

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



please ask for Helen Bell  
direct line 0300 300 4040  
date 15 July 2009

## NOTICE OF MEETING

### LICENSING SUB COMMITTEE

Date & Time

**Monday, 27 July 2009 at 2.00 p.m.**

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford**

Jaki Salisbury  
Interim Chief Executive

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

Cllrs D Bowater, T Green and G Summerfield

[Named Substitutes: Cllrs **L Birt**, I Dalgarno, M Gibson, K Janes, H J Lockey,  
Ms J Nunn, A A J Rogers, J A G Saunders and P F Vickers

**(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**

(enclosed)

**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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**Meeting:** Licensing Sub Committee  
**Date:** 27 July 2009  
**Subject:** Licensing Act 2003 – Determination of Application to Vary a Premises Licence  
**Report of:** Head Of Service , Public Protection

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**Contact Officer:** Susan Childerhouse,  
Susan.Childerhouse@Central.Bedfordshire.gov.uk  
**Public/Exempt:** Public  
**Wards Affected:** Harlington  
**Function of:** Council

### **The application**

1. An application has been submitted by Admiral Taverns (Cygnet) Ltd. to vary an existing premises licence for the premises known as the Old Sun Public House, 34 Sundon Road, Harlington, LU5 6NQ
2. The application seeks to allow the extension of opening hours of premises to permit the sale of alcohol from the present hours of 11:00 to 23:00 Monday to Sunday to 11:00 to 23:59 Monday to Thursday and from 11:00 to 02:00 Friday and Saturday 11:00 to 23:00 on Sunday and the provision for regulated entertainment including films, live music and recorded music.

A copy of the application form is attached at Appendix A.

3. The premises are a detached 2 storey building located close to the centre of the village, adjoining residential property and a church. A copy of the location map is attached at Appendix B.

### **Promotion of Licensing Objectives**

4. 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, no irresponsible drinking promotions, introduction of policies relating to disruptive behaviour and drugs together with introduction of a children's play area and a policy for staff to monitor noise levels of customers vacating the premises.

## Representations from Responsible Authorities

5. The Council's Environmental Health Department have submitted representations with regard to the prevention of public nuisance and recommended that:-
  - 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.
  - Prominent, clear and legible notices are to be displayed at all exits requesting patrons to leave the premises and area quietly.
  - The placing of bottles into receptacles external to the premises must not take place between 1900 and 0900.
  - Noise from entertainment events (involving music, speech and singing) shall not give rise to nuisance at the neighbouring residential premises.
  - No amplified music/speech is permitted outdoors and un-amplified music/speech is permissible outdoors up to 6 times in any calendar year starting on 1<sup>st</sup> January each year. Music outdoors shall be limited between 1200 and 1900 and not occur on consecutive days or weeks. Central Bedfordshire shall be notified of these events 14 days in advance.
  - A responsible person shall be assigned the responsibility of dealing with any noise complaints and liaising with representatives of Central Bedfordshire Council. The appointed person must be present throughout the duration of the event and the contact details of this individual should be provided to Central Bedfordshire Council not less than 14 days prior to the event
  - Prior to permitted live outdoor unamplified music, notification shall be given to neighbouring residents 7 days in advance of the event with a contact number for them to call should they experience problems with noise.
  
6. Bedfordshire Police have submitted representations with regard to preventing crime and disorder and have recommended that the following conditions be attached to the Licence:
  - To put in place a written policy to prevent the sale of alcohol to persons under the age of 18. The policy will require any person who appears to be under the age of 21 to produce a recognised proof of age card accredited under the proof of age standards scheme (pass) or if such a card is not available, a photo driving licence or passport indicating they are over 18 years of age.
  - All staff to be suitably trained in the operating procedures for refusing service to any person who is drunk or underage or appears to be underage.

- For the sale of alcohol written authorisation must be given to ensure that individuals must comply with the following:-
  - The persons authorised must be clearly identified.
  - The authorisation must specify the acts that may be carried out by the authorised person.
  - There must be arrangements in place for the personal licence holder to monitor the authorised activities on a regular basis.
- Open containers of alcohol (glass/bottles) must not be taken from the premises.
- The use of areas external to the premises for the consumption of alcohol, other refreshment or food must cease by 23:00 Monday to Saturday and 22:30 on Sunday.
- Prominent, clear and legible notices are to be displayed at all exits requiring patrons to respect the local residents and leave the premises and area quietly.
- To become an active member of Pubwatch.
- In addition the Police Licensing Officer would like to reassess the licence after 6 months.

### **Interested Parties**

7. Representation from 6 residential addresses, have been received; and Harlington Parish Council a copy of these representations are attached at Appendix "C".

### **Licensing Policy**

8. 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.

### **Secretary of State's Guidance**

9. 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.

### **Observation and General Guidance**

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

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.

**Appendices:**

Appendix A – (heading)

Appendix B – (heading)

Appendix C – (heading)

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 **ADMIRAL TAVERNS (CYGNET) LIMITED**

*(Insert name(s) of applicant)*

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

<b>Premises licence number</b> 2000308
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**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Old Sun 34 Sundon Road			
<b>Post town</b>	Harlington	<b>Post code</b>	LU5 6LN

<b>Telephone number at premises (if any)</b>	01525 877330
<b>Non-domestic rateable value of premises</b>	£6250 1878.91

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>	07704 706080		
<b>E-mail address (optional)</b>	Steve@dooraccess.ltd.uk		
<b>Current postal address if different from premises address</b>	36 Lincoln Way		
<b>Post Town</b>	Harlington	<b>Postcode</b>	LU5 6NQ

**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)**  
This Application is being made to:

- 1) Extend the hours of trading
- 2) Have provision for regulated entertainment
- 3) Have provision to provide cooked food for purchase

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

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

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

**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)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon				<b>Please give further details here</b> (please read guidance note 3)	
Tue			THE PUB HAS A 'LADIES EVENING' EVERY THURSDAY - IT HAS BEEN REQUESTED BY THOSE ATTENDING TO HOLD A FILM NIGHT FOR WOMEN ONCE PER MONTH.		
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur	19.30	22.00			
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

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

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) It is not intended that music be played every night. On most occasions it would be either a Friday or a Saturday.		
Mon	11.00	23.59			
Tue	11.00	23.59	Outdoor music would cease by 21:00		
Wed	11.00	23.59	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur	11.00	23.59			
Fri	11.00	23.59	<b><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></b> (please read guidance note 5)		
Sat	11.00	23.59			
Sun	11.00	23.59			

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) All outdoor music would finish by 21:00		
Mon	11:00	23:59			
Tue	11:00	23:59	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Wed	11:00	23:59			
Thur	11:00	23:59	<b><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></b> (please read guidance note 5)		
Fri	11:00	23:59			
Sat	11:00	23:59			
Sun	11:00	23:59			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur								
Fri						<b><u>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</u></b> (please read guidance note 5)		
Sat								
Sun								



H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><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)</p>		
Fri					
Sat			<p><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)</p>		
Sun					

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>		
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)		
			<b><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></b> (please read guidance note 5)		

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give a description of the facilities for dancing you will be providing</u></b>	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue				
Wed			<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4)	
Thur				
Fri			<b><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></b> (please read guidance note 5)	
Sat				
Sun				

K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)		
Sat					
Sun					
			<b><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></b> (please read guidance note 5)		

L

Late night refreshment Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon	11:00	23:59			
Tue	11:00	23:59			
Wed	11:00	23:59			
Thur	11:00	23:59			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	23:00			
			<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
			Good Friday 12:00- 23:00 Christmas Day 12:00- 23:00		
			TO INCLUDE ALL BANK HOLIDAYS CHRISTMAS EVE BOXING DAY NEW YEAR'S DAY		

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8)

NONE

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	02:30	
Sat	11:00	02:30	
Sun	12:00	23:30	<b>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</b> (please read guidance note 5) Good Friday 11:00- 23:30 Christmas Day 12:00-23:30  TO INCLUDE ALL BANK HOLIDAYS CHRISTMAS EVE BOXING DAY NEW YEAR'S 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

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)**

Good Management of the premises at all times to ensure the following:

- Compliance with the Licensing Act 2003
- Good communication with local licensing authorities
- Ensure all staff maintain high standards of all licensing objectives and ensure they are followed
- Relevant authorities involvenebt in pub meetings and development

**b) The prevention of crime and disorder**

- Strong anti-drugs policy
- Introduce a policy with regard to disruptive behaviour
- Introduce challenge 21
- Involvement in pub watch
- Luminated outside areas
- No irresponsible drinking promotions

**c) Public safety**

- Correct fire safety measures
- First Aid equipment
- Notices and sinage in various areas
- Training to be provided to all staff
- Strict code of conduct

**d) The prevention of public nuisance**

- Notices and sinage in various areas
- Controlled noise levels in accordance to recommended sound levels
- Consideration for neighbours, closing all windows and doors while playing music
- Introduce policy for staff to monitor noise levels of customers vacating the premises

**e) The protection of children from harm**

- Childrens play area to be introduced
- Notices and sinage in various areas
- Children must be under adult supervision

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	MARK BROWN
Date	19 <sup>TH</sup> MARCH 2009
Capacity	APPLICANT'S SOLICITOR.

**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)

Mr Stephen Butler  
36 Lincoln Way

Post town	Harlington	Post code	LU5 6NQ
-----------	------------	-----------	---------

Telephone number (if any)	07704 706080
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

## 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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7 SHEPHERDS CLOSE,  
HALLINGTON,  
BEDFORDSHIRE,  
LU5 6NR.

29 JUN 2009

JUNE 29<sup>TH</sup> 2009

Dear Sir,

VARIATION OF PREMISES LICENCE FOR THE OLD SUN, SUNDON ROAD

I have some reservations about the application to extend the trading hours at this pub since longer hours will inevitably attract customers from wider afield who don't have such local provision and this custom from further afield can very easily lead to extra people in the village and people who would have no reason to respect the area around the pub, because it isn't there own. The increase in petty crime and disorder in those circumstances would appear to be inevitable.

In addition, the public nuisance potential is substantial. The pub is surrounded by quiet residential roads and hemmed in by homes. It is already a noisy place in the afternoons and evenings with such outdoor areas as there are and the proposed extended hours will inevitably heighten this nuisance. Cars leaving the car park are noisy

in such circumstances at the moment and with longer hours, this noise nuisance (cars and people) would be even more unreasonable.

At the moment, it seems that current trading hours are stretched to the extreme and I know that the ubiquitous "lock-in" is alive and well at the pub. Longer licensed hours will push this nuisance into totally unreasonable hours of the night.

The application to provide regulated entertainment also causes concern for the potential to attract business from outside the village and much further afield. When they have had entertainment (music) there in the past, the sound-proofing has been totally inadequate in itself, and when doors are opened, it is a real nuisance. With the potential to attract outside ~~customers~~ (from the village) customers, there is that same threat around petty crime and disorder as for the extended hours application, as well as the public nuisance issue.

I have had instances late at night with unreasonable noise (I welcome a local pub doing well and have no issues on its location) but it must work within the location parameters and they don't lend themselves to these applications.

Yours faithfully,

# HARLINGTON PARISH COUNCIL

Member, Bedfordshire Association of Town and Parish Councils  
Member, Bedfordshire Playing Fields Association

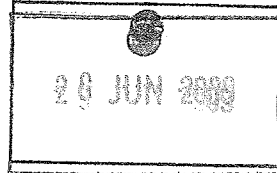
**Chairman:**

Mr D J McLeod  
Cleavers Close  
95 Sundon Road  
Harlington, Dunstable  
Bedfordshire, LU5 6LW  
Tel: 01525 872930

**Clerk:**

Mrs N S Upton MILCM  
Parish Council Office  
Rear of Parish Hall  
Church Road  
Harlington, Dunstable  
Bedfordshire, LU5 6LE  
Tel: 01525 875933  
Fax: 01525 874632

Email: harlingtonpc@yahoo.co.uk



24<sup>th</sup> June 2009

The Licensing Team  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
Shefford  
Beds SG17 5TG

Dear Sir/Madam

**Re: Variation of Premises Licence for The Old Sun, Sundon Road, Harlington, LU5 6LN**

This application was received by Council at its meeting on Monday night where concern was expressed that the details of the application were only available by appointment at Central Beds when it was not felt appropriate for just one member of Council to be responsible for reporting back the detail. It was further noted that although there may not be any legal requirement to notify neighbours, other than by a notice in the window of the pub or in the local press, that many areas of Harlington do not actually receive a local paper and have not done so for months.

In relation to the variation itself, Councillors considered that the impact on the neighbours of The Old Sun would be far greater than that of other licensed premises in the village as it was right in the middle of a residential area. Thus the new hours would be intrusive and would cause a problem for the neighbours; the noise from the live music along with the comings and goings from the pub and additional traffic in the early hours of the morning, would adversely affect the local area and could give rise to increased crime and disorder. Council has no problem with the showing of films.

It was considered that residents in the vicinity had a right to a home life and privacy and that this application was not conducive to such.

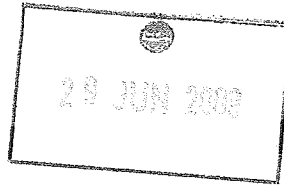
If you required any additional information please let me know.

Yours faithfully

ouncil

26.06.09

12 Shepherds Close  
Harlington  
Beds., LU5 6NR



The Licensing Team  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands, Shefford  
Beds., SG17 5TQ

Dear Sirs,

Re: Application to vary current premises license for The Old Sun, Sundon Rd., Harlington

After receiving notification via Harlington Parish Council I am writing to express my deep concerns over the proposed application mentioned above and to also protest against the limited response time. Anyone away from home for any reason at the moment will be unable to respond although these changes may affect them considerably.

The area surrounding The Old Sun is almost entirely residential, my own home being situated in a road immediately behind the pub and its car park. We already experience some noise disturbance from people who must smoke outside of the premises and also from customers leaving at the end of the night. We hear loud chatter/laughter and because not all customers are on foot we hear car doors slamming as they leave for home and this is at the present closing time. With the new proposed supply of alcohol hours of Mon-Thurs Midnight, Fri-Sat 2am and Sun 11pm plus an actual closing time being 30 mins later we will experience outside smokers chatter and farewell noise until possibly 3am in the early hours of some mornings. Surely this is unacceptable.. However many notices displayed asking customers to be considerate to neighbours as they leave will not make a scrap of difference. There is also the added noise problem from non-village customers who may wander around waiting for the trains to start running again to get home.

During the winter months, excluding the outside smoking area, the noise can be moderately contained within the pub itself, but once the warmer weather arrives, windows are open and customers are seated outside, the noise level could be horrendous, especially on the Friday and Saturday nights until the proposed time of 2.30am. There are many young children and elderly people living within the vicinity who will be disturbed by this, especially the sheltered housing accommodation situated only a few metres away from this pub that customers will disturb not only in passing, but by hearing the introduction of live bands until midnight (outdoors until 9pm). No one living nearby will have a choice about whether they wish to listen to any of this, if these regulations are passed then choice goes out the window both literally and metaphorically speaking.

If the pub wishes to enlarge its entertainment that is understandable, but why does it have to remain open until 2.30am, if the entertainment finishes at midnight and allowing a 'drinking-up' time of 30mins then they could easily close at 12.30am and their customers could still enjoy a 'good night out' and not disturb the neighbours any more than necessary.

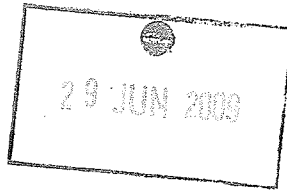
Yours sincerely,

Mrs A Woodhatch

cc: Harlington Parish Council



41 Sundon Rd  
Harlington  
Dunstable  
Bedfordshire  
LU5 6LR



The Licensing Team  
Central Bedfordshire Council  
Priory House  
Monks Walk  
Chicksands  
Shefford  
Beds SG17 5TQ

25<sup>th</sup> June 2009

Dear Sirs

**Re: Variation of Premises Licence for The Old Sun, Sundon Road**

We have been notified of the above application by Harlington Parish Council and comment as follows.

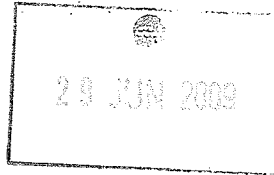
We have spoken with the landlord and understand their good intentions; however we have concerns relating to potential public nuisance. In the past, when the pub was run by a different land lord there were problems with noise with live events and discotheques. At the time environmental health were involved with the problem, and the land lord was told to keep all doors and windows closed. This may be OK in principle, but on hot summer evenings it was often not adhered to.

We would request that any permission to extend the hours of trading and in particular to provide regular entertainment includes a requirement to limit sound levels and to ensure that all doors and windows are kept closed. Any failure to comply with this requirement should result in immediate retraction of the change of licence.

Yours faithfully

---

Cc Mrs N S Upton MILCM  
Parish Council Office  
Church Road  
Harlington



66 Park Leys  
Harlington  
Beds  
LU5 6LZ

Dear Sir/Madam

~~Re: Variation of Premises Licence for The Old Sun, Sundon Road, Harlington.~~

Firstly we feel we should have been given more time to find out about the application and to reply. The letter from the Parish Council is dated June 24<sup>th</sup>. We work during the week and yet are expected to view the application and to have a reply in by the 29<sup>th</sup> June. We were literally only given Thursday and Friday to formulate a reply and send it in time for Monday.

We wish to OBJECT to the application.

. To extend the hours of trading would create a public nuisance. Summer nights are already greatly disturbed by the yelling and screaming of customers in the garden late into the night. Residents have to decide whether to swelter inside with the windows closed or be unable to sleep with the windows open because of the noise. At least at the moment you know it should finish around 11p.m. although it often goes on longer. If the hours of trading extend then so will the hours of noise that residents, some elderly and some with young children, will have to endure.

Only last night, June 27<sup>th</sup>, there was a Karaoke Evening. The noise was such that we might as well have been in the pub. We were out in the back garden and the pleasure was spoilt by the "singing", shrieking and yelling. This continued well after we had gone to bed. It was still going on at half past midnight and this is WITHOUT extended hours. There is obviously no attempt to keep customers quiet for the sake of the residents.

. Have provision for regulated entertainment. We feel this will also create a public nuisance. Will this "regulated entertainment" ensure all the houses that surround the pub will not have to listen to the entertainment? Will this "regulated entertainment" ensure the doors and windows of the pub are not opened for the sound to travel? We object if there is any chance we will have to listen to any of the entertainment and previous experience has shown that there has NOT been consideration of the numerous residences who surround the pub.

. Have provision to provide cooked food for purchase. If this is just for consumption on the premises then we do not object. If this is to extend take away facilities then we do object. The pub has a pretty small car park. If extra cars are attracted then there are problems as the pub is on a very busy road and cars tempted to park in front of the pub would cause a traffic hazard and would therefore endanger public safety.

[tag this message](#)

# Variation of Premises Licence for The Old Sun, Sundon Road, Harlington.

101

Friday, 26 June, 2009 3:41 PM

From: Richard Dudley" <rdudley@hotmail.co.uk>

[Add sender to Contacts](#)

To: info@centralbedfordshire.gov.uk, harlingtonpc@yahoo.co.uk

The Licensing Team  
Central Bedfordshire Council

Due to the location of the Old Sun public house in relation to surrounding residential properties a noise nuisance from late night, early morning customers leaving the premises and loud noise from entertainment activities such as discos and live groups have been a recurring problem in the past.

I wish to object to any variation to the current licence which would create this unacceptable situation in the future.

Yours Faithfully

29 JUN 2009

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