

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



please ask for Miss H Bell
direct line 0300 300 4040
date 25 July 2013

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Wednesday, 7 August 2013 at 10.45 a.m.

Venue at

The Council Chamber, Priory House, Shefford

Richard Carr
Chief Executive

To: Cllrs Mrs A Barker, C Gomm and K Janes.

[Named Substitutes: Cllrs R D Berry, D Bowater, I Dalgarno, Mrs M Mustoe,
R B Pepworth, A Shadbolt, I Shingler and N Warren.

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 declaration of interest.

4. **Licensing procedures**

(Attached)

5. **Licensing Objectives**

(Attached)

Report

Item	Subject	Page Nos.
6	Application for variation of Premises Licence for The Office, 6 Lake Street, Leighton Buzzard.	* 23 - 54



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**

CONTENTS

1. Introduction
2. General Principles

PRE-HEARING

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

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

HEARING PROCEDURE

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

POST HEARING

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

Licensing Sub-Committee Checklist
Appendix 'A'
Appendix 'B'

Introduction

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

2. General Principles

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

PRE-HEARING

3. Licensing Panels

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

4. Timescales for Convening a Hearing

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

5. Notice of Hearing

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

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

6. Persons to be Notified of a Hearing

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

7. Contents of Notice

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

8. Hearings to be open to the public

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

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

9. Failure to attend the hearing

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

10. Disruptive behaviour

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

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

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

HEARING PROCEDURE

12. Opening the Hearing

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

13. Licensing Officer's Report

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

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

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

15. Presentation of Case / Submissions from Parties

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

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

16. Modification or Withdrawal of Application or Representation

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

17. Closing Submissions

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

18. Legal Advice

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

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

19. Committee Decision in Relation to Procedure

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

20. Determination of the Application

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

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

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

20.4. Where the hearing is for:

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

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

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

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

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

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

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

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

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

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

POST HEARING

21. Record of Proceedings

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

22. Irregularities

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

23. Decision Notices

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

24. Appeals

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

25. Closing the Hearing

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

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

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

Appendix 'A'

Options for determining applications

Determination of application for premises licence

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

Determination of application for variation of a premises licence

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

Determination of application for review of a premises licence

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

Appendix 'B'



CENTRAL BEDFORDSHIRE COUNCIL

DECISION NOTICE

LICENSING ACT 2003

DECISION OF THE LICENSING SUB – COMMITTEE

<u>Date of Hearing</u>	
------------------------	--

<u>Applicant's Name:</u>	
<u>Premises Address:</u>	

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

<u>Reasons for Hearing:</u>	
-----------------------------	--

<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="radio"/> <u>The date of this decision</u> <input type="radio"/> <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="radio"/> <u>Granted (as set out in the application)</u>
<input checked="" type="checkbox"/> <u>Refused</u>
<input type="radio"/> <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 checked="" type="checkbox"/> <u>Prevention of Crime and Disorder</u>
<input type="radio"/> <u>Public Safety</u>
<input checked="" type="checkbox"/> <u>Prevention of Public Nuisance</u>
<input type="radio"/> <u>Protection of Children from Harm</u>
<input checked="" 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.**

This page is intentionally left blank

Meeting: Licensing Sub-Committee
Date: 7 August 2013
Subject: Application for Variation of a Premises Licence under The Licensing Act 2003 at The Office, 6 Lake Street, Leighton Buzzard, Beds
Report of: Head of Public Protection
Summary: The report provides information so that the Licensing Sub Committee can determine whether or not a variation to the premises licence, to which an objection has been received, should be granted.

Advising Officer: Marcel Coiffait, Director of Community Services
Contact Officer: Jo Borthwick, Service Manager Public Protection
Function of: Licensing Committee of a licensing authority
Public/Exempt: Public
Wards Affected: Leighton Buzzard South
Ward Councillors Cllr Berry, Cllr Bowater, Cllr Dodwell
Location The Office, 6 Lake Street, Leighton Buzzard
Applicant Nutball Ltd
Applicant's agent Stephen B Pickering, Licensing Agent
Reason for consideration by Sub-Committee The applicant wishes to extend their hours for existing licensable activities and the Council has received a representation from an "other person" (member of the public)
Recommended decisions: **The sub-committee determines 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.**
That, having regard to the application and relevant representations, the sub-committee takes such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.
That the sub-committee provides the reasons for its decision

CORPORATE IMPLICATIONS

Council Priorities:

- Promote health and wellbeing and protecting the vulnerable.

Financial:

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

Legal:

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

Risk Management:

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

Staffing (including Trades Unions):

6. Not Applicable.

Equalities/Human Rights:

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

Public Health

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

Community Safety:

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

Sustainability:

11. Not applicable.

Procurement:

12. Not applicable.

Location of the Premises

13. The premise is situated on a through route from the town bypass to the Market Square area and is close to other licensed premises in the same area. Other retail properties are situated in the same street. There is some residential property within the nearby surroundings, in particular there are some residential premises to the rear and above the premise. There are a number of public houses in the surrounding area with the nearest one being an adjoining property. An alleyway accessing the rear properties and public car park is situated to the opposing side of the premise

A copy of the location map is attached as Appendix A.

The Current Licence

14. The licence was first granted on 24th November 2005, since which time variations have been applied for and granted. A copy of the current licence is at Appendix B
15. There have been no recorded noise complaints regarding the premises since 2009.

Details of the present application

16. This is an application by Stephen Pickering, Licensing Agent on behalf of Nutball Ltd for variation of a premises licence at The Office, 6 Lake Street, Leighton Buzzard, Beds (Appendix C) to cover the following:
- Extension of hours for supply of alcohol on Thursday, Friday, Saturday & Sunday
 - Extension of opening hours on Thursday, Friday, Saturday & Sunday
 - Extension of hours for live & recorded music, dance and making music on Thursday, Friday, Saturday & Sunday

To which 1 other person has made representation.

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

Activity	Current provision	The application
Sale of alcohol	Mon to Thurs 11.00hrs to 02.00hrs Fri & Sat 11.00hrs to 04.00hrs Sun 12.00hrs to 02.00hrs	Mon to Wed 11.00hrs to 02.00hrs Thurs to Sun 11.00hrs to 05.00hrs
live and recorded music/dance	Mon to Thurs 11.00hrs to 02.00hrs Fri & Sat 11.00hrs to 03.45hrs. Sun 12.00hrs to 02.00hrs	Mon to Wed 11.00hrs to 02.00hrs Thurs to Sun 11.00hrs to 04.45hrs
Late night refreshment	Sun to Thurs 23.00hrs to 02.00hrs Fri & Sat 23.00hrs to 03.45hrs	No change
Hours open to the public	Mon to Thurs 11:00hrs to 02:30hrs Fri & Sat 11:00hrs to 04:30hrs Sunday 12.00hrs to 02.00hrs	Mon to Wed 11.00hrs to 02.30hrs Thurs to Sun 11.00hrs to 05.30hrs

Representations

18 Representations have been received from 1 other persons; these are focused around the likelihood of noise issues and are attached at Appendix D.

19. Responsible authorities have made no representations concerning the application

Responsible authority	Comment
Police	No representations
Fire	No representations
Public Protection (Pollution)	No representations
Public Protection (Health and Safety)	No representations
Planning	None
Child Protection	No representations
Public Health	None
Trading Standards	No representations

Application Guidance

20. Should the committee be minded to grant this application, the Police Licensing Officer has requested that the conditions at Appendix E be added to the licence.

21. 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.

22. 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

23. 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).

24. 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.

Options

25. **To grant the application**

26. **To refuse the application**

27. **To grant the application with conditions**

Appendices:

Appendix A – Location map

Appendix B – Current Licence

Appendix C – Variation application

Appendix D – Representation

Appendix E – Requested police conditions

Background Papers: (open to public inspection)

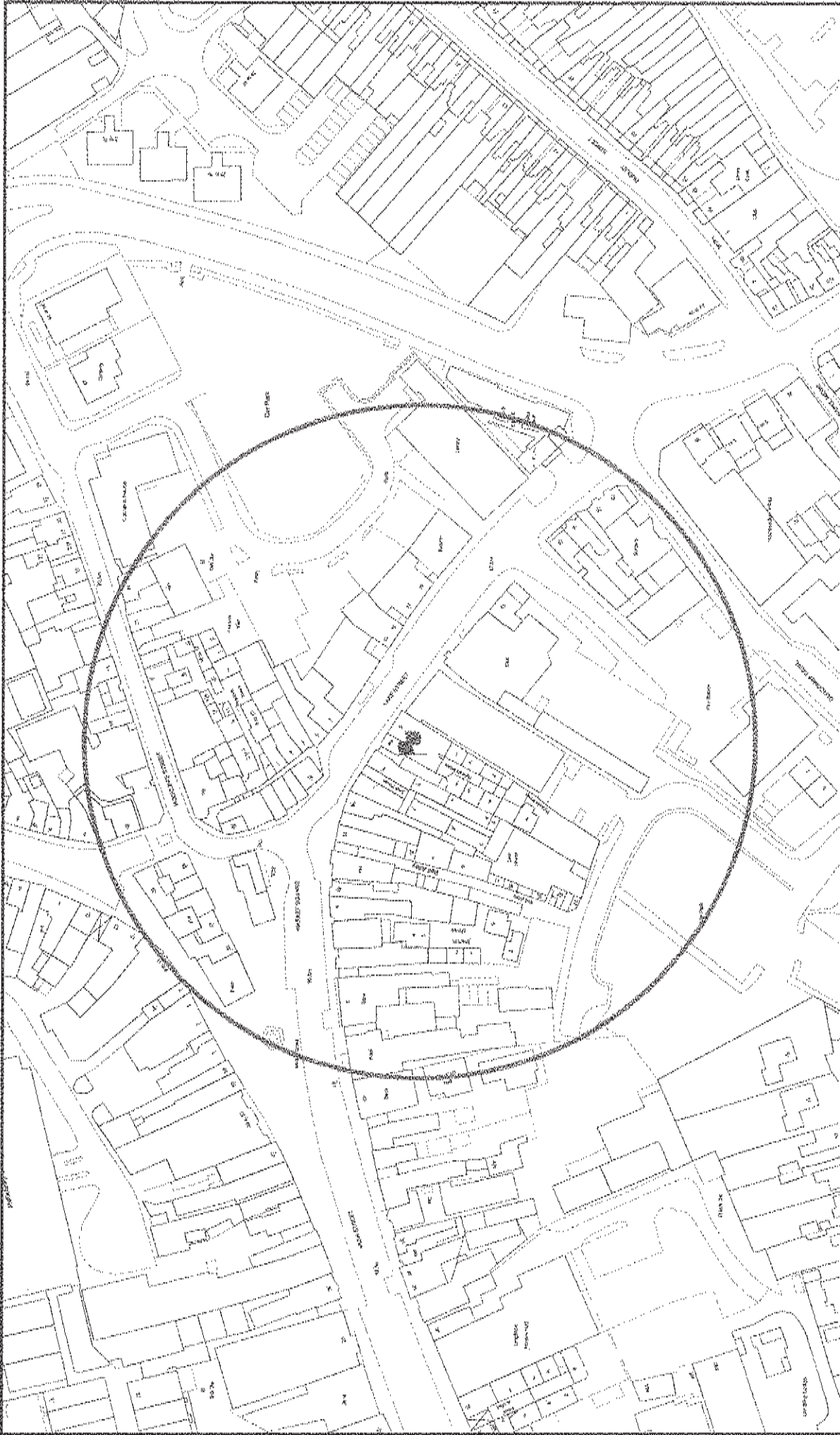
The Licensing Act 2003

Central Bedfordshire Council Licensing Policy

(on website)

This page is intentionally left blank

APPENDIX A

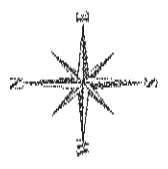


© Crown Copyright and Database right. 2013
Ordnance Survey 100049029.
Central Bedfordshire Council.
Cities Revealed aerial photography copyright
The GeoInformation Group, 2010

The Office
6 Lake Street, Leighton Buzzard, Bedfordshire, LU7 1RT

Date: 26 February 2013

Scale 1:1500



This page is intentionally left blank

APPENDIX B



THE LICENSING ACT 2003

CENTRAL BEDFORDSHIRE COUNCIL
PREMISES LICENCE
PART A

Premises licence number

013569

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description The Office 6 Lake Street	
Post town Leighton Buzzard	Post code LU7 8RT
Telephone number 01525 373373	

Where the licence is time limited the dates Not applicable
--

Licensable activities authorised by the licence Live music Recorded music Facilities for dancing Facilities for making music Late Night Refreshment Supply of alcohol
--

The times the licence authorises the carrying out of licensable activities

Live and recorded music – Indoors

Monday to Thursday 11.00hrs to 02.00hrs.

Friday and Saturday 11.00hrs to 03.45hrs

Sunday 12.00hrs to 02.00hrs.

Provision of facilities for dancing/making music - Indoors

Monday to Thursday 11.00hrs to 02.00hrs.

Friday and Saturday 11.00hrs to 03.45hrs

Sunday 12.00hrs to 02.00hrs.

Late night refreshment – Indoors

Sunday to Thursday 23.00hrs to 02.00hrs

Friday and Saturday 23.00hrs to 03.45hrs

Supply of alcohol – On and off the premises

Monday to Thursday 11.00hrs to 02.00hrs.

Friday and Saturday 11.00hrs to 04.00hrs

Sunday 12.00hrs to 02.00hrs.

The opening hours of the premises

Monday to Thursday 11.00hrs to 02.30hrs.

Friday and Saturday 11.00hrs to 04.30hrs

Sunday 12.00hrs to 02.30hrs.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and off the premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Nutball Ltd
16 Hand Court
London
WC1V 6JF

Registered number of holder, for example company number, charity number (where applicable)

06387838

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Graham Kelman
75 Churchill Road
Leighton Buzzard
Bedfordshire

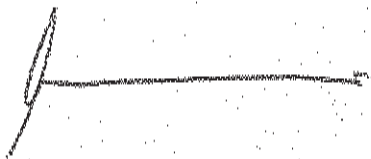
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

013573

Issued by South Beds District Council

This licence is effective from 3rd May 2013.

Dated the 7th May 2013.



Susan Childerhouse
Head of Public Protection

Annex 1 - Mandatory conditions

a) MANDATORY CONDITIONS WHERE A LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

1. No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

NEW MANDATORY CONDITIONS

1.
 1. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - a. games or other activities which require or encourage, or are designed to require or encourage individuals to -
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3.

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.

1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5.

The responsible person shall ensure that-

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- i) beer or cider: ½ pint
- ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- iii) still wine in a glass: 125ml; and

b) customers are made aware of the availability of these measures.

EMBEDDED RESTRICTIONS UNDER THE LICENSING ACT 1964

On-licences

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:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- b) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- d) the sale of alcohol to a trader or club for the purposes of the trade or club;
- e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- f) the taking of alcohol from the premises by a person residing there; or
- g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by

him at his own expense, or the consumption of alcohol by persons so supplied; or

- h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Off-licences and off-sales departments of on-licensed 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:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

MANDATORY CONDITION DOOR SUPERVISORS

Any individual required by condition at a premises to carry out security activity must be licensed by the Security Industry Authority.

CONDITIONS TRANSFERRED FROM PUBLIC ENTERTAINMENT LICENCE

Additional Conditions

D, FX, and GO

Special Conditions

- 1. 2 (two) doorstaff to be on duty on Thursdays, Fridays and Saturdays from 20.00hrs until 30 minutes after the terminal hour.
- 2. Implementation of the following management scheme for the safety and control of customers leaving the premises, and for the minimisation of noise and disturbance.
 - a) Arrangements to ensure patrons do not park inappropriately and leave quietly on exit:-
 - Notices to be displayed at entrance and exit points
 - DJ / Public address announcements requesting patrons leave in a quiet and orderly manner
 - b) Measure to prevent nuisance from congregations of people outside
 - Door supervisors / management to ensure minimal congregation of persons outside the premise.
 - Queuing in appropriate area / direction.

- Noisy behaviour such as shouting to be discouraged by premises staff / management
- c) Measures to reduce congregation / noise by persons exiting on mass
- Music / entertainment volume to be significantly reduced 15 minutes prior to closing so that patrons 'ears adjust'. It is strongly recommended that music with a reduced bass content be played at the end of an event.
 - Doormen to ensure patrons leave in quiet and orderly fashion, and that movement away from the premise is not delayed.
- d) Disciplinary and Behaviour Code to be implemented resulting in exclusion of persons who do not comply with items above.

Where door supervisor / management refuse entry and persons concerned do not move away from the premise, or continue to act in a disruptive / loud manner, or cause a nuisance the Police will be called.

- e) Restriction of taxis companies 'tooting' vehicle horns when collecting or dropping off patrons from outside or nearby the premises.

Provision of information to patrons on where taxi's can be found / how taxi's can be contacted.

- f) Measures to prevent noise nuisance from premise

- Regular Management patrols when premise open to ensure noise from premise inaudible at boundary of nearest residential properties and/or site boundary
 - Except for entry and exit all doors and windows to be kept closed during hours of opening to limit noise breakout from premise.
 - Noise limiter / cut out device to be fitted to entertainment / music system if required. This is to be set and maintained in tamper proof condition.
4. Residual current devices (RCD) must be installed to protect the power sockets used by entertainers. They should have a nominal tripping current of 30mA and preferably be located at the sub-circuit distribution board. They should always be readily accessible to allow restoration of supplies should the device trip. A single RCD incorporating the lighting system must not be installed in view of the hazard which may resort from all the lights going off at once. Consequently if necessary a number of RCD's may be fitted at the sub-circuit level. RCD's should be tested at least monthly by means of the test button and records kept similar to those of the emergency lighting system.
5. All emergency lighting systems shall be checked at least monthly to ensure that lights are functioning correctly. The results including any faults must be recorded.

Annex 2 – Conditions consistent with the operating schedule

a) General – all four licensing objectives

Good management

b) The prevention of crime and disorder

CCTV

Registered door supervisors

c) Public safety

First aid box and accident reporting procedure

d) The prevention of nuisance

Customers requested to leave the premises quietly

e) The protection of children from harm

A 'Challenge 25' Policy to be implemented.

The 'Challenge 25' posters / signage to be displayed at the points of sale, entry and exit and around the premises.

Subsequent 6 monthly refresher training to be carried out for all staff. This must be documented with all training records to be signed by staff and the deliverer of the training.

A documented refusals book or electronic log must be maintained. The log should be of all refusals. The book or log must be checked and signed weekly by the DPS or premises licence holder. The check should include making sure staff are using the system and identifying any issues or training needs through lack of entries.

The premises to implement a regular programme (at least quarterly) of independent internal test-purchases of entry and alcohol sales (using operatives over 18) for a period of 18 months from this condition being attached (Minimum 4 tests to be conducted in total). The tests are to identify staffs compliance with the 'Think 25' policy and maintain a high profile for age restricted sales within the premise. (This contract can be arranged with Trading Standards or other providers such as 'Serve Legal')

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

Not applicable

Annex 4 – Plans

Attached

APPENDIX C



CENTRAL BEDFORDSHIRE COUNCIL

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 NUTBALL LTD
(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	013569
-------------------------	--------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
OFFICE			
6 LAKE STREET			
Post town	LEIGHTON BUZZARD	Postcode	LU7 8RT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ BAND B

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	

Current postal address if different from premises address		18 HAND COURT HOLBORN	
Post town	LONDON	Postcode	WC1V 6JF

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

VARY HOURS OF SUPPLY OF ALCOHOL TO THURSDAY FRIDAY SATURDAY & SUNDAY 05.00 FINISH

VARY HOURS OF OPENING TO THURSDAY FRIDAY SATURDAY & SUNDAY 05.30 CLOSE

VARY LIVE & RECORDED MUSIC (INDOORS) & DANCING & MAKING MUSIC (INDOORS) TO THURSDAY FRIDAY SATURDAY & SUNDAY 11.00 START TO 04.45 FINISH

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.

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

* NO ENTRIES ON
PAGES 4 to 7

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					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur	11.00	04.45	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)		
Fri	11.00	04.45			
Sat	11.00	04.45			
Sun	11.00	04.45			

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					
Tue					
Wed					
Thur	11.00	04.45			
Fri	11.00	04.45			
Sat	11.00	04.45			
Sun	11.00	04.45			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
			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)		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both</u> – 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					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	11.00	04.45			
Fri	11.00	04.45	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	11.00	04.45			
Sun	11.00	04.45			

* NO ENTRIES ON PAGES
11 & 12

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (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	<u>State any seasonal variations for the supply of alcohol (please read guidance note 4)</u>					
Mon								
Tue								
Wed								
Thur	11.00	05.00				<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri	11.00	05.00						
Sat	11.00	05.00						
Sun	11.00	05.00						

K

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue			
Wed			
Thur	11.00	05.30	
Fri	11.00	05.30	
Sat	11.00	05.30	
Sun	11.00	05.30	

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 as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

M

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

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

TO CONTINUE TO OPERATE THE PREMISES IN A
LAWFUL AND RESPONSIBLE MANNER AND TO
FULFIL ALL FOUR LICENSING OBJECTIVES BELOW

b) The prevention of crime and disorder

TO CONTINUALLY CHECK INSPECT AND BE VIGILANT
TO ENSURE THAT THE BAR AREAS ARE NOT
BEING USED FOR ILLEGAL ACTIVITY
CCTV SYSTEM IS INSTALLED

c) Public safety

FIRE ALARM SYSTEM FIRE DOORS AND
EMERGENCY LIGHTING ARE INSTALLED

d) The prevention of public nuisance

CUSTOMERS LEAVING WILL BE TOLD TO LEAVE
QUIETLY AND TO AVOID CAUSING DISTURBANCE

e) The protection of children from harm

PERSONS UNDER 18 NOT SERVED ALCOHOL.
IDENTIFICATION WITH PHOTOGRAPH REQUIRED
WHERE THERE IS ANY DOUBT ABOUT AGE. CHILDREN
NOT ALLOWED AT THE BAR OR WITHIN 2 METRES
THEREOF ARE PREVENTED FROM USING AWP
MACHINES

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	<i>Stephen P. Pickering</i>
Date	14 th JUNE 2013
Capacity	LICENSING AGENT

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

Signature	
Date	
Capacity	

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

STEPHEN B PICKERING LICENSING AGENT 6 CROUTEL ROAD			
Post town	FELIXSTOWE	Post code	IP11 7EF
Telephone number (if any)			

This page is intentionally left blank

APPENDIX D

26th June 2013

Yours faithfully,
Public Protection Dept,
Central Bedfordshire Council,
Watling Street House,
High Street North,
Dunstable, Beds, LU6 1LF

Dear Sir/Madam,

Re:- Notice of application for a licence variation at The Office, Leighton Buzzard.

Further to our telephone conversation on Monday this week I wish to write to register my strong objections to the possible late opening and music at The Office in Lake Street Leighton Buzzard.

I live opposite The Office and ever since it has been open late I have been unable to sleep because of the loud music, the fights, the vandalism and unsociable behaviour outside my home.

Only last month my tenant under had five of his glass windows kicked in.

The music is so loud especially the base boom boom sleep is not possible and in the summer they open all windows and the front entrance so the noise is even worse.

The police are well aware of the many problems these premises give them and often wonder why it has not been closed down or at least reduce its opening hours and being made to have the place soundproofed to keep the noise inside.

The front of my premises is used all the time as a toilet and for some reason the street lighting in Exchange Alley in the front has not worked for over two or three years. (who is responsible for this? He or she should be sacked).

As I said on the phone please do not give away my name or address as the last time I objected I had a brick thrown through my window and verbal abuse shouted at me.

I have in the past talked to the then manager about the level of noise and he assured me that he would take care of this and make sure the windows were shut and the noise levels down but none of this happened and in fact that week it may have even been louder.

When I moved here well over 33 years ago there were no licensed premises opposite , the Office was a retail shop but I do well understand that retail is now very difficult with the high business rates and supermarkets selling just about everything but if there is change of use to alcohol why can they be permitted to make such a noise and at such a late hour?

Please submit this objection to the variation committee in July and once again please do not allow my name AND address to me shown or made public as your suggestion to me.

Thank you for considering this objection and thank you for your kind advice on the phone.

Yours faithfully,

APPENDIX E

REQUESTED CONDITIONS FROM
POLICE LICENSING OFFICER

With regard to CCTV at the premises :

- i) The CCTV system is to be operational at all times when licensed activities are being carried out. The system is to be adequately maintained and be capable of downloading recorded material onto removable media;
- ii) CCTV footage will be made secure and retained for a minimum of 31 days. CCTV footage to be supplied to the Police and authorised officers of the Central Bedfordshire Council upon request &
- iii) At all times when the premises is open to the public there will be a member of staff on duty who is conversant with the operation of the CCTV system and who is able to download immediately any footage as requested by the Police or an authorised officer from Central Bedfordshire Council.

With regard to SIA door staff –

Where the premises trade beyond midnight on Thursday, Friday, Saturday or Sunday, the minimum number of SIA registered door staff to be on duty on the premises from 2100 hrs until 30 minutes after the terminal hour for the sale of alcohol will be as follows –

2 on Thursday and Sunday &

3 on Friday and Saturday.

With regard to admission and readmission –

There will be no admission or readmission after 0400 hrs.

This page is intentionally left blank