for my premises. Fever & Boutique are not in any sense an exceptional case and certainly their marketing mirrors that of LJz, Niche & Mirage already operating in that market. How a premises is run, the venue operator, the licence holder and the music offering are not to be considered as has been made clear in my previous applications for my venue.

The policy is clear that all licence variations after 12.30 for high risk premises, which this venue falls within, will be refused, except in exceptional circumstances. Given that LJz was established on the basis that this premises (then the Hobgoblin) and other premises had closed and therefore there was 'space' without effecting the cumulative impact for a 999 capacity club, it would be perverse for this venue to then re-open and be permitted to extend its hours.

This venue is advertising drinks deals on every night before it has even opened and is marketing itself as a drinks venue, confirming it's status as a high risk premises as defined by the Cumulative Impact Policy. A letter sent to residents as part of the marketing for the opening explains that Fever & Boutique can cater for parties up to 600 capacity, far in excess of the previous licence held at the venue and will certainly add to the cumulative impact within the town centre.

Given the licensing committee has been clear that the Cumulative Impact Policy must be strictly upheld in other cases, such as my premises, it must also do so in this case and the application to vary the licence should be rejected.

Regards

Kyle Michael

A37

Ashton, Kerryann

From: Carole Collingwood <carole@woodswhur.co.uk>
Sent: 27 November 2014 14:38
To: Ashton, Kerryann; trevor.hooper@thamesvalley.pnn.police.uk
Cc: Nigel Blair; Andrew Woods
Subject: Fever and Boutique Aylesbury

Dear Kerryann

Further to your meeting with Nigel Blair this morning, we are instructed to confirm the following:

1. An amendment to the variation application by removing the request to extend licensable activities on Sunday and proceed with the application for approval of the proposed alterations.
2. As discussed at your meeting, our client has asked that all of the conditions relating to the Public Entertainment Licence are removed from the premises licence as they are no longer relevant.
3. We confirm our client has agreed to incorporate the two policies provided to Trevor Hooper as conditions of the premises licence. Therefore, the Drugs and Substance Abuse Policy and Operating Schedule and Crime Prevention Policy will be complied with at all times.

We have received your letter of 26 November 2014, enclosing copies of the representations and we should be obliged if you would confirm whether we should write to those persons who have objected to inform them of the amendment to the application. We are instructed to advise that if the objections are to be pursued our client would be happy to attend a meeting to discuss matters.

I should be obliged if you would acknowledge receipt of this email and confirm if we should contact the objectors directly regarding the amendment to the application.

Kind regards

Carole Collingwood

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk
Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

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The Fever Group Drugs and Substance Abuse Policy

The Fever Groups philosophy is very clearly defined. We disapprove of drug misuse and its associated culture. We make no concession, which will encourage customers, or employees who want to use our premises for such purposes. Whilst we will offer care and assistance to any customer in trouble, any person in possession of drugs will be removed from our premises.

During trade we operate a random search policy on entry to the premises. The customer toilets are checked at least every 20 minutes when the Door Staff rotate positions throughout the evening. If any suspicious behaviour is noticed then this is reported to Management. The individual/s are asked to consent to a search, if he/ she refuses a search he/ she will be ejected and the Police/ CCTV town response informed if necessary. All searches are conducted in front of CCTV where possible.

All Staff are encouraged to report any behaviour in the premises that causes suspicion to Door Staff and Management.

It is Company Policy to have any person who is in the possession of, or tries to sell drugs reported to, and arrested by, the Police (in accordance with the local Police Policy). A report in the incident log will also be made and the drug placed in an evidence bag.

SIA badged security operatives are trained in identifying substances and how to deal with users by our security provider and is part of the training pack used for the Fever group. There is a 6 month refresher training for all members of the team.

Fever Aylesbury Operating Schedule and crime prevention strategy

Our First priority in our operating schedule is to uphold the four Licensing Objectives of the current licensing laws; this is done through comprehensive risk assessments and Regular ongoing training for all our Team.

(Copies of our risk assessments and training documents are available on request)

The crime prevention strategies that will be in operation at Fever and Boutique Aylesbury have been developed to prevent crime and disorder both within the premises and out with

The presence of SIA security staff at the premises will be risk assessed for each trading night to ensure the correct Manpower dependent on the trading night.

The employment of registered door supervisors is a key component in the prevention of crime and the safety of customers and local residents. All door supervisors employed will be registered to the Security Industry Authority (SIA).

Door supervisors will also be responsible for dispersal of customers at our premises ensuring customers leave the premises safely.

Our Security Provider prior to opening will have done a full risk assessment relating to security and deployment.

Antisocial noise:

Customers leaving the premises are reminded to think of others. Not to raise voices and disperse as quietly as possible. This will then be reinforced with signage.

CCTV

Digital CCTV is fitted extensively throughout the premises with a minimum of 31 days recording and signage in place in the venue. Fever Aylesbury will have a minimum of 18 cameras.

Search Policy

There is a random search policy. The searches are conducted at the discretion of the front door supervisors and depending on the advice of the local police as to the current perceived threat. Customers are asked if they have any objection to being searched as a condition of entry. We will work to a one in twenty search policy.

Intoxication

The effective employment of registered door supervisors prevents the entrance of customers that appear to be intoxicated. Bar staff are made aware not to serve persons thought to be under the influence of alcohol and trained in this before they are able to start working for the company. Registered door supervisors employed within the club premises strictly enforce this policy. Customers considered being at risk of causing a nuisance because of the influence of alcohol are invited to leave and escorted from the premises.

Staff refresher training will take place every six months.

Drugs

Please see company drug policy.

Local Residents

Great care is taken to reduce noise levels of customers entering and leaving the club.

At closing time door supervisors advise customers to keep noise levels low

Communication

Security and management are supplied with two way radios to ensure they can communicate with each other through trading hours.

Front door security will hold the town center link radio if there is one and communicate with CCTV on any suspicious or aggressive behavior.

Key Strategic Initiatives to ensure our Premises are operated well -

Effective Staff training on upholding the Licensing Objectives Via of our Fever Induction and training programme for all staff.

Fire Safety.

Fire safety Equipment training.

All areas are well lit

A strict banning policy

Polite and friendly security and staff

Build good working relationships with Police and all other authorities

Random search policy

CCTV

Cloakroom in place to look after customers valuables

Secure staff room to protect staff valuables

A Challenge 21 or 25 policy in place, depending on local police preference.

Photo driving license or passport only identification accepted unless police request us to accept other schemes such as pass or citizen card.

Regular visits from senior members of our security provider to ensure compliance by sia staff.

Regular visits from senior management in the fever group to ensure all points are meeting expectation and complying.

Ashton, Kerryann

From: Kyle Michael ~~_____~~
Sent: 02 December 2014 02:55
To: Ashton, Kerryann
Subject: RE: Fever And Boutique, 14 Kingsbury, Aylesbury, Buckinghamshire, HP20 2HT Notice of Hearing – 15th December at 2.00pm
Attachments: 10430502_10152521003751347_2366611420956194065_n.jpg

Hi Kerryann

I shall withdraw my objections on the extension of hours, but not to the removal of the conditions in the current amended proposed application. I note the original application which was advertised states on the application form that 'The existing conditions of the premises licence to remain which promote the licensing objectives'.

Specifically, I am still concerned as to the likely public nuisance and crime and disorder objectives in the cumulative impact of the removal of the capacity from a total of 260 across both floors (or 260/200 when floors are open separately) to the advertised 600 circulated by Fever & Boutique in recent literature. This objection was mentioned in my initial communication.

Given that the initial application was not to alter the conditions and now it is amended to remove all conditions in relation to Public Entertainment, the scope of the application has changed significantly and had other interested parties been aware there was to be such a major change then there may have been other objections within the notice period. I believe this effectively constitutes a departure from the original application and is so wide in scope that it should be made by a further application advertised accordingly to allow people to consider this in full.

Whilst the capacity is a matter for the Fire Officer to enforce in regards to safety of the public whilst in the premises, such a huge increase in numbers is likely to add to the cumulative impact of the area as was demonstrated this weekend, during all nights of the venues launch weekend.

I have attached a photo of the advertising showing the 600 capacity and shall attempt to get the original letter for consideration by the committee. I confirm I am willing to attend the hearing and I am willing to speak at the hearing should this be required.

In the meantime, I ask that the premises stick to its current licence capacities to try and avoid a repeat of this weekend and the subsequent issues this caused to other venues, including my own, and the impact of residents in the area.

Regards

Kyle Michael

From: KAshton@aylesburyvaledc.gov.uk
To: ~~_____~~
Subject: RE: Fever And Boutique, 14 Kingsbury, Aylesbury, Buckinghamshire, HP20 2HT Notice of Hearing –

15th December at 2.00pm
Date: Mon, 1 Dec 2014 13:12:44 +0000

Hi Kyle,

Thank you for your e-mail, the notice of hearing letter was sent out in the post on the 26th Nov.

The conditions to be removed are detailed on the attached.

Regards,

Kerryann

Kerryann Ashton

Senior Licensing Officer
Aylesbury Vale District Council
The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

01296 585 560

e-mail kashton@aylesburyvaledc.gov.uk or licensing@aylesburyvaledc.gov.uk www.aylesburyvaledc.gov.uk

From: Kyle Michael ([REDACTED])

Sent: 28 November 2014 17:01

To: Ashton, Kerryann

Subject: RE: Fever And Boutique, 14 Kingsbury, Aylesbury, Buckinghamshire, HP20 2HT Notice of Hearing – 15th December at 2.00pm

Hi Kerryann

Thank you for this email.

I have not received a previous email regarding the hearing or the documents referred to in your email and wonder if this has been sent by post and therefore simply not arrived yet?

I would be willing to withdraw the representation on the basis that the licensable hours are not extended in anyway on any day and provided there are reasonable controls in place as with all premises. As this email refers to the removal of all conditions and as my representation is based on crime and disorder and public nuisance based on the application made, I would like to have time to see the amendments to the application before formally withdrawing the representation.

Could you therefore confirm these have been posted or can they be emailed to allow me to consider the withdrawal of the representation?

Thanks

Kyle

From: KAshton@aylesburyvaledc.gov.uk

Subject: Fever And Boutique, 14 Kingsbury, Aylesbury, Buckinghamshire, HP20 2HT Notice of Hearing – 15th December at 2.00pm

Date: Fri, 28 Nov 2014 16:05:25 +0000

Dear Sirs,

Licensing Act 2003

A44

Notice of Hearing – 15th December at 2.00pm
Fever And Boutique, 14 Kingsbury, Aylesbury, Buckinghamshire, HP20 2HT

Further to the notice of hearing that you have received about the above application the applicant has made some changes to their application which I am circulating to all parties.

The changes are:

1. An amendment to the variation application by removing the request to extend licensable activities on Sunday and proceed with the application for approval of the proposed alterations.
2. As discussed our client has asked that all of the conditions relating to the Public Entertainment Licence are removed from the premises licence as they are no longer relevant.
3. We confirm our client has agreed to incorporate the two policies provided to Trevor Hooper TVP as conditions of the premises licence. Therefore, the Drugs and Substance Abuse Policy and Operating Schedule and Crime Prevention Policy will be complied with at all times.

These changes will now form part of the application and will be referred to at the hearing on the 15th December.

In light of the changes you may wish to consider if you would like to withdraw your representation, or if you wish to submit further information in support of your representation I would be grateful if you would let us know as soon as possible and in any event no later than 5 working days before the hearing date.

Yours faithfully

Kerryann Ashton

Kerryann Ashton
Senior Licensing Officer
Aylesbury Vale District Council
The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

01296 585 560

e-mail kashton@aylesburyvaledc.gov.uk or licensing@aylesburyvaledc.gov.uk www.aylesburyvaledc.gov.uk

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A4S

Ashton, Kerryann

From: Hooper Trevor (Licensing) <Trevor.Hooper@thamesvalley.pnn.police.uk>
Sent: 28 November 2014 07:23
To: 'Carole Collingwood'
Cc: Ashton, Kerryann
Subject: RE: Fever and Boutique Aylesbury

Carole, I am happy to withdraw my rep.
Regards

Trevor

Trevor Hooper | Aylesbury & Chiltern Licensing Officer | Telephone **01296 396034** | Internal **711 6034** | Email trevor.hooper@thamesvalley.pnn.police.uk
Address Licensing, Aylesbury Police Station, Wendover Road, Aylesbury, Bucks, HP21 7LA.

The new Crime Prevention Toolkits are now available on the intranet at:
<http://knowzone/kz-prev-homepage.htm>

For information, guidance and the Licensing Toolkit, visit: <http://knowzone/kz-lic-homepage.htm>

From: Carole Collingwood [mailto:carole@woodswhur.co.uk]
Sent: 27 November 2014 15:28
To: Hooper Trevor (Licensing)
Subject: Fever and Boutique Aylesbury

Trevor

In view of the amendment to the variation application, could you confirm the police objection is withdrawn.

Kind regards

Carole Collingwood

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk
Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Hooper Trevor (Licensing) [mailto:Trevor.Hooper@thamesvalley.pnn.police.uk]
Sent: 27 November 2014 14:48
To: Carole Collingwood
Subject: RE: Fever and Boutique Aylesbury

Carole, Thank you for this.

Regards

Trevor

Trevor Hooper | Aylesbury & Chiltern Licensing Officer | Telephone **01296 396034** | Internal **711 6034** | Email trevor.hooper@thamesvalley.pnn.police.uk
Address Licensing, Aylesbury Police Station, Wendover Road, Aylesbury, Bucks, HP21 7LA.

A46

The new Crime Prevention Toolkits are now available on the intranet at:
<http://knowzone/kz-prev-homepage.htm>

For information, guidance and the Licensing Toolkit, visit: <http://knowzone/kz-lic-homepage.htm>

From: Carole Collingwood [<mailto:carole@woodswhur.co.uk>]
Sent: 27 November 2014 14:38
To: kashton@aylesburyvaledc.gov.uk; Hooper Trevor (Licensing)
Cc: Nigel Blair; Andrew Woods
Subject: Fever and Boutique Aylesbury

Dear Kerryann

Further to your meeting with Nigel Blair this morning, we are instructed to confirm the following:

1. An amendment to the variation application by removing the request to extend licensable activities on Sunday and proceed with the application for approval of the proposed alterations.
2. As discussed at your meeting, our client has asked that all of the conditions relating to the Public Entertainment Licence are removed from the premises licence as they are no longer relevant.
3. We confirm our client has agreed to incorporate the two policies provided to Trevor Hooper as conditions of the premises licence. Therefore, the Drugs and Substance Abuse Policy and Operating Schedule and Crime Prevention Policy will be complied with at all times.

We have received your letter of 26 November 2014, enclosing copies of the representations and we should be obliged if you would confirm whether we should write to those persons who have objected to inform them of the amendment to the application. We are instructed to advise that if the objections are to be pursued our client would be happy to attend a meeting to discuss matters.

I should be obliged if you would acknowledge receipt of this email and confirm if we should contact the objectors directly regarding the amendment to the application.

Kind regards

Carole Collingwood

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk
Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

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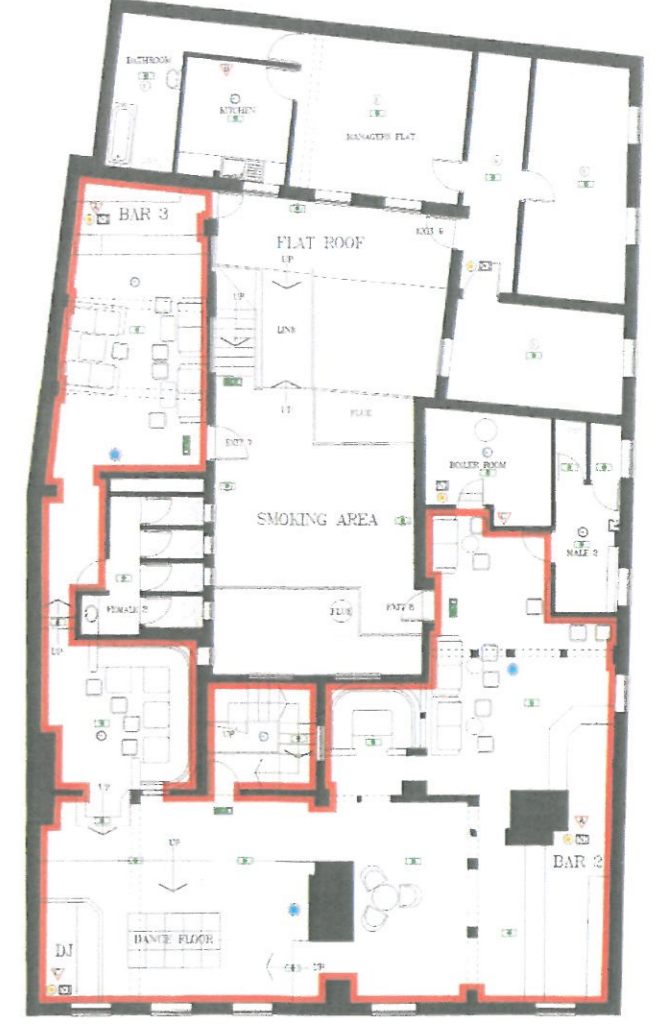
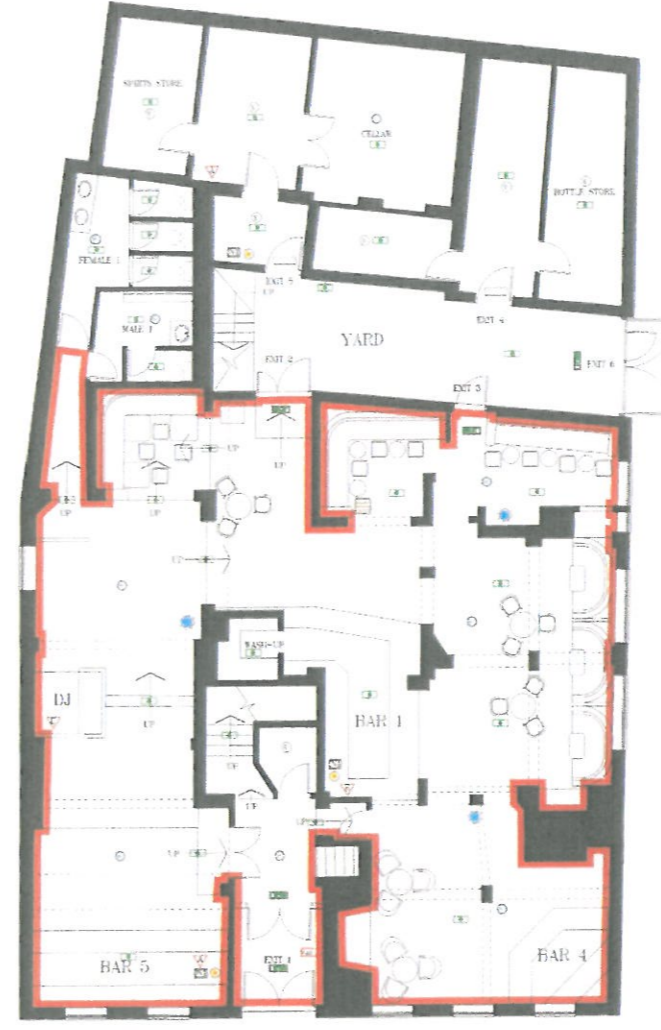
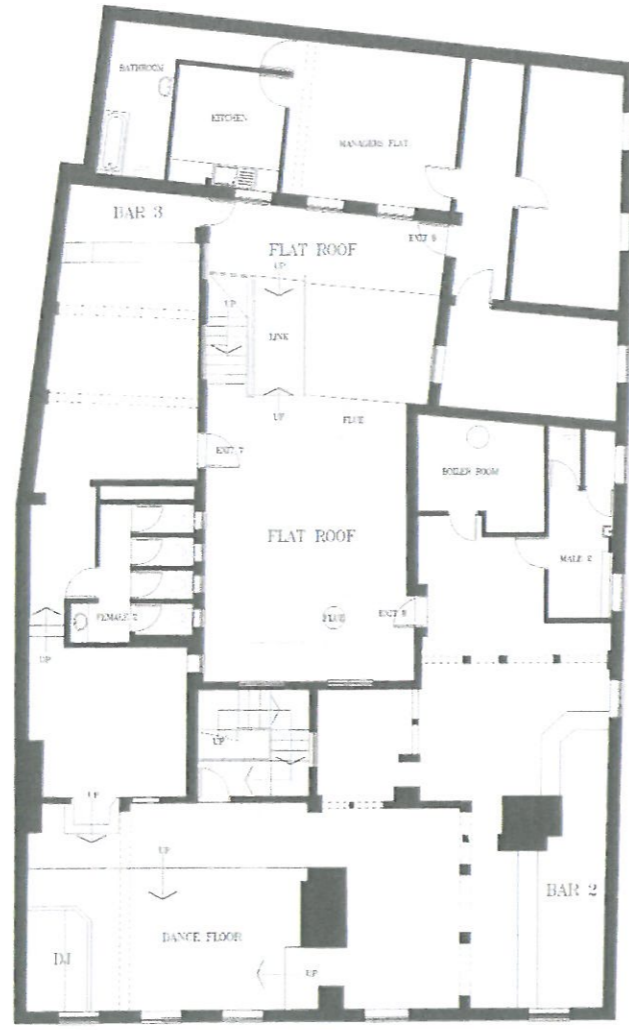
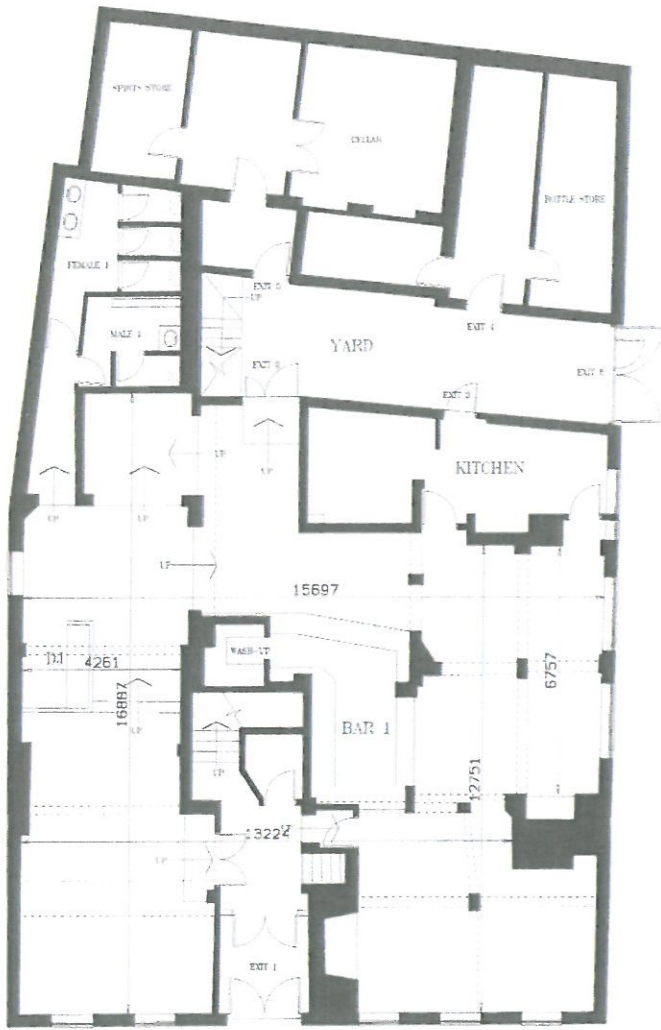
A47

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EXISTING PLANS

PROPOSED PLANS



GROUND FLOOR AS EXISTING

FIRST FLOOR AS EXISTING

GROUND FLOOR AS PROPOSED

FIRST FLOOR AS PROPOSED

FIRE ALARM

- Ⓜ MMR DETECTOR
- Ⓜ FIRE ALARM LINE
- Ⓜ SMOKE DETECTOR
- Ⓜ SMOKE DETECTOR / FIRST STAGE SOUNDER
- Ⓜ HEAT DETECTOR
- Ⓜ HEAT DETECTOR / FIRST STAGE SOUNDER
- Ⓜ THERMIST SENSOR & FIRST DETECTOR
- Ⓜ MANUAL CALL POINT
- Ⓜ FIRST STAGE SOUNDER-LED
- Ⓜ FIRST STAGE SOUNDER-HEAR
- Ⓜ WIRE EVACUATION SOUNDER
- Ⓜ WIRE EVACUATION POSITION NUMBER
- Ⓜ FLASHING BEACON
- Ⓜ INTERPHONE
- Ⓜ FIRE ALARM PANEL
- Ⓜ FIRE ALARM REPEATER PANEL
- Ⓜ TYPABLE REPEATER OUTPOST

EMERGENCY LIGHTING

- Ⓜ EMERGENCY LIGHT 240V 5W/10W BREADCRUMB TRAY FOR AT-RISK CURB AREA CORRIDOR IN WAIT TO SEPARATELY FITTING
- Ⓜ EMERGENCY SIGN 0.10V M3
- Ⓜ 0.10V M3 SIGN IN RISK AREA 0.10V M3
- Ⓜ EMERGENCY / CLEANERS LIGHT 0.10V M3 0.10V M3 WITH MULTI-DIRECTIONAL BEAM 0.10V M3

FIRE EQUIPMENT

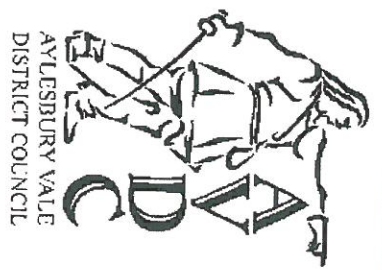
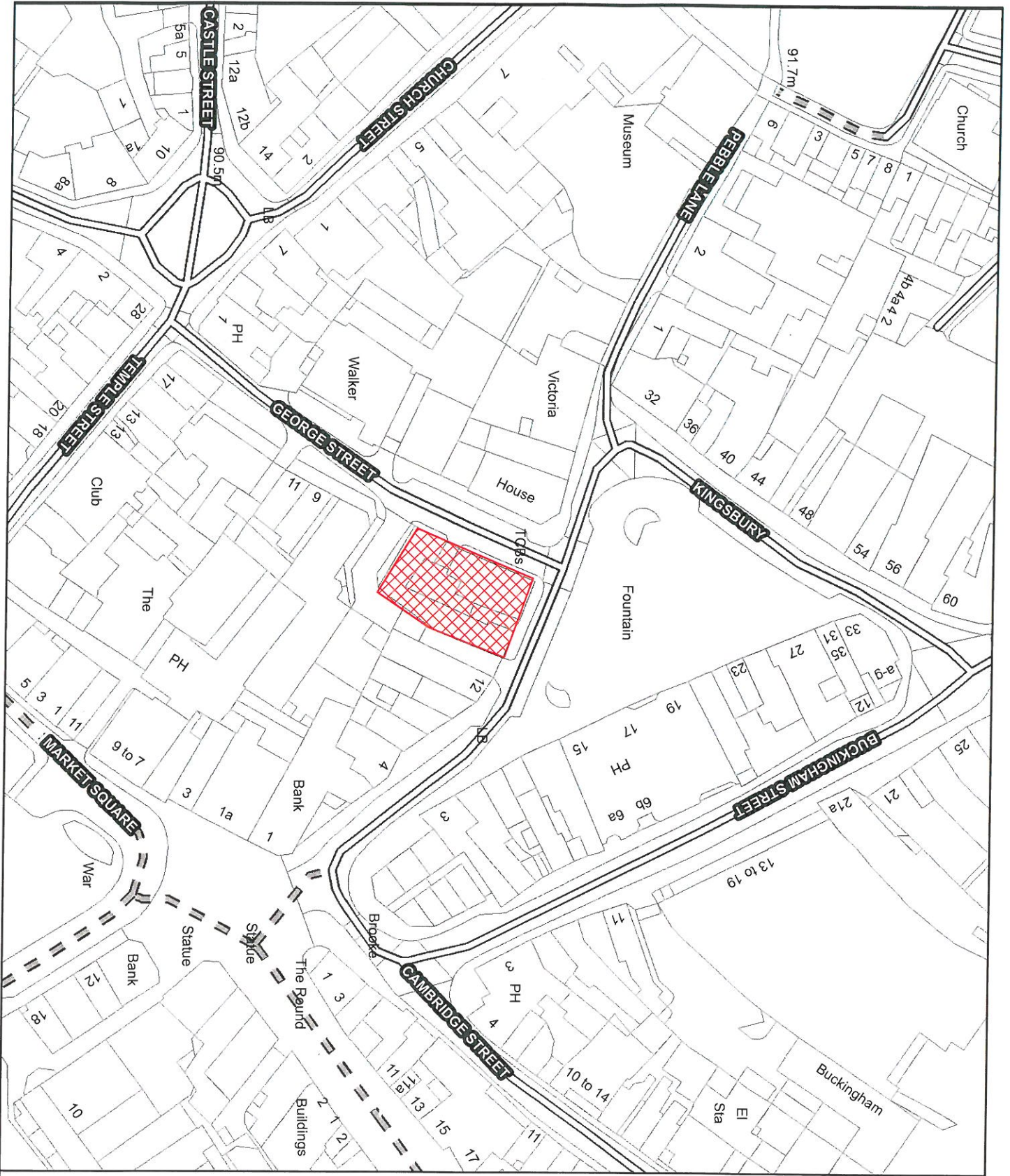
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ FIRE EXTINGUISHER
- Ⓜ 2kg CARBON DIOXIDE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER
- Ⓜ 8kg ABC FIRE EXTINGUISHER

FIRE NOTICES

- Ⓜ EMERGENCY LIGHT 240V 5W/10W BREADCRUMB TRAY FOR AT-RISK CURB AREA CORRIDOR IN WAIT TO SEPARATELY FITTING
- Ⓜ EMERGENCY SIGN 0.10V M3
- Ⓜ 0.10V M3 SIGN IN RISK AREA 0.10V M3
- Ⓜ EMERGENCY / CLEANERS LIGHT 0.10V M3 0.10V M3 WITH MULTI-DIRECTIONAL BEAM 0.10V M3

FIRE DOORS

ALL DOORS INDICATED AS FIRE DOORS TO BE FIRE RESISTING TO 30, 60, 90, 120, 150, 180, 240, 300, 360, 480, 600, 720, 960, 1200, 1440, 1680, 1920, 2160, 2400, 2700, 3000, 3240, 3480, 3720, 3960, 4200, 4440, 4680, 4920, 5160, 5400, 5640, 5880, 6120, 6360, 6600, 6840, 7080, 7320, 7560, 7800, 8040, 8280, 8520, 8760, 9000, 9240, 9480, 9720, 9960, 10200, 10440, 10680, 10920, 11160, 11400, 11640, 11880, 12120, 12360, 12600, 12840, 13080, 13320, 13560, 13800, 14040, 14280, 14520, 14760, 15000, 15240, 15480, 15720, 15960, 16200, 16440, 16680, 16920, 17160, 17400, 17640, 17880, 18120, 18360, 18600, 18840, 19080, 19320, 19560, 19800, 20040, 20280, 20520, 20760, 21000, 21240, 21480, 21720, 21960, 22200, 22440, 22680, 22920, 23160, 23400, 23640, 23880, 24120, 24360, 24600, 24840, 25080, 25320, 25560, 25800, 26040, 26280, 26520, 26760, 27000, 27240, 27480, 27720, 27960, 28200, 28440, 28680, 28920, 29160, 29400, 29640, 29880, 30120, 30360, 30600, 30840, 31080, 31320, 31560, 31800, 32040, 32280, 32520, 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