



## Licensing Sub-Committee agenda

Date: Tuesday 25 April 2023

Time: 2.30 pm

Venue: Via MS Teams - Virtual

### Membership:

P Griffin, D Town and A Wood (Chairman)

### Webcasting notice

Please note: this meeting may be filmed for live or subsequent broadcast via the council's website. At the start of the meeting the chairman will confirm if all or part of the meeting is being filmed.

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If you have any queries regarding this, please contact the monitoring officer at [monitoringofficer@buckinghamshire.gov.uk](mailto:monitoringofficer@buckinghamshire.gov.uk).

### Agenda Item

### Page No

**1**      **Introductory remarks by the Chairman**

**2**      **Apologies for absence**

**3**      **Declarations of interest**

To receive any disclosure of disclosable pecuniary interests by Members relating to any items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

- |          |   |                |
|----------|---|----------------|
| <b>4</b> | <b>Hearing Procedure Rules</b>  | <b>3 - 10</b>  |
|          | To note the hearing procedure rules and virtual licensing sub-committee procedural rules.   |                |
| <b>5</b> | <b>The Journeyman, 10 Packhorse Road, Gerrards Cross, Bucks, SL9 7QE</b>  | <b>11 - 48</b> |
|          | To consider an application under s.17 of the Licensing Act 2003 for a new premises licence in respect of The Journeyman, 10 Packhorse Road, Gerrards Cross, Bucks, SL9 7QE (report attached). |                |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby / Shilpa Manek, email [democracy@buckinghamshire.go.uk](mailto:democracy@buckinghamshire.go.uk)

### **Licensing and Regulatory Sub-Committee Virtual Procedural Rules**

Procedure at Hearings before the Licensing Sub-Committee in relation to matters mainly under the Licensing Act 2003 as amended (“The 2003 Act”) **except** Interim Hearings (Summary Review of a Premises Licence) conducted pursuant to Section 53B of the Licensing Act 2003, as amended (separate Procedure).

Hearings for Gambling Premises are dealt with under the Gambling Act 2005 as amended.

#### **Introduction**

The Secretary of State for Housing, Communities and Local Government made [Regulations](#) (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) to ensure local authorities can conduct business during the current public health emergency and this legislation was passed on 4 April 2020. The Regulations will apply to local authority meetings (full council, executive, joint committee, committee or sub-committee) held before 7 May 2021 from 4 April 2020. Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions. The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures.

#### **Administration in Relation to the Hearing**

Prior written notice of the Hearing will have been given to the interested/relevant parties.

- (a) Where a party has informed the Council that they will not be attending or represented the Hearing may proceed in their absence.
- (b) Where a party has not replied to the notice, does not attend and is not represented then the Sub-Committee may proceed with the Hearing in that party’s absence or adjourn the Hearing if it is considered necessary in the public interest to do so.
- (c) If a party has indicated they will attend but does not appear, that party must inform the Council of any delay - with reasons - and in consideration thereof the Sub-Committee can decide to proceed with the Hearing or adjourn to later the same day or another time. If a party is more than 15 minutes late and has not contacted the Council with details of any delay – the Sub-Committee shall proceed with the hearing unless it is in the public interest not to do so and shall adjourn the hearing to later on the same day or another date.

If the Hearing is held in a party’s absence, the Sub-Committee will still consider the application, representation or notice made by that party.

A hearing can be dispensed with if all parties give notice that they consider a hearing unnecessary. If this is the case the application/notice will be dealt with by way of a determination.

Representations can be withdrawn by prior notice 1 working day before the Hearing or orally at the Hearing.

At the Hearing any party can be assisted or represented by any person whether or not that person is legally qualified.

Account can be taken of documentary or other information produced by a party in support of their application, representation or notice (as applicable) either 1 working day before the Hearing or - with the consent of all other parties - at the Hearing, in which case sufficient copies are required to be provided for all relevant parties. Any party wishing to call another person (other than a person representing them) to make oral representations must provide details of this to the Council within the time stated in the Notice of Hearing which the Council will serve on the Parties. At the beginning of the Hearing the Sub-Committee will consider any such requests and confirm whether permission is granted for that person to speak.

The Sub-Committee may disregard any information which is not considered relevant to the application/representation/notice and the promotion of the licensing objectives.

The purpose of a Hearing is to enable those with a right to appear to amplify their written application or representation and to test the case of their opponents. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues. The parties (including other persons on their behalf) will be allowed an equal reasonable period of time to address the Hearing and ask questions. The Chairman may set a maximum period of time on how long each party may speak, progressing without undue delays and ensuring that there is a fair hearing. Where the representations made relate to the same or similar issues, a spokesperson should be appointed where possible to speak on behalf of any person who has made a written representation.

The Decision of the Licensing Sub Committee will be made after the close of the Hearing when the Chairman retires with the legal advisor and the Clerk to the Sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the Sub-committee will be communicated to all parties by way of a written Decision Notice issued by Legal Services. This notice shall be issued within 7 days of the hearing and if there is to be a delay in issuing such a notice; the licensing officer will communicate with all parties. The notice will contain will be dated and set out the provisions of the Right to Appeal to the Magistrates Court.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers reasonably necessary and proportionate.

### **Access to Information**

The Council can hold and alter the frequency and occurrence of meetings without requirement for further notice.

The new 2020 Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the website.

The obligation under the old Regulations (Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) to supply copies of such documents in response to requests made by members of the public and on behalf of newspapers is disappplied.

The requirement in England for 5 clear days' notice to be given of principal council meetings, including annual meetings, still applies however notice can now be given on the council's website.

### **Time and Place of Meetings**

Meetings can be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming even if particular members of the public cannot access them. This Council will use Microsoft Teams to hold virtual meetings and will invite external participants to virtual meetings, if any, via email or telephone. Virtual meetings will be webcast where the Hearing is held in public via a link published on the meeting webpage.

The Constitution states that when reasonably practical, a sub-committee meeting should be held at the Council facility which is closest to the premises or issue that is the subject of the meeting. However, this requirement cannot be met during this current period.

### **During the Hearing**

It is a requirement for such hearings that:

- a) proper notice is given, with all papers served timeously on the authority and published online;
- b) the actual parties to the hearing are able to participate;
- c) any member of the public can see or hear, albeit not participate in, the hearing.

Although held in a virtual format, Hearings dealing with new licences or variations to existing licences will follow the standard procedure. Panel Members may ask questions of any party at any time. Questions are usually taken after each person has spoken. It is helpful to undertake a document check at the start of the Hearing.

In terms of issues that may arise during the Hearing the following rules apply:-

#### Quorum for Meetings

The rules for quorum will still apply. This is 3 Councillors for a licensing or regulatory sub-committee. It is also considered good practice to have a reserve member, in case of interests. The constitution states that if a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chairman, the business of the meeting will be adjourned. The Chairman may allow for flexibility around the start time of the meeting where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the meeting is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual remote participation fails the Chairman may call a short adjournment. As the hearing must have 3 members present, the meeting will be reliant on the lost connection being re-established to ensure all members are present for the entire discussion in order to hear all of the facts and vote on the matter.

Only 3 members are permitted on Licensing and Regulatory Sub-Committees (LSC) for each Hearing (as per Section 9 of the Licensing Act 2003 and the Constitution Terms of Reference for the LSC). The reserve member is present in case an interest arises at the beginning of the Hearing or one of the 3 members identified as being on the LSC fails to attend the virtual meeting. It is only those 3 members who have been identified as being on the LSC for that Hearing who can ask questions of the other parties. A reserve member would not be able to participate if the technology fails for one

of the members present as whilst they would be listening they will not have taken an active role nor been included in the process/asked to see if they have any questions etc.

### Attendance at meetings and webcasting

A roll call or introductions will be made at the start of the meeting to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a virtual meeting. The Democratic Services Officer will maintain a list of attendance throughout the meeting.

To be classified as a 'member in attendance' and attend a meeting remotely, the following conditions must be satisfied;

- a) councillors must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other councillors in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting.
- b) All other members of the public must as a minimum be able to hear (but if practicable be seen as well).

In practice this means that if councillors and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual meeting.

Members of the press and public may only be excluded from a meeting in accordance with the Access to Information Rules.

The Regulations state that meetings being open to the public include access by remote means. Such access includes (but is not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.

In the event that the live webcast fails and cannot be resumed the meeting will be opened and adjourned to allow for it to take place at a hearing (the date and time of which will be fixed prior to the matter being adjourned).

The people on the Teams call who are present throughout the meeting are the Members of the Sub-Committee, any officer supporting the meeting and those who have submitted valid representations, applicant and/or legal representative. The public gallery, where Members can sit and observe the meeting alongside members of the public, is the webcast version. It is important to keep numbers in the meeting (except for those allowed to be present as Members) to a minimum to enable the proper flow of the virtual meeting.

### Conflicts of interest

Councillors should consider if they have an interest, and, if required, seek advice from the Monitoring Officer, or their deputy, before the meeting starts. If a Councillor appointed to a licensing hearing considers that their interest is prejudicial they should notify Democratic Services as soon as possible so that an alternative councillor can be appointed to the licensing hearing.

Where a councillor has an interest they must declare their interest and the nature of it at the start of the meeting. If the interest is 'personal' having declared a personal interest the councillor may continue to speak and vote on the item of business concerned. If the councillor has a prejudicial interest they will not be able to take part in the discussion or decision and must leave the meeting. A reserve councillor, if available, will then be called upon to serve on the hearing in their absence.

#### Minutes of meetings

The Minutes of meetings will be published on the website if the meeting is held in public.

#### Questions

Parties can ask questions of other parties in accordance with the procedure below. The Chairman can stop a party asking questions if they feel the questions are unnecessary. Parties are expected to treat other parties with respect and any form of harassment or excessive questioning will not be tolerated. In such cases the Chairman will ask the party to discontinue that type of questioning. The Chairman can require any person (including any of the parties) who is disrupting the proceedings to leave the Hearing.

#### Order of business (as normal)

1. The Chairman will open the Hearing and start the introductions of the Sub-Committee and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the virtual Hearing and any other procedural matters. If necessary, the sub-committee will retire to deliberate before making a decision.
4. If all parties present confirm that they have seen and understand the procedure to be followed at the virtual Hearing and agree they are ready to proceed then the Hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the virtual Hearing should be borne in mind at all times i.e.
  - to enable those with a right to appear at the virtual meeting to advance their point of view and concerns and to test the case of their opponents and
  - to assist the Sub-Committee to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the Sub-Committee in relation to matters previously raised/submitted. Late evidence to be submitted at the Hearing will only be considered by the Licensing Sub-Committee with the consent of all parties present.

8. The Chairman will then outline the procedure to be followed by reading out the order of oral presentations **unless** all parties present have confirmed that they have seen and understood the procedure and are ready to proceed with the virtual Hearing.
9. The Chairman will ask the Applicant whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. Order of oral presentations:-
  - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
  - b. Any party may question the Licensing Officer.
  - c. The Members may question the Licensing Officer.
  - d. The Applicant will present their case and call their witnesses
  - e. Any other party may question the Applicant. Any party includes any responsible body.
  - f. The Members may question the Applicant
  - g. Each Interested Party will present their case in turn and call their witnesses.
  - h. Any other party may question the Interested Party.
  - i. The Members may question the Interested Parties.
  - j. The Licensing Officer may question the Interested Parties.

Once they have made their representations under the requirements of the constitution they will need to switch off their microphone and not participate any further in the meeting unless they are asking any questions or wish to sum up. No speaking is timed.

11. Before moving onto the next party at any time during the procedure above, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. There may be a discussion at the hearing, on a without prejudice basis, where each party will be asked to address/give their views on any proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. Any agreed conditions may be incorporated into the Decision Notice if the application is successful. However, the Sub-Committee to determine any final conditions that will apply to the licence.
13. Each party will be invited to make closing submission in the order as set out in paragraph 10.
14. The Chairman will then close the Hearing and the Sub-Committee will meet (privately) virtually together with the Clerk and the Sub-Committee Legal Advisor for the matter to be determined.
15. The Sub-Committee will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in this procedure and Regulations together with details of the right of appeal.

#### When can the Chairman be interrupted?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively



- Officer needs to provide advice
- Point of order or personal explanation

or any other area where the Constitution or Chairman allows.

#### Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings the Chairman will warn the person concerned and if they continue to interrupt the Chairman will order their removal from the virtual meeting room. There may be circumstances where the person needs to be removed immediately, for example if they are being inappropriate, and the Chairman can do this by muting their microphone. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as they consider necessary.

#### Adjournments

People will remain on the call with mics muted and cameras off until the meeting starts again. The Chairman may also want to consider having a comfort (screen) break for longer meetings. If there is a problem with the technology the Chairman should pause the meeting until that issue has been resolved. However, this does not stop a meeting going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole meeting incapable of proceeding and therefore the Chairman should adjourn until the remote meeting can be restored within a reasonable period, or at a time and date fixed by the Chairman. Any interested party eligible to speak who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding unless they are happy to submit their comments through a written representation.

The Council will try and achieve the best possible outcome.

#### **Deliberations and Exclusion of the Press and the Public**

Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the Hearing or part of that Hearing taking place in public. In addition there may be information in the agenda pack pertaining to the hearing be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part or the whole of the Hearing as appropriate.

At the conclusion of the Hearing, the Sub-Committee together with the Democratic Services Officer and Legal Advisor, will remain in a private virtual meeting in order to deliberate on the decision. Interested parties will then be notified of the outcome of the hearing in writing after the meeting in accordance with required timescales.

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

## NOTE

IN PRODUCING THIS PROCEDURE, THE FOLLOWING HAVE BEEN CONSIDERED: -

- Licensing Act 2003 *as amended* - and Explanatory Notes
- National Guidance
- The Licensing Act 2003 (Hearings) Regulations 2005 as amended
- The Human Rights Act 1998.
- Local Government Act 1972 as amended.
- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020

|                            |   |
|----------------------------|---|
| <b>SUBJECT:</b>            | <b>APPLICATION FOR A NEW PREMISES LICENCE at:<br/>The Journeyman, 10 Packhorse Road, Gerrards Cross, Bucks, SL9 7QE</b> |
| <b>REPORT OF:</b>          | <b>Application under section 17, Licensing Act 2003</b>   |
| <b>Responsible Officer</b> | <b>Brian Whittall – Licensing Officer</b>   |
| <b>Report Author</b>       | <b>Brian Whittall – Licensing Officer</b>   |
| <b>Ward/s Affected</b>     | <b>W026 - Gerrards Cross</b>  |

**1. Purpose of Report**

To provide Members with information enabling the determination of an application for a new Premises Licence, in respect of which relevant representations have been received.

The Application has been submitted by Oakman Group PLC (“the applicant”) in respect of The Journeyman, 10 Packhorse Road, Gerrards Cross, SL9 7QE (“the premises”).

**2. Background**

2.1 The premises was formally a Marks and Spencer Simply Food store until the Premises Licence was surrendered in 2020. The previous licence authorised the retail sale of alcohol for off sales only with a terminal hour of 22:00 hours.

A location plan showing the premises location is attached to this report marked “**Appendix 1**”.

**3. The Application**

3.1 This application is for a new Premises Licence to commence with immediate effect upon the decision to grant by this licensing authority. A copy of the application *is* attached to this Report marked **Appendix 2**. A plan of the “premises” is attached **Appendix 3**.

3.2 The licensable activities sought are as follows:

| <u>Proposed activity</u>                                 | <u>Proposed hours</u>                                  |
|--|--|
| <b>Supply of alcohol</b><br>(Both on & off the premises) | Monday – Saturday 08:00 - 00:00<br>Sunday 0900 - 23:00 |
| <b>Provision of Live Music (Indoor)</b>                  | Monday – Saturday 08:00 - 00:00                        |

|   |  |
|---|--|
| <p><b>Playing of Recorded Music (Indoor)</b></p> <p><b>Provision of Late Night Refreshment</b></p> <p><b>All licensable activities non standard times</b></p> | <p>Sunday 0900 - 23:00</p> <p>Monday – Saturday 08:00 - 00:00<br/>Sunday 0900 - 23:00</p> <p>23:00 - 05:00 Daily *</p> <p>A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.</p> <p>A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.</p> <p>An additional hour every Christmas Eve.</p> <p>An additional hour every Boxing Day.</p> |
| <p><b>Hours premises are open to the public</b></p>   | <p>Monday – Saturday 08:00 - 00:00<br/>Sunday 0900 - 23:00</p> <p>A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.</p> <p>A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.</p> <p>An additional hour every Christmas Eve.</p> <p>An additional hour every Boxing Day.</p>   |

- **NOTE:** The applicant has confirmed an amendment to the operating schedule that Late Night Refreshment shall terminate in accordance with other licensable activities at midnight

#### 4. Relevant Representations

##### 4.1 Responsible Authorities:

4.1.1 **The Chief Officer of Police:** Response received – No objection.

4.1.2 **The Licensing Authority:** No objection

4.1.3 **The Fire and Rescue Authority:** Response received – No objection

4.1.4 **The Local Planning Authority (Head of Sustainable Development):** No response received - No comment

4.1.5 **The Local Environmental Health Authority (Head of Environmental Health):** Response received - Objection, **Appendix 4** Note: The authority have no objection subject to the additional condition agreed with the applicant to close the outside area from 21:00 hours, except for smoking purposes.

4.1.6 **Weights and Measures Authority (Trading Standards Officer):** No response received - No comment

4.1.7 **The Safeguarding and Child Protection Unit:** No response received - No comment

4.1.8 **The Primary Care Trust:** No comment

4.2 **Any other persons: Twenty Five (25)** objections were received during the 28 day consultation **Appendix 5.**

4.3 One email of support of the application was received by Cllr Bracken, **Appendix 5.**

## 5. **Licensing Officer's Observations:**

5.1 The Relevant Representations received raise the follows issues:

- The prevention of public nuisance  
Representations mentioned concerns regarding noise occurring on the premises, particularly from regulated entertainment and late at night when patrons shall be leaving the premises. NOTE: Regulated entertainment is not regulated between 08:00 – 23:00 and therefore falls outside the jurisdiction of this authority during those times under 'The Act'
- Residents living nearby have expressed concerns that their right to enjoy the peaceful possession of their property is undermined, and that a statutory nuisance may occur as a result of the granting of the application.
- Car noise of departing patrons
- Parking congestion

Government Guidance states the following: That any licence holder “cannot manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff” and “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law”

The Council's own Statement of Licensing Policy states, “Licensing is not a mechanism for the general control of anti-social behaviour by individuals beyond the direct control the licensee of the premises concerned.”

5.2 In addition to the Mandatory Conditions, the Licensing Sub-Committee should consider those conditions offered in the operating schedule and decide whether they are appropriate for the promotion of the licensing objectives and address any valid representations made by Interested Parties.

5.3 Following representations the Licensing Unit sought to mediate between the Interested parties and the applicant. An email was sent on the 29<sup>th</sup> March to Interested Parties putting

forward conditions that may address their concerns **Appendix 6**. The applicant agreed to these conditions **Appendix 7**. Representations were not withdrawn.

## 6. Policy Considerations

6.1 Regard must be had to the Council's adopted Licensing Policy published February 2022 when determining this application. Of particular relevance (but not limited to) the following:

3.35 Public nuisance relates to the negative effects of nuisances including noise, light, odour, dust and litter affecting, or likely to affect, at least a few separate households locally. The Licensing Authority is keen to protect the amenity of residents and businesses in the vicinity of licensed premises. At the same time the Licensing Authority is aware that the licensed trade is important to the local economy and promoting the Council's culture and leisure aspirations. Consequently, the Licensing Authority will try and work together with statutory agencies, licensed businesses, residents and other businesses to reach a compromise in its decision making. 3.36 In considering all licence applications, the Licensing Authority will consider whether the measures proposed to deal with the potential for public nuisance having regard to all circumstances of the application, are adequate. In preparing applications, applicants are strongly encouraged to consider the measures set out below. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.

3.37 Particular measures include:

- a) **Noise escape.** The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices. In appropriate circumstances and where not included in the operating schedule, a condition may be imposed requiring the assessment by the applicant (either with or without the involvement of Environmental Health), of potential noise sources which could cause disturbance to those in the vicinity and to identify and implement appropriate control measures.
- b) **Customer arrival.** The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at the premises, particularly at night. This may include last entry conditions, minimisation and control of queuing and supervision of the exterior of the premises. If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction.

6.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.

## 7. Links to Council Policy Objectives

- 7.1 The Authority regards existing and future environmental qualities and character of the District to be important when consideration is given to granting licences for any purpose. When considering licensing applications where relevant representations have been made, the Authority will consider its effect on the licensing objectives and in particular the effect the licence will have on the public nuisance objective. In order to consider these matters, it is necessary to consider the environment of the area in which the premises are or will be situated.

## **Guidance issued under s.182 (p.18)**

### **Prevention of a public Nuisance**

- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **8. Resources, Risk and Other Implications**

- 8.1 **Resource:** The only resource implications to date have been officer time however if the applicant or persons making relevant representations appeals against the decision of the Licensing Sub – Committee this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.
- 8.2 **Human Rights:** The Licensing Sub-Committee's decision regarding this application will have Human Rights implications in respect of both the Applicant and the persons making relevant representations which also need to be considered equally and fairly so that the decision is proportionate and the right balance is met. The referral of this matter to the Sub-Committee is laid down in the Licensing Act 2003, as amended and is also in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. The Applicant and the persons making relevant representations have been notified of the Hearing and invited to make representations. A statutory right of appeal to the Magistrates Court and the right (if it arises) to challenge the Sub-Committee's decision by way of Judicial Review to the High Court also ensure a fair hearing to both the Applicant and the persons making relevant representations.
- 8.3 Article 8 and Article 1 of the First Protocol - the right to respect for private/family life and peaceful enjoyment of property/possessions (including Licences) - also needs to be considered. The persons making relevant representations have a right to respect for their private and family life and their home. They are entitled not to be disturbed by unreasonable noise and/or nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.
- 8.4 Article 14 of the Human Rights Act 1998 - the right to freedom from discrimination (which is an absolute right) also needs to be considered. The human rights provided under the Human Rights Act 1998 must not be subject to discrimination under various headings, including race, national or social origins, association with a national minority group or other status.
- 8.5 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large – other than rights under Article 6 and 14 which are absolute rights and can not be interfered with.
- 8.6 Therefore if Members refuse to grant the application for a new Premises Licence in whole or part or grant it subject to conditions, this will be a breach of the rights of the Applicant unless such refusal (in full or part) is, and/or the conditions imposed are, appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.
- 8.7 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved it is considered that the Licensing Sub-



Committee's decision will be both proportionate and justified having had regard to the Human Rights Act 1998.

- 8.8 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

## **9. Determination by the Licensing Sub-Committee**

- 9.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Which are:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Regard must also be had to the Council's Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.

- 9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.

- 9.3 The Sub-Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.

- 9.4 The following options are available to the Licensing Sub Committee:

9.4.1 Grant the Premises Licence - subject to any conditions which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant mandatory conditions.

9.4.2 Exclude from the scope of the Premises Licence granted under Para 9.4.1 above any of the licensable activities to which the application relates.

9.4.3 Refuse to specify a person in the Premises Licence granted under Para 9.4.1 as the premises supervisor.

9.4.4 Reject the whole of the Application.

9.4.5 Grant the Premises Licence subject to different conditions for different parts of the premises or the different /reduced licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).

9.5 The Sub-Committee is asked to note that it may not reject the whole or part of the application or attach conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the 4 licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

### **Conditions offered in the Operating Schedule**

#### **General licensing objectives**

CCTV to be provided to the satisfaction of Thames Valley Police

Substantial food to be available at all times.

Alcohol supplied between 08:00 and 10:00 on any day shall be ancillary to a table meal such as breakfast or brunch

#### **Prevention of crime and disorder**

CCTV to be provided to the satisfaction of Thames Valley Police

Substantial food to be available at all times.

Alcohol supplied between 08:00 and 10:00 on any day shall be ancillary to a table meal such as breakfast or brunch

#### **Public safety**

Health and Safety Risk Assessments shall be maintained at the premises

#### **Prevention of public nuisance**

The General Manager shall make a contact number available to any local resident for the purposes of ensuring no nuisance and dealing with residential concerns

Notices shall be displayed at the exit of the premises reminding patrons to be respectful of local residents and to keep noise to a minimum

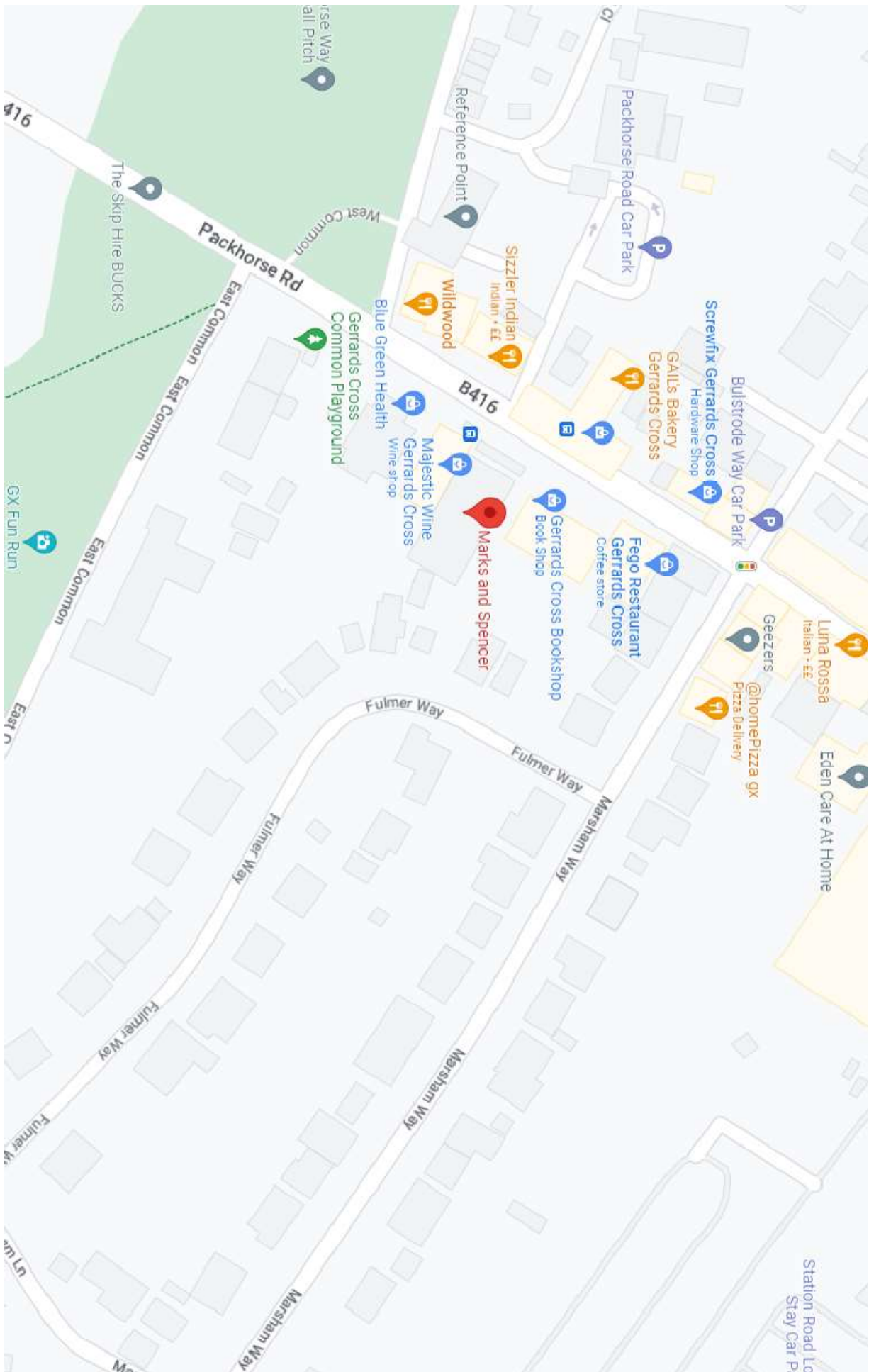
#### **Protection of children from harm**

The premises licence holder shall adopt a Challenge 25 system and all staff shall be trained therein

#### **Informative/s -**

|                           |  |
|---------------------------|--|
| <b>Officer Contact:</b>   | <b>Brian Whittall (01494 421 346) – email address:</b><br><a href="mailto:brian.whittall@buckinghamshire.gov.uk">brian.whittall@buckinghamshire.gov.uk</a>   |
| <b>Background Papers:</b> | <b>Application Ref PR202302-31243<br/>Licensing Act 2003, as amended<br/>Licensing Policy – Wycombe Area Published December 2018.<br/>Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.</b> |

Appendix 1



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# Buckinghamshire Council Premises licence application Form Transcript

## Applicant

Are you an agent acting on behalf of the applicant?

No

## Agent (if applicable)

### Applicant Details

#### Type of applicant

organisation

## **Applicant(s)**

### **Name**

Oakman Group

### **Email**

emmafrost@oakmangroup.co.uk

### **Phone**

07494496002

### **Address**

Oakman Group Saxon House 211 High Street, Berkhamsted HP41AD

### **Registered number**

12254114

### **Details**

Public Limited Company

## **Right to work documents (if applicable)**

## **Partners (if applicable)**

## Premises

### **Premises name**

The Journeyman

### **Premises address**

### **Phone number at premises**

07494469002

### **Premises description**

Restaurant and Bar

**Non-domestic rateable value of premises**

44779.70

**Licence details**

**Licence start date (if applicable)**

**Do you want the licence to only be valid for a limited period?**

No

**Licence end date (if applicable)**

**Do you expect 5,000 or more people to attend the premises at any one time?**

No

**Attendance Number (if applicable)**

**Licensable Activities**

**Opening Times**

**Times**

Monday: 08:00 - 00:00

Tuesday: 08:00 - 00:00

Wednesday: 08:00 - 00:00

Thursday: 08:00 - 00:00

Friday: 08:00 - 00:00

Saturday: 08:00 - 00:00

Sunday: 08:00 - 23:00

**Seasonal variation**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

**Non-standard timing**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

## **Live Music**

### **Times**

Monday: 08:00 - 23:00

Tuesday: 08:00 - 23:00

Wednesday: 08:00 - 23:00

Thursday: 08:00 - 23:00

Friday: 08:00 - 23:00

Saturday: 08:00 - 23:00

Sunday: 08:00 - 23:00

### **Location**

Indoor

### **Seasonal variation**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

## **Recorded Music**

### **Times**

Monday: 08:00 - 00:00

Tuesday: 08:00 - 00:00

Wednesday: 08:00 - 00:00

Thursday: 08:00 - 00:00

Friday: 08:00 - 00:00

Saturday: 08:00 - 00:00

Sunday: 08:00 - 23:00

### **Location**

Indoor

### **Seasonal variation**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

### **Non-standard timing**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday,

Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

### **Provision of Late Night Refreshment**

#### **Times**

Monday: 23:00 - 05:00

Tuesday: 23:00 - 05:00

Wednesday: 23:00 - 05:00

Thursday: 23:00 - 05:00

Friday: 23:00 - 05:00

Saturday: 23:00 - 05:00

Sunday: 23:00 - 05:00

#### **Location**

Both

### **Sale by Retail of Alcohol**

#### **Times**

Monday: 08:00 - 00:00

Tuesday: 08:00 - 00:00

Wednesday: 08:00 - 00:00

Thursday: 08:00 - 00:00

Friday: 08:00 - 00:00

Saturday: 08:00 - 00:00

Sunday: 09:00 - 23:00

#### **Location**

Both

### **Seasonal variation**

A further additional half hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional half hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend. An additional hour every Christmas Eve. An additional hour every Boxing Day. To reflect existing New Year's Eve/Day hours.

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### **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.**

No

**Specify any adult entertainment (if applicable)**

**Do you intend to provide gaming machines on the premises?**

No

### **Designated premises supervisor details**

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

Upload

#### **Full name**

Mr Jamie Firminger

#### **Date of birth**

21 November 1994

#### **Address**

19 Orchid House, Vicus Way, Maidenhead, SL6 1EG

**Upload the consent from the proposed designated premises supervisor**

["GX DPS consent.pdf"]

#### **Personal Licence Number**

18/01439/LAPER

#### **Personal Licence Issuing Authority**

South Bucks

### **Licensing objectives**

#### **General licensing objectives**

CCTV to be provided to the satisfaction of Thames Valley Police Substantial food to be available at all times. Alcohol supplied between 08:00 and 10:00 on any day shall be ancillary to a table meal such as breakfast or brunch

#### **Prevention of crime and disorder**

CCTV to be provided to the satisfaction of Thames Valley Police Substantial food to be available at all times. Alcohol supplied between 08:00 and 10:00 on any day shall be ancillary to a table meal such as breakfast or brunch

### **Public safety**

Health and Safety Risk Assessments shall be maintained at the premises

### **Prevention of public nuisance**

The General Manager shall make a contact number available to any local resident for the purposes of ensuring no nuisance and dealing with residential concerns Notices shall be displayed at the exit of the premises reminding patrons to be respectful of local residents and to keep noise to a minimum

### **Protection of children from harm**

The premises licence holder shall adopt a Challenge 25 system and all staff shall be trained therein

### **Premises plan upload**

#### **Upload the premises plan**

["Gerrards Cross Plan.pdf"]

### **Declaration**

I/We apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described above in this application and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] **I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK** (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

**The DPS named in this application form is entitled to work in the UK** (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

**It is an offence** liable to summary conviction to a fine of any amount under section 158 of the Licensing Act 2003, **to make a false statement in or in connection with this application.**

**It is an offence** under Section 24B of the Immigration Act 1971 **for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so** by

reason of their immigration status. **Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty** under Section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same Act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Full name:** Emma Frost

**Capacity:** Licensing Manager

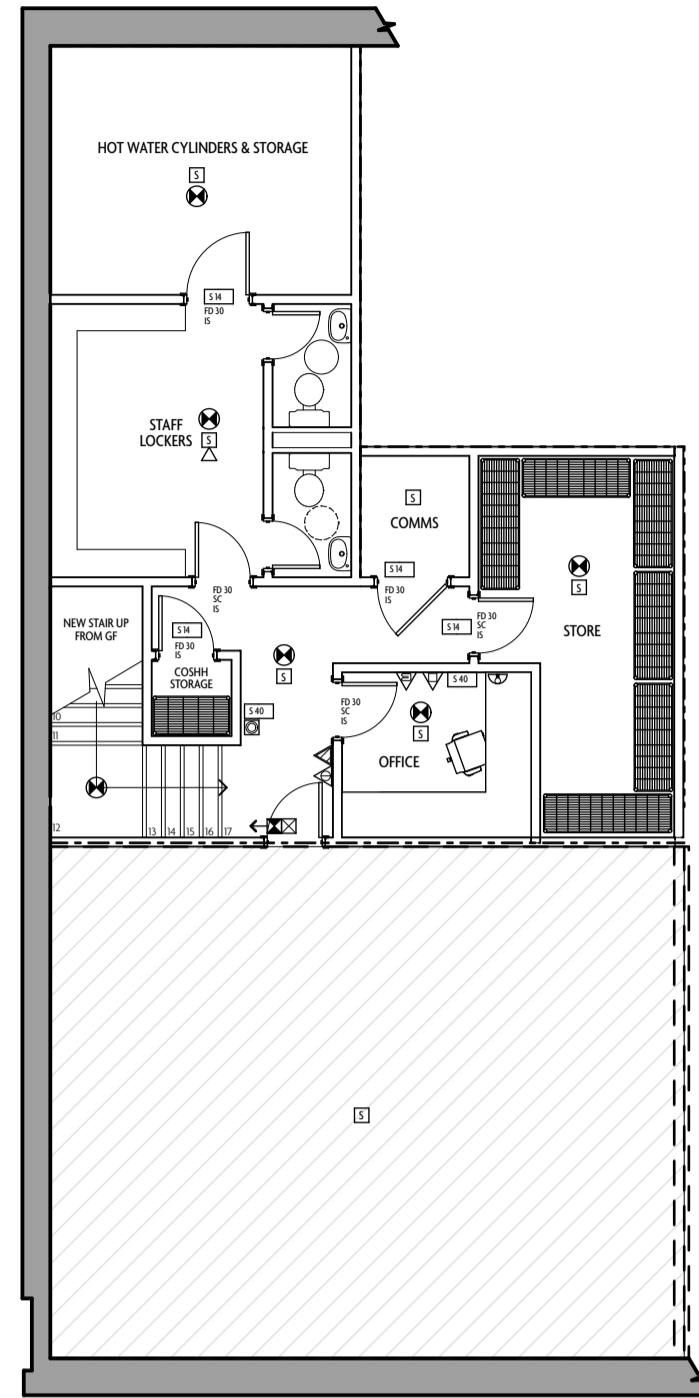
**Date:** 28 February 2023

**2nd Applicant (if applicable):**

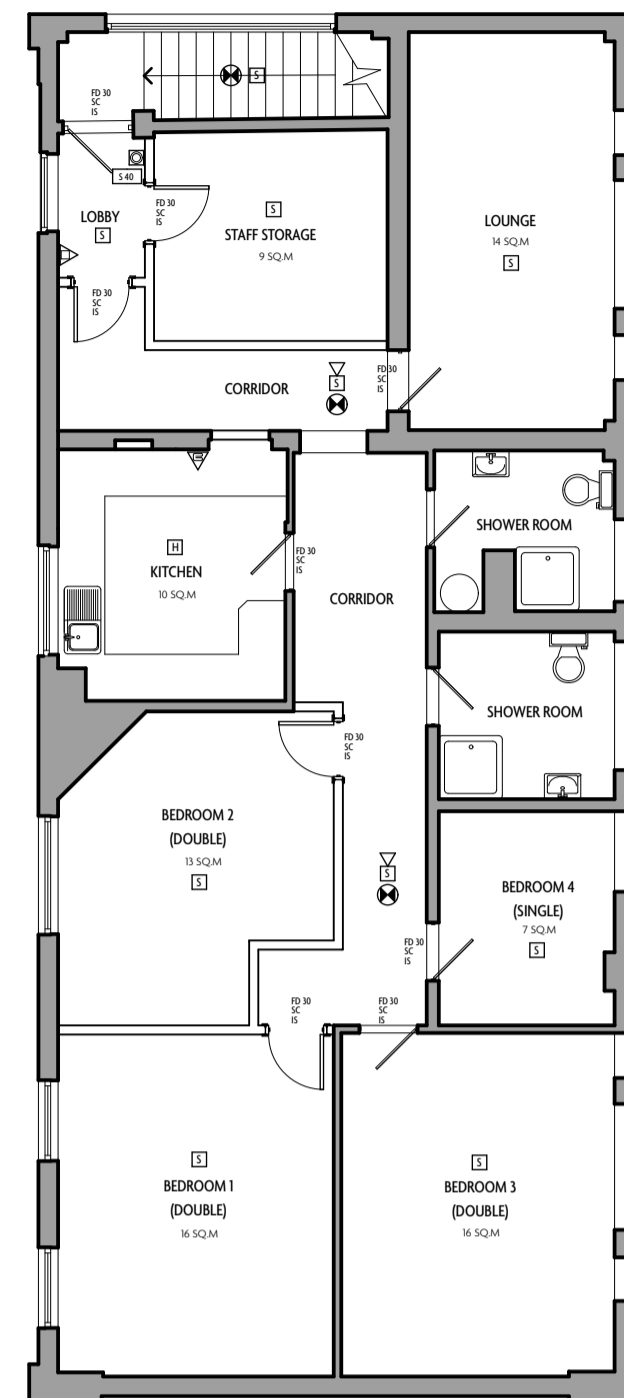
**Capacity:**

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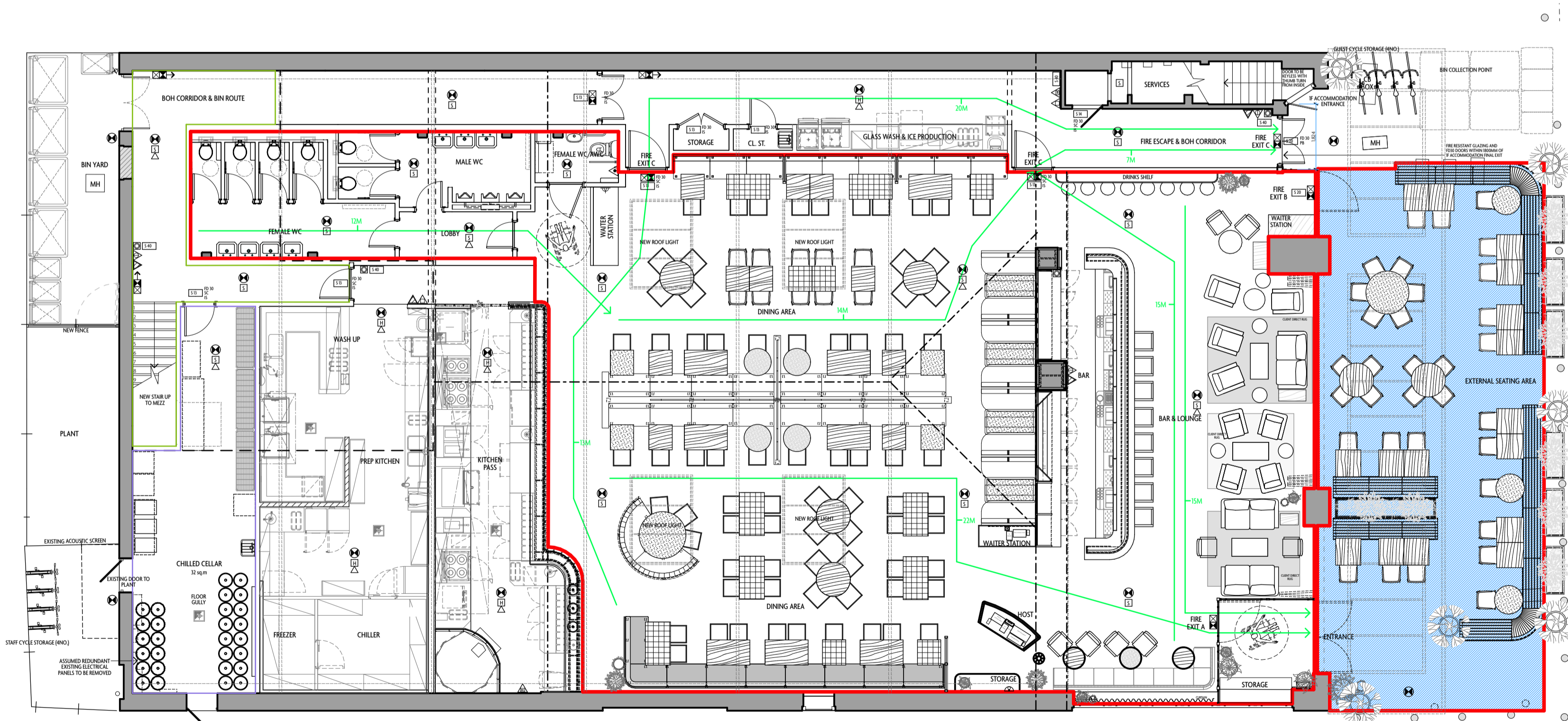
# Appendix 3



**02 MEZZANINE**  
1:100 @ A1



**03 FIRST FLOOR**  
1:100 @ A1



**01 GROUND FLOOR**  
1:100 @ A1

| OCCUPANCY & COVERS    |                          |
|-----------------------|--------------------------|
| GF DINING             | 145 SEATED COVERS        |
| GF BAR                | 49 SEATED COVERS         |
| <b>TOTAL INTERNAL</b> | <b>194 SEATED COVERS</b> |
| EXTERNAL              | 54 SEATED COVERS         |
| <b>GRAND TOTAL</b>    | <b>248 SEATED COVERS</b> |

| EMERGENCY EXITS |             |                     |             |
|-----------------|-------------|---------------------|-------------|
| EXIT            | CLEAR WIDTH | OPENING DIRECTION   | CAPACITY    |
| FIRE EXIT A     | 1050MM      | DIRECTION OF EGRESS | 200 PERSONS |
| FIRE EXIT B     | 1050MM      | DIRECTION OF EGRESS | 200 PERSONS |
| FIRE EXIT C     | 1050MM      | DIRECTION OF EGRESS | 200 PERSONS |

| NOTES  |
|--|
| FIRE DETECTION TO BE INSTALLED TO B55839-12007     |
| EMERGENCY LIGHTING TO BE INSTALLED TO B55266-12006 |
| FIRE SAFETY SIGNAGE TO BE PROVIDED TO B55499-1     |

- GENERAL NOTES:**
1. THE CONTRACTOR IS TO CROSS REFERENCE THIS DRAWING WITH THE WALL FINISH DRAWING AND ALL CONSULTANT DRAWINGS INCLUDING STRUCTURAL ENGINEER, M&E, CATERING ETC TO ENSURE WALL SPECIFICATIONS SUITABILITY.
  2. REFER TO BUILDING REGS DRAWING FOR MINIMUM FIRE RESISTANCE REQUIRED AND FIRE COMPARTMENTATION. THE CONTRACTOR IS TO CHECK THAT IN AREAS OF FIRE COMPARTMENTATION THAT ALL WALLS ARE TAKEN TO THE COMPARTMENT CEILING AND FIRE STOPPED.
  3. THE CONTRACTOR SHOULD CONSULT THE STRUCTURAL ENGINEER FOR THE PURPOSES OF SPECIFYING STEEL MEMBERS AND FIXING DETAILS.
  4. ALL NEW WALLS AND LININGS TO MEET ACOUSTIC REQUIREMENTS AS SPECIFIED BY SPECIALIST - REFER TO ACOUSTIC REPORT.
  5. THE CONTRACTOR IS TO CHECK THE CLEAR OPENINGS OF ALL FIRE ESCAPE DOORS ON THE BUILDING REGULATION DRAWINGS WHEN SETTING OUT FOR CRITICAL DOOR SIZES.
  6. REFER TO SEPARATE DRAWINGS FOR DOOR SCHEDULE.

| FIRE STRATEGY LEGEND |   |
|----------------------|---|
|                      | IW LED RECESSED EMERGENCY DOWNLIGHT TO TRADING AREA / SURFACE MOUNTED TO BOH-NON MAINTAINED |
|                      | EMERGENCY LIGHTING EXIT SIGN - INTERNALLY ILLUMINATED (MAINTAINED)                          |
|                      | EMERGENCY LIGHTING DIRECTIONAL EXIT SIGN - INTERNALLY ILLUMINATED (MAINTAINED)              |
|                      | FIXED ALARM DEVICE DUAL OPTICAL & HEAT MULTI SENSOR   |
|                      | FIXED ALARM DEVICE HEAT SENSOR - RATE OF RISE TYPE  |
|                      | FIXED ALARM DEVICE SMOKE SENSOR - OPTICAL TYPE  |
|                      | BUILT IN BASE SOUNDER TO HEAT AND SMOKE SENSORS   |
|                      | FIXED ALARM DEVICE CALL POINT - MANUAL TYPE   |
|                      | FIXED ALARM DEVICE - WARNING DEVICE VISUAL  |
|                      | FIXED ALARM DEVICE - WARNING DEVICE AUDIBLE   |
|                      | FIXED ALARM CONTROL PANEL - INTERLINKED WITH LANDLORDS PANEL                                |
|                      | FIRE EXTINGUISHER - CO2   |
|                      | FIRE EXTINGUISHER - WATER TYPE  |
|                      | FIRE EXTINGUISHER - AFFF  |
|                      | FIRE EXTINGUISHER - FIRE BLANKET  |
|                      | FIRE SAFETY SIGN - FIRE DOOR KEEP SHUT  |
|                      | FIRE SAFETY SIGN - FIRE DOOR KEEP LOCKED SHUT   |
|                      | FIRE SAFETY SIGN - DOOR TO BE OPEN DURING TRADING HOURS                                     |
|                      | FIRE SAFETY SIGN - FIRE ESCAPE KEEP CLEAR   |
|                      | FIRE SAFETY SIGN - FIRE EXIT  |
|                      | FIRE SAFETY SIGN - STAFF ACTION NOTICE  |
|                      | HALF HOUR FIRE RATED DOOR   |
|                      | SELF CLOSING  |
|                      | INTUMESCENT STRIPS & COLD SMOKE SEALS   |
|                      | VISION PANEL  |
|                      | PUSH BAR  |
|                      | FIRE RATED GLASS  |
|                      | DISABLED WC DISTRESS BEACON   |

- LICENSING LEGEND:**
- AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE
  - TRAVEL DISTANCE TO EMERGENCY EXIT.
  - DEMISE OF EXTERNAL LICENSED CAFE SEATING AREA
- THE POSITION OF THE FIRE EQUIPMENT IS CORRECT AT THE DATE OF SUBMISSION BUT MAY CHANGE FROM TIME TO TIME WITH APPROVAL OF THE FIRE OFFICER. ANY SEATING SHOWN ON THE PLANS WHICH IS UN-FIXED IS INDICATIVE AND MAY CHANGE FROM TIME TO TIME

| REV | DATE       | REASON  |
|-----|------------|---|
| A   | 2023/02/16 | Updated in line with Fire Safe Solutions report |

| REV | DATE       | REASON  |
|-----|------------|---|
| A   | 2023/02/16 | Updated in line with Fire Safe Solutions report |

**NOTES**  
Do not scale from this drawing. All dimensions to be checked on site prior to any manufacture and construction.

**Macaulay Sinclair**

PROJECT Oakman Inns, Gerrards Cross  
TITLE Licensing  
SCALE @ A1 1:100  
DATE 07.02.2023 DRAWN BY IR

PROJECT NO. **3792**  
DRAWING NO. **03(04)A**  
STATUS **CONSTRUCTION**

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STUDIOS@MACAULAY SINCLAIR.COM  
MACAULAYSINCLAIR.COM

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## Strategic Environmental Health Protection

## Licensing Act 2003 Response

|                       |   |
|-----------------------|---|
| <b>To:</b>            | Licensing   |
| <b>From:</b>          | Charlie Robinson – Environmental Protection Officer                           |
| <b>Site Address:</b>  | The Journeyman, 10 Packhorse Road, Gerrards Cross,<br>Buckinghamshire SL9 7QE |
| <b>Proposal:</b>      | Application for the grant of a premises licence                               |
| <b>Our Reference:</b> | 23/00394/LIAPPL   |
| <b>Date:</b>          | 16 <sup>th</sup> March 2023   |

**Re: Application for the grant of a premises licence**

I acknowledge safe receipt of the premises licence application documentation (including proposed timings and operating schedule).

I am an authorised officer of the Council as set out in Section 69(2)(d) of the Licensing Act 2003. I fulfil the duties of a Responsible Authority as defined by Section 69(4)(e) of the Act in terms the Council's statutory functions associated with the minimisation or prevention of risks associated with pollution to the environment or harm to human health.

Environmental Health have reviewed the proposed application and have established concerns in relation to potential noise from the outside areas of the premises late into the evening which would not promote the prevention of public nuisance objective.

The premises is situated in a mixed commercial and residential area with nearby residential properties, most notably those opposite the premises above the commercial units. When reviewing the proposed plan of the premises, the outside seating area to the front of the premises has raised concerns in relation to noise.

In light of the above, it is felt that if the application were granted as applied for, the premises would pose a risk of becoming a source of noise nuisance during the later hours of operation.

Having discussed the proposals and our concerns with the applicant, it is understood that due to other restrictions on the use of the premises (namely planning permissions), the outside area should not be used past 21:00 daily. This would appease the concerns of Environmental Health if implemented, however no control or condition of this nature is currently proposed as part of this licensing application.

Without further control or limitation of the proposed outside seating area, **Environmental Health hereby object to the application being granted in its current form.** However, this objection could be addressed by the implementation of the following condition. For the avoidance of doubt, the below is a suggested wording and the Licensing Officer may wish to re-word the condition to ensure its enforceability.

**Condition:**

1. All external areas of the Licensed Premises shall be vacated and not permitted for use by patrons by 21:00 hours each day, save for patrons smoking.

If you would like to discuss this case, please do not hesitate to contact me.



## Appendix 5

**Interested Party Representations**

01/03/2023 16:26

**Cllr Michael Bracken**

Support the application but request that the timings be conformed to other similar operations in this location including the two restaurants across the road from this. I note the application refers to provision of refreshment from 23.00-5.00 and would ask that this aspect be considered in line with comparable operators in particular

26/03/2023 23:32

**Tim Lovejoy:** Silverhurst, 6 Fulmer Way, Gerrards Cross, SL9 8AH

Prevention of Public Nuisance

The duration and nature of the operation will significantly increase the noise nuisance suffered by residents in the proximity of the premises.

The operating hours mean that significant noise will be generated:

- In the early morning, when staff clean and prepare the premises, and serve breakfast
- In the evening, when recorded music and live entertainment is provided
- Late into the evenings, when patrons are leaving the premises
- In the small hours, as the licence includes provision of Late Night Refreshment between 23:00 and 05:00.

The nuisance will be greatest in the summer when many are dining outside and doors are left open, and residents are using their gardens.

The potential impact of these sources of nuisance has been acknowledged in the conditions applied to similar establishments in the village, including those close to 10 Packhorse Road.

These establishments have much reduced hours of operation compared to those proposed in the application and have been required to operate specific mitigation strategies.

For instance Wildwood, which is opposite The Journeyman:

- Operates between 12:00 and 22:00 during weekdays and between 12:00 and 23:00 on Saturday and Sunday
- Is required to operate noise monitoring patrols
- Stop serving food 1 hour before closure to ensure patrons leave promptly.

Overall the proposed operating hours for the Journeyman are between 35% and 68% more than those of similar establishments in the village. Therefore, we request that the hours of operation are reduced to be in-line with its nearest neighbour, Wildwood.

Prevention of Crime and Disorder

Regrettably national and local statistics show that public houses increase the instance of the above,

especially during the evening and night. The position of 10 Packhorse Road, combined with the lack of nearby parking facilities, means that patrons will likely park in residential streets or walk through them to get to, and from, the pub. This increases the likelihood of disorder and crime in these areas.

The possibility of nuisance noise, and crime and disorder are further heightened by the extension of the licence to include 'provision of late-night refreshments' from 23:00 – 05:00. These hours are completely anti-social and likely to cause nuisance noise and increase the chances of local residents' suffering crime and disorder.

#### Protection Of Children

The proposed extended hours and the proximity of 10 Packhorse Road to bus stops used by school children increases the likelihood that children will be harmed when they walk to and from the buses.

#### Conclusions

1. The allowable hours of operation of The Journeyman should be reduced to be at least in line with similar establishments, such as Wildwood.
2. Specific strategies should be implemented to ensure that the operation does not increase noise nuisance or the instance of crime and disorder in the locality. These could include noise monitoring patrols, signage to ask customers to keep noise to a minimum and respect local resident privacy.

27/03/2023 19:26

**Mrs Rita Farragher:** Doulma, 11 Fulmer Way, Gerrards Cross, SL9 8AJ

Dear Sir,

I write to object to the application for a New Premises licence (PR202302-312433) for The Journeyman at 10 Packhorse Road, SL9 7QE, on the following grounds.

#### Prevention of Public Nuisance

The duration and nature of the operation will significantly increase the noise nuisance suffered by residents in the proximity of the premises.

The operating hours mean that significant noise will be generated:

- In the early morning, when staff clean and prepare the premises, and serve breakfast
- In the evening, when recorded music and live entertainment is provided
- Late into the evenings, when patrons are leaving the premises
- In the small hours, as the licence includes provision of Late Night Refreshment between 23:00 and 05:00.

#### Prevention of Crime and Disorder

Regrettably national and local statistics show that public houses increase the instance of the above, especially during the evening and night. The position of 10 Packhorse Road, combined with the lack of nearby parking facilities, means that patrons will likely park in residential streets or walk through them to get to, and from, the pub. This increases the likelihood of disorder and crime in these areas.

## Conclusions

The allowable hours of operation of The Journeyman should be reduced to be at least in line with similar establishments, such as Wildwood. Specific strategies should be implemented to ensure that the operation does not increase noise nuisance or the instance of crime and disorder in the locality. These could include noise monitoring patrols, signage to ask customers to keep noise to a minimum and respect local resident privacy.

27/03/2023 20:49

**M Styrka**, 2 Fulmer way

Can't believe they are allowing music so late into the night! It's a disgrace for a reasonably quite town !

27/03/2023 21:34

**Juliet French**: 18 Fulmer Way, SL9 8AH

These hours for consumption of alcohol and all night food provision are totally unacceptable in a residential area for the following reasons:

Residents will be constantly disturbed by noise, music, cars coming and going possibly all night. This is very disturbing especially for the elderly residents who live in this area.

Parking is already compromised in Gerrards Cross as it is - where will all the guests park? Late night drinking can also lead to fights, damage to public property and disturbances in the local area.

The opening times should be restricted to those which fit in to daily living of the majority of people who live in Gerrards Cross - we are families with children, retired and elderly people.

27/03/2023 21:45

**Marie Carmont**: 14 Fulmer way. GX. SL98AH

We live very close to the venue

The licensing laws are not in keeping with the neighbourhood

When customers collect cars it will create substantial disturbance

Children in the neighbourhood will be at risk.

Such a large premise serving alcohol at all hours not acceptable

**Mark Charig**: 15 Fulmer Way, Gerrards Cross, SL9 8AJ

This establishment backs on to a quiet residential road. To allow music until midnight, unless the sound is restricted to within the building, will be intrusive to the neighbours. To be serving alcohol in the morning is unnecessary and would promote daytime drunkenness and behavioural problems. I see no demand for service until 05:00 but the continued opening would create noise and light pollution.

Putting up notices to be quiet for residents does not ensure that patrons will comply, particularly if they have been drinking alcohol, so that will disturb schoolchildren and workers trying to sleep if the opening hours are not in line with other establishments in the town. None of these issues is likely to be monitored or sorted by the staff.

27/03/2023 23:15

**John Carmont** : Beech House, 14 Fulmer way, GX. SL9 8AH

The location is not appropriate as the noise associated with operations during the hours of 11pm a 5 am is not acceptable as it is in a residential area and would create sleeping problems for residents. It would also increase the concerns of pedestrians young and old when they have use the streets of Gerrards Cross late evening and early morning because unfortunately drinking too late at night facilitates need to walk on the streets between 11pm and 5 am.

28/03/2023 10:43

**Patrick Cannon** : 1 Fulmer Way, Gerrards Cross, Bucks SL98AJ

Dear sirs, I write to object strongly to the licensing hours application under consideration from the Journeyman bar/restaurant. The request is based on anti social hours which will give rise to excessive noise, disruption and traffic in what is a quiet , residential neighbourhood. It is also a conservation area where many of the residents have themselves been restricted in changes to their property. The hours proposed are excessive and do not serve the reasonable commercial demand for such a facility. Whereas I do not object to the facility in principle, I would expect that it's hours of operation were kept in line with similar such bar/dining facilities locally and not result in it becoming a late night attraction, drawing crowds from surrounding facilities which have closed at a reasonable hour to result in noise, traffic and public order problems. I hope these point s will influence any excision that is taken.

28/03/2023 18:27

**Michael and Marie Styka**: 2 Fulmer way

Very long and unreasonable opening hours . Other outlets in the high street open for shorter times. With alcohol being served I can see lots of rowdy behaviour.

28/03/2023 19:27

**Christopher Rhodes** : 8 Fulmer Way, SL9 8AH

The hours being requested clearly have the potential to lead to excessive noise being generated through to the early hours of the morning on a daily basis. The licence extending to 0500 has the potential to create significant disturbance. Is it really necessary to have such extended hours and if so what mitigations are in place to ensure there is not disruption to neighbours.

29/03/2023 16:43

**Ian Bayliss** : West Common Lodge, West Common Close, Gerrards Cross, SL9 7QR

As a resident that will be most affected by the Journeyman opening, I object to the Journeyman Licence Application and will be as brief as possible with my reasons.

On first reading I was shocked to see that they request 'provision of late-night refreshment' up to 05:00 in the morning which would be totally unacceptable. I understand that this is a 'typographical error' and I would like the Licencing Authorities to remove this just to make sure.

A closing time of 23:00, at the latest, to line up with the other establishments is far more appropriate for a small town like Gerrards Cross and they should also stop serving food 1 hour

before closing to ensure patrons leave on time.

I appreciate that the Journeyman will be an asset to our Town but certainly not by being open until midnight every night and not at the cost of residents. There will inevitably be an intrusion into our evening peace with customers making noise when they leave and slamming car doors. There will also be illegal parking on the yellow lines along West and East Common, West Common Close, Marsham Way and Bulstrode Way.

The Journeyman management have a noise mitigation plan and this sounds good but implementation must be part of the application.

30/03/2023 08:20

**Mary Turpin** : 1, Langstone Villas, 9, West Common. Gerrards Cross. SL9 7QP

I am horrified at the thought that these premises are to be open virtually 24hours a day till 5 am!! The parking is going to be a nightmare as I have only street parking a residents permit that no one pays attention to, Now we are going to have noise, people loitering about all night wandering around the common, drugs and no police presence. I can see it all. I cannot believe that our lovely council would let The Journeyman open these hours. It's actually a night club NOT a pub. Plus it will encourage more places of this description. Not a good atmosphere for young people to grow up in!!

30/03/2023 09:36

**Christopher Foulger**: 5, West Common Close, Gerrards Cross, SL9 7QR

Taking the application for " Sale by Retail of Retail " 08.00 - 00.00 together with "Provision of Late Night Refreshment" 23.00 - 05.00 would suggest that this establishment would be open for business 21 hours every day (1 hour less on Sunday) 52 weeks of the year.

Whilst appreciating this is a business establishment on a town centre High Street there also needs to be equal consideration given to the fact that it is also situated in close proximity to many residential properties.

There will inevitably be movement of people and vehicles during opening hours especially in nearby roads and streets. Consideration and respect of these situations appears to have been completely side lined in this application. The proposed "Late Night" hours are anti-social.

A closing time of 23.00 should be the latest and would fit with the trading hours of other licensed restaurants/bars in Gerrards Cross.

30/03/2023 12:11

**Peter Brady**, 11 West Common Close, SL9 7QR

The licencing hours should cease at 23.00 not 24.00 in order to minimise noise /disturbance..

Food service should cease at 22.00 to ensure premises are cleared by 23.00. I assume the reference to 5.00 for food service is an error

31/03/2023 14:01

**Elizabeth Hornby**: Winslow, 7 Fulmer Way, Gerrards Cross, SL9 8AJ

I object to the proposed application due to the proposed hours & the nuisance it will cause to the public & the residents nearby

31/03/2023 22:25

**Celia Style:** 3 Fulmer Way, Gerrards Cross, SL9 8AJ

Dear Buckinghamshire County Council

I write to object to Oakman Inn's application PR202302-312433 for a new Premises licence for The Journeyman at 10 Packhorse Road, SL9 7QE, on the following grounds.

- prevention of crime and disorder
- prevention of public nuisance

The Journeyman is proposing to have opening hours beyond that of other restaurants within Gerrards Cross. The Journeyman is situated close to residential homes as a result residents will be aware of the increase in noise pollution in the evening emanating from the premises and inevitably be aware when patrons/customers leave the premises and walk to cars parked in residential streets followed by the noise of car doors shutting etc. There is no reason for a late-night refreshments license to 5am in a residential town. This would only increase the likelihood of anti-social behaviour.

In conclusion – The Oakman Inns Journeyman Restaurant and Bar at 10 Packhorse Road has applied for alcohol and entertainment licence which far exceeds that granted at other similar establishments in Gerrards Cross. I would like to see the Journeyman's licence for alcohol, entertainment and refreshments brought into line with similar establishments in Gerrards Cross in particular Wildwood on Packhorse Road (opposite The Journeyman) in order to stop customers extending their alcohol intake, with service of food and alcohol stopped 1 hour before closing and no late-night refreshments licence being granted. In addition, a condition that the outside tables area of the premises is closed for business before dark and doors to the outside & windows must not be left open after 21.00 hrs.

01/04/2023 12:58

**Mr and Mrs D Amlot:** Heath cottage, West Common, Gerrards Cross, SL9 7QN

As long term residents and due to our age, vulnerable residents of West Common, we know that operation of the Journeyman will cause us disturbance and it is only fair that this should be kept to a reasonable minimum. The application is for late night 'refreshment' to 05:00 am and this is totally UNACCEPTABLE.

Such provision and the sale of alcohol by retail should be limited to the hours when food is served and this should be limited to 10:30 pm.

02/04/2023 13:00

**Mrs Patricia Molloy:** Fraserhurst, 20 Fulmer Way

The proposed opening hours are ridiculous when compared to similar businesses in the High Street. This is not the West End of London but a suburban/country town which does not need alcohol-fired people leaving the premises late into the night with unpoliced noise and no doubt also leading into the temptation of criminal activity.

02/04/2023 20:17

**Nick Leake:** The Lindens, Milton Avenue, Gerrards Cross

The proposed hours of opening are unsuitable for a venue in this location which is not served by public transport for those hours and which has limited nearby parking.

It is to be expected that there will be late night/early morning noise, disturbances and anti-social behaviour as the venue will attract customers from far afield. When Winkers Nightclub was open on Denham Lane this was what was experienced and on summer evenings the noise will be audible across much of Gerrards Cross and Chalfont St Peter - cars revving engines, racing, customers shouting etc etc.

It would seem to me that it would be sensible and appropriate for the licencing hours to match those of other adjacent and nearby establishments like Wildwood and The Apple Tree.

02/04/2023 20:19

**Dr Taiwo Akinseye:** The Cottage, 5 Fulmer Way, Gerrard's Cross, SL9 8AJ

We Strongly object to this proposal as it is on several grounds. Primarily based on Prevention of Public Nuisance and also Prevention of Crime and Social disorder

As residents in very close proximity, we are extremely concerned about the proposed extended licence hours on this plan which would inevitably lead to an increase in noise levels early in the morning and late at night.

The noise of patrons leaving the establishment, combined with the noise from music or other entertainment, would undoubtedly disturb the peace and tranquillity of us in the immediate vicinity of the establishment and ultimately the local community. This could negatively impact the quality of lives, especially elderly residents.

The proposed hours that start from 8am in the morning through midnight on all days except for Sundays is totally unreasonable and should be unacceptable for such a residential area as this, the extended hours would undoubtedly increase the risk of anti-social behaviour and disorder. The likelihood of excessive consumption of alcohol can sometimes lead to aggressive, anti-social and violent behaviour leading to fights, both inside and outside the establishment. These highly likely outcomes pose a risk to public safety and will put a strain on local law enforcement resources.

This proposal could also have a negative impact on the local environment. The increased foot traffic and noise levels could lead to an increase in littering and other forms of pollution, which would be detrimental to the environment and well-being of our community.

We are aware of restricted operating hours of similar establishments in the area (Wildwood), which is just across the road from the proposed establishment (Journeyman) Both these businesses are remarkably similar in nature, namely a public house and restaurant. Wildwood's opening hours are: 11.30 am to 11pm Mondays to Saturdays and 11.30am to 10.30pm on Sunday and Bank Holidays. These hours clearly differ significantly from each other. Wildwood has also been required to implement noise monitoring patrols and strict access controls. These restrictions and controls have been implemented in response to lessons learned from other similar establishments.

We respectfully request that the same learning is applied to The Journeyman's application.

Anything other than an outright objection would put at risk not only the peace and tranquillity of the community but also the well-being and health of the local residents.

04/04/2023 00:01

**J. Egger:** 8 Marsham Way, Gerrards Cross, SL9 8AD

A late licence for music (both live and recorded) will cause a huge noise disturbance to the many neighbours who surround the property on all sides, as well as disturbing those enjoying leisure time on the commons directly opposite. Provision of alcohol for a full 16 hours of the day and night will lead to many people leaving the property inebriated and noisily. This in turn will lead to the usual alcohol related crimes and misdemeanours in this quiet and mainly residential area. Currently the local hospitality is restricted to restaurants and coffee shops with limited opening hours and no live or recorded music events. This licence will change the whole tone of the hughstreet and neighbourhood. Late opening will also lead to increased traffic noise in the small hours of the night, again disturbing local residents and wildlife on the commons.

04/04/2023 18:07

**Sharron & Mark Harrison:** 16 Fulmer Way, Gerrards Cross SL9 8AH

We object to the proposed extended licensing hours and the inevitable increase in noise levels and general disturbance to our local neighbour that thus would bring. Anti-social behaviours and disorder these hours could bring must also be given careful consideration as they could pose a risk to public safety.

05/04/2023 11:34

**Angela and Trevor Newey:** Heathside, 12 Fulmer Way Gerrards Cross SL9 8AH

We would object to the above application from the Journeyman in Gerrards Cross, on the grounds of the following..... querying the extended licencing hours increasing the nuisance from noise levels with nearby residents in this quiet residential area especially those with young children and the elderly. It is of great concern that the hours proposed are from 8am through to midnight (every day except Sundays) This would be further aggravated by the playing of Live Music 8am - 11pm plus Recorded Music 8am to midnight!

ALSO extended hours would encourage alcohol fuelled, aggressive and violent behaviour especially amongst younger people, who tend to congregate around the play area, leaving a mass of litter and broken bottles for the children playing the following morning. Wildwood opposite opening hours are from 11.30am to 11pm Mon-Sat and 11.30am - 10.30 Sundays.

Please consider the above objections to these extended hours for both licensing and music. Our home overlooks the Playground and we have witnessed in the past, first hand, upwards of 50 or so young people (when the Packhorse (now Wildwood) ) had extended hours as a Pub and at 11pm on closing there was hugely disruptive behaviour, both noisy and aggressive, plus the associated litter the following morning for the children coming to play.

05/04/2023 20:25

**Eugene Walsh:** Lawnside, 4 Fulmer Way, Gerrards Cross SL9 8AH

The applied for hours (21 in total) are quite staggering and will inevitably lead to significant increase in noise. The applied for hours contravene commitments made by the applicant at the planning



application stage and therefore as local resident and neighbour I have no confidence in the applicants willingness to maintain a cordial local environment.

Sun 02/04/2023 12:26

**Keith Edwards:** 9, Fulmer Way, Gerrards Cross, SL9 8AJ

Dear Mr Whittall,

The Journeyman, 10, Packhorse Road (previously M&S Food) have submitted a License Application. This appears to be asking for:

**Live Music**

Monday-Sunday: 08:00 - 23:00

**Recorded Music**

Monday-Saturday: 08:00 - 00:00

Sunday: 08:00 - 23:00

**Provision of Late Night Refreshment**

Monday-Sunday: 23:00 - 05:00

**Sale by Retail of Alcohol**

Monday-Saturday: 08:00 - 00:00

Sunday: 09:00 - 23:00

**The application is, therefore, for a licensed premises to operate in total from 08.00am until 05.00am ie 21 hours per day.**

I understand from discussion with you, last week, that the request for 'Provision of Late Refreshment' from 23:00 – 05:00 has been withdrawn.

However, this still means that the premises are seeking a license for the sale of alcohol from Monday-Saturday: 08:00 - 00:00

Sunday: 09:00 - 23:00 as well as the ability to play late night music.

The premises that are being developed was, previously, an M&S Food Hall. This had been on the site for c.15 years and closed, in the evenings, at 8:00pm. Prior to that it was a Motor Vehicle retailer. It was, therefore, being used for a very different purpose and operating very different hours.

Clearly, therefore, if a license is allowed for the sale of alcohol until midnight it will have a significantly detrimental impact on local resident's right to 'peaceful enjoyment' of their property. It will also increase 'Public Nuisance' and the 'Risk of Crime/Disorder' in the local area.

On leaving the premises, Patrons of the 'The Journeyman' are most likely to walk along Packhorse Road to West Common, East Common, Marsham Way and Bulstrode Way. These are also the roads they are likely to park in if, hopefully, they come with a 'nominated driver'. This is because there is unrestricted parking on these roads after 6pm (the public car park opposite the premises charges for parking). These roads are quiet residential roads and, generally, occupied by older / retired residents. These residents are likely to feel intimidated / threatened by people / groups of people in their roads late at night, especially if they are inebriated !

The premises requesting the license also back on to residential properties in Fulmer Way who will be significantly disturbed by such late night opening.

My view and, I believe, the general view of local residents is that similar establishments in the town have opening hours of:

- 11.30 am to 11pm Mondays to Saturdays
- 11.30am to 10.30pm on Sunday and Bank Holidays.

These hours are in place to Prevent Public Nuisance, Ensure Public Safety, the Protection of Crime / Disorder and the Protecting of children from harm that would result from longer opening hours for the purchase / consumption of alcohol.

These hours are very different from the proposed hours for The Journeyman. I understand that there is also a requirement to implement noise monitoring patrols and strict access controls at these premises. These, I am sure, have been implemented in response to lessons learned from the experience at other similar establishments where later opening hours have been permitted. We ask that the same learning is applied to The Journeyman's application.

I trust that you will be able to apply these licensing restrictions, and hours, to 'The Journeyman' and, in so doing, ensure residents and visitors are protected from Public Nuisance, Public Safety and Crime.

Stonesdale  
43 Bulstrode Way  
Gerrards Cross  
Buckinghamshire  
SL9 7QT

28<sup>th</sup> March '23

The Licensing Section  
Buckinghamshire Council  
Aylesbury - HP19 8FF

Dear Sirs,

The Journeyman  
10 Packhorse Road  
Gerrards Cross  
SL9 7QE

I refer to Application No. PR  
202302-312433 by the Oakman  
Group Plc for a licence to  
include the provision of late-  
night refreshments from 23.00-  
05.00.

The location next to the  
United Reform Church and very  
close to a residential area is  
bound to create a public

nuisance - noise and light pollution at extremely unsociable hours, possible danger to residents due to the likelihood of disorder and, maybe, crime in the area.

The granting of such a licence would be totally inappropriate in this instance. and I begy you to reconsider.  
Yours,

Ros Hurn

**Brian Whittall**

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**From:** Brian Whittall  
**Sent:** 29 March 2023 15:36  
**Subject:** The Journeyman Licence application  
**Attachments:** Journeyman amended conditions.pdf; Hearing Procedure.pdf

Dear All,

I am the licensing officer administering the application in respect to the above named premises. Thank you for making your comments in respect to the application.

I wished to notify you of some changes the applicant has made to the application as a result of the consultation process with the Responsible Authorities. The police and others have not objected to the application. However, Environmental Health have been in discussions with the applicant in respect to the licensing objective to prevent a public nuisance. As a result of those discussions with Env. Health I can confirm the following:

- The premises shall close at midnight Monday-Saturday and 23:00 hours Sunday
- The applicant has confirmed that Late Night Refreshment shall cease before the closure times and not 05:00 as specified on the application
- In conjunction with Env. Health and the Licensing team the applicant has agreed to the amended conditions attached going forward onto the licence. Note: It is a criminal offence not to comply with licence conditions and or day/times specified on a licence. Licensing officers have enforcement responsibilities to ensure all holders of a premises licence comply at all times with their authorisation terms

I am writing to all those that have made comment to ask if this new information addresses your concerns and if so can you confirm if you wish to withdraw your comments? Alternatively, if these comments are to remain then I shall arrange a public hearing in accordance with the legislation and associated regulations so that the Licensing Sub-Committee can convene to determine this application not the licensing officer. The procedure notes are attached for your information (Please refer to point 10)

If you have any further queries then please do not hesitate to contact me.

Regards,

Brian Whittall  
Licensing Officer  
Communities Directorate  
Buckinghamshire Council

Tel: 01494 421346

Email: [Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)

Address: The Gateway, Gatehouse Road, Aylesbury, HP19 8FF

## **Journeyman - draft operating schedule:**

### **Prevention of Crime and Disorder**

- The premises shall install and maintain a comprehensive CCTV system in accordance with any minimum requirements of Thames Valley Police. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days (or other specified time period) with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period (or other specified time period).
- Alcohol supplied between 08:00 and 10:00 on any day shall be ancillary to a table meal such as breakfast or brunch
- Substantial food shall be available at all times.

### **Public safety**

- Health and Safety Risk Assessments shall be maintained at the premises and shall be made available to an authorised officer on request

### **Prevention of public nuisance:**

- Notices, at least A4 in size, shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
- All external areas of the licensed premises shall be vacated and not permitted for the use of patrons by 21.00hrs each day save for patrons smoking

### **Protection of children from harm:**

- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. All staff will be trained therein.

**From:** [Emma Frost](#)  
**To:** [Brian Whittal](#)  
**Cc:** [Catriona Crelling](#)  
**Subject:** [EXTERNAL] RE: The Journeyman  
**Date:** 22 March 2023 13:10:48

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## Appendix 7

Good Afternoon Brian

Yes I am in agreement with the below statement.

Many Thanks

Best Wishes

Emma

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**From:** Brian Whittal <[Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)>  
**Sent:** Wednesday, March 22, 2023 12:55 PM  
**To:** Emma Frost <[EmmaFrost@oakmangroup.co.uk](mailto:EmmaFrost@oakmangroup.co.uk)>  
**Cc:** Catriona Crelling <[Catriona.Crelling@buckinghamshire.gov.uk](mailto:Catriona.Crelling@buckinghamshire.gov.uk)>  
**Subject:** The Journeyman

Good afternoon Emma,

Please refer to the attached representation from Env. Health. Can you confirm your agreement to the following condition going forward onto the Premises Licence which shall satisfy the officer in relation to preventing a public nuisance?

- The outside area of the premises shall not be used by patrons after 21:00 hours daily

Regards,

Brian Whittall  
Licensing Officer  
Communities Directorate  
Buckinghamshire Council

Tel: 01494 421346

Email: [Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)

Address: The Gateway, Gatehouse Road, Aylesbury, HP19 8FF

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