

Public Document Pack



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

Please ask for: Alice Fisher; afisher@aylesburyvaledc.gov.uk
Switchboard: 01296 585858
Text Relay Prefix your telephone number with 18001
Date Not Specified

LICENSING AND GAMBLING ACTS SUB COMMITTEE

A meeting of the **Licensing and Gambling Acts Sub Committee** will be held at **2.00 pm** on **Tuesday 19 April 2016** in **The Olympic Room, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF**, when your attendance is requested.

Contact Officer for meeting arrangements: Alice Fisher; afisher@aylesburyvaledc.gov.uk

Membership: Councillors: S Lambert, G Powell and S Renshell

AGENDA

1. APOLOGIES

2. DECLARATION OF INTEREST

Members to declare any interests.

3. GENERAL INFORMATION FOR MEMBERS OF THE SUB-COMMITTEE (Pages 3 - 4)

4. APPLICATION UNDER THE LICENSING ACT 2003 FOR A NEW PREMISES LICENCE AT THE GARAGE, 3 WELL STREET, BUCKINGHAM (Pages 5 - 34)

To consider the report attached as an appendix.

Hearing to commence no earlier than 2.00 pm

Contact Officer: Kerryann Ashton 01296 585560



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GENERAL INFORMATION MEMBERS NEED TO HAVE REGARD TO WHEN DETERMINING APPLICATIONS MADE UNDER THE LICENSING ACT 2003

Licensing objectives

1. Members are reminded that whenever they make a decision under the Licensing Act, 2003, they have a **duty** to act with a view to promoting the licensing objectives. These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

Statutory guidance and licensing policy statement

2. Members must also have regard to statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own licensing policy statement. If Members depart from either, they must specify their reasons for doing so. Of course, Members must also have regard to all the representations made and the evidence they hear.

Police representations

3. In respect of police representations, the statutory guidance states that:

"The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing."

The options

4. Members must take such of the following steps as they consider appropriate for the promotion of the licensing objectives:
 - Grant the licence in accordance with the application.
 - Modify the conditions of the operating schedule by altering or omitting or adding to them.
 - Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - Refuse to specify a person in the licence as the premises supervisor (if applicable).
 - Reject the whole of the application.
5. Members may also grant the licence subject to different conditions for different parts of the premises or the different licensable activities.
6. Members are asked to note that they may not modify the conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be **appropriate** to do so in order to promote the licensing

objectives and any such step must relate to the actual representations made.

7. If Members grant the application, the details of the operating schedule (see application form) will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions. Finally, Members are reminded that whatever the Sub-Committee decides, it must give reasons.

Section 17(1) of the Crime and Disorder Act, 1998

8. Section 17(1) of the Crime and Disorder Act, 1998 provides that “without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent, crime and disorder in its area”. Whenever an application raises crime and disorder issues, the Council’s duty under s17(1) will need to be put in the balancing exercise together with all the other relevant considerations.

Human Rights

9. Under Article 8 of the European Convention on Human Rights local residents have a right to respect for their private and family life and their home. They are entitled, therefore, not to be disturbed by unreasonable noise and nuisance. However, this a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.
10. If such complaints are made, having regard to the facts of each particular case, Members need to consider whether the objections are sufficiently serious to justify rejecting the application or the taking of one or more of the other steps outlined above.
11. Similarly, Members need to take into account and weigh in the balance a licence holder’s right to the peaceful enjoyment of their possessions which can include licences. Any interference with such rights must be necessary and proportionate.

APPLICATION FROM THE WONDER ROOMS, BUCKINGHAM UNDER THE LICENSING ACT 2003 FOR A PREMISES LICENCE TO BE GRANTED

1. THE APPLICATION

Applicant(s): The Wonder Rooms Ltd

Premises: The Garage, 3 Well Street, Buckingham

1.1 New Application

The application is for a new Premises Licence under section 17 of the Act. The detail in respect to the hours and activities applied for are set out in the application form, attached as Appendix 1.

The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 1, Part P of application form).

In an effort to clarify the proposed permissions these are set out in Appendix 2. A plan of the premises is attached as Appendix 5 and a location plan is attached as Appendix 6.

2. RELEVANT REPRESENTATIONS

2.1 Responsible Authorities

Thames Valley Police – No representation

Environmental Health – No representation

Licensing Authority - 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 three representations during the consultation period from other parties. Copies of the representation 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.

The applicant has provided an additional note which was circulated to all parties. A copy of the letter is attached as Appendix 4.

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

4. GENERAL INFORMATION

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

5 ISSUES RAISED BY THE APPLICATION

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

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

Contact Officer	Peter Seal 01296 585083
Background Documents	none



Aylesbury Vale
Application for a premises licence
Licensing Act 2003

For help contact
licensingmailbox@aylesburyvaledc.gov.uk
Telephone: 01296 585605

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

3 WELL STREET, Buckingham

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Sally

* Family name

Terry

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House?

Yes No

* Registration number

9651771

* Business name

The Wonder Rooms Ltd

If your business is registered, use its registered name.

* VAT number

GB 229363301

Put "none" if you are not registered for VAT.

* Legal status

Private Limited Company

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

3 Well Street is a two storey Grade II Listed building that has sat empty for nearly 30 years. We have already secured permission for change of use to A3. The building is currently being refurbished to provide a ground floor Cafe and Wine Bar with Restaurant Seating and Kitchen facilities upstairs. Planned capacity is 56 seated upstairs and 62 seated downstairs. Layout plans for Ground and First floor have been prepared by my Architect and will be supplied with the application.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

Yes

No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes

No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes

No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

We hope to hold occasional live music evenings with 'Acoustic' or 'Piano' accompaniment. Sound will be through an amplified system.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start
Start

End
End

Give timings in 24 hour clock, (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start
Start

End
End

WEDNESDAY

Start
Start

End
End

THURSDAY

Start
Start

End
End

FRIDAY

Start
Start

End
End

SATURDAY

Start
Start

End
End

SUNDAY

Start
Start

End
End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Background music will be played through speakers and an amplified system from an iPod or similar device.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes

No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start 09:00

End 23:00

Start

End

FRIDAY

Start 09:00

End 23:00

Start

End

SATURDAY

Start 09:00

End 23:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

PE1935

Issuing licensing authority
(if known)

Aylesbury Vale District Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

As the owner of the business and also the Personal Licence Holder and designated Premises Supervisor I will ensure that all staff are aware of and understand our responsibilities under the License Act 2003. It is my intention to have a second Personal Licence Holder as part of the team and training will be carefully planned, monitored and maintained for all staff. All staff will also need to acknowledge their responsibilities in writing as part of their induction programme and in advance of being allowed to serve alcohol.

b) The prevention of crime and disorder

Security systems will be installed within the building to protect it when the venue is closed and CCTV will be operational when we are open. Staff will be trained in the maintenance and operation of these systems. Premises License hours will also be clearly displayed on the outside of the premises. Staff will be trained and aware of their responsibilities under The Licensing Act 2003 and will be given the knowledge and confidence to recognise cut-off points for serving customers who show any signs of being drunk. All training in this respect will be monitored, documented and when necessary updated.

c) Public safety

Full drawings showing proposed safety features within the building have been prepared by the Architect and accompany this application. These precautions will identify any potential hazards and manage these hazards. There will be a qualified first aider on site at all times and all staff will be trained to a basic first aid level. Once again, training will play a significant role in ensuring that all staff are aware of our responsibilities with regard to Health and Safety requirements and what our responsibilities are in the event of an accident or emergency. In addition, all equipment will be regularly checked and maintained and a record kept of the dates and findings of these checks. A zero tolerance policy will be adopted with regards to drugs and anyone showing signs of drug use will be refused entry. Once the refurbishment has been completed, a full risk assessment will be conducted in order to identify any potential hazards to staff and customers and precautions outlined to manage these hazards.

d) The prevention of public nuisance

As the surrounding area is a mixed residential and commercial area we will be working hard to ensure that our residential neighbours are not adversely affected by our venue. There will be clear and prominent notices displayed at the exit asking customers to respect local residents by leaving quickly and quietly. Windows and doors will be kept closed when the premises licence is in use in order to prevent noise breakout. A contact number will be made available to local residents in order to report any noise disturbance to a responsible person at the venue should they occur. Commercial deliveries, collections and storage/disposal of waste will be restricted to normal working hours between 8am and 6pm Monday to Friday. Also, because of the location, we will request wherever possible that only small vans make these deliveries and collections although in respect of refuse collection we accept that this may not be practical.

e) The protection of children from harm

There will be a strict and documented policy with regard to children accessing licensed premises. All staff will be trained on this policy and will be asked to document in writing that they are aware of and understand this policy. We will operate a strict 'No ID - No Sale' policy and the 'Challenge 25' scheme will be in operation in order to give staff the support and encouragement to ask for ID from any person appearing to be under 25. This scheme will be prominently advertised in the building. It will be made clear that only Passports, Driving Licenses and PASS cards (all with photographic identity) will be accepted as suitable ID. If EU National ID cards are offered, then they can only be accepted if they bear a photograph, date of birth and holographic mark. 16 and 17 year olds will only be allowed to drink wine, beer or cider with a table meal if the drink has been bought by an adult and if they are accompanied by an adult.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Continued from previous page...

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/aylesbury-vale/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="3 WELL STREET ,Buckingham"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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The application is for the sale of alcohol and the provision of regulated entertainment

	Sale by retail of alcohol (On the premises)			
	Existing		Proposed	
	From	To	From	To
Monday	N/A	N/A	09 00	23 00
Tuesday	N/A	N/A	09 00	23 00
Wednesday	N/A	N/A	09 00	23 00
Thursday	N/A	N/A	09 00	23 00
Friday	N/A	N/A	09 00	23 00
Saturday	N/A	N/A	09 00	23 00
Sunday	N/A	N/A	09 00	23 00

	Live music and recorded music (Indoors only)			
	Existing		Proposed	
	From	To	From	To
Monday	N/A	N/A	09 00	23 00
Tuesday	N/A	N/A	09 00	23 00
Wednesday	N/A	N/A	09 00	23 00
Thursday	N/A	N/A	09 00	23 00
Friday	N/A	N/A	09 00	23 00
Saturday	N/A	N/A	09 00	23 00
Sunday	N/A	N/A	09 00	23 00

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

Live Music / Recorded Music Exemption

A licence is not required to stage a performance of live music, or the playing of recorded music if: it takes place between 8AM and 11PM; and it takes place at an alcohol on-licensed premises; and the audience is no more than 500 people

Ashton, Kerryann

From: Wright, Megan
Sent: 17 March 2016 14:49
To: Licensing Mailbox
Subject: FW: Comments for Licensing Application 16/00511/LAPRE

From: Dev. Con Mailbox
Sent: 17 March 2016 14:45
To: Licensing Team
Subject: FW: Comments for Licensing Application 16/00511/LAPRE

From: Aylesbury Vale E-mail Service
Sent: 17 March 2016 14:42
To: Dev. Con Mailbox
Subject: Comments for Licensing Application 16/00511/LAPRE

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

Comments were submitted at 2:41 PM on 17 Mar 2016 from Mr Leslie Brooks.

Application Summary

Address: 3 Well Street Buckingham Buckinghamshire MK18 1EW
Proposal: Premises Licence
Case Officer: Kerryann Ashton
[Click for further information](#)

Customer Details

Name: Mr Leslie Brooks
Email: 
Address: 

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Reasons for comment: - Prevention of public nuisance
Comments: 2:41 PM on 17 Mar 2016 Currently the area around the Garage (Proposed Bar) is mixed use. However the properties directly adjacent to the Bar are residential and all of the properties along Well Street are residential up to Elm Street. Therefore the problem of Public Nuisance would be greatly exacerbated by the licensing of the bar.

As I see it the main areas for concern are: -

1. The provision of live music.
2. The provision of recorded music.
3. Customers leaving the Bar late at night.
4. The lack of parking along Well St.
5. The lack of provision of a designated Smoking area within the boundaries of the bar.
6. Noise and food smell from ventilation and airconditioning.

The commercial activities along Well Street mostly finish at 5pm. After this time the street is residential. The bar would introduce many new problems for the Well St residents as per concerns 1-6 above. The bar is new to Well St and I have no doubt that its establishment will undoubtedly adversely affect the status quo. It is the responsibility of the owners to ensure that no Public Nuisance occurs so that the quality of life of the residents of Well Street is maintained. I would expect sound insulation, not only for the music but also for the ventilation and air-conditioning equipment. Modern standards for sound insulation; volume limiting equipment and emissions of food cooking smells must also be applied. There should also be a plan in place to ensure the standards applied for licensing provision are correctly maintained into the future.

The owners of the Bar must produce a plan to establish how they will address the concerns, 1 to 6 above and implement the plan prior to opening or licensing should be withheld.

To summarise: - The establishment of this bar in Well street is new and must not be allowed to detrimentally affect the quality of life of the current residents.



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The views expressed within this message are those of the individual sender and not necessarily those of Aylesbury Vale District Council.

Ashton, Kerryann

From: Lily O'Neill [REDACTED]
Sent: 21 March 2016 13:05
To: Licensing Mailbox
Subject: Application for premises license 3 Well Street
Attachments: premise music licence dispute the wonder rooms.docx

To whom this concerns,

You should find attached my letter regarding the application for music licenses for The Wonder Rooms Ltd at 3 Well Street.

Regards,

Lily O'Neill

To whom this may concern,

I am contacting you regarding the notice of application for premises licence that has been applied for by Sally Terry of The Wonder Rooms Ltd, at 3 Well Street in Buckingham. I, along with my sister, am a permanent resident of 2 Well Street living directly next door to the property, and I am very concerned about the applications for the licence of both live and recorded music. Whilst I am pleased that the property will finally be occupied, I fear that the persistence of music even at a low level will drive me to leave the property which I feel I should not have to do. The property is owned by my mother who owns the freehold and runs a business downstairs; she also finds it hard to cope with persistent music at any level. Therefore we feel that the application for the licence to play recorded music should be refused. In regards to the live music, if this was infrequent we would find that more acceptable.

Yours faithfully,

Lily O'Neill

Ashton, Kerryann

From: Nick [REDACTED]
Sent: 22 March 2016 22:10
To: Licensing Mailbox
Subject: Objection to license application: 16/00511/LAPRE

To the Licensing Services Manager,

I wish to raise an objection to the license application for 3 Well Street recently lodged (reference: 16/00511/LAPRE). I am a resident of Well Street [REDACTED] with my young family. I have grave concerns at the potential impact on the quality of life if loud music (both live and recorded) is played during the hours stated on the application. Every time the doors are opened into the property, noise will spill out into the street, not to mention the noise caused by smokers in the yard as well as noise 'leaking' from the venue through the doors into the yard. I have no doubt the quality of life for residents of properties abutting 3 Well Street will be severely impacted if loud music is permitted to be played up until 11pm, as will my family's.

Regards,

Nick Armstrong
[REDACTED] Well Street,
Buckingham,
MK18 1EW.



Wonder Rooms®

An open letter from Sally Terry regarding 'The Garage' Restaurant & Wine Bar in Well Street

My name is Sally Terry and I am the owner of The Old Garage in Well Street. I first saw and fell in love with The Old Garage in April of 2015. I am a Buckingham area local and I have two children at The Royal Latin School. I am a married forty something year old and am currently working very hard to turn The Old Garage into something that I am proud of and that the town will be proud of.

In response to the objections made by some of my neighbours with regard to my premises licence application I would like to offer the following response but also to extend an invitation to meet and discuss and address their concerns. Perhaps we could meet at The Villiers Hotel or some other neutral ground as a group or individually if preferred, I am happy to accommodate all preferences.

It is not my intention to detrimentally affect the area of Well Street, in fact quite the opposite, I have already joined the local traders group known as 'The Hidden Quarter' and I am attending my first meeting this evening at The Woolpack. The building has been empty for nearly 30 years and bringing it back to life and back into public use is, I believe, a very positive step for the area and for the town. With regard to the specific concerns around serving alcohol and playing music I would respond as follows. The licencing categories are broad and don't allow for specific descriptions of what a person may have in mind for their venue, so I'll endeavour to give a layer of detail which will hopefully allay some concerns.

Background Music

Background music is very much part of the experience when you eat and drink at a Restaurant/Wine Bar/Cafe. Whether it is Ella Fitzgerald playing in the morning while you sip your coffee or Adele singing her heart out whilst you enjoy a glass of prosecco at the end of a long day at work, music adds to the dining out experience. It is my intention to have background music in The Garage and the music played will be appropriate to the time of day. That said, background music would never be so loud that it would prevent conversation between customers otherwise it ceases to be background music and just becomes an irritation. The walls of 3 Well Street are between 12 and 18 inches thick all around and none of the windows open which means that there is unlikely to be any noise escaping from the building. In addition to the natural soundproofing that the building offers we are putting in acoustic board on the ceilings and floors which will act as additional acoustic insulation.

Live music

Once in a while (probably once a fortnight) I would like to have a live music evening. This will either take the shape of an acoustic duo (typically vocals and guitar) or possibly piano duo (vocals and piano). The same applies to this kind of music as with background music in that it would be unobtrusive and not so loud that it would get in the way of convivial conversation. I therefore do not foresee any issues with noise pollution.

General ambience and target customers

What we are creating at The Garage is a sophisticated venue for discerning customers. We will be serving fine wines, craft beers and lagers and also cocktails. Our target audience is thirty, forty, fifty and sixty somethings who want to enjoy good freshly prepared food and quality beverages. During the day we will

The Wonder Rooms Ltd
Restaurant Address
3 Well Street
Buckingham
MK18 1EW

VAT No. 229 3635 01

The Wonder Rooms Ltd
Registered Address
45 Days Lane
Bedford
MK40 4AF

Registered in England No. 9851771



Wonder Rooms[®]

be open for teas/coffees/cakes and lunches and we will welcome families with children for early suppers. In the evening we will offer a set menu upstairs and a sharing 'tapas style' menu downstairs and our service will be 'table service' not queuing at the bar. The ambience that we are creating is relaxed and informal with a sophisticated edge.

I do not anticipate any problems with nuisance behaviour bearing in mind our target customers and the nature of our offering. That said, there are two personal licence holders within the business of which I am one and the entire team will be trained and briefed appropriately and will not tolerate any kind of disruptive behaviour. This will include zero tolerance of under age drinking and disorderly behaviour. We will also work hard to encourage our customers to arrive and depart in a manner respectful of our neighbours.

The 'Well Street' area

The Well Street area is a really lovely area of Buckingham. It is a mixed use area with most of the commercial premises being at the Bridge Street end of the street which is where the Garage is located. The Hidden Quarter traders group is working hard to build the profile of the area and bring visitors into the town which is a good thing. That said, there are a number of residential properties in the street and a small number in the mainly commercial part and I believe that it is in all our interests to cohabit harmoniously.


I was disappointed to read the four objections to my application but I understand your concerns. In an effort to start off on a good footing I would ask that if after reading this letter, any of you still have concerns that you afford me the opportunity to address them in person. I think that this would be a good way to resolve the situation. At my planning application hearing where there were also some objections, the Chairman of the planning committee, after granting me the change of use, urged those who were objecting, to work with me rather than against me and talk through any concerns because he could see that what I was trying to do was ultimately of benefit to the town of Buckingham. I do feel that this was wise counsel and that it still applies.

I look forward to hearing from you and perhaps to meeting you.

Kind Regards,

Sally Terry

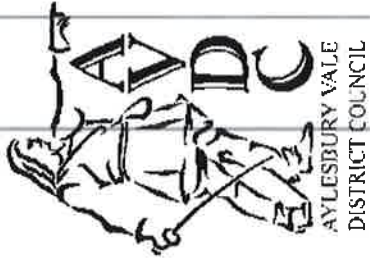
Sally Terry



The Wonder Rooms Ltd
Restaurant Address
3 Well Street
Buckingham
MK18 1GW

VAT No. 229 3833 0*

The Wonder Rooms Ltd
Registered Address
4b Days Lane
Bedford
MK40 4AE

Registered in England No. 9857771

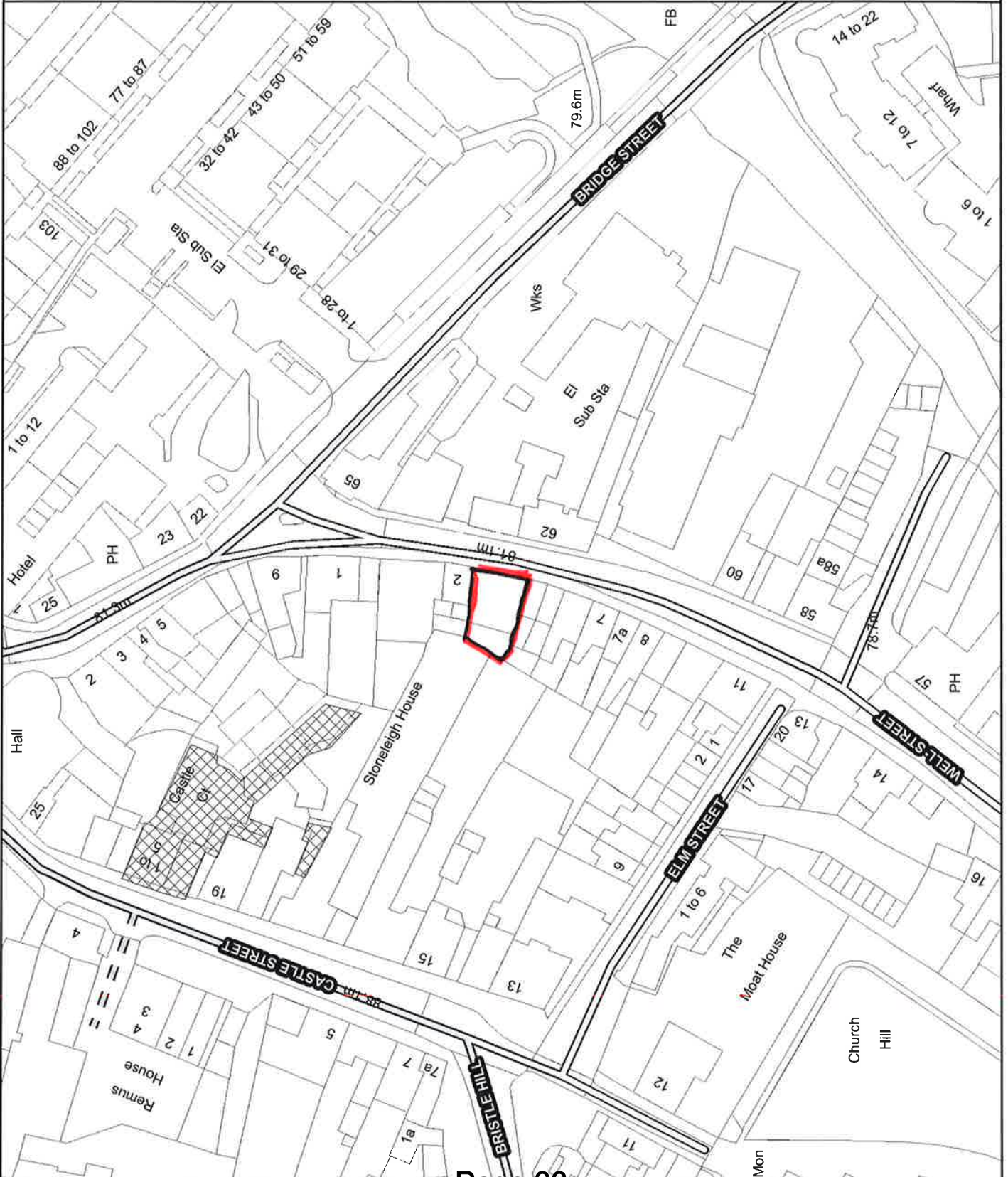


The Garage
3 Well Street
Buckingham
MK18 1EW



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