

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



please ask for Miss H Bell
direct line 01462 611040
date 1 May 2009

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Wednesday, 20 May 2009 at 9.30 a.m.

Venue at

Room 3, Priory House, Monks Walk, Chicksands, Shefford

Jaki Salisbury
Interim Chief Executive

To: The Chairman and Members of the LICENSING SUB COMMITTEE:

Cllrs D Bowater, Mrs J R Davison and Ms A M W Graham

[Named Substitutes: Cllrs I Dalgarno, Mrs S Gilchrist, T Green, J H Lewis,
H J Lockey, K D Lynch, A A J Rogers, B J Spurr and N Warren

**(Bold text indicates substitute Members who will act as Full Members on
this Sub Committee on this occasion)**

All other Members of the Council - on request

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

AGENDA

1. **WELCOME**

2. **APOLOGIES FOR ABSENCE**

Apologies for absence and notification of substitute members

3. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** thereof in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item

4. **Procedures for Hearings of Applications for Authorisations under the Licensing Act 2005 by the Licensing Sub-Committee**

(enclosed)

5. **The Four Licensing Objectives**

(enclosed)

6. **LICENSING ACT 2003 - DETERMINATION OF APPLICATION TO VARY A PREMISES LICENCE**

CENTRAL BEDFORDSHIRE COUNCIL

LICENSING SUB COMMITTEE HEARING PROCEDURE

1. Introduction

- 1.1 The following procedures shall govern the Licensing Sub Committee established by Central Bedfordshire Council, as Licensing Authority, to undertake hearings under the Licensing Act 2003.

2. Membership

- 2.1 The Licensing Sub Committee shall comprise of three members appointed from amongst the membership of the Licensing Committee.
- 2.2 The Licensing Committee will appoint a Chairman for each Sub Committee at its first meeting of the Civic Year or its next meeting after a vacancy arises. The Chairman shall preside at meetings and hearings of that Sub Committee until the ensuing Annual Meeting. In the event of the Chairman not being present at a hearing, the Sub Committee shall elect a Chairman from amongst its Members for the purpose of that meeting or hearing.
- 2.3 The quorum for hearings and meetings of a Sub Committee shall be two members but a sub committee shall make every endeavour to ensure that each hearing is conducted with all three members of the sub committee present.
- 2.4 If at the commencement of the meeting there are only two members present, a Sub Committee shall consider whether or not to continue having regard to the views of the parties and the circumstances of the case, including any time limits that may be approaching and the consequences of any delay.
- 2.5 Members will be governed by the Code of Conduct for Councillors in respect of declarations of interests.
- 2.6 Site visits shall only be undertaken where there is good reason. Where Members propose to defer consideration of an application they must set out clear reasons for doing so and these will be minuted. Where the Sub Committee determines to undertake a site visit prior to a hearing, a member shall be precluded from taking part in the hearing if they have not attended that site visit.

3. Preliminary Matters

- 3.1 A Sub Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. A Sub Committee will normally resolve to exclude the public from that part of the hearing during which it determines the matter which is the subject of the hearing.

- 3.2 Subject to the above, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.
- 3.3 At the commencement of the hearing, the Chairman shall explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarity or explanation about its contents.
- 3.4 The Sub Committee will consider any requests for permission to present any new evidence or information that has not already been disclosed to all the parties and the Sub Committee. The general rule is that a Sub Committee will not consider information or evidence that was not disclosed to it or to the other parties prior to the hearing taking place. The only exception to this is if all the parties at the hearing agree to that extra information being considered on the day of the hearing. If the other parties do not agree, the party seeking to rely on the extra information can ask the Sub Committee to be delayed for a short period to allow time for other parties to read the extra information.
- 3.5 The Chairman may require any person who in his opinion is behaving in a disruptive manner at a hearing to leave the hearing and may refuse to permit that person to return or to return only upon complying with such conditions as the chairman may specify. However any such person may submit any evidence in writing that they proposed to give orally, provided that they do so before the end of the hearing.
- 3.6 The parties will each be allowed equal time to present their case. The time allowed may be agreed in consultation with the parties prior to the hearing.

4. The Hearing Procedure

The Chairman will introduce Members of the Sub Committee and Officers present at the hearing. The Chairman will ask the Applicant and Objectors to identify themselves. The Chairman will draw attention to the procedure to be followed.

4.1 The Licensing Manager's Report

The Chairman will invite the Licensing Manager to present his report.

4.2 The Applicant's Case

- (i) the Chairman will invite Applicant or their representative to present their case.
- (ii) the Applicant or their representative may then call any witnesses or give evidence in support of their case.

- (iii) The Chairman will then invite the Objectors to question the Applicant and their witnesses as appropriate.
- (iv) Where considered necessary by the sub committee representatives of Statutory Bodies e.g. Police, Fire and Rescue Service and also the Council's Environmental Health Officers and Licensing Officers shall be entitled to question the Applicant on any of the representations made.
- (v) the Members of the Sub Committee may ask questions of the Applicant and their witnesses.
- (vi) the Applicant or his/her representative may then be invited to ask any further questions of their witnesses to clear up any points raised in the earlier questioning.

4.2 The Objector's Case

- (i) The Chairman will invite the Objector or their representative to present their case and give their reasons for objecting to the application.
- (ii) the Objector or their representative will then call any witnesses.
- (iii) the Applicant or their representative may then question the Objector and any witnesses.
- (iv) where considered necessary and appropriate by the Sub Committee representatives of Statutory Bodies e.g. Police, Fire and Rescue Service and also the Council's Environmental Health Officers and Licensing Manger shall be entitled to question the Objector on any of the representations made.
- (vi) the Members of the Sub Committee may ask questions of the objector and any witnesses.
- (vi) the Objector or his/her representative may then be given a final opportunity of asking any further questions of their witnesses to clear up any points raised in the earlier questioning.

If several objections have been received then unless the Objectors have agreed to present their objection jointly, this procedure will normally be repeated for each individual Objector.

4.4 The Chairman will then invite representations/responses from all or any of the following:-

- The Council's Environmental Health Officer.
- The Council's Licensing Manager .
- The Chief Officer or representative of the Police.

- The Chief Fire Officer or any representative of that organization.
5. The Applicant may be asked by the Chairman of the Sub Committee whether, in the light of objections, they wish to amend the application (when they retire Members will consider only the application before them at that time).

If the Applicant wishes to amend the application or indicates that they are prepared for Members to give consideration to an amended application if they are minded to refuse original application, the Objectors and other representatives shall be given the opportunity to comment on the amended application.

6. **Closing Statement or Summary**

- (i) By or on behalf of the Objectors. The Objectors can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce any new issues at this stage.
- (ii) By or on behalf of the Applicants. The Applicants can summarise any points they wish to make and comment briefly on the objector's replies to questions. They cannot introduce new issues at this stage.

7. **Conclusion**

7.1 The Chairman will then ask the Legal Officer whether there are any other matters to be raised or resolved before the Sub Committee retires to begin its deliberations. The Sub Committee will exclude the press and public from its deliberations and its decision making.

7.2 Once a decision has been reached the press and public will be re-admitted to the meeting together with the Applicant, Objectors and their representatives and witnesses. At this stage, the Chairman will announce the Sub Committee's decision and will give reasons for the decision. The decision will subsequently be formally notified to the Applicant and the Licensing Manger in writing by the Clerk to the Sub Committee within seven working days of the Hearing. (The Sub Committee can make its decision up to five days after the Hearing or as otherwise required by statute).

7.3 If legal advice is given to Members by the Solicitor then this advice will be repeated in summary form when the public are re-admitted.

8. **Determination of Applications**

The Sub Committee will reach its decision on a majority basis of those present and voting. In the case of an equality of votes, the person presiding may give a casting vote.

9. Meetings of Sub Committees

Any meetings of a Sub Committee, other than hearings described above, shall be subject to the proceedings adopted by the Licensing Committee for the conduct of its own business except where otherwise stated above.

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The 4 Licensing Objectives

To promote the 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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LICENSING SUB-COMMITTEE

22 APRIL 2009

SUBJECT	LICENSING ACT 2003 – DETERMINATION OF APPLICATION TO VARY A PREMISES LICENCE
REPORT OF	Head Of Service , Public Protection North
<i>Contact Officer: Susan Childerhouse Susan.Childerhouse@Central.Bedfordshire.gov.uk</i>	

1. The Application

- 1.1 An application has been submitted by Punch Taverns Plc to vary an existing premises licence for the premises known as the Three Tuns, 86 High Street, Arlesey.
- 1.2 The application seeks to allow the premises to permit the sale of alcohol and the provision of recorded music (indoors only) on Sunday to Thursday between 0900 hours and Midnight and on Fridays and Saturdays between 0900 hours and 0100 hours the following day. Also, to permit the playing of live music (indoors only) Monday to Sunday between 1200 hours and 2300 hours and to permit late night refreshment on Sunday to Thursday between 2300 hours and Midnight and on Fridays and Saturdays between 2300 hours and 0100 hours the following day.

Further to these activities, application is being made to extend all permitted licensable activities by an additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; also for the additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday Weekend and for Christmas Eve and Boxing Day and to extend the provision of all permitted licensable activities from the start of permitted hours on New Years Eve until the close of permitted hours New Years Day.

The application also seeks to remove the condition “amplified and unamplified music, maximum 2 performers (indoors)” and all the embedded restrictions transferred from the original Justices Licence under the heading “Conversion of existing licences. Schedule 8 paragraph 6 of the Licensing Act 2003. A copy of the application form is attached at Appendix A.

- 1.3 The premises is a detached 2 storey thatched property situated adjacent to residential properties and faces onto the High Street, Shefford. The general area is predominately residential. A copy of the location map is attached at Appendix B.

2. Promotion of Licensing Objectives

2.1 The applicant has detailed in Section P of the application form steps that are intended to promote the four licensing objectives including the use of a Challenge 21 policy requiring identification from any individual who appears under the age of 21 when purchasing alcohol, together with only permitting accompanied children in the bar area until 2100 hours. Additional notices will be provided requesting customers to respect neighbours and leave the premises quietly.

3. Representations from responsible Authorities

3.1 The Council's Environmental Health Department have submitted representations with regard to the prevention of public nuisance and recommended that, in addition to the conditions contained in the Operating Schedule the following condition be attached to the Licence:-

Ingress and egress notwithstanding, all external doors and windows to the premises are to be kept closed during indoor regulated entertainment that involves amplified music and/or voices.

Noise levels from amplified music and/or speech shall not cause a nuisance when assessed at the nearest residential premises.

Consumption of food, alcohol and other refreshments within the outdoor areas shall not continue after 2330 hours.

4. Interested Parties

4.1 A representation from two residential addresses, together with one made by Arlesey Town Council has been received; and a copy of these representations are attached at Appendix "C".

5. Licensing Policy

5.1 Members attention is drawn to the Council's Licensing Policy in particular:-

3.3 relating to trading hours;
8.4 relating to the operation of the premises.

6. Secretary of State's Guidance

6.1 Members attention is drawn to the Secretary of State's Guidance in relation to this application in particular:-

3.32 – 3.39 relating to provision of late night refreshment;
6.2 and 6.3 relating to trading hours.

7. Observation and General Guidance

7.1 The Sub-Committee must consider the application and/or any submissions made in writing at the Hearing and determine the application.

7.2 The Sub-Committee determination must be based upon:-

- The merits of the application.
- The promotion of the full Licensing objectives.
- The Policy of the Licensing Authority.
- The Guidance issued by the Secretary of State for Culture, Media and Sport.

Background Papers: Licensing Act 2003, DCMS Guidance, MBDC
Licensing Policy
Location of Papers: Licensing Section
File Reference: LI.51/2000021

LIC2802.R01

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **Punch Taverns Plc**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 20000021
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Three Tuns 86 High Street			
Post town	Arlesey	Post code	SG15 6SW

Telephone number at premises (if any)	01462 625364
Non-domestic rateable value of premises	£10500

Part 2 – Applicant details

Daytime contact telephone number	01283 501 600		
E-mail address (optional)	n/a		
Current postal address if different from premises address	Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF		
Post Town	Burton Upon Trent	Postcode	DE14 2WF

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To permit the sale of alcohol and recorded music Sunday to Thursday 09:00h until 00:00h and Friday and Saturday 09:00h until 01:00h.

To permit live music Monday to Sunday 12:00h until 23:00h.

To permit late night refreshment Sunday to Thursday 23:00h until 00:00h and Friday and Saturday 23:00h until 01:00h.

An additional thirty minutes drinking up time on top of the last permitted sale of alcohol.

For all of the above a further additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.

Remove the condition "Amplified and unamplified music, maximum 2 performers (indoors)".
Remove of all the embedded restrictions transferred from the original Justices Licence under the heading "Conversion of existing licenses. Schedule 8 paragraph 6 of the Licensing Act 2003".

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

0

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

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

In all cases complete boxes N, O and P

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per current licence permission.		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	12:00	23:00			
Fri	12:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) A further additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sat	12:00	23:00			
Sun	12:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Recorded music played on the premises.		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00		<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) A further additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sat		01:00			
Sun		01:00			
	09:00	00:00			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>			
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)			Indoors
			Outdoors			<input type="checkbox"/>
			Both			<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat						
Sun						

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink served on the premises.		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00			
Thur	23:00	00:00			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Fri	23:00		<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) A further additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sat		01:00			
Sun		01:00			
	23:00	00:00			

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon		00:30	
	09:00		
Tue		00:30	
	09:00		
Wed		00:30	
	09:00		
Thur		00:30	
	09:00		
Fri		00:30	
	09:00		
Sat		01:30	
	09:00		
Sun		01:30	
	09:00		

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
 A further additional hour into the morning following every Sunday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday and Sunday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 Remove the condition "Amplified and unamplified music, maximum 2 performers (indoors)".
 Remove of all the embedded restrictions transferred from the original Justices Licence under the heading "Conversion of existing licenses. Schedule 8 paragraph 6 of the Licensing Act 2003".

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per current licence save for the conditions requested to be removed and the conditions below.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

Notices will be displayed at the premises requesting customers to respect the neighbours and to the the premises quietly.

e) The protection of children from harm

Children will only be permitted when accompanied by an adult.
Children will not be permitted in the bar area after 21:00h.
A challenge 21 policy will be implemented where those individuals who appear to be under the age of 21 and are trying to purchase alcohol will be asked for identification. The only identification that will be accepted is a passport, photo driving licence or any other PASS accredited ID. Staff will be trained in this policy and records of this training will be kept.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	TLT
Date	24.02.09
Capacity	Solicitor to Applicant

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

Signature	
Date	
Capacity	

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

Barry Richards
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0117 917 7612		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) barry.richards@tltsolicitors.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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 state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
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 e.g. Christmas Eve.
6. 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.
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. An applicant's 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.

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Mrs Elsie Hare
(Town Clerk)

Town Council Office:
Arlesey Community Centre
High Street
Arlesey
Bedfordshire
SG15 6SN

Jenny Heinsen
Licensing Admin & Enforcement Officer
Mid Beds District Council
Priory House
Monks Walk
Shefford
Beds SG17 5TQ

Tel: 01462 733722
Fax: 01462 730860
Email: atc@4thenet.co.uk
Web Site: arleseytc.co.uk

19 March 2009

RECEIVED
23 MAR 2009

Dear Ms Heinsen

Variation of Premises Licence - Three Tuns 86 High Street, Arlesey

At a General Purpose & Finance Committee meeting of the Town Council on Tuesday 17 March 2009, Members considered the full Description of the Variation of the Premises Licence for the Three Tuns PH and make the following representations on one of the licensing objectives, prevent public nuisance:

- The extended opening hours should be to 11pm Sunday to Thursday and midnight on Fridays and Saturdays
- Restriction of recorded music to twice a month. A condition on this would be that the windows and doors are closed. The Town Council are concerned music at such a late hour would have an impact on local residents
- Regarding late night refreshments, the Town Council insists that food should be eaten indoors and not in the car park

If you have any queries regarding the Town Council's comments please contact me.

Yours sincerely

Elsie Hare
Town Clerk

Lb. 22

Dear Sir or Madam,

To whom it may concern:-

Re the recent application by "The Three Tuns" p.h. in Arlesey for extended opening times with amplified or live music several times a week and outside catering.

I strongly object to the proposals on the grounds of impairing my Partners and mine quality of life.

My partner, Julie Soper suffers from Epilepsy mostly controlled with Drugs, but flashing lights, continuous thumping music and sleep Deprivation does tend to bring on fits.

I am seventy eight and have lived opposite the P.H. for for the last 18 Years with no problems till the previous landlord before this one Played head banging music and allowed the Kebab van –with its twinkling Lights accompanying youth followers and litter to set up in the car park. I sincerely hope that outside catering does not refer to this trailer being Put back in a position to overlook us all evening again.

I remain Yours Sincerely

99 High Street.
Arlesey

23-3-09

L6. 23

GORDON CLARKE ALCM ARCM AGSM LGSM

101 High Street, Arlesey, Bedfordshire SG15 6SX

Telephone 01462 731341

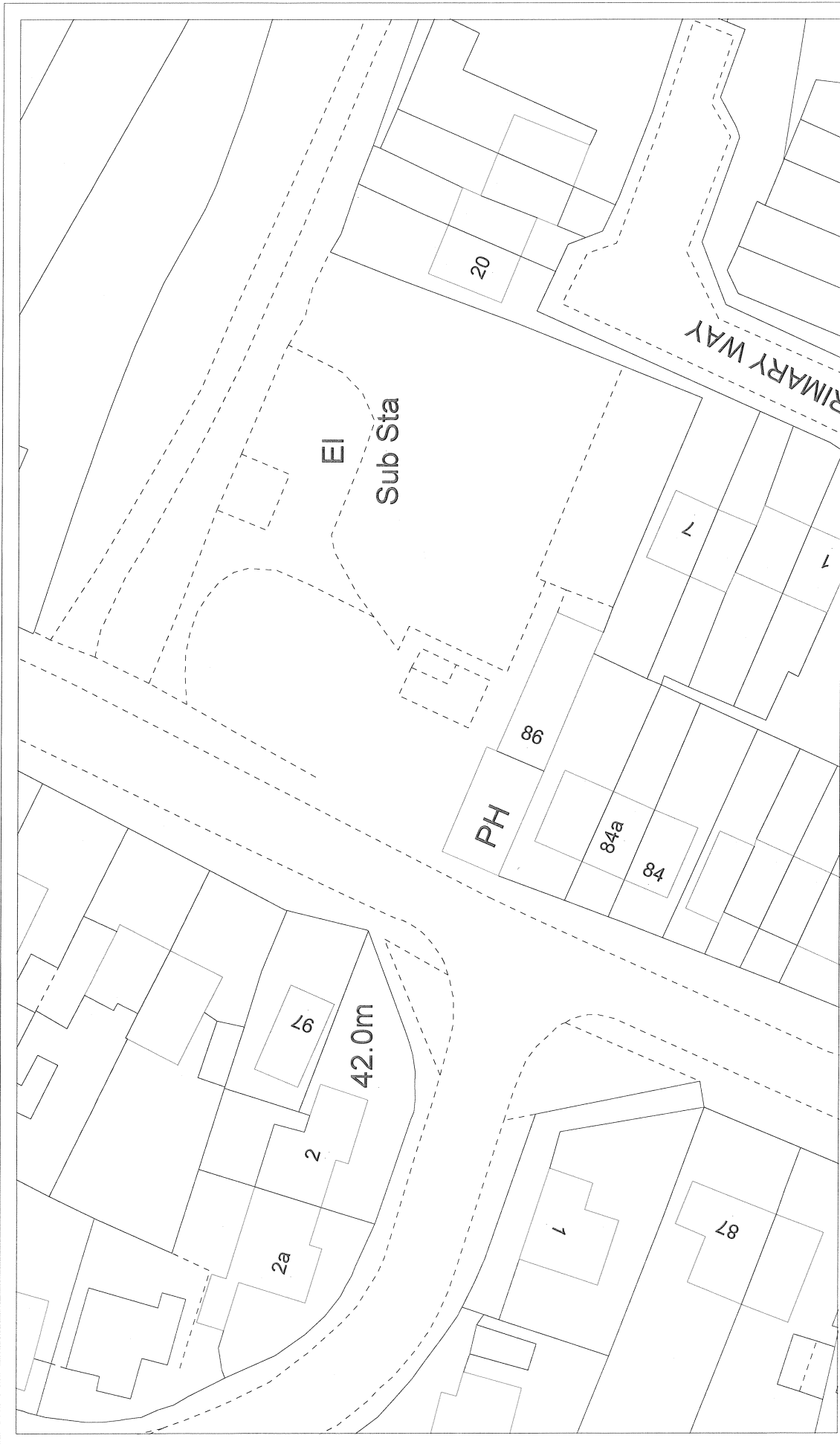
MAR 22.09

Representation in respect of the application to vary a premises licence for 'The Three Tuns' public house, on the grounds of public nuisance.

My house is exactly opposite the car park of these premises, a distance of 40ft. My apprehension is occasioned by the experience of enduring, for over a year, a Kebab caravan situated in the car park. This vehicle operated each day including Sunday, commencing at 4 P.M. and continuing until at least 11 P.M. and often could be seen serving until midnight. The appliance emitted constant flashing lights, noise and smell and with a considerable amount of rubbish partly concealed behind it. It attracted groups of loitering youths, often kicking footballs not only in the car park, but also from one side of the road to the other side and in the proximity of the two bus stops which are situated exactly on opposite sides of the road, whilst of course depositing their kebab platters, wrappings, cartons, bottles and vomit not only along the road but also in our gardens and privet hedges.

I did not attempt to make an official complaint about this abomination, hoping that it would eventually go out of business or just move - which is what actually happened, last August - to everyone's delight.

The gist of these experiences has been related at some length in order to convey our severe apprehension that we might once again be subjected to a similar ordeal, through no fault of our own except for being inept enough to buy a house in the shadow of 'The Three Tuns'



Date: 09 April 2009

Scale: 1:500

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Mid Bedfordshire District Council.
100019740. 2009.





Date: 09 April 2009

Scale: 1:500

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Mid Bedfordshire District Council.
100019740. 2009.

L6.26

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MID BEDS LICENSING AUTHORITY
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

~~Police/Fire/Environmental Protection/Health and Safety/Child Protection/Weights and Measures/Planning Authority~~

Your Name	Jane Mann
Job Title	Environmental Health Officer
Postal and e:mail address	Central Bedfordshire Council Priory House Monks Walk Chicksands SG17 5TQ
Contact telephone number	01462 611222 or 0300 300 4385

Name of the premises you are making a representation about	The Three Tuns PH
Address of the premises you are making a representation about	86 High Street Arlesey Bedfordshire SG15 6SN

<i>Which of the four licensing objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	No	
Public Safety	No	

To prevent public nuisance	Yes	<p>I am not satisfied that the information provided within the operating schedule, for the premises licence application, adequately fulfils the licensing objective for the prevention of public nuisance. The Work Environment Team of Mid Beds District Council has previously received complaints concerning events in the outdoor areas and noise breaking out through doors and windows.</p> <p>With the close proximity of the Outdoor areas to residential property I am concerned that noise from customers utilising it over an extended period would result in noise nuisance. I am also concerned that noise from customers leaving the premises late at night may cause disturbance to local residents. I have therefore advised that the use of the outdoor areas is controlled by limiting the frequency and type of use through conditions. I have also advised conditions to control noise levels and customer noise.</p>
To protect children from harm	No	

Suggested 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. Please use separate sheets where necessary and refer to checklist

1. Prominent, clear and legible notices are to be displayed at exits requesting patrons to respect local residents and to leave the premises and area quietly.
2. Ingress and egress notwithstanding, all external doors and windows to the premises are to be kept closed during indoor regulated entertainment that involves amplified music and/or voices.
3. Noise levels from amplified music and/or speech shall not cause a nuisance when assessed at the nearest residential premises.
4. Consumption of food, alcohol and other refreshments within the outdoor areas shall not continue after 2330hrs.

Signed: Jane Mann Dated: 2 April 2009

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