

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
may be filmed.***



please ask for Leslie Manning
direct line 0300 300 5132
date 16 August 2017

NOTICE OF MEETING

LICENSING SUB-COMMITTEE

Date & Time

Tuesday, 29 August 2017 at 10.00 a.m.

Venue at

Room 15, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Members of the LICENSING SUB-COMMITTEE:

Cllrs D Bowater, K M Collins and T Nicols

[Named Substitutes:

Cllrs R D Berry, J Chatterley, I Dalgarno, Mrs A L Dodwell, K Janes, P Smith,
T Swain, N Warren and R D Wenham]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

***Please note that phones and other equipment may be used to film, audio record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming.**

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AGENDA

1. **Election of Chairman**

To elect a Chairman for the hearing.

2. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **Procedure for the Hearing of Applications under The Licensing Act 2003**

To note the procedure for hearing applications under The Licensing Act 2003 (copy attached).

5. **The Four Licensing Objectives**

To note the four Licensing Objectives (copy attached).

6. **Determining Applications**

To note chapter 9 of the revised guidance (dated April 2017) issued under Section 182 of The Licensing Act 2003 which provides advice relating to determining an application for a new premises licence (copy attached).

Report

Item	Subject	Page Nos.
7.	Application for a Premises Licence under The Licensing Act 2003 at Ampthill Fish Shop, 89 Dunstable Street, Ampthill, Beds, MK45 2NG	* 35 - 68
	To consider an application for a premises licence for Ampthill Fish Shop, 89 Dunstable Street, Ampthill, Beds.	

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Procedure for the hearing of applications The Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005

**Public Protection
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

0300 300 8000**

Central Bedfordshire Council

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**Licensing Sub-Committee Procedure for
Determining applications under the Licensing Act 2003**

CONTENTS

1. Introduction
2. General Principles

PRE-HEARING

3. Licensing Panels
4. Timescales for Convening a Hearing
5. Notice of Hearing
6. Persons to be Notified of a Hearing
7. Contents of Notice
8. Hearings to be open to the public
9. Failure to attend the hearing
10. Disruptive behaviour

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

HEARING PROCEDURE

12. Opening the Hearing
13. Licensing Officer's Report
14. Licensing Authority's request(s) for clarification
15. Presentation of Case / Submissions from Parties
16. Modification or Withdrawal of Application or Representation
17. Closing Submissions
18. Legal Advice
19. Committee Decision in Relation to Procedure
20. Determination of the Application

POST HEARING

21. Record of Proceedings
22. Irregularities
23. Decision Notice
24. Appeals
25. Closing the Hearing

Licensing Sub-Committee Checklist

Appendix 'A'

Appendix 'B'

Introduction

- 1.1. The Licensing Act 2003 has placed local authorities at the centre of the decision making process for regulating the sale and supply of alcohol, provision of regulated entertainment and late night refreshment.
- 1.2. This document and the procedures detailed herein are based upon the guidance issued by the Local Government Regulation Service and with regards to the provisions of:
 - the Licensing Act 2003;
 - the Guidance issued by the Secretary of State for Culture, Media and Sport on 7 July 2004 under section 182 of the Licensing Act 2003; and
 - The Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 1.3. This guidance is intended for all concerned in any way whatsoever with a hearing before a licensing panel (Licensing Sub-committee, the Licensing Committee or Council, as may be the case) in relation to the determination of applications under the Licensing Act 2003.

2. General Principles

- 2.1. All Members sitting on the determination of an application will always:
 - promote the right of all parties to have a fair hearing;
 - only have regard to such of the four licensing objectives that are subject to a relevant representation, namely:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm;
 - have regard to the Licensing Act 2003 and any relevant secondary legislation;
 - have regard to the Council's Statement of Licensing Policy;
 - have regard to the Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003;
 - treat each application on its own merits; and
 - undertake its decision-making responsibilities honestly and fairly, in an open, transparent and accountable way.

PRE-HEARING

3. Licensing Panels

- 3.1. Generally, hearings will take place before a Licensing Sub-committee consisting of three Members of the Licensing Committee, although, to avoid unnecessary adjournments, a fourth Member may attend as a substitute Member.
- 3.2. If, for any reason whatsoever, it is not possible to have a matter determined by a Licensing Sub-Committee, the matter would be heard by the Licensing Committee. A Licensing Committee must consist of between ten and fifteen Members and at least one half of those Members must attend for a hearing to proceed before the Licensing Committee.
- 3.3. In the highly unlikely event of it not being possible, for any reason whatsoever, to have a matter determined by either a Licensing Sub-committee or the Licensing Committee, the matter would be heard by Council.

4. Timescales for Convening a Hearing

- 4.1. Most hearings under the Licensing Act 2003 must normally take place within 20 working days from the last date in which representations can be made. There are exceptions to this rule.
- 4.2. Exceptions:
 - 4.2.1. A hearing must take place within 10 working days of the Authority receiving notification of a review of the premises following a closure order;
 - 4.2.2. A hearing must take place within 7 working days from the day after the end of the period within which the police can object to a temporary event notice;
 - 4.2.3. A hearing must take place within 5 working days beginning the day after the end of the last day for the police to object to an interim authority notice.
- 4.3. Hearings may be dispensed with where all relevant persons agree a hearing is unnecessary.

5. Notice of Hearing

- 5.1. Generally 10 clear days notice will be given of a hearing. There are exceptions to this rule.
- 5.2. Exceptions:
 - 5.2.1. 5 days notice will be given of a hearing for a review of a premises licence following a closure order;
 - 5.2.2. 2 days notice will be given of a hearing following police objection to an interim authority notice;
 - 5.2.3. 2 days notice will be given of a hearing following police objection to temporary events notice.

6. Persons to be Notified of a Hearing

- 6.1. The following persons must be notified of a hearing:
 - 6.1.1. Any applicant for any licence, provisional statement or review;
 - 6.1.2. Premises user who submitted a temporary event notice;
 - 6.1.3. Any person who has made relevant representations;
 - 6.1.4. Any Responsible Authority; and
 - 6.1.5. Where an application is made for a review, the holder of a premises licence or club premises certificate.

7. Contents of Notice

- 7.1. The notice of a hearing must contain:
 - 7.1.1. The date, time and place of the hearing;
 - 7.1.2. The procedure to be followed at the hearing;
 - 7.1.3. The right of a party to attend and to be assisted or represented by any person whether legally qualified or not;
 - 7.1.4. Any points upon which the authority considers that it will want clarification from a party at the hearing;
 - 7.1.5. The right of the party to provide additional information to provide any clarification sought by the Authority;
 - 7.1.6. The consequences of failing to attend the hearing or not being represented at the hearing;
 - 7.1.7. Any information the Licensing Authority has received in support or opposition of the application.

8. Hearings to be open to the public

- 8.1. Hearings will generally be open to the public as the Licensing Authority is committed to taking decisions in an honest, accountable and transparent way, but on occasions a licensing panel may find it necessary to exclude a party or parties, the public and press from all or any part of a hearing.
- 8.2. A panel will only pass an exclusion resolution where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public. Such decisions will be made on an individual basis.
- 8.3. The panel's deliberations, which do not form part of the hearing, will be conducted in private. The announcement of the panel's decision is part of the hearing and will generally be open to the public, subject to any exclusion resolution.

9. Failure to attend the hearing

- 9.1. No party is obliged to attend a hearing, although the Licensing Authority encourages all parties to attend hearings to make their application or representation, as may be the case.
- 9.2. Regardless of whether a party attends a hearing or not, the matter will generally be heard and determined by the licensing panel (the Council, the Licensing Committee or a Licensing Sub-committee). At the hearing, the panel will consider any application, representation or notice made by an absent party in the same way as it will of any application, representation or notice made by a party that attends the hearing.
- 9.3. If, however, the hearing is adjourned to a specified date, all parties will forthwith be notified of the date, time and place to which the hearing has been adjourned.

10. Disruptive behaviour

- 10.1. Any person who disrupts a hearing by the Council, the Licensing Committee or a Licensing Sub-committee of a matter under the Licensing Act 2003 may be required to leave the hearing.
- 10.2. It is for the panel hearing the matter to decide whether such person will be permitted to return to the hearing, but should they be allowed to do so, this may be on such conditions as the panel may specify.
- 10.3. If a disruptive person is a person who has a right to address the panel, then that person may, before the end of the hearing (i.e. before Stage 25 of the following procedure), put in writing any information they would have been entitled to give orally, had they not been required to leave the hearing.

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

- 11.1. The Licensing Sub-Committee Hearing shall be commenced in accordance with the Licensing Sub-Committee agenda. Any Committee matters shall be addressed at this stage.
- 11.2. The Licensing Sub-Committee Hearing procedure shall take over at the point at which the agenda item is called to be heard.
- 11.3. The Sub-Committee agenda shall deal with the issue of exclusion of press and public for the Licensing Sub-Committee Hearing.

HEARING PROCEDURE

12. Opening the Hearing

- 12.1. The Licensing Sub-Committee Hearing shall be formally opened by the Chair.
- 12.2. The Chair shall introduce Members of the licensing panel (a Licensing Sub-committee, the Licensing Committee or Council), officers present and all other parties present.
- 12.3. The Chair shall explain the procedure to be followed at the meeting and the nature of the decision to be taken by the panel.

13. Licensing Officer's Report

- 13.1. The Licensing Officer presents his / her Report, including an outline of the application, the representation(s) and any points upon which the Licensing Authority has given notice that it required clarification; and identifies anything relevant in the legislation, the Council's Statement of Licensing Policy and the statutory guidance issued by the Secretary of State for Culture, Media and Sport.
- 13.2. Members of the panel may ask questions of the Licensing Officer with regards to the Report.

14. Licensing Authority's request(s) for clarification

- 14.1. If points of clarification have been asked for, the Chair invites the Licensing Officer or relevant party to provide necessary information.
- 14.2. Members of the panel may ask questions with regards to the further information provided.

15. Presentation of Case / Submissions from Parties

- 15.1. In the order of Applicant, Responsible Authority and Interested Party (or in the case of a review the relevant person), each party shall be invited to undertake the following:
 - 15.1.1. Set out their case;
 - 15.1.2. Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);
 - 15.1.3. Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and
 - 15.1.4. Respond to any questions asked of them by Members of the Licensing Panel.
- 15.2. At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair.

- 15.3. The Sub-Committee shall have the absolute discretion to restrict the number of witnesses and documents that any party can introduce, or the time spent on submissions or oral evidence, to ensure the proper running of the hearing.
- 15.4. Any witnesses that any party is seeking to call that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any witnesses to be heard, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.
- 15.5. Any documents that any party is seeking to adduce that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any documents to be adduced, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.

16. Modification or Withdrawal of Application or Representation

- 16.1. The Chair shall ask the applicant whether the applicant wishes to modify the application (e.g. by way of withdrawing a licensable activity and / or reducing the times asked for and / or volunteering additional steps to promote the licensing objectives).
- 16.2. The Chair shall ask each party making a representation whether such party would like to withdraw their representation.

17. Closing Submissions

- 17.1. The Chair shall invite each of the parties to present a closing submission to the Sub-Committee.
- 17.2. The Chair shall invite the Licensing Officer to make any final representations.
- 17.3. At the end of the Closing Submissions the Chairman may ask the Legal Advisor if there is any clarification or points they wish to make.

18. Legal Advice

- 18.1. The role of the Legal Advisor is to provide Members with advice on:
- Questions of law;
 - Matters of practice and procedure;
 - The options available to the sub-committee in making their decision;
 - Whether information or evidence is relevant to the licensing objectives;
 - Any relevant case law or guidelines.

- 18.2. The hearing shall be directed by the Chair and assisted by the Legal Advisor as appropriate and necessary.

19. Committee Decision in Relation to Procedure

- 19.1. The Sub-Committee shall be entitled to vary the order and procedure for the hearing, at its absolute discretion.

20. Determination of the Application

- 20.1. After all representations have been heard, the Chair will inform all parties that the panel will retire in private to determine the matter.
- 20.2. Either the panel will retire alone to a private room or all parties, officers and members of the public will be required to leave the room, although the panel may invite their legal adviser to join them for the purpose of providing only legal advice - the details of which will be disclosed upon the hearing reconvening.
- 20.3. Should the sub-committee need to ask any further questions of any party, all parties shall be invited to return for the purposes of asking and answering questions.
- 20.4. Where the hearing is for:
- a review of a premises licence following a closure order;
 - a personal licence by holder of a justices licence; or
 - a counter notice following police objection to a temporary event notice.

The Sub-Committee must make its determination at the conclusion of the meeting.

- 20.5. For all other hearings the determination must be made within 5 working days of the hearing. The Sub-Committee will generally announce the determination at the end of the hearing.
- 20.6. The Sub-Committee may consider adding any conditions necessary in order to promote one or more of the four licensing objectives:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 20.7. All decisions shall be made in line with the general principles as detailed in Appendix A, the range of options available for determining each type of application.
- 20.8. The Sub-Committee shall complete the decision notice as shown at Appendix B.
- 20.9. The hearing will reconvene and the Chair will either:

- announce the Sub-Committee determination including reasons for the determination; or
- advise those persons present that the Sub-Committee has not reached a decision, but will make a determination as soon as it can and, in any event, within five working days. All parties will then be notified forthwith of the decision.

POST HEARING

21. Record of Proceedings

- 21.1. The authority shall ensure that a record is taken of the hearing.
- 21.2. The record shall be kept for a period of six years from the date of the final action on the matter.

22. Irregularities

- 22.1. Proceedings shall be rendered void due to a failure to comply with the procedures set out in this document.
- 22.2. Any failure to comply with the Hearing Regulations shall not render the process or the decision void.
- 22.3. Where the Authority considers any person to have been prejudiced from the irregularity it shall take such steps as it considers fit to remedy the irregularity, before reaching its determination.
- 22.4. Clerical mistakes may be corrected by the Authority.

23. Decision Notices

- 23.1. The Authority shall provide a written notice of its determination as soon as practicable after the hearing and within 5 working days.

24. Appeals

- 24.1. An appeal against the determination of the Authority must be made to the appropriate Magistrates Court within 21 days of the date of delivery of the decision.

25. Closing the Hearing

- 25.1. The Chair shall thank all parties for attending and draw the hearing to a close.
- 25.2. Should there be another hearing to be heard the Sub-Committee shall begin the procedure again.

Licensing Sub-Committee Checklist
Procedure for determining applications under the Licensing Act 2003

Item				
1.	Chair to introduce Sub-Committee, Committee Administrator, other Officers and all Parties present.			
2.	Chair to explain procedure for hearing to all parties.			
3.	Licensing Officer to introduce application, including details of the premises, application, objections, references to the Licensing Objectives and Policy and Statutory Obligations.			
4.	Chair to invite Sub-Committee to ask any questions of the Licensing Officer, in relation to the report provided.			
5.	Chair to ask Licensing Officer whether there are any points requiring Clarification.			
Steps 6 to 9 to be completed for each party in the order of Applicant (A), Responsible Authority (RA) and Interested Party (IP) or Relevant Person (RP). The chair will invite each party to:		A	RA	IP/ RP
6.	Set out their case			
7.	Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);			
8.	Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and			
9.	Respond to any questions asked of them by Members of the Licensing Panel.			
Repeat steps 6 to 9 for each party				
10.	At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair.			
11.	Chair asks Applicant if they wish to modify or withdraw their application in any way.			
12.	Chair to invite closing submissions from applicant, responsible authorities and interested parties.			
13.	The Sub-Committee will retire into private to consider its decision.			
14.	Chair will announce the decision of the Sub-Committee and the reasons for the decision. The Chair will advise all parties of their right of appeal.			

Appendix 'A'

Options for determining applications

Determination of application for premises licence

- To grant the licence
- To grant with the addition of conditions necessary to promote any of the licensing objectives
- To exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application

Determination of application for variation of a premises licence

- To grant the variation
- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To reject the whole or part of the application

Determination of application for review of a premises licence

- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

Appendix 'B'



CENTRAL BEDFORDSHIRE COUNCIL

DECISION NOTICE

LICENSING ACT 2003

DECISION OF THE LICENSING SUB – COMMITTEE

<u>Date of Hearing</u>	
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<u>Applicant's Name:</u>	
<u>Premises Address:</u>	

<u>Application for:</u>	
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<u>Reasons for Hearing:</u>	
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<u>Members of the Licensing Sub-Committee:</u>	
--	--

<u>Applicant:</u>	
<u>Person(s) Appearing on Behalf of the Applicant:</u>	

<u>Objector(s):</u>	
<u>Person(s) Appearing on Behalf of Objector(s):</u>	

<u>Other Persons Present:</u>	
-------------------------------	--

If appropriate:

<u>COMMENCEMENT DATE</u>
<u>This licence will come into effect from:</u>
<input type="checkbox"/> <u>The date of this decision</u>
<input type="checkbox"/> <u>The end of the period for appeal.</u>

FINDINGS OF FACT

The Sub-Committee made the following findings of fact:

DECISION

The Sub-Committee have decided that the application should be:

☐ Granted (*as set out in the application*)

☐ Refused

☐ Amended to include the following conditions:

1.

2.

- The Sub- Committee considers the additional conditions necessary for the promotion of the licensing objectives.
- All Licences are granted subject to the mandatory conditions imposed by the Licensing Act, 2003.
- In coming to its decision, the Sub-Committee has taken into account:
 - The Licensing Act Section 18, which states that it must take such steps it considers necessary for the promotion of the licensing objectives;
 - The Secretary of State's Guidance issued under section 182 of the Licensing Act 2003; and
 - Central Bedfordshire Council's Licensing Policy
 - The merits of the application and the representations (including supporting information) presented by all parties.

REASONS FOR DECISION

The reasons for the Committee's decision are as follows:

☐ Prevention of Crime and Disorder

☐ Public Safety

☐ Prevention of Public Nuisance

☐ Protection of Children from Harm

☐ General – all four licensing objectives

<u>Irrelevant Representations</u>	
The Sub-Committee determined that the following representations were irrelevant: Not applicable.	
<u>Representation</u>	<u>Reason Representation was Considered Irrelevant</u>
1.	
2.	

<u>Right of Review</u>
At any stage, following the grant of a premises licence, a responsible authority, such as the Police or an interested party, such as a resident living in the vicinity of the premises may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.

<u>Effect of Failing to Comply with Conditions (Explained to Applicant)</u>
The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.

<u>Right of Appeal</u>
Applicants or any person who has made a relevant representation who is dissatisfied with this decision or the imposition of any condition or restriction has the right of appeal to the Magistrates Court within 21 days of the date on which they are notified of the decision.

Signed: _____
 [Name]
 Chair of Licensing Sub-Committee

Date: _____

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The Four Licensing Objectives

To promote the following Licensing Objectives:

- 1. Prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**
- 4. Protection of children from harm**

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9. Determining applications

General

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

Where no representations are made

- 9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who should replicate the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed.

Where representations are made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to

the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

The role of responsible authorities

- 9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

Representations from the police

- 9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area⁵. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Licensing authorities acting as responsible authorities

- 9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.
- 9.14 Licensing authorities are not expected to act as responsible authorities on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the licensing authority in their own right, and it is reasonable for the licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and the licensing authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as responsible authority.
- 9.15 It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.
- 9.16 The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention; they may do so where they consider it appropriate without having to wait for representations from other responsible authorities. For example, the licensing

⁵ Elections for Police and Crime Commissioners (PCCs) in all police force areas in England and Wales (except in London, where the Mayor of London has taken on the powers of a PCC in relation to the Metropolitan Police) took place on 15th November 2012. PCCs are expected to have a central role working in partnership with local authorities, enforcement bodies and other local partners to decide on what action is needed to tackle alcohol-related crime and disorder in their areas. However, the Chief Officer of Police will remain the named responsible authority under the 2003 Act.

authority may (in a case where it has applied a cumulative impact policy) consider that granting a new licence application will add to the cumulative impact of licensed premises in its area and therefore decide to make representations to that effect, without waiting for any other person to do so.

- 9.17 In cases where a licensing authority is also acting as responsible authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority.

- 9.18 In these cases, licensing authorities should allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) must be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the licensing authority. For example, discussion should not take place between the officer acting as responsible authority and the officer handling the licence application regarding the merits of the case. Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, must be made in writing. It is for the licensing authority to determine how the separate roles are divided to ensure an appropriate separation of responsibilities. This approach may not be appropriate for all licensing authorities and many authorities may already have processes in place to effectively achieve the same outcome.

- 9.19 Smaller licensing authorities, where such a separation of responsibilities is more difficult, may wish to involve officials from outside the licensing department to ensure a separation of responsibilities. However, these officials should still be officials employed by the authority.

Health bodies acting as responsible authorities

- 9.20 Where a local authority's Director of Public Health in England (DPH)⁶ or Local Health Board (LHB) (in Wales) exercises its functions as a responsible authority, it should have sufficient knowledge of the licensing policy and health issues to ensure it is able to fulfil those functions. If the authority wishes to make representations, the DPH or LHB will need to decide how best to gather and coordinate evidence from other bodies which exercise health functions in the area, such as emergency departments and ambulance services.

- 9.21 Health bodies may hold information which other responsible authorities do not, but which would assist a licensing authority in exercising its functions. This information may

⁶ This change was made as a result of the commencement of measures in the Health and Social Care Act 2012 which amended the 2003 Act and further provision in the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

be used by the health body to make representations in its own right or to support representations by other responsible authorities, such as the police. Such representations can potentially be made on the grounds of all four licensing objectives. Perhaps the most obvious example is where drunkenness leads to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information will often be relevant to the public safety and crime and disorder objectives.

- 9.22 However, health bodies are encouraged to make representations in respect of any of the four licensing objectives without necessarily seeking views from other responsible authorities where they have appropriate evidence to do so. There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological well being.
- 9.23 Evidence relating to under 18s alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol, could potentially have implications for both the protection of children from harm and the crime and disorder objectives. Health bodies can provide evidence to lead or support representations in relation to this objective. In relation to proxy purchases, data collected by health bodies could be used to inform other responsible authorities, including the police and licensing authorities, about a prevalence of proxy purchasing in a particular area. For example, the police could use this data to tackle instances of 'shoulder tapping' (where under 18s approach adults to buy alcohol on their behalf) and to suggest measures which retailers might be able to take to ensure, as far as possible, that they are not knowingly selling alcohol to an adult who is buying on behalf of a person aged under 18. Although less obvious, health bodies may also have a role to play in the prevention of public nuisance where its effect is prejudicial to health and where they hold relevant data.
- 9.24 DPHs and LHBs will need to consider how to collect anonymised information about incidents that relate to specific premises or premises in a particular area (for example, a cumulative impact zone). Many areas have already developed procedures for local information sharing to tackle violence, which could provide useful evidence to support representations. The College of Emergency Medicine has issued guidelines for information sharing to reduce community violence which recommends that data about assault victims should be collected upon admission to emergency departments, including the date, time and location of the assault – i.e. the name of the pub, club or street where the incident occurred. Sometimes, it may be possible to link ambulance callouts or attendances at emergency departments to irresponsible practices at specific premises, such as serving alcohol to people who are intoxicated or targeting promotions involving unlimited or unspecified quantities of alcohol at particular groups.

Home Office Immigration Enforcement acting as a responsible authority

- 9.25 The Immigration Act 2016 made the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6 April 2017. In effect this conveys the role of responsible authority to Home Office Immigration Enforcement who exercises the powers on the Secretary of State's behalf. When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.

Disclosure of personal details of persons making representations

- 9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.
- 9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.
- 9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.
- 9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

Hearings

- 9.31 Regulations governing hearings may be found on the www.legislation.gov.uk website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, the applicant and all of the persons who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.
- 9.32 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. If the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences.
- 9.33 Regulations made under the 2003 Act require that representations must be withdrawn

24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.

- 9.34 Applicants should be encouraged to contact responsible authorities before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.35 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.
- 9.36 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.
- 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule.

Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

- 9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.
- 9.41 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

Determining actions that are appropriate for the promotion of the licensing objectives

- 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Considering cases where licensing and planning applications are made simultaneously

- 9.45 Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

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Meeting: Licensing Sub-Committee

Date: 29 August 2017

Subject: Application for a Premises Licence under The Licensing Act 2003 at Ampthill Fish Shop, 89 Dunstable Street, Ampthill, Beds MK45 2NG

Report of: Head of Public Protection

Summary: The report provides information on which the Sub-Committee may base its determination of a premises licence application.

Advising Officer: Marcel Coiffait, Director of Community Services

Contact Officer: Susan Childerhouse, Head of Service: Jo Borthwick, Service Manager: Margaret James, Principal Public Protection Officer (Licensing)

Function of: Licensing Committee of a licensing authority

Public/Exempt: Public

Wards Affected: Ampthill

Ward Councillors Cllr Mike Blair, Cllr Paul Duckett, Cllr Paul Downing

Location Ampthill Fish Shop, 89 Dunstable Street, Ampthill

Applicant Mr Esa Gokce

Applicant's agent NARTS, 53 Stoke Newington High Street, London N16 8EL

Reason for consideration by Sub-Committee There have been several representations against the licensing application. These were from Ampthill Town Council and local residents.

Recommended decisions: **The sub-committee determines the application in accordance with the Statutory Guidance issued under the Licensing Act 2003, our Licensing Policy and the information contained within this report**

That, having regard to the application and relevant representations, the sub-committee takes such steps mentioned below as it considered necessary for the promotion of the licensing objectives.

That the sub-committee provides the reasons for its decision

CORPORATE IMPLICATIONS

Council Priorities:

Determination of this matter meets a particular Council priority as follows:

- Promote health and wellbeing and protecting the vulnerable.

Financial:

1. There are no direct financial implications for the Council.

Legal:

2. Licensing applications are considered pursuant to specific legislation, explained within the report.
3. Any decision made by the Sub-Committee could be the subject of an appeal to the Magistrates Court by the license applicant or by an objector to the application.

Risk Management:

4. All Council members are aware that any licensing matter decision which is unreasonable or unlawful could be open to challenge and could result in reputational damage and potential financial penalty.
5. The report details the options available to the Sub-Committee in determining the application/s and recommends a decision/s which could be reached. Any decision taken by the Sub-Committee has a risk of appeal to the Magistrates Court.

Staffing (including Trades Unions):

6. Not Applicable.

Equalities/Human Rights:

7. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.
8. Public Authorities must ensure that decisions are made in a way which minimises unfairness and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

Public Health

9. All licensing applications are sent to Health as a Responsible Authority they have the opportunity to make representations in relation to the four licensing objectives.

Community Safety:

10. The Sub-Committee is required under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and is reminded of the Council's responsibility to co-operate in the reduction of crime and disorder in Central Bedfordshire.

Sustainability:

11. Not Applicable.

Procurement:

12. Not applicable.

Location of the Premises

13. Situated opposite a Methodist Church and adjacent to a public house in a mainly residential area.

Details of the present application

14. This is an application for a premises licence for Late night refreshment, by NARTS acting as agents for Mr E Gokce.
A copy of the application is attached at Appendix A.

Representations

15. Representations have been received from local residents as well as Ampthill Town Council. See Appendix B.

16. No responsible authorities have made representations

Responsible authority	Comment
Police	No representations
Fire	No representations
Environmental Health	None
Health & Safety	None
Planning	None
Child Protection	No representations
Public Health	None
Trading Standards	No representations

17. In response to the objections, the applicant's agent provided a petition in support of the application, which was received on 8 August 2017, signed by 193 individuals. See Appendix C for cover sheet (*A full copy will be available for members at the hearing should they wish to view it.*)

Application Guidance

18. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications with relevant representations must be determined by a sub-committee

19. When determining the application, Members should only consider issues, which relate to the licensing objectives , which in this case are:

The Prevention of Public Nuisance

20. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. (Section 7.3 refers to the relevant licensing objective).
21. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the representations and shall only determine the application having had an opportunity to consider all relevant facts.

Options

Option A: Grant the licence as sought

Option B: Grant the licence with conditions (may include restrictions on licensable activities/hours)

Option C: Reject the application

Appendices:

Appendix A – Application


Appendix B – Representations from interested parties

Appendix C – Cover sheet of petition in support of premises licence application

Background Papers: (open to public inspection)

The Licensing Act 2003

Central Bedfordshire Council Licensing Policy
(on website)

Central Bedfordshire**Application for a premises licence to be granted under the Licensing Act 2003****Premises licence****Premises licence**

Application for a premises licence to be granted under the Licensing Act 2003

Before you complete this form please be aware that you will be unable to submit the application online as legislation states that original signatures are required. Please check you are able to print this form, as some PCs may not have the appropriate software to do this. To test, select the button below.

If you encounter problems, please email licensing@centralbedfordshire.gov.uk and we will send you the application form.

Once you have tested the print option, before you complete the form, please read the guidance notes at the end of the form.

If you prefer to complete this form by hand please print off, and write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Name of applicant

Mr. Esa Gokce

Above named applies for a premises licence under section 71 of the Licensing Act 2003 for the premises described in Part 1 (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises
(inc Town and Postcode or,
if none, ordnance survey
map reference or description)

Amphill Fish Shop, 89 Dunstable Street, Amphill Bedford MK45 2NG

Telephone number(s) of premises (if any)

Daytime Telephone Number

Evening Telephone Number

Mobile Telephone Number

Non-domestic rateable value
of premises

£5,400

Applicant details

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

a) an individual or individuals* ☒

If selected above, please complete section A

b) a person other than an individual*

i. as a limited company ☐

ii. as a partnership ☐

iii. as an unincorporated association or ☐

iv. other (for example a statutory corporation) ☐

If selected yes to any of the above, please complete section B

c) a recognised club ☐

If selected yes to the above, please complete section B

d) a charity ☐

If selected yes to the above, please complete section B

e) the proprietor of an educational establishment ☐

If selected yes to the above, please complete section B

f) a health service body ☐

If selected yes to the above, please complete section B

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐

If selected yes to the above, please complete section B

h) the chief officer of police of a police force in England and Wales ☐

If selected yes to the above, please complete section B

If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Applicants

Section A - Individual Applicants

Title:

Forename:

Surname:

Date of birth

Nationality

I am 18 years old or over

Address:

Post code:

Daytime Telephone Number:

Evening Telephone Number:

Mobile Telephone Number:

Email Address:

Second Individual Applicant

Title:

Forename:

Surname:

Date of birth

Nationality

I am 18 years old or over

Address:	<input type="text"/>
Post code:	<input type="text"/>
Daytime Telephone Number:	<input type="text"/>
Evening Telephone Number:	<input type="text"/>
Mobile Telephone Number:	<input type="text"/>
Email Address:	<input type="text"/>

Operating schedule

Part 3 - Operating Schedule

When do you want the premises licence to start?

If you wish the licence to be valid only for a limited period when do you want it to end

General description of premises

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

What licensing activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 of the Licensing Act 2003)

Provision of regulated entertainment:

a) plays (if selected fill in box A) ☐

b) films (if selected fill in box B) ☐

c) indoor sporting events (if selected, fill in box C) ☐

d) boxing or wrestling entertainments (if selected, fill in box D) ☐

e) live music (if selected, fill in box E) ☐

f) recorded music (if selected, fill in box F) ☐

g) performances of dance (if selected, fill in box G) ☐

h) anything of a similar description to that falling within (e), (f) or (g) (if selected, fill in box H) ☐

Provision of late night refreshment (if selected, fill in box I) ☒

The supply of alcohol (if selected, fill in box J) ☐

In all cases complete boxes K, L, and M

I - Late night

Late night refreshment

Standard days and timings

Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

Will the provision of late night refreshment take place indoors or outdoors or both

Please give further details here

State any seasonal variations for the provision of late night refreshment

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed, please list

K - Adult

Adult entertainment

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

Any entertainment, services:

N/A

L - Premises hours

Hours premises are open to the public

Standard days and timings

Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

Monday Start	11:00
Monday Finish	23:00
Tuesday Start	11:00
Tuesday Finish	23:00
Wednesday Start	11:00
Wednesday Finish	23:00
Thursday Start	11:00
Thursday Finish	23:00
Friday Start	11:00
Friday Finish	01:30
Saturday Start	11:00
Saturday Finish	01:30
Sunday Start	11:00
Sunday Finish	23:00

State any seasonal variations

N/A

Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed, please list

N/A

M - Objectives

Four licensing objectives

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

a) General. All four licensing objectives (b,c,d,e)

Please see below

b) The prevention of crime and disorder

A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

a) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.

b) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.

c) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY

AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST.

d) COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST

AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- a) ALL CRIMES REPORTED,
- b) LOST PROPERTY,
- c) ALL EJECTIONS OF CUSTOMERS,
- d) ANY COMPLAINTS RECEIVED,
- e) ANY INCIDENTS OF DISORDER,
- f) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- g) ANY FAULTS IN THE CCTV,
- h) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL RESIDENT TO EXPRESS ANY CONCERNS CAUSED BY THE OPERATION OF THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK.

c) Public safety

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING.

d) The prevention of public nuisance

NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS THAT CCTV ARE IN OPERATION, OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES, THE OPENING TIMES OF THE PREMISES AND NOT TO LITTER

NO DELIVERIES WILL BE RECEIVED OR RUBBISH REMOVED FROM THE PREMISES BETWEEN 21:00 & 07:00.

ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL

e) The protection of children from harm

N/A No alcohol sales.

Signatures

To be completed by hand once the application has been printed

Declaration

- [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, if appropriate

Signature of applicant or applicant's solicitor or other authorised agent

If signing on behalf of the applicant please state in what capacity (see guidance note 3)

Signature

Ms Aysen Ipek Kilic

Date

04/07/2017

Capacity

Licensing Consultant

Joint Applicants - Signature of 2nd applicant or applicant solicitor or other authorised agent

If signing on behalf of the applicant please state in what capacity (see guidance note 4)

Signature

Date

Capacity

Please provide details for correspondence associated with this application

Checklist

Checklist

Please tick yes:

I have made or enclosed
payment of the fee [View
payment options](#)

☒

I have enclosed the plan of
the premises

☒

I have sent copies of this
application and plan to the
responsible authorities and
others where applicable [List
of responsible authorities](#)

☒

I have enclosed the consent
form completed by the
individual I wish to be
premises supervisor (if
alcohol is being supplied)
[Open the consent form](#)

☐

I understand that I must now
advertise my application
[Open the Notice of
Application Form](#)

☒

I understand that if I do not
comply with the above
requirements my application
will be rejected

☒

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom



IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT. 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.

Address for correspondence associated with this application

NARTS
53 Stoke Newington High Street
London
N16 8EL

Daytime Telephone Number

2072413636

Evening Telephone Number

Mobile Telephone Number

If you would prefer us to correspond with you by email your email address (optional)

licensing@narts.org.uk

Please print, sign and return the form, along with any supporting evidence

Please send completed form to Licensing Team, Central Bedfordshire Council, Watling House, High Street North, Dunstable, LU6 1LF

Notes for Guidance

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

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

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

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

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

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

7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.

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

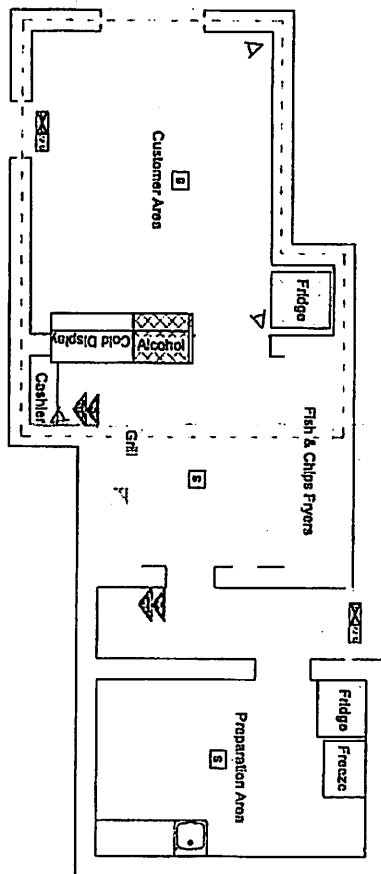
9. Please list here steps you will take to promote all four licensing objectives together.

10. The application form must be signed.

11. A applicants agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.

13. This is the address which we shall use to correspond with you about this application.



- LEGEND**
- ALCOHOL FRIDGES
 - LICENSABLE AREA
 - SAFETY LIGHTS
 - SMOKE DETECTOR
 - CCTV
 - FIRE ESCAPE KEEP CLEAR
 - S 20
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LT. WATER FIRE EXTINGUISHER
 - FAN

1m 2m 3m 4m 5m 10m

NARTS
NORTHANTS ARCHITECTS
111-113 THE ARCADE
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111-113 THE ARCADE

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GENERAL NOTES:

89 Dunstable Street, Ampthill, BEDFORD

Proposed Ground Floor

Date: 04/02/2017	Sheet: 1
Scale: 1:100 @ A4	Total Area: 44.50 sqm
Checked: NART	Designed by: EDE

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Form B

CENTRAL BEDFORDSHIRE COUNCIL
Licensing Act 2003

03 AUG 2017

Public Protection

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an other person in respect of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent (see note 3)	
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal and email address	DUNSTABLE STREET, AMPHILL, MK45 2TP.
Contact telephone number	

Name of the premises you are making a representation about	AMPTHILL FISH SHOP
Address of the premises you are making a representation about.	89 DUNSTABLE STREET, AMPHILL

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		
Public safety	YES	TAXIS ARE NOW DRAWING UP OUTSIDE THE FISH SHOP WHILE THEIR FARE BUYS A LATE NIGHT MEAL. THIS IS OPPOSITE THE DIFFICULT CHANES ROAD JUNCTION, THE STREET LIGHT OUTSIDE 89 DUNSTABLE STREET IS FREQUENTLY CONT...
Prevention of public nuisance	YES	CONTRAVENING ITS CURRENT LICENCE, THE FISH SHOP HAS BEEN OPEN UNTIL 1.30-2.00AM EVERY WEEKEND AND LATE SOME WEEKDAY NIGHTS, AND LARGE GROUPS OF CONT...
Protection of children from harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	THE HOURS THE FISH SHOP IS CURRENTLY LICENSED FOR SHOULD REMAIN, AND BE ADHERED TO/ENFORCED.
---	--

Signed:

Date: 2/08/2017

Please see notes on reverse

This form must be returned within the Statutory Period.

C:\Users\Aswarbrick\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\Z2W0PX4J\Representation Form Other Persons.Doc

PUBLIC SAFETY

... NOT ON, AND WE FEAR THERE WILL BE AN ACCIDENT BEFORE LONG, ESPECIALLY GIVEN THAT CUSTOMERS OF THE SHOP LATE AT NIGHT HAVE OFTEN BEEN DRINKING ALCOHOL.

PREVENTION OF PUBLIC NOISANCE

... YOUNG PEOPLE LEAVING PUBS AND PARTIES ARE NOW GATHERING THERE IN THE EARLY HOURS. THIS IS CAUSING A GREAT DEAL OF NOISE DISTURBANCE IN WHAT IS LARGELY A RESIDENTIAL AREA, LITTERING AND VANDALISM, AND IS INTIMIDATING WHEN YOU ARE RETURNING HOME LATE YOURSELF. I HAVE WATCHED A GROUP OF 5 YOUTHS COME TO THE FISH SHOP AT 1.30AM ON A MONDAY NIGHT, PUNCH THE WINDOW AGGRESSIVELY BECAUSE IT WAS CLOSED, THEN PROCEED TO MOVE THE BINS OF LOCAL RESIDENTS AROUND.

WE BELIEVE THESE PROBLEMS WILL ONLY GET WORSE IF AMPHILL FISH SHOP IS LICENSED TO STAY OPEN UNTIL 1.30AM.

Form B

CENTRAL BEDFORDSHIRE COUNCIL
Licensing Act 2003

03 AUG 2017

Public Protection

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an other person in respect of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent (see note 3)	
Organisation name/name of body you represent (if appropriate) (see note 3)	The Old Sun public House
Postal and email address	87 Dunstable Street Ampthill Beds MK45 2NQ
Contact telephone number	

Name of the premises you are making a representation about	Ampthill Fish Shop
Address of the premises you are making a representation about.	89 Dunstable Street MK45 2NG

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	Yes	I have already had several instances of crime and disorder outside my premises when I am closed. Customers from the Fish shop which sells kebabs too attracts people into the early hours. They frequently are intoxicated and abusive. There have been fights spilling into the street. Cars pull up onto the pub frontage and block other traffic. Although the staff of the shop generally clear up the mess there is food and rubbish constantly on my premises. They do not police the area outside the shop or provide a bin.
Public safety	Yes	Cars pull onto the frontage of my premises and restrict the flow of traffic and pedestrians. There are altercations on my premises after I am closed which spill onto the road. It is only a matter of time before someone is knocked down by a vehicle.
Prevention of public nuisance	Yes	The shop has already been open past 1,45am and that is unfair on near neighbours. I am sure they do not wish to be disturbed by early morning rowdiness. I frequently have to go out and ask people to move from the tables at the front of my premises. On occasions they are rude and abusive. I am often at the premises alone and I feel threatened by the behaviour I experience,
Protection of children from harm	Yes	There has been an instance of a child running into the street from the shop and being bumped by a car. it was not late at night though.

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the	Open during pub hours only. Qualified security when open.
---	---

Form B

Licensing Sub Committee to take into account. **

Signed:

Date: 02/08/2017.

Please see notes on reverse

This form must be returned within the Statutory Period.

NOTES

1. If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
3. Representations can only relate to the four licensing objectives.
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available. Names and addresses will only be withheld from the Committee report at your request.
5. Please return this form when completed, along with any additional sheets, to:

Central Bedfordshire Council
Public Protection
Watling House
High Street North
Dunstable
Bedfordshire
LU6 1LF

Tel: 0300 300 8647

Patricia Davies

From:
Sent: 02 August 2017 10:27
To: Patricia Davies
Subject: Ampthill Fish Shop

I would like to register my objection and oppose the application for extended opening and trading hours for the refreshment establishment known as the Ampthill Fish Shop in Dunstable Street, Ampthill.

My objection falls under 'Prevention of Public Nuisance.'

This establishment is situated along Dunstable Street, outside the town centre and outside the trading envelope. It's position is opposite the Methodist Church and adjacent to 'The Old Sun' public house. It is within the main residential area with the neighbouring properties owned by the general public as is the wider surrounding area.

Late night opening hours will therefore cause disturbance, interfering with the comfort and common rights of the residents. Public nuisance for the purpose of this application includes but is not limited to -
Noise - vehicle parking, vehicle doors, customer gatherings, customer loudness.

Odour.

Litter, waste and street fouling.

Anti-social behaviour.

Grange Road, Ampthill



AMPTHILL TOWN COUNCIL

Tel: 01525 404355

Fax: 01525 406957

Email: council@amphilltowncouncil.org.uk

Website: www.amphilltowncouncil.org.uk

66 Dunstable Street

Amphill

Bedford

MK45 2JS

1st August 2017

Licensing Team
Central Bedfordshire Council
Watling House
High Street North
Dunstable
LU6 1LF

Dear Licensing Team

Mr E Gokce, Amphill Fish Shop, Dunstable Street

The Town Council are opposed to the late-night refreshment application in regards to the Amphill Fish/Kebab Shop.

Our concern relates to the prevention of public nuisance. We consider that there is the likelihood of disturbance to the lives, comfort and common rights of the general public in neighbouring properties and within the general residential area by such issues as noise including vehicles and gathering groups, odour, litter waste street fouling and anti-social behaviour.

Yours sincerely

Patricia Davies

From: .
Sent: 31 July 2017 22:09
To: Patricia Davies
Subject: Licence application

Grange Road

Amphill

Bedford

MK45 2PA

Monday 31st July 2017

Central Bedfordshire Council Licensing Section

Watling House

High Street North

Dunstable Bedfordshire LU6 1LF

Attn Pat Davies MIOL MCMI Licensing Co-ordinator – Public Protection

Dear Ms Davies,

Extension of Hours Amphill Fish Shop, 89 Dunstable Street, Amphill.

I write to object to the application to extend the opening hours at the above premises on Friday and Saturday night to 1.30 am on the following day on the grounds that it is likely to cause a public nuisance and potentially minor crime and disorder issues.

The proposed extension for a “fish shop” is misleading since the current use of 89 Dunstable Street is for a modern “kebab shop” and not an old fashioned fish and chip shop. This change of use is likely to attract a different type of client and also a different type of litter.

The situation of the premises for which the extension is sought includes a number of food outlets together with a number of residential homes. This results in a conflict between the night time economy and the quiet enjoyment of the area by its residents. This has been somewhat ameliorated by restrictions imposed by the Licensing Authority on for example the White Hart Hotel and the business at No 4 Church Street.

Several night time businesses in Ampthill employ security guards on Friday and Saturday evenings. This indicates the likelihood of disturbance at these businesses. It also indicates the possibility of disturbance after hours because the self same clients will seek to use the food outlet for which the extension is sought.

Yours sincerely,

Patricia Davies

From:
Sent: 31 July 2017 14:25
To: Licensing Enquiries
Cc: Patricia Davies
Subject: Ampthill fish shop - opening hours
Attachments: Fish shop hours 2.jpg; Fish shop hours.odt

Herewith our submission regarding the above subject which includes the completed form B supplied by Patricia Davies, to whom our thanks, this morning together with some additional notes that we feel are very pertinent to the subject of business opening hours in a predominantly residential area such as the address below. These thoughts & recommendations are a commentary on the long acceptance of low standards being acceptable to the authorities responsible for Ampthill, the progress from that low with recent changes that have been implemented and the hope that a return to the shambles over the White Hart and No 4 and in particular for us, the Old Sun will not be repeated, ever.

The fish shop, I should add is well run and offers an excellent product so far as fried fish & chips is concerned.

Regards, for:

Patricia Davies

Dunstable Street

Ampthill, Bedford, MK45 2NQ

Form B

CENTRAL BEDFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by an other person in respect of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent (see note 3)	
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal and email address	DUNSTABLE STREET, AMPHILL
Contact telephone number	

Name of the premises you are making a representation about	AMPHILL FISH SHOP
Address of the premises you are making a representation about.	89 DUNSTABLE STREET, AMPHILL

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder		
Public safety		
Prevention of public nuisance	YES	SEE ACCOMPANYING NOTES - DATED 31/7/17.
Protection of children from harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	
---	--

Signed: _____

Date: 31/7/17

Please see notes on reverse

Amphill Fish Shop – opening hours

This relates to a request for opening hours to be extended at the above premises, 89 Dunstable Street, Amphill to 01.30 hours on Friday & Saturday nights.

Amphill town centre has a particularly unenviable record of experience with local establishments with approved late night closing times. The frightful Bubbles disgrace to the town 40 odd years ago, then more recently the White Hart, N° 4 on the square and the Old Sun pub are good examples where matters had become utterly out of hand and in the latter case have been, particularly to the writer's family, a cause of much unwanted anti social behaviour over many years before some sort of sense has been restored by either change of ownership or improvement to individuals' conduct at the premises.

Whilst we are aware that the fish shop does not have a license to sell alcohol, The Old Sun does and their adjacency to each other could lead to the type of disturbance which has blighted the writer's family for many years which the Council's own extensive records # on this matter will verify as will those of the Police who have been called here on several occasions. There are already posted signs in place outside the pub which indicate that relations between the Fish Shop & the Old Sun may be less than convivial. The disturbances mentioned have been very extensive & threatening at times as well as requiring our too frequent attention to clearing up broken glass, vomit on the side walk and all sorts of unpleasant, some unmentionable, articles dumped in our front garden, including used containers from takeaways, mobile phones, beer glasses and so on, and all too frequent urination inside or against our premises or within our driveway.

These extremely regular and unpleasant events have eased off in the recent past and we, quite naturally, are anxious that it remains that way. We believe that sensible, rather than over extended opening hours of all business's in this predominately residential part of Amphill will help to maintain a very hard won degree of improved social behaviour for the town. In that spirit, we recommend that opening hours for the fish shop remains at 23.00 hours for Friday & Saturday as we believe it is currently.

Details posted to the Council's Environmental Health/Pollution Section and responses totaled some 200 plus emails over a period from September 2008 to March 2017. This does not include correspondence with Emma Nee, the Police Licensing Officer. It is these facts alone that are significant in assessing the problems we faced with the Old Sun as they highlight the Council's difficulties in getting some way to what might be regarded by some, a fragile solution.

Dunstable Street
Amphill, Beds
MK45 2NQ

31st July 2017

Patricia Davies

From:
Sent: 31 July 2017 11:26
To: Licensing Enquiries
Subject: Ampthill Fish Shop,89 Dunstable Street

Dear Sirs

I believe the above take away restaurant has applied to have its opening hours extended to 01.30hours on Friday and Saturdays.

I live [REDACTED] on Dunstable Street at [REDACTED] The whole street opposite is a residential area and we already suffer public disturbances from the restaurants and pubs in town. To have this open to this time of night is unacceptable for the residents who live here.

I strongly object to this being granted on the counts of public nuisance.

Yours sincerely

Dunstable st.
Ampthill

Sent from my iPad

Patricia Davies

From:
Sent: 29 July 2017 16:59
To: Licensing Enquiries
Subject: Objection to application to extend hours at Ampthill Fish Shop, 89 Dunstable Street, Ampthill.

Following my conversation with your office on Thursday, I am writing to you with my objections to this proposed extension – you were not sure at the time whether I would need a form to do this, but thought an email would be acceptable. If this is not the case, could you please let me know and advise me where I can obtain the form.

In the meantime, this is my submission:

**Dunstable Street
Ampthill
MK45 2NG**

Licensing Section
Central Bedfordshire Council
Watling House
High Street North
Dunstable
Bedfordshire
LU6 1LF

28th July 2017

TO WHOM IT MAY CONCERN

EXTENSION OF HOURS AMPTHILL FISH SHOP, 89 Dunstable Street, Ampthill

I am writing to object to the application to extend the opening hours at the above premises on Friday and Saturday night to 1.30 am on the following day on the grounds that it is likely to cause a public nuisance and potentially minor crime and disorder issues.

It is clear to me that the only reason this request has been made is to service customers of those pubs in the town which have licenses to 1.00 am, and that the Fish Shop clientele at that time are, at the very least, likely to be inebriated. There is no seating provision within the building so it is equally clear that the customers will spill out onto the pavement and probably along the road.

This is obviously just supposition on my part; but formed from past experience as we regularly have visibly and audibly drunken people standing around outside our house late into the night after the pubs have closed. There have been displays of aggression, shouting, bad language and occasionally fighting and, although this was a while ago, we could count on our window being broken by (presumably) a drunk at least once a year. Comparative peace has been restored since the White Hart has had new licensees, but with the temptation of the fish shop down the road after the White Hart closes at 1.00am I can see those bad days returning in force.

My apologies if this is a somewhat emotive objection, but I feel strongly that the proposed extension of hours will encourage even greater public nuisance in this area and is likely to make a considerable impact on nearby residents. I would therefore be grateful if you could take our concerns into account when considering this application.

Yours truly

With many thanks

To:

**The Licensing Section, Central Bedfordshire Council, Watling House, High Street
North, Dunstable, Bedfordshire LU6 1LF**

Petition to support Premises Licence application

Re: 89 Dunstable Street Ampthill BEDFORD MK45 2NG

Dear Sir/Madam,

I would like to confirm that I am in support of the Premises Licence application that has been submitted for the above premises for the following activities:

Late night refreshment

Friday and Saturday from 23:00 to 01:30 on the following morning

Opening Hours

Sunday to Thursday from 11:00 to 23:00

Friday and Saturday from 11:00 to 01:30

Name

Address

Signature

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