

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



please ask for Martha Clampitt
direct line 0300 300 4032
date 30 March 2010

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Monday, 12 April 2010 at 10.30 a.m.

Venue at

**Committee Room 1, Council Offices, High Street North,
Dunstable**

Richard Carr
Chief Executive

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

Cllrs L Birt, D Bowater and K Janes

[Named Substitutes: Cllrs I Dalgarno, M Gibson, T Green, H J Lockey,
Ms J Nunn, A A J Rogers, J A G Saunders, G Summerfield 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. **Application for Variation of a Premises Licence under The Licensing Act 2003 at The Sow and Pigs, 19 Church Square, Toddington, Beds**

The report proposes that the Licensing Sub Committee determine whether or not a variation to the premises licence should be granted.

**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: 12 April 2010
Subject: Application for Variation of a Premises Licence under The Licensing Act 2003 at The Sow and Pigs, 19 Church Square, Toddington, Beds
Report of: Director of Sustainable Communities
Summary: The report proposes that the Licensing Sub Committee determine whether or not a variation to the premises licence should be granted.

Contact Officer: Pat Davies, Licensing & Policy Officer
Public/Exempt: Public
Wards Affected: Toddington Ward
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

Creating Safer Communities – Decision must promote the licensing objectives in order to fulfil regulatory and legislative requirements

Financial:

N/A

Legal:

Under the Licensing Act 2003 it is a statutory duty that Licensing Authorities decide applications where representations have been received.

Risk Management:

N/A

Staffing (including Trades Unions):

N/A

Equalities/Human Rights:

Every application under the Licensing Act 2003 must be decided on its own merits.

Community Safety:

Any decision must promote the four licensing objectives:

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance
The Protection of Children from Harm

Sustainability:

N/A

RECOMMENDATION(S):

1. **That Members determine the application in accordance with the Statutory Guidance issued under s182 of the Licensing Act 2003, our Licensing Policy, and the information contained within this report.**
2. **That, having regard to the application and relevant representations, members take such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.**

Options available:

To grant the application

To refuse the application

To grant the application with conditions

3. **That Members provide the reasons for their decision**

Application

1. This is an application by Greene King Retailing Ltd for variation of a premises licence (Appendix A) to cover the following:
 - To extend hours for opening, sale and recorded music
 - To add films, indoor sporting events, live music, anything of a similar description to that falling within (e), (f) or (g), facilities for making music, performance of plays, facilities for dancing and late night refreshment.
 - To attach amended licensing plan to include external areas.

To which 4 interested parties have made representations.

2. Details of the proposed variation with regard to hours are shown below

Activity	Current provision	The application
Liquor sales	Mon to Thur 11.00hrs to 23.00hrs Fri & Sat 11.00hrs to 00.00hrs Sun 12.00hrs to 23.00hrs	Mon to Thur 10.00hrs to 00.30hrs Fri & Sat 10.00hrs to 01.30hrs Sun 10.00hrs to 00.00hrs
Recorded music	Mon to Thur 07.00hrs to 23.00hrs Fri & Sat 07.00hrs to 00.00hrs Sunday 10.00hrs to 23.00hrs	Mon to Thur 07.00hrs to 00.30hrs Fri & Sat 07.00hrs to 01.30hrs Sun 10.00hrs to 00.00hrs (Indoors)
Films, plays, indoor sporting events, live music, anything similar, facilities for making music & dancing	None	Mon to Thur 10.00hrs to 00.30hrs Fri & Sat 10.00hrs to 01.30hrs Sun 10.00hrs to 00.00hrs (Indoors)
Late night refreshment	None	Mon to Thur 23.00hrs to 00.30hrs Fri & Sat 23.00hrs to 01.30hrs Sun 23.00hrs to 00.00hrs
Hours of opening	Mon to Thur 07.00hrs to 00.00hrs Fri & Sat 07.00hrs to 00.30hrs Sun 10.00hrs to 23.30hrs	Mon to Thur 07.00hrs to 01.00hrs Fri & Sat 07.00hrs to 02.00hrs Sun 10.00hrs to 00.30hrs

3. The applicant has stated in the operating schedule that to promote the Prevention of Public Nuisance objective, management and staff will monitor music levels regularly and a Due Diligence Log will be completed when music takes place. All windows and doors to be closed after 23.00hrs. Cleaners to pick up any external litter on a daily basis. Signage to be displayed in a prominent position asking customers to leave the premises in a quiet and controlled manner.

Relevant history

- 3. The premises is a public house situated at the centre of the village of Toddington. It has adjoining residential properties. A location map is attached at Appendix B.
- 3. The premises licence was granted on 28 September 2005.

4. There have been 2 noise complaints since the licence was granted, both in 2007. One re noise from smokers in an alleyway adjoining the premises, the other re music played over loudspeakers in the car park.

Licensing Objectives

6. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications for variation of a licence where a relevant representation has been made must be determined by a sub-committee.
7. When determining the application, Members should only consider issues, which relate to the relevant licensing objective, which in this case is:
 - The Prevention of Public Nuisance
8. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 (Annex G refers to the relevant objective) and the Council’s Statement of Licensing Policy (Section 7.3 refers to the relevant licensing objective).
9. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts.

Representations

10. Relevant representations have been received from 4 interested parties living in the vicinity of the premises; these are focused around noise issues and are attached at Appendix C.
11. Responsible authorities have made no representations concerning the application.

Responsible authority	Comment
Police	None
Fire	No objections
Environmental Health	No objections
Health and Safety	None
Planning	None
Child Protection	None
Trading Standards	No objections

Appendices:

Appendix A – Variation application

Appendix B – representations from interested parties

Location of papers: The Council Offices, High Street North, Dunstable

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 Greene King Retailing 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

Premises licence number 013810
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Sow & Pigs 19 Church Square Toddington Bedfordshire			
Post town	Dunstable	Post code	LU5 6AA

Telephone number at premises (if any)	01525 873089
Non-domestic rateable value of premises	£15,000

Part 2 – Applicant details

Daytime contact telephone number	(01284) 763222		
E-mail address (optional)			
Current postal address if different from premises address	Greene King Retailing Limited Abbot House		
Post town	Bury St Edmunds	Post code	IP33 1QT

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

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Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To extend hours for opening, sale and recorded music.

To add films, indoor sporting events, live music, anything of a similar description to that falling within (e), (f) or (g), facilities for making music, performance of plays, facilities for dancing and late night refreshment.

To attach amended licensing plan to include external areas.

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

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.

- | <u>Provision of regulated entertainment</u> | Please tick yes |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" 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 checked="" type="checkbox"/> |
|
<u>Provision of entertainment facilities:</u> | |
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" 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"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| <u>Sale by retail of alcohol</u> (if ticking yes, fill in box M) | <input checked="" type="checkbox"/> |

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Murder Mysterys, Christmas plays etc		
Mon	10:00	00:30			
Tue	10:00	00:30	State any seasonal variations for performing plays (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.		
Wed	10:00	00:30			
Thur	10:00	00:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	00:00			

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 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) Moving pictures, films, pre-recorded programs, moving images etc		
Mon	10:00	00:30			
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	00:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.		
			<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) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Darts, pool, dominoes, cribbage etc
Day	Start	Finish	
Mon	10:00	00:30	
Tue	10:00	00:30	State any seasonal variations for indoor sporting events (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.
Wed	10:00	00:30	
Thur	10:00	00:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.
Fri	10:00	01:30	
Sat	10:00	01:30	
Sun	10:00	00:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainments 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 the boxing or wrestling entertainments</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Jazz bands, folk etc		
Mon	10:00	00:30			
Tue	10:00	00:30			
Wed	10:00	00:30	State any seasonal variations for the performance of live music (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.		
Thur	10:00	00:30			
Fri	10:00	01:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		
Sat	10:00	01:30			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	07:00	00:30	Please give further details here (please read guidance note 3) Discos, DJs etc	Both	<input type="checkbox"/>
Tue	07:00	00:30			
Wed	07:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 07:00 - 01:30.		
Thur	07:00	00:30			
Fri	07:00	01:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		
Sat	07:00	01:30			
Sun	10:00	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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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)		
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)			Please give a description of the type of entertainment you will be providing Karaoke etc		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	00:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	00:30	Please give further details here (please read guidance note 3) When regulated entertainment takes place.		
Wed	10:00	00:30			
Thur	10:00	00:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.		
Fri	10:00	01:30			
Sat	10:00	01:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		
Sun	10:00	00:00			

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> Making provision for playing of music whether live/recorded, recording performances, microphone with amplifier, karaoke machine etc.	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) When regulated entertainment takes place.	
Mon	10:00	00:30		
Tue	10:00	00:30		
Wed	10:00	00:30		
Thur	10:00	00:30		
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.	
Fri	10:00	01:30	<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) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.	
Sat	10:00	01:30		
Sun	10:00	00:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing Tables and chairs cleared to create a dance area.			
Day	Start	Finish				
Mon	10:00	00:30	Please give further details here (please read guidance note 3) When regulated entertainment takes place.			
Tue	10:00	00:30				
Wed	10:00	00:30	State any seasonal variations for providing dancing facilities (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Eve, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30.			
Thur	10:00	00:30				
Fri	10:00	01:30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	10:00	01:30	On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.			
Sun	10:00	00:00				

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					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:30	Please give further details here (please read guidance note 3) Hot food and drink being served.		
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 11:00 - 01:30. New Years Eve from 23:00 to the beginning of normal licensed hours the following day.		
Thur	23:00	00:30			
Fri	23:00	01:30	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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		
Sat	23:00	01:30			
Sun	23:00	00:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 10:00 - 01:30. New Years Eve from the beginning of normal licensed hours to the beginning of normal licensed hours the following day.		
Mon	10:00	00:30			
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	00:00			
			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 (please read guidance note 5) On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour.		

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)
 AWP'S, sale of alcohol, cigarette machine

0

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) Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, New Years Day, all Bank Holidays plus the day preceding a Bank Holiday 07:00 - 02:00. New Years Eve from the beginning of normal licensed hours to the beginning of normal licensed hours the following day.
Day	Start	Finish	
Mon	07:00	01:00	
Tue	07:00	01:00	
Wed	07:00	01:00	
Thur	07:00	01:00	
Fri	07:00	02:00	
Sat	07:00	02:00	
Sun	10:00	00:30	

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

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

Management and staff controls including effective training to ensure awareness of licensing objectives, with particular attention to control underage drinking, drunkenness both on and off the premises, use of drugs, both violent and antisocial behaviour, noise nuisance and the protection of children from harm.

b) The prevention of crime and disorder

Management and staff are trained to keep within the capacity levels and codes of practice, refusal of service to all intoxicated persons, monitor usage of cigarette machine, maintain suitable lighting both inside and out. Management and staff are all trained to identify and deal appropriately with any potential problems before they occur.

c) Public safety

Risk management assessments carried out regularly by a responsible person. Best practice in relation to health and safety issues, fire safety and all other relevant policies. Appliances requiring certification will be regularly checked. All management and staff will be kept updated with changes in legislation as they occur. Risk Register kept on site.

d) The prevention of public nuisance

Management to identify and prevent any potential nuisance relating to the premises both internally and externally. Management and staff to monitor music levels regularly and a Due Diligence Log to be completed when music takes place. All windows and doors to be closed after 23:00hrs to prevent noise escaping from the premises. Cleaners will pick up any external litter made by the patrons on a daily basis. Signage displayed in a prominent position asking customers to show respect to our neighbours by leaving the premises in a quiet and controlled manner.

e) The protection of children from harm

Persons under the age of 18 will only be permitted into the premises if they are accompanied by a person who has attained the age of 18, management and staff will ensure that person supervises them at all times. Underage persons will not be permitted in the area of the cigarette machine or AWP machines. Proof of age scheme in place to request photo ID e.g driving licence, passport or card bearing PASS hologram. Refusals Register kept on site.

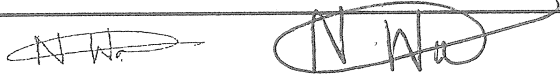
Please tick yes

- 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	
Date	15 February 2010
Capacity	Licensing Officer

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 postal address for correspondence associated with this application (please read guidance note 13)

Natasha Wade (Licensing Officer)
Greene King Pub Partners
Licensing Department
Abbot House
Westgate Brewery

Post town	Bury St. Edmunds	Post code	IP33 1QT
Telephone number (if any)	01284 763222		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) licensingpp@GreeneKing.co.uk			

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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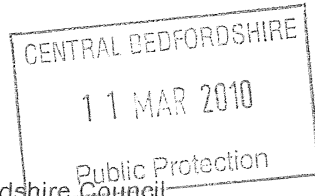


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<p>Date: 25:March:2010</p>	<p>Map Sheet No</p> <p>Scale: 1:800</p>	

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Central Bedfordshire Council
Public Protection
The Council Offices
High Street North
Dunstable, Bedfordshire
LU6 1LF

St Georges Close
Toddington, Bedfordshire, LU5 6AT

9th March 2010

Dear Sirs

Re - Application for Variation of Premises Licence by Greene King Retailing Ltd for The Sow and Pigs, 19 Church Square, Toddington, LU5 6AA – Objection

We are interested parties to the application because we live in the vicinity of the Sow and Pigs. Our house adjoins the drive to the Sow and Pigs car park and overlooks the car park and garden. The road beside our house is frequently used for overflow parking by Customers of the Sow and Pigs.

We hear some noise from the garden, part of which is used as a smoking area, in the summer it is naturally more noisy. We also hear noise from vehicles arriving and departing, the slamming of car doors and people talking outside their vehicles. Under the present circumstances, the noise is at an acceptable level and the Landlord gives consideration to the neighbours. However, if the opening hours and level of activities within the Sow and Pigs increase, then noise levels and disturbances may become unacceptable.

Our concerns and hence objections are;

- 1 – extended hours will lead to extended disturbance into the early hours of the morning
- 2 – days preceding bank holidays are often Sundays when an earlier closing time is usual
- 3 – the serving of late night refreshments is likely to attract customers into the premises after 23.00 causing noise and traffic disturbance
- 4 – we are pleased to see that the musical activities will be held indoors with windows and doors closed after 23.00 – this may be difficult to control where there are a lot of people and in the summer months therefore we suggest that 23.00 is a more suitable time to end the entertainment.
- 5 – 24 hours opening on New Year's Eve seems to be unnecessary and we would like to understand the reasons behind this

We acknowledge that management controls and training will put in place to mitigate the impact such as removal of litter and door signs requesting respect for neighbours, however we believe it is difficult to exert control once the customers have left the premises.

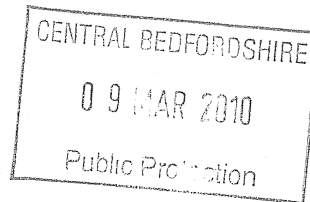
We recognise that there will always be some noise and disturbance when living close to a Public House. We aim to respect the needs of the local businesses and their customers and we hope that is returned.

In the light of our objections, we request that you reject the application for late night refreshments, apply an earlier time limit on entertainment and also apply more reasonable opening hours

Yours faithfully,

Park Road
Toddington
Bedfordshire
LU5 6AB

Central Bedfordshire Council
Public Protection
The Council Offices
High Street North
Dunstable
Bedfordshire
LU6 1LF



8th March 2010

Dear Sirs,

Objection to Variation of Premises Licence – Sow & Pigs Toddington

My wife and I have noted the application submitted by Greene King Retailing Ltd to vary the Premises Licence for the Sow and Pigs Public House, 19 Church Square, Toddington. LU5 6AA.

Our house adjoins and overlooks the Sow & Pigs car park, garden and covered smoking area. We therefore hear vehicles coming and going, we also overhear people talking in the garden and the recently constructed smoking area. Sometimes this can be quite loud and raucous. It is of course more noticeable during the summer months when people tend to drink outdoors and windows may be open.

We accept there will always be a certain amount of noise and inconvenience associated with close proximity to a Public House. We recognise the current landlord runs his premises sensibly and takes account of the residents in nearby properties.

The application by Greene King seeks extended opening hours until 1.00am on four days of the week, until 2.00am on Fridays & Saturdays and until 30 minutes past midnight on Sunday nights. The likelihood is that customers will still be departing up to 30 minutes beyond these times. We do not understand the need for twenty-four hour opening on New Years Eve.

Our concern and objection to the Application is the length of opening hours into the early hours of the morning and the fact that the Application is submitted by Greene King, which if successful, may allow them to appoint a future landlord to exploit the opening hours for increased profit, thus creating an intolerable level of disturbance for local residents.

We suggest a balance needs to be created between the needs of sensible drinkers and tranquillity for local residents, particularly recognition that minimal disturbance to peace and sleep is necessary. It would not seem unreasonable for the opening hours to be restricted to 11.30pm during the week and to midnight at weekends, with a no entry after 11.00pm clause.

The current licence requires that music only be played inside the premises. This restriction should be included in the new licence.

For the reasons stated above you are requested to take this objection to the Variation Application into consideration, and apply more reasonable opening hours at the Sow & Pigs.

Yours Faithfully

Central Bedfordshire Council
Public Protection
The Council Offices
High Street North
Dunstable
Bedfordshire
LU6 1LF

Church Square
Toddington
Beds
LU56AA

2ND March 2010

Making a Representation under The Licensing Act 2003

This correspondence is in relation to the Application by Green King (Sow & Pigs Public House, Toddington) for Variation of Premises License and referenced above.

We are residents living close to the Sow and Pigs.

For reference the Sow & Pigs it is located within the village conservation area, along with 4 other public houses and surrounded by private dwellings; Alms Houses on the left side, ref A5120 (facing the pub) and private dwellings to the right.

The front entrance is accessed by foot off the A5120 with parking at the rear via St Georges Close. These details are very important when considering the application and the impact on the local community.

We have resided in the village for over 25 years and enjoyed the local facilities including the Sow and Pigs. The pub is very much part of the community and we do not want to see this balance altered dramatically or to the detriment of the current Landlord.

Our concern and objection to this application lies with the licensing hour's extension and live music.

We accept, living in such close proximity to the local pubs a certain amount of noise and inconvenience. For example taxi and buses parked outside our property picking parties up after dinners/social evenings, doors banging etc. What we do expect however that after a certain time for example midnight the residents can expect some peace and quiet and eventually sleep.

If closure is at midnight this still means traffic and disturbance until 12.30.

We notice, "The variation applied for" would mean, that at certain times during the week, closure at 1.30, with food available, music, games, etc and regular late night

closing during the week end. This would result in pick ups, noise and disturbances extending until 2am. During the summer windows are opened and this noise level would be intolerable.

This clearly will have a detrimental impact on local residents through increased noise levels, and late night disturbances with traffic and people movements.

A balance has to be made between the needs of responsible drinkers and the interest of local residents, in particular a right to minimal disturbance and security in ones own home.

We do not have any regular policing in the village so who would be dealing with any incidents and disturbances which could occur outside the Sow and Pigs?

For the above reasons we object to this application being granted in its present format.

Yours Sincerely

CENTRAL BEDFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM FROM INTERESTED PARTIES

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent (see note 3)	
Organisation name/name of body you represent (if appropriate) (see note 3)	
Postal and email address	19 Church Square, Toddington, Beds LU5 6AA
Contact telephone number	

Name of the premises you are making a representation about	Sow & Pigs
Address of the premises you are making a representation about.	19 Church Square

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

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
Prevention of crime and disorder	yes	See attached sheets
Public safety	Yes	See attached sheets
Prevention of public nuisance	yes	See attached sheets
Protection of children from harm		

Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. **	Opening hours. Monday to Thursday 11.00-23.30 Friday and Saturday 11.00-00.30 Sunday 11.00-23.00 Christmas Eve and New Year's Eve 11.00- 2.00 No amplified music in the gardens Music external limited to 19.00 Music within the premises until 23.30
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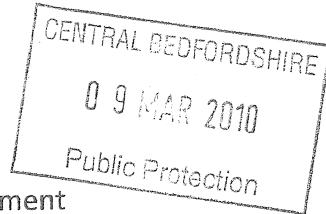
Signed: _____

Date: 02/03/2010

Please see notes on reverse

C:\Users\AFR\my\Desktop\Norman Work\Representation Form Interested Party Or Body Doc

Church Square
Toddington
Bedfordshire
LU5 6AA



7th March 2010

The Public Protection Department
Central Bedfordshire Council
The Council Offices
High Street North
Dunstable
Bedfordshire LU6 1LF

Dear Sir

Objection to Variation of Premises Licence – Sow and Pigs Toddington

This letter is written jointly on behalf of my wife Janet and myself. We live immediately next door to the Sow and Pigs Pub in an attractive grade 2 listed building which is timber framed and of course has very thin walls which cannot be sound proofed. We share a right of way from Church Square to St Georges Close which separates our premises with the rear door of the pub leading to the garden, car park and smoking area immediately opposite an old door into our property. This does mean we currently experience some noise nuisance but with the current opening hours and range of activities combined with the considerate approach of the current landlord it is normally acceptable. We have lived in the cottage for 20 years, the pub was there before us and there has to be some give and take

The changes proposed extend the opening times from 11.00pm to 1.00am Monday to Thursday and from midnight to 2.00am on Fridays and Saturday nights plus adding live music, entertainment, dancing, films, sporting events – in short everything they need a licence for every night of the week. **The granting of these changes requested by Green King will provide the opportunity to significantly change the character of the business to one that which would be totally inappropriate in it's location in a residential area of a village.**

Our particular objections can be grouped under the following headings:

Prevention of crime and disorder

Customers staying until 1.00 or 2.00am to listen to music, be entertained and drink through to this hour are likely to be different from the most of the current customers. They are more likely to be similar to those that have frequented the Bell. We have witnessed there late night disorder, noise from disturbances, lads and girls using foul language, shouting, arguing and being aggressive whilst waiting for taxis on the pavement, in the road or walking home disturbing a wider group of people. It is only logical that similar arrangements at the Sow will result in similar outcome. *Only last night we were woken up by noise at 2.30am to 3.30am by groups outside of the Bell waiting for taxis*

Public safety

Any public disturbance in a residential area in a village is frightening, but for this to be happening in the early hours when it is clear that immediate Police attendance is unlikely is particularly concerning bearing in mind that a good number of the immediate neighbours are elderly. When the police have been called to disturbances at the Bell the response time has often been understandably slow as officers have had to travel from Leighton Buzzard or Dunstable.

Prevention of public nuisance

The playing of music after 11.00pm will be a major disturbance to us and surrounding residents even if this music is confined to the inside of the premises and all windows are kept closed. We can tolerate some noise before 11.00pm but we should not have our sleep disturbed by music late at night and in the early hours of the morning. In addition it will be impossible to control the noise of people leaving through the front door, some gathering to get into transport, doors banging, talking etc all under our bedroom window until past 2.00am. Alternatively some will leave via the side door for the car park again causing late night noise to us and neighbouring residents in Park Road and St Georges Close.

We strongly urge the Committee to reject this application in its current form which will allow what is now a reasonable Public House, which we use and like, and for most of the time is not causing problems, to be developed into a late night venue which will have the potential to cause significant nuisance to us, other neighbours, and ladies living alone in the Alms Houses from certain unacceptable noise and potential disorder. The proposed changes would allow a venue which is inappropriate to the centre of a village, a conservation area, no direct access to public transport and is in residential area surrounded by houses and cottages.

If Green King varied their application to ask for opening hours to be extended to 11.30pm Monday to Thursday remaining with midnight on Friday and Saturdays with music restricted to inside the building with windows and doors kept shut we would make no objection. In addition we would ask for a condition to be included that every effort be made to avoid customers gathering in the right of way between our property and the Sow and Pigs bearing in mind the thinness of our walls. The current landlord is taking this action but we would request this be included to protect us in the future. Please see attached picture of area.

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