

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



please ask for Martha Clampitt
direct line 0300 300 4032
date 20 October 2011

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Friday, 28 October 2011 at 1.00 p.m.

Venue at

Room D1, Watling House, High Street North, Dunstable

Richard Carr
Chief Executive

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

Cllrs L Birt, K Janes and I Shingler

[Named Substitutes: Cllrs R D Berry, D Bowater, I Dalgarno, C C Gomm,
Mrs D B Green, I A MacKilligan, J A G Saunders, P F Vickers and N Warren

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

All other Members of the Council - on request

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

AGENDA

1. **WELCOME**

2. **Apologies for Absence**

Apologies for absence and notification of substitute members

3. **Members' Interests**

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

(a) personal interests in any agenda item

(b) personal and prejudicial interests in any agenda item

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Procedure for the hearing of applications The Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005

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

0300 300 8000

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

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Introduction

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

2. General Principles

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

PRE-HEARING

3. Licensing Panels

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

4. Timescales for Convening a Hearing

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

5. Notice of Hearing

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

- 5.2.3. 2 days notice will be given of a hearing following police objection to temporary events notice.

6. Persons to be Notified of a Hearing

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

7. Contents of Notice

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

8. Hearings to be open to the public

- 8.1. Hearings will generally be open to the public as the Licensing Authority is committed to taking decisions in an honest, accountable and transparent way, but on occasions a licensing panel may find it necessary to exclude a party or parties, the public and press from all or any part of a hearing.
- 8.2. A panel will only pass an exclusion resolution where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public. Such decisions will be made on an individual basis.

- 8.3. The panel's deliberations, which do not form part of the hearing, will be conducted in private. The announcement of the panel's decision is part of the hearing and will generally be open to the public, subject to any exclusion resolution.

9. Failure to attend the hearing

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

10. Disruptive behaviour

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

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

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

HEARING PROCEDURE

12. Opening the Hearing

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

13. Licensing Officer's Report

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

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

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

15. Presentation of Case / Submissions from Parties

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

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

16. Modification or Withdrawal of Application or Representation

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

17. Closing Submissions

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

18. Legal Advice

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

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

19. Committee Decision in Relation to Procedure

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

20. Determination of the Application

20.1. After all representations have been heard, the Chair will inform all parties that the panel will retire in private to determine the matter.

20.2. Either the panel will retire alone to a private room or all parties, officers and members of the public will be required to leave the room, although the panel may invite their legal adviser to join them for the purpose of providing only legal advice - the details of which will be disclosed upon the hearing reconvening.

20.3. Should the sub-committee need to ask any further questions of any party, all parties shall be invited to return for the purposes of asking and answering questions.

20.4. Where the hearing is for:

- a review of a premises licence following a closure order;
- a personal licence by holder of a justices licence; or
- a counter notice following police objection to a temporary event notice.

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

20.5. For all other hearings the determination must be made within 5 working days of the hearing. The Sub-Committee will generally announce the determination at the end of the hearing.

20.6. The Sub-Committee may consider adding any conditions necessary in order to promote one or more of the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

20.7. All decisions shall be made in line with the general principles as detailed in Appendix A, the range of options available for determining each type of application.

20.8. The Sub-Committee shall complete the decision notice as shown at Appendix B.

20.9. The hearing will reconvene and the Chair will either:

- announce the Sub-Committee determination including reasons for the determination; or
- advise those persons present that the Sub-Committee has not reached a decision, but will make a determination as soon as it can and, in any event,

within five working days. All parties will then be notified forthwith of the decision.

POST HEARING

21. Record of Proceedings

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

22. Irregularities

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

23. Decision Notices

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

24. Appeals

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

25. Closing the Hearing

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

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

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

Appendix 'A'

Options for determining applications

Determination of application for premises licence

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

Determination of application for variation of a premises licence

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

Determination of application for review of a premises licence

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

Appendix 'B'



CENTRAL BEDFORDSHIRE COUNCIL

DECISION NOTICE

LICENSING ACT 2003

DECISION OF THE LICENSING SUB – COMMITTEE

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

<u>Application for:</u>	
-------------------------	--

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

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

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

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

If appropriate:

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

<u>FINDINGS OF FACT</u>

The Sub-Committee made the following findings of fact:

<u>DECISION</u>
<u>The Sub-Committee have decided that the application should be:</u>
<input type="checkbox"/> <u>Granted (as set out in the application)</u>
<input type="checkbox"/> <u>Refused</u>
<input type="checkbox"/> <u>Amended to include the following conditions:</u>
1.
2.
<ul style="list-style-type: none"> • <u>The Sub- Committee considers the additional conditions necessary for the promotion of the licensing objectives.</u> • <u>All Licences are granted subject to the mandatory conditions imposed by the Licensing Act, 2003.</u> • <u>In coming to its decision, the Sub-Committee has taken into account:</u> <ul style="list-style-type: none"> ○ <u>The Licensing Act Section 18, which states that it must take such steps it considers necessary for the promotion of the licensing objectives;</u> ○ <u>The Secretary of State’s Guidance issued under section 182 of the Licensing Act 2003; and</u> ○ <u>Central Bedfordshire Council’s Licensing Policy</u> ○ <u>The merits of the application and the representations (including supporting information) presented by all parties.</u>

<u>REASONS FOR DECISION</u>
<u>The reasons for the Committee’s decision are as follows:</u>
<input type="checkbox"/> <u>Prevention of Crime and Disorder</u>
<input type="checkbox"/> <u>Public Safety</u>
<input type="checkbox"/> <u>Prevention of Public Nuisance</u>
<input type="checkbox"/> <u>Protection of Children from Harm</u>
<input type="checkbox"/> <u>General – all four licensing objectives</u>

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

1.	
2.	

Right of Review

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

Effect of Failing to Comply with Conditions (Explained to Applicant)

The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.

Right of Appeal

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

Signed:

[Name]

Chair of Licensing Sub-Committee

Date:

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: 28 October 2011
Subject: Application for Variation of a Premises Licence under The Licensing Act 2003 at The United Services Club, The Anchorage, 160 High Street South, Dunstable, 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 Co-Ordinator
Public/Exempt: Public
Wards Affected: Watling 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 Poppleston Allen on behalf of Mr Albert Bagshaw at The United Services Club, for variation of a premises licence (Appendix A) to cover the following:
 - To vary the hours for licensable activities Sunday to Thursday 09.00hrs to 00.00hrs and Fridays and Saturdays 09.00hrs to 01.00hrs.

To which 15 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 Sun 11.00hrs to 00.00hrs Non standard timings – St Georges Day until 01.00hrs, Christmas Eve until 02.00hrs.	Sun to Thur 09.00hrs to 00.00hrs Fri & Sat 09.00hrs to 01.00hrs Non standard timings – as existing plus an additional hour on the day when British Summertime commences.
Plays, indoor sporting events, live music, recorded music, dancing, facilities for making music & dancing	Mon to Sun 11.00hrs to 00.00hrs. Non standard timings – St Georges Day until 01.00hrs, Christmas Eve until 02.00hrs.	Sun to Thur 09.00hrs to 00.00hrs Fri & Sat 09.00hrs to 01.00hrs Non standard timings – as existing plus an additional hour on the day when British Summertime commences.
Hours of opening	Not stated	Not stated

3. The applicant has stated in the operating schedule that no further steps will be necessary to promote the licensing objectives and the existing measures will continue. See Appendix B.

Relevant history

3. The premises is a private members and guests Working Men’s Club, with 3 bars: a lounge, sports bar and main hall with dance floor and stage. There is a car park to the rear, and there are residential properties in the vicinity. A location map is attached at Appendix C.
3. The premises licence was granted on 24 August 2005.
4. There have been no recorded noise complaints against the premises since the licence was granted. Since the representations were made, 1 noise complaint has been received, which is being investigated by an Environmental Health Officer.

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 15 interested parties living in the vicinity of the premises; these are focused around noise issues and are attached at Appendix D. (Please note that 12 separate individually signed copies of the letter at Appendix D 1 were received)
11. Responsible authorities have made no representations concerning the application.

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

Appendices:

- Appendix A – Variation application
- Appendix B – Operating schedule
- Appendix C – Location map
- Appendix D - Representations

Location of papers: Watling House, High Street North, Dunstable

Central Bedfordshire Council
Application to vary a club premises certificate to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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.

The United Services Club

 (Insert name of club)
 club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below

Club premises certificate number 013445

Part 1 – Club premises details

Name of club The United Services Club			
Postal address of premises, if any, or if none ordnance survey map reference or description The Anchorage 160 High Street South Dunstable			
Post Town	Dunstable	Postcode	LU6 3HS
Telephone number (if any)	01582663204		
E-mail address (optional)			

Name of person performing duties of a secretary to the club Mr Albert Edward Bagshaw			
Address of person performing duties of a secretary to the club c/o The United Services Club The Anchorage 160 High Street South Dunstable			
Post Town	Dunstable	Postcode	LU6 3HS
Daytime contact telephone number (if any)	01582663204		

E-mail address (optional)	
---------------------------	--

Part 2 – Applicant details

Daytime contact telephone number (if any)			
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

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

If not when do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
 To vary the hours for licensable activities Sunday until Thursday 09:00 until 00:00 and on Fridays and Saturdays 09:00 until 01:00.

If the club's 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

Part 4 – Club Operating Schedule

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

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

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 entertainments (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)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box L)

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box L)

In all cases complete boxes M, 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)		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00		State any seasonal variations for performing plays (please read guidance note 4)	
Thur	09:00	00:00			
Fri	09:00	01:00		Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list (please read guidance note 5)	
Sat	09:00	01:00		No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.	
Sun	09:00	00:00			

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)		
Day	Start	Finish			
Mon	09:00	00:00			
Tue	09:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 4)		
Wed	09:00	00:00			
Thur	09:00	00:00	Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	00:00	No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur								
Fri						Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list (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)					
Mon	09:00	00:00						
Tue	09:00	00:00						
Wed	09:00	00:00				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	09:00	00:00						
Fri	09:00	01:00				Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00						
Sun	09:00	00:00						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded 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)		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	01:00	Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	00:00	No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.		

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	01:00	Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	00:00	No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.		

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

I

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of facilities for making music that the club will be providing</p>		
			<p>Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	09:00	00:00	<p>Please give further details here (please read guidance note 3)</p>		
Tue	09:00	00:00			
Wed	09:00	00:00	<p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p>		
Thur	09:00	00:00			
Fri	09:00	01:00	<p>Non-standard timings. Where the club intends to use the premises for the provision of facilities for making music at different times from those listed in the column on the left, please list (please read guidance note 5)</p>		
Sat	09:00	01:00	<p>No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.</p>		
Sun	09:00	00:00			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Please give a description of the type of facilities for dancing that the club will be providing		
Day	Start	Finish	Will the facilities for dancing be 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"/>
Mon	09:00	00:00	Please give further details here (please read guidance note 3)		
Tue	09:00	00:00			
Wed	09:00	00:00	State any seasonal variations for the provision of dancing facilities (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	01:00	Non-standard timings. Where the club intends to use the premises for the provision of dancing facilities at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	01:00			
Sun	09:00	00:00	No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.		

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

L

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:00	State any seasonal variations (please read guidance note 4)		
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5) No change except to include an additional hour to the standard and non standard times on the day when British Summertime commences.		
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	00:00			

M

Hours club premises are open to the members and guests Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)		
Day	Start	Finish			
Mon	NOT STATED				
Tue	NOT STATED				
Wed	NOT STATED				
Thur	NOT STATED		Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 5) NO CHANGE		
Fri	NOT STATED				
Sat	NOT STATED				
Sun	NOT STATED				

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)

Ladies night and Gentleman's night, however children are not allowed and entry is by ticket only with two doormen. One doorman on the front door and one doorman on concert room checking tickets without which admission is refused

Two amusements with prize machines. Both have appropriate signage to stop their use by minors.

O

Please identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

n/a

Please tick yes

- I have enclosed the club premises certificate
- I have enclosed the relevant part of the club premises certificate

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

Reasons why the club has failed to enclose the club premises certificate or relevant part of it
n/a

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)

We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the existing measures will continue.

b) The prevention of crime and disorder

Please see box a above

c) Public safety

Please see box a above

d) The prevention of public nuisance

Please see box a above

e) The protection of children from harm

Please see box a above

Please tick yes

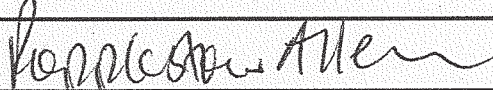
- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities
- I understand that I must now advertise my application
- I have enclosed the club premises certificate or relevant part of it or explanation
- I understand that if I do not comply 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)

I Poppleston Allen Solicitors
(Insert full name)

make this application on behalf of the club and have authority to bind the club

Signature	
Date	12 September 2011
Capacity	Poppleston Allen, for an on behalf of the applicant

Address for correspondence associated with this application (please read guidance note 11) Vicky Mead Poppleston Allen Solicitors - P15362/3 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349172		
If you would prefer us to correspond with you by e mail your e mail address (optional) v.mead@popall.co.uk			

COPY

Annex 1 - Mandatory conditions

EMBEDDED RESTRICTIONS UNDER THE LICENSING ACT 1964

Club premises

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means those shown in this licence.
The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

Annex 2 - Conditions consistent with the Club Operating Schedule

a) General - all four licensing objectives (b, c, d, e)

We have carefully considered the risks and benefits associated with extra hours and other variations applied for and do not believe that any additional measures are necessary to promote the licensing objectives.
We will continue to train our staff to a high standard.
The style and operation will not differ significantly during the extended hours.
The additional hours sought will of themselves promote the licensing objectives at stated in paragraph 3.29 of the Guidance in allowing customers to emerge from the premises at a more gradual rate.

b) The prevention of crime and disorder

The club entrance door would normally be locked; a committee member allows entry after checking membership card.
There is CCTV surveillance of the entry door by a static camera the monitor is available behind the bar.
There is a review of security regularly however the club is situated in an area where there is little or no crime.
The style and operation of the club will not differ significantly during extended hours.
We will continue to monitor the prevention of crime and disorder objective but do not believe that additional measures are necessary to promote the licensing objective.

c) Public safety

We have carried out a risk assessment.
We have an effective fire evacuation procedure.
Our staff are fully trained on all safety issues.
There is a regular review of the premises, any incidents are logged and reviewed by the safety committee on a monthly basis.
We have a trained first aider on site all the time.

d) The prevention of public nuisance

Suitable extraction facilities are installed to vent kitchen smells to atmosphere.

Litter bins are situated within the club. Notices specify that they should be used.

The Club constitution states that members must be quiet and conduct themselves properly at all times including when they are leaving the premises. We take our obligations under existing legislation seriously. However the nature and the operation will not alter significantly during the additional hours and no further measures are considered necessary to promote these licensing objectives.

e) The protection of children from harm

We provide adult entertainment. We require proof of age in appropriate cases. We take our obligations under existing legislation seriously. However the nature and the operation will not alter significantly during the additional hours and no further measures are considered necessary to promote this licensing objective.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 - Plans

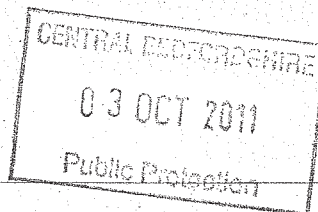
Attached



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The Cedars
Dunstable
LU6 3JB

The Licensing Department
The District Offices
Central Bedfordshire Council
High Street North
Dunstable
LU6 1LF



20th September 2011

Dear Sirs,

I have recently been made aware of the application for a variance to the licence for the United Services Club, with a view to extending their hours of operation.

Application for their hours of operation to be extended to allow opening until 24:00 on a Thursday evening and until 01:00 on a Friday and Saturday evening.

I would wish to contest this application as the change would have an adverse effect on my living conditions.

The Club during the summer have failed to operate with consideration to the resident of the Cedars Flats in that they have had loud music playing late at night as part of their licence including entertainment. The club has air conditioning installed but left their doors and windows open creating noise pollution.

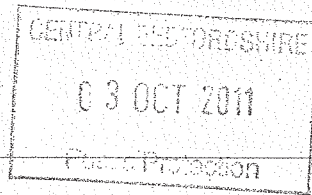
We would like to be considerate and good neighbours to all in our community and feel that it is only right that this consideration should be reciprocated, with the club this has not been the case.

The club car park is less than 6 metres from the windows at the rear of my flat. Allowing these variances to their hours would adversely affect my and neighbours living conditions as the rear bedroom would not be suitable for comfortable sleeping as the noise of their customers leaving the building, with parting conversations after an enjoyable night being regularly at higher level would mean we would have our sleep interrupted. I know that some of my neighbours have small children, who sleep in the rear bedroom and this would result in them having their sleep disturbed. We would also have to suffer the slamming of car doors again disturbing the sleep patterns and adversely affecting their development, schooling and futures.

These variances requested would affect the sleep pattern of anyone having school and work resulting in poor performance potentially and negative responses on reports and job prospects.

the Cedars, Dunstable, Dunstable, LU6 3JB

**The Licensing Department
 The District Office
 Central Bedfordshire
 High Street North
 Dunstable, LU6 1LF**



20th September 2011

Dear Sirs

I have recently been made aware of the application for an alteration to the license for the United Services Club to enable them to extend their hours. This would allow opening until midnight on Thursdays and until 1.00 a.m. on Friday and Saturday evenings.

I want to contest this application as the change would have an adverse effect on my living conditions and of course those of neighbours. During the summer the Club has failed in consideration to residents of the Cedars flats and those nearby. Their licence includes entertainment and, as a result, they have felt free to play loud music late at night. They have air conditioning but have left their doors and windows open. This is surely noise pollution. We would like to be considerate and good neighbours to all in our community at the Cedars but feel it is only right that this consideration should be reciprocated. This has not been the case with the Club.

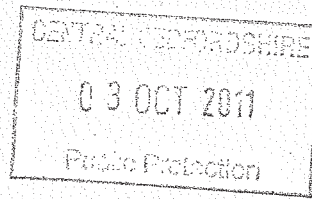
The Club car park is less than 6 metres from my bedroom windows, which I like to open at night. Allowing these variations to the Club's hours would adversely affect me and my neighbours' well-being. Rear bedrooms, such as mine, are particularly vulnerable to noise from the Club and it will be difficult to sleep if the hours are extended. Naturally, when people leave the building after an enjoyable evening they chat and call out to each other, often quite loudly and car doors are slammed. Even at 11.30 at night this can make sleep difficult, at midnight or 1.00 a.m. it will make for poor rest and tiredness the next day, especially for children. This is something I can ill afford myself as I am still getting over an operation, followed by radiotherapy, for cancer.

These alterations to hours requested by the Club would affect all the residents of the Cedars flats and other homes nearby resulting in poor performance potentially for workers and school children alike, and possibly in negative responses on school reports and work assessments. They could also lead to a poorer existence for both the very young and the elderly, as well as any who are sick.

Yours faithfully

The Cedars
Dunstable
LU6 3JB

The Licensing Department
The District Offices
Central Bedfordshire Council
High Street North
Dunstable
LU6 1LF



20th September 2011

Dear Sirs,

I have recently been made aware of the application for a variance to the licence for the United Services Club, with a view to extending their hours of operation.

Application for their hours of operation to be extended to allow opening until 24:00 on a Thursday evening and until 01:00 on a Friday and Saturday evening.

I would wish to contest this application as the change would have an adverse effect on my living conditions.

The Club during the summer have failed to operate with consideration to the resident of the Cedars Flats in that they have had loud music playing late at night as part of their licence including entertainment. The club has air conditioning installed but left their doors and windows open creating noise pollution and causing some of my neighbours to phone me late at night to complain about the noise and seeking my views.

We would like to be considerate and good neighbours to all in our community and feel that it is only right that this consideration should be reciprocated, with the club this has not been the case.

The club car park is less than 6 metres from the windows at the rear of the flats where the windows are located. Allowing these variances to their hours would adversely affect my and neighbours living conditions as the rear bedroom would not be suitable for comfortable sleeping due to the noise of their customers leaving the building, with parting conversations after an enjoyable night being regularly at higher level this would mean we would have our sleep interrupted. I know that some of my neighbours have small children, who sleep in the rear bedroom and this would result in them having their sleep disturbed. We would also have to suffer the slamming of car doors again disturbing the sleep patterns and adversely affecting their development, schooling and futures.

Thursday's variance request would affect the sleep pattern of anyone having school or work the following day, resulting in poor performance potentially and negative responses on reports and job prospects.

The Friday and Saturday variances would mean it would be even worse as the recovery most people seek at weekends would not be possible and the long term effects of sleep deprivation is well known as the results of its use in what our government consider as torture practices. To inflict this on people in their homes is unacceptable.

The fiscal benefits to be derived for the club and its members is understandable for their request, but this would also have adverse fiscal effects on the owners of the Cedars Flats both individually and as a residents company. The club previously sold the land on which the Cedars Flats is built for residential development, they were happy to take this money and must have realised then that being next to a residential development would have some restrictions on their practices into the future. Had they not taken the developers money then in all probability they would no longer be in existence to be applying for a variance to their licence.

Sent: 11 October 2011 17:48

To: Licensing Enquiries

Subject: Representation re application to extend opening hours of United Services Club

APPENDIX D
Agenda Item 6
Page 47

Dear Sir/Madam,

I am writing regarding the current application by the United Services Club of High Street South, Dunstable to extend it's opening hours to midnight on Thursdays and 1.00am on Fridays and Saturdays.

I am a neighbouring resident to the Club premises of 20+ years standing, owning a flat in the block to the rear of the Club premises, i.e. The Cedars, LU6 3JB.

I object to any extension of the Club's opening hours on the grounds of the additional nuisance and disturbance it would cause to my 13 year old daughter and myself. One of our two bedrooms faces the Club premises within a few metres of the carpark and we are already frequently disturbed by the Club's patrons outpouring at closing time with loud conversations (sometimes including arguments) and car doors banging, taxis hooting etc.

If this were to occur any later in the night it would impact even further on our ability to have a night's sleep, and adversely affect performance at both work and school.

We also both rise early on the weekends as well to attend Music School on a Saturday and Church on Sunday, so extended weekend opening hours would also be detrimental to us.

Despite having an air conditioning system, the Club frequently leaves its doors open in the summer so the noise from functions, often involving loud music is clearly heard within our property even with our double-glazed windows closed.

Any extension of operating hours for the Club would only add to the existing detriment of our living conditions caused by the United Services Club.

Furthermore, since the ban on smoking indoors our enjoyment of our communal garden is adversely affected by the Club's patrons smoking outside, with the smoke wafting onto our property and the accompanying conversations, not always containing polite language being overheard by children as well as adults. Any extension of the Club's opening hours would only exacerbate the distress caused to us by this factor as it would continue on even further into the night.

One of the consolations of having the United Services Club as our neighbour has always been that whatever has been going on it would be all over by midnight (or earlier during the week) - please do not destroy this by granting the request for extended hours.

Yours faithfully,

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