

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

**This meeting  
may be filmed.\***



**Central  
Bedfordshire**

**please ask for** Leslie Manning  
**direct line** 0300 300 5132  
**date** 7 April 2015

## **NOTICE OF MEETING**

### **LICENSING SUB COMMITTEE**

Date & Time

**Wednesday, 22 April 2015 at 11.30 a.m.**

Venue at

**Committee Room 1, Watling House, High Street North,  
Dunstable**

Richard Carr  
**Chief Executive**

To: The Members of the LICENSING SUB COMMITTEE:

Clrs R D Berry, D Bowater and K Janes

[Named Substitutes:

Clrs P N Aldis, Mrs A Barker, Mrs B Coleman, I Dalgarno, A L Dodwell,  
Mrs M Mustoe, 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**

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## AGENDA

1. **Election of Chairman**

To elect a Chairman for the meeting.

2. **Welcome and Introductions**

3. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

4. **Members' Interests**

To receive from Members any declarations of interest.

5. **Procedure for the Hearing of Applications under the Licensing Act 2003**

To note the procedure for hearing applications under the Licensing Act 2003 (copy attached).

6. **The Four Licensing Objectives**

To note the four Licensing Objectives (copy attached).

7. **Determining Applications**

To note chapter 9 of the revised guidance (dated October 2014) issued under Section 182 of the Licensing Act 2003 which provides advice relating to determining an application for a new premises licence (copy attached).

### Report

Item	Subject	Page Nos.
8.	<b>Application for the Grant of a Premises Licence under the Licensing Act 2003 at Unique, 25-27 High Street North, Dunstable, Beds, LU6 1HX</b>	* 37 - 76

To determine an application for a new premises licence for Unique, 25-27 High Street North, Dunstable, made under the Licensing Act 2003, to which representations have been received.

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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>	
------------------------	--

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

<u>Application for:</u>	
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<u>Reasons for Hearing:</u>	
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<u>Members of the Licensing Sub-Committee:</u>	
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<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>	
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*If appropriate:*

<b><u>COMMENCEMENT DATE</u></b>
<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>

**FINDINGS OF FACT**  
The Sub-Committee made the following findings of fact:

**DECISION**  
The Sub-Committee have decided that the application should be:

Granted (as set out in the application)

Refused

Amended to include the following conditions:

1.

2.

- The Sub- Committee considers the additional conditions necessary for the promotion of the licensing objectives.
- All Licences are granted subject to the mandatory conditions imposed by the Licensing Act, 2003.
- In coming to its decision, the Sub-Committee has taken into account:
  - The Licensing Act Section 18, which states that it must take such steps it considers necessary for the promotion of the licensing objectives;
  - The Secretary of State’s Guidance issued under section 182 of the Licensing Act 2003; and
  - Central Bedfordshire Council’s Licensing Policy
  - The merits of the application and the representations (including supporting information) presented by all parties.

**REASONS FOR DECISION**  
The reasons for the Committee’s decision are as follows:

Prevention of Crime and Disorder

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

General – all four licensing objectives

<b><u>Irrelevant Representations</u></b>	
<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.	

<b><u>Right of Review</u></b>
<u>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.</u>

<b><u>Effect of Failing to Comply with Conditions (Explained to Applicant)</u></b>
<u>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.</u>

<b><u>Right of Appeal</u></b>
<u>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.</u>

Signed: \_\_\_\_\_  
                   [Name]  
                   Chair of Licensing Sub-Committee

Date: \_\_\_\_\_

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## **The Four Licensing Objectives**

**To promote the following 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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## 9. Determining applications

### General

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

### Where no representations are made

- 9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who should replicate the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions

### Where representations are made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

### Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation

from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

## **The role of responsible authorities**

- 9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. Whilst all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

## **Representations from the police**

- 9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>4</sup>. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regard to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

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<sup>4</sup> Elections for Police and Crime Commissioners (PCCs) in all police force areas in England and Wales (except in London, where the Mayor of London has taken on the powers of a PCC in relation to the Metropolitan Police) took place on 15th November 2012. PCCs are expected to have a central role working in partnership with local authorities, enforcement bodies and other local partners to decide on what action is needed to tackle alcohol-related crime and disorder in their areas. However, the Chief Officer of Police will remain the named responsible authority under the 2003 Act.

## Licensing authorities acting as responsible authorities

- 9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.
- 9.14 Licensing authorities are not expected to act as responsible authorities on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the licensing authority in their own right, and it is reasonable for the licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and the licensing authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as responsible authority.
- 9.15 It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.
- 9.16 The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention; they may do so where they consider it appropriate without having to wait for representations from other responsible authorities. For example, the licensing authority may (in a case where it has applied a cumulative impact policy) consider that granting a new licence application will add to the cumulative impact of licensed premises in its area and therefore decide to make representations to that effect, without waiting for any other person to do so.

- 9.17 In cases where a licensing authority is also acting as responsible authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority.
- 9.18 In these cases, licensing authorities should allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) must be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the licensing authority. For example, discussion should not take place between the officer acting as responsible authority and the officer handling the licence application regarding the merits of the case. Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, must be made in writing. It is for the licensing authority to determine how the separate roles are divided to ensure an appropriate separation of responsibilities. This approach may not be appropriate for all licensing authorities and many authorities may already have processes in place to effectively achieve the same outcome.
- 9.19 Smaller licensing authorities, where such a separation of responsibilities is more difficult, may wish to involve officials from outside the licensing department to ensure a separation of responsibilities. However, these officials should still be officials employed by the authority.

## **Health bodies acting as responsible authorities**

- 9.20 Where a local authority's Director of Public Health in England (DPH)<sup>5</sup> or Local Health Board (LHB) (in Wales) exercises its functions as a responsible authority, it should have sufficient knowledge of the licensing policy and health issues to ensure it is able to fulfil

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<sup>5</sup> This change was made as a result of the commencement of measures in the Health and Social Care Act 2012 which amended the 2003 Act and further provision in the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

those functions. If the authority wishes to make representations, the DPH or LHB will need to decide how best to gather and coordinate evidence from other bodies which exercise health functions in the area, such as emergency departments and ambulance services.

- 9.21 Health bodies may hold information which other responsible authorities do not, but which would assist a licensing authority in exercising its functions. This information may be used by the health body to make representations in its own right or to support representations by other responsible authorities, such as the police. Such representations can potentially be made on the grounds of all four licensing objectives. Perhaps the most obvious example is where drunkenness leads to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information will often be relevant to the public safety and crime and disorder objectives.
- 9.22 However, health bodies are encouraged to make representations in respect of any of the four licensing objectives without necessarily seeking views from other responsible authorities where they have appropriate evidence to do so. There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological well being.
- 9.23 Evidence relating to under 18s alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol, could potentially have implications for both the protection of children from harm and the crime and disorder objectives. Health bodies can provide evidence to lead or support representations in relation to this objective. In relation to proxy purchases, data collected by health bodies could be used to inform other responsible authorities, including the police and licensing authorities, about a prevalence of proxy purchasing in a particular area. For example, the police could use this data to tackle instances of 'shoulder tapping' (where under 18s approach adults to buy alcohol on their behalf) and to suggest measures which retailers might be able to take to ensure, as far as possible, that they are not knowingly selling alcohol to an adult who is buying on behalf of a person aged under 18. Although less obvious, health bodies may also have a role to play in the prevention of public nuisance where its effect is prejudicial to health and where they hold relevant data.
- 9.24 DPHs and LHBs will need to consider how to collect anonymised information about incidents that relate to specific premises or premises in a particular area (for example, a cumulative impact zone). Many areas have already developed procedures for local

information sharing to tackle violence, which could provide useful evidence to support representations. The College of Emergency Medicine has issued guidelines for information sharing to reduce community violence which recommends that data about assault victims should be collected upon admission to emergency departments, including the date, time and location of the assault – i.e. the name of the pub, club or street where the incident occurred. Sometimes, it may be possible to link ambulance callouts or attendances at emergency departments to irresponsible practices at specific premises, such as serving alcohol to people who are intoxicated or targeting promotions involving unlimited or unspecified quantities of alcohol at particular groups.

### **Disclosure of personal details of persons making representations**

- 9.25 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.
- 9.26 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.
- 9.27 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.
- 9.28 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.
- 9.29 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

## Hearings

- 9.30 Regulations governing hearings may be found on the [www.legislation.gov.uk](http://www.legislation.gov.uk) website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, the applicant and all of the persons who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.
- 9.31 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. If the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences.
- 9.32 Regulations made under the 2003 Act require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 9.33 Applicants should be encouraged to contact responsible authorities before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.34 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer representing other responsible authorities may be a



licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.

- 9.35 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.
- 9.36 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.37 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - its own statement of licensing policy.
- 9.38 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.
- 9.39 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

- 9.40 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

- 9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.43 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

## **Considering cases where licensing and planning applications are made simultaneously**

- 9.44 Where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

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**Meeting:** Licensing Sub-Committee  
**Date:** 22 April 2015  
**Subject:** Application for the grant of a Premises Licence under The Licensing Act 2003 at Unique, 25-27 High Street North, Dunstable, Beds, LU6 1HX  
**Report of:** Head of Public Protection  
**Summary:** The report provides information on which the Sub-Committee may base its determination of a premises licence application.

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**Advising Officer:** Marcel Coiffait, Director of Community Services  
**Contact Officer:** Margaret James, Principal Public Protection Officer (Licensing)  
**Function of:** Licensing Committee of a licensing authority  
**Public/Exempt:** Public  
**Wards Affected:** Dunstable Central  
**Ward Councillors** Cllr Carole Hegley  
**Location** Unique, 25-27 High Street, Dunstable  
**Applicant** Mr James Costin  
**Applicant's agent** N/A  
**Reason for consideration by Sub-Committee** There have been four representation against the licensing application – 1 from the Police Licensing Officer, 1 from Mr Edd Clayson, Director of Honeylove Entertainments Limited (operator of Club Cookies, Dunstable), 1 from the residents of Eleanors Court, Dunstable and 1 from a Central Bedfordshire Council Environmental Health Officer  
**Recommended decisions:** **The sub-committee determines the application in accordance with the Statutory Guidance issued under 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 steps mentioned below as it considered necessary for the promotion of the licensing objectives.**  
**That the sub-committee provides the reasons for its decision**

## CORPORATE IMPLICATIONS

### **Council Priorities:**

Determination of this matter meets a particular Council priority as follows:

- 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 has a risk of 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 premises are located on a main road in the town centre. It consists of two floors, with two bars for consumption of alcohol inside the premises only.
14. A copy of the licence application is attached at Appendix A.

**Details of the present application**

15. This is an application for the grant for a premises licence by Unique Food & Bars Ltd

**Representations**

16. Mr Costin responded to the conditions suggested by the Police Licensing Officer. See Appendix C
17. Two “other persons” have made representations. See Appendix D and E
18. Two Responsible Authorities have made representations concerning the application

<b>Responsible authority</b>	<b>Comment</b>
Police	See Appendix B
Fire	None
Environmental Health	See Appendix F
Health & Safety	None
Planning	None
Child Protection	None
Public Health	None
Trading Standards	None

### **Application 1 Guidance**

19. In accordance with the provisions of the Licensing Act 2003 and the Council's scheme of delegation, all applications with relevant representations must be determined by a sub-committee

20. When determining the application, Members should only consider issues, which relate to the licensing objectives, which in this case are:

The Prevention of Crime & Disorder/Public Safety/The prevention of public nuisance

21. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. (Sections 7.1; 7.2 and 7.3 refer to the relevant licensing objectives).

22. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the representations and shall only determine the application having had an opportunity to consider all relevant facts.

### **Options**

Option A: Grant the premises licence

Option B: Grant the premises licence with conditions (may include restrictions on licensable activities/hours)

Option C: Reject the application

### **Appendices:**

Appendix A – Application for the premises licence

Appendix B – Representation from the Police Licensing Officer

Appendix C – Mr Costin's response to the Police Licensing Officer

Appendix D – Representation from Mr Edd Clayton

Appendix E – Representation from Eleanors Court residents

Appendix F – Representation from Environmental Health Officer

### **Background Papers:** (open to public inspection)

The Licensing Act 2003

Central Bedfordshire Council

(on website)



Central Bedfordshire Council

Appendix A

26 FEB 2015

Public Protection



**CENTRAL BEDFORDSHIRE COUNCIL**

**Application for a premises licence to be granted  
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 James Costin  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Unique Food & Bars LTD. 25-27 High Street Dunstable <del>LU6 1HX</del>			
Post town	Bedfordshire	Postcode	LU6 1HX
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 28500.00	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)

- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname <b>COSTIN</b>			First names <b>James</b>	
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes
Current postal address if different from premises address				
Post town			Postcode	

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	03	2015

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
+	+	+

Please give a general description of the premises (please read guidance note 1)

2 STOREY BUILDING, 2 MAIN PUBLIC AREAS.  
2 AREAS FOR CONSUMPTION OF ALCOHOL INSIDE ONLY.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	10am	02.30			
Tue	10am	02.30	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed	10am	02.30			
Thur	10am	03.30	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	10am	06.30			
Sat	10am	06.30			
Sun	12pm	02.30			

C

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



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10am	02.00	<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10am	02.00			
Wed	10am	02.00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	10am	03.00			
Fri	10am	06.00	<b>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</b> (please read guidance note 5)		
Sat	10am	06.00			
Sun	12pm	02.00			

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10am	02.00	Please give further details here (please read guidance note 3) DJ'S and or media Devices .	Both	<input type="checkbox"/>
Tue	10am	02.00			
Wed	10am	02.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	10am	03.00			
Fri	10am	06.00	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)		
Sat	10am	06.00			
Sun	12pm	02.00			

**G**

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

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing  <i>Karaoke</i> <i>Quiz</i> <i>Private functions</i> <i>Private hire</i>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	<i>10am</i>	<i>02.00</i>		Outdoors	<input type="checkbox"/>
Tue	<i>10am</i>	<i>02.00</i>	<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Wed	<i>10am</i>	<i>02.00</i>			
Thur	<i>10am</i>	<i>03.00</i>			
Fri	<i>10am</i>	<i>06.00</i>	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Sat	<i>10am</i>	<i>06.00</i>	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun	<i>12pm</i>	<i>02.00</i>			

I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	10am	02.00						
Tue	10am	02.00						
Wed	10am	02.00						
Thur	10am	05.00 <del>06.00</del>				<b>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</b> (please read guidance note 5)		
Fri	10am	06.00						
Sat	10am	06.00						
Sun	12pm	02.00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	James Cashin
Address	UNIQUE FOOD & BAR LTD 25-27 High Street Dunstable
Postcode	L11 1HX
Personal licence number (if known)	019850
Issuing licensing authority (if known)	Central Bedfordshire

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	10am	02.30	<p><u>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</u> (please read guidance note 5)</p> <p>NEW YEARS EVE.</p>
Tue	10am	02.30	
Wed	10am	02.30	
Thur	10am	03.30	
Fri	10am	06.30	
Sat	10am	06.30	
Sun	10am	02.30	



**M** Describe the steps you intend to take to promote the four licensing objectives:

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

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

CCTV throughout premises, 23 cameras high definition  
Recording 24 HRS A DAY, Recording stored for minimum  
of 30 days. Pub Watch member / chairman  
Team of SIA Registered Door Supervisors on Front  
Door & Key Points throughout venue.

**c) Public safety**

AS ABOVE PLUS Attended Toilets, Regular checks by  
Door Staff & managers. Appropriately Trained Staff

**d) The prevention of public nuisance**

AS ABOVE PLUS, Sound PROOF DOORS, monitored &  
Closed as much as possible.  
Crowd control by Door Supervisors & Managers

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

1st Plus Policy on front Door, Challenged 25 on Door.  
 Suitable ID Required for entry  
 Any children are supervised by parent.  
 Bar staff trained appropriately, will challenge ID if in doubt.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	26.2.2015
Capacity	General manager, DPS.

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
<i>AS PREVIOUSLY GIVEN</i>			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Return to Licensing Team, Central Bedfordshire Council, Watling House, High Street North, Dunstable, LU6 1LF

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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Appendix B

**From:** NEE, Emma 8518 [<mailto:> [REDACTED]]  
**Sent:** 10 March 2015 12:37  
**To:** Licensing Enquiries  
**Subject:** Unique

Good Morning James,

Bedfordshire Police have received an application for a premises licence for Unique Food & Bars Limited, 25-27 High Street, Dunstable, Bedfordshire, LU6 1HX. Detailed below are the conditions which Bedfordshire Police propose are appended to the licence.

#### CCTV CONDITIONS

Ensure that CCTV at the premises is installed and maintained in an efficient working order  
Any area of the premises to which the public have access(except toilets) must be covered by CCTV and shall operate at all times when the premises are open to the Public.  
The quality and standard of recorded images must meet the requirements of the Police and Local Authority, to enable positive identification of individuals  
Recorded images shall be retained by the venue for a period of no less than 31 days.  
Recorded images shall be supplied to the Police, Fire Service and Licensing Authority upon reasonable request in a format so it can be played back on a standard personal computer or standard DVD player.(e.g. Memory stick/CD/DVD)  
Authorised staff shall be trained in the operation and usage of the CCTV system including the viewing and downloading of images in order that they can be made available to the Police or an authorised officer of a responsible authority upon reasonable request.

#### DOOR SUPERVISORS

The Frequency, number, location and times that door supervisors will be deployed at the venue will be discussed and agreed with Bedfordshire Police Licensing Officer. The Agreement will be in a written format and the venue, Police and local Authority will retain copies. The venue will only operate in accordance with this agreement and the frequency, number and times of Door supervisors cannot be reduced without written authorisation from Bedfordshire Police.  
The wearing of High visibility jackets by door supervisors will be undertaken by all door supervisors whilst on duty from 21:00hrs on any given day of the week and regardless of where they are deployed within the venue to assist in the identification of Door Supervisors.  
No patrons shall be admitted or re-admitted to the premises after 21:00hrs on any given day of the week unless they have been scanned by a search wand and, if the search wand is activated, the patron will then be physically searched which will include a 'pat down search' and a full bag search by an SIA trained member of staff.  
The licensees/ Door Supervisors will ensure there is an effective systems for monitoring capacity(such as by the accurate, consistent and effective use of clickers).  
The Door supervisors shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by Door staff so as to ensure that there is no public or obstruction to the public highway.  
The designated queuing area shall be enclosed within appropriate barriers to ensure that the foot path is kept clear.

#### CRIME PREVENTION.

The premises participate in the collective banning of individuals from participating venues of Dunstable Pubwatch scheme and regularly collect photographs to enable identification of individuals subject to the scheme.  
The venue will ensure that the Nite-Net radio system is used during the hours of Dunstable Safe and other weekday evenings to receive information from other licensed premises, CCTV operators and

Bedfordshire Police and to transmit details of those who are disruptive/ejected from the licensed premises and to maintain contact with CCTV and Bedfordshire Police.

There shall be no admittance or re-admittance by the public to the venue after 02:00hrs on any given day of the week where alcohol/regulated entertainment is permitted beyond 00:00hrs.

In order to discourage the potential for Crime and Disorder and personal harm to patrons, the Designated Premises Supervisor shall ensure that the price of intoxicating liquor sold at the premises does not encourage excessive consumption of alcohol.

A4 size printed drugs notices to be positioned in prominent positions within the venue. These notice will have wording similar to

“ ANY PERSON FOUND USING OR IN POSSESSION OF ANY DRUGS WILL BE BANNED FROM THE PREMISES AND REPORTED TO THE POLICE”

A4 size printed notice shall be displayed in prominent positions within the venue to provide up to date information on late night options for patrons.

#### REGISTERS/LOGBOOKS.

An incident log shall be maintained and kept at the premises, and made available on request to an authorised officer of Bedfordshire Police, Luton Fire and Rescue Service, Central Bedfordshire Council which will record the following:

- (a) All Crimes which occur within the venue
- (b) All ejections of patrons
- (c) Any incidents of disorder
- (d) Seizures of drugs or offensive weapons

A refusals log/electronic till record shall be kept detailing all refused sales of age related products including alcohol. The Log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by an authorised officer of Bedfordshire Police, Luton Fire and Rescue Service and Central Bedfordshire Council at all times whilst the premises are open.

Where Door Supervisors are employed/engaged at the premises, a register of Door Supervisors engaged/employed at the premises shall be kept at the premises for a period of 12 months. The register shall be in diary format with pages consecutively numbered and be produced for inspection by Police, Fire and rescue Service or the Licensing Authority on request, and shall include the date, name and SIA registration number, start/finish time for each door supervisor on duty at the premises.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and licence conditions and the measures necessary for compliance with those conditions. A record should be made of the training provided and this record shall be made available to an authorised officer of Bedfordshire Police, Fire and Rescue Service and Central Bedfordshire Council.

#### DRINKS/GLASSES.

No drinks shall be consumed at the front of the premises from any open vessels on any given day of the week

That the premises prohibits the use of annealed glass, where toughened glassware is available.

#### PROOF OF AGE SCHEME.

In relation to the sale of alcohol the premises will adopt a Challenge 25 Policy whereby at the entrance or as soon as possible after the person enters the premises, any person who appears to be 25 years of age or under will be asked to provide identification to prove that they are in fact over 18. The only acceptable forms of identification are a passport, a photo style driving licence or a PASS logo ID card.

Signage/posters will be displayed in prominent positions throughout the venue re challenge 25 Policy.

MISC

Designate staff to check the premises and the immediate vicinity and clear away all undesirable objects such as, amongst other things, glass and vomit.

There shall be no sales of alcohol for consumption off the premises.

A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.

An attendant shall be on duty in the cloakrooms male and female, during the whole time that it is in use.

Any Special Events or Promoters wishing to hold events at the venue must with the Designated Premises Supervisor provide Bedfordshire Police with a Risk Assessment 28 Days before the event is due to take place.

**Bedfordshire Police however object to the**

**Supply of Alcohol for Friday and Saturday 10:00 till 06:00hrs Bedfordshire Police would accept 10:00am till 03:30hrs**

**Hours premises are open to the Public for Friday and Saturday 10:00 till 06:30hrs – Bedfordshire would accept 10:00 till 04:00hrs**

**Should these Conditions and timings be acceptable by you, please reply back to this email and confirm this is the case**

Regards

Emma Nee  
Licensing Officer(Mid County)  
Greyfriars Police Station  
Greyfriars  
Bedford  
MK40 1HR



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Appendix C

**From:** Jamie Costin [<mailto:> ██████████]  
**Sent:** 23 March 2015 09:42  
**To:** NEE, Emma 8518  
**Cc:** ██████████  
**Subject:** Re: Unique

Morning Emma.

I can agree to the majority of conditions in your email.  
I do believe we already meet and in some cases exceed these requirements.  
I cannot however accept the following.

Admittance/ readmittance.

This timing is not practical for the operation of a nightclub where patrons may only feel they wish to come after thier night has finished at a pub or similar.

As they majority of the pubs in the area are open until 3 or 4 am I feel that this will limit the options open to the public.

I feel that this need not be any concern regarding the licencing objectives as we will and certainly already do, monitor the condition and suitability of our patrons regarding intoxication and behaviour.

Our current policy is 30 mins before the sales of alcohol ceases. Provided of course they meet requirements for licence objectives.

General opening times and time for sale and consumption of alcohol.

I cannot accept these restrictions whatsoever.

For much the same reasons as above.

We currently have a 24 hour licence and feel that we are being more than co-oprative by asking for just 6am on friday and Saturday. Much less than we currently have permission for. Again we feel confident that we will and to date have very much complied with licencing objectives. Our proposed times will have no detrimental effect on our continued compliance.

Whilst my staff and I are fully committed to licensing objectives and the peacefull and harmonious relationship we currently enjoy with Police, licencing authority, residents and neighbours. We do still have a duty to maintain and at all times improve the success and effectiveness of the club.

Many thanks  
Jamie.

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Date: 16<sup>th</sup> March 2015

[licensing@centralbedfordshire.gov.uk](mailto:licensing@centralbedfordshire.gov.uk)

Dear Sirs

**OBJECTION TO PREMISES LICENCE APPLICATION  
UNIQUE, 25-27 HIGH STREET, DUNSTABLE**

Honeylove Entertainments Limited is the operator of licensed premises known as Club Cookies trading at Unit 3, Grove Park, Dunstable, LU5 4GP. On behalf of Honeylove, I would like to make a representation to the above Premises Licence application.

The premises has applied for a licence and to remain open until 02.30 Sunday to Wednesday, 03.30 on a Thursday and 06.30 on a Friday and Saturday (alcohol sales 03.00, 05.00 and 06.00 respectively). The Operating Schedule refers to CCTV, SIA door supervisors (numbers undefined), toilet checks and other measures to promote the licensing objectives.

I believe that granting the Premises Licence for the hours applied for will undermine the licensing objectives, particularly those relating to prevention of crime and disorder and the prevention of public nuisance.

The reason for the representation is that:-

• [REDACTED]

- The premises is offering drinks offers such as: First 25 customers receive a free bottle of bubbly, 70p selected drinks including Brandy, Vodka, Rum, Amaretto, WKD's, pints of John Smiths, Old Mount Cider, Fosters Gold, other offers include 7 bullet shots for £5. Also if their social media promotions are shared online, this qualifies for an additional free drink (see images attached). Whilst these offers do not necessarily breach the mandatory conditions, it is known that these offers have led to intoxicated patrons of Unique causing public nuisance in the vicinity of the premises. Patrons leaving Unique then arrive at Club Cookies in a high level of intoxication and have to be refused entry on the door.
- Selling alcohol until 06.00 on Friday and Saturday nights is likely to lead to intoxicated patrons dispersing through the town centre when there is limited police presence and increased pressure on police resources. This is also likely to lead to crime and disorder, particularly as the number of door supervisors to be employed is not specified on the licence application.

- The venue does not have a "last entry" policy. Patrons are able to attend the venue at any time and will be served alcohol. Many of the patrons that we turn away or ask to leave for being too intoxicated, are then allowed entry to Unique.
- The premises does not have a well managed/secure smoking area and is right next to the A5 main road. In the past, this has led to serious injuries with patrons being run over. The lack of door supervisor numbers specified in the application means that the premises will attempt to trade with insufficient door supervisors to provide adequate supervision inside and outside the premises.
- Patrons dispersing from the venue between 3-6am are likely to cause a public nuisance to residents of Albion Street and Eleanor's Cross and the local businesses around it.
- The High Street in Dunstable is a crime "hot spot" see article links below:

<http://www.lutontoday.co.uk/news/local/two-men-attacked-by-gang-in-dunstable-1-1037711>

<http://www.lutontoday.co.uk/news/local/three-men-held-after-fight-outside-dunstable-bar-1-1037643>

<http://www.luton-dunstable.co.uk/Crime-linked-bars/story-21698268-detail/story.html>

These are incidents from the same venue trading under a different name. It is worth pointing out that the venue, whether it be under a different trading name, is known for violence and disorder. The new management team is inexperienced.

I would like the opportunity to expand on these concerns at a licensing hearing when the Council considers the licence application.

Yours faithfully



Edd Clayson – Director of Honeylove Entertainments Limited (operator of Club Cookies, Dunstable)

 5 March at 21:00–03:00

5 March at 21:00 to 6 March at 03:00

 Unique Dunstable

25-27 high street north, Lu6 1hx Dunstable

[Show Map](#)

Tonight we launch our new look Thursday nights!!  
£3 entry all night selected drinks 70p till 12am & only £1 after  
but wait there's more the first 25 customers will receive a free bottle of  
Bubbly.

V.I.P Tables available call 01582 671743

Dj Limit on the decks playing what you want to hear

promotion drinks include:-

Brandy, Vodka, dark rum, white rum, spiced rum, coconut rum, bourbon,  
bourbon honey, amaretto, selected wk'd's, selected j20, pints of john smiths,  
old mout cider, Fosters gold and many more

other drink offers through the night include

Jaegerbombs 2 for £6 or 4 for £10

Messybombs £1.50

3 Sambucca's or Tequila's £5

selected bottles 2 for £5

Bulmers 2 for £6

Desperado's & corona 2 for £6

open 9pm till 3am

get in early and make the most of a great night out.



**Tom Fleming**

5 March at 17:47

Just added 7 bullet shots for only £5 this night just gets better

Like · Comment · Share

 Kelly Windsor likes this.



**Kelly Reid** No gets messy lol

5 March at 17:52 · Like



**Sam Fitzjohn** Can't wait to come!! Once baby is here xx

5 March at 19:43 · Like ·  1



Unique Dunstable

3 March at 14:30 · 🌐

STOP PRESS!! selected drinks 70p & £1 this and every Thursday @ Unique 9pm till 3am

£3 entry

Dj Limit on the decks

BUT WAIT THERE'S MORE!!

Be one of the first 25 customers and receive a free bottle of Bubbly

Share this status and get a free complementary drink (snap shot proof required)

We look forward to seeing you this Thursday



Like · Comment · Share · 👍 1 ➡ 3

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Appendix E

Dear Pat,

Yes the residents wish to make a formal objection to the license being granted.

**Kind Regards**

**Sarah Sygrove**  
**Estate Manager**  
**Eleanors Court 0564/HOC 5130**

**From:** Licensing Enquiries [<mailto:Licensing.Section@centralbedfordshire.gov.uk>]  
**Sent:** 26 March 2015 11:34  
**To:** Sygrove Sarah  
**Subject:** RE: License Disagreement  
**Importance:** High

Dear Sarah

Do you wish this to be taken as a formal objection to the application.

If so I will need to copy it to the applicant, and invite you to a hearing of the licensing committee.

Could you please let me know today as this is the last day for representations to be received.

Regards

Pat Davies

Pat Davies MIOL MCM1  
Licensing Co-Ordinator  
Public Protection

**Central Bedfordshire Council** Watling House, High Street North, Dunstable, Bedfordshire, LU6 1LF  
Direct Dial: 0300 300 4172 | Internal: 74172 | Email: [patricia.davies@centralbedfordshire.gov.uk](mailto:patricia.davies@centralbedfordshire.gov.uk)  
Central Bedfordshire - A great place to live and work – [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk)

**From:** Sygrove Sarah  
**Sent:** 26 March 2015 11:28  
**To:** Licensing Enquiries  
**Subject:** License Disagreement

Good Morning,

My name is Sarah and I am the estate manager for Eleanors Court in Dunstable. We have received a letter informing us that 25-27 High Street North trading under the name Unique has applied for a late license till 6am.

Appendix E

All the residents of Eleanors Court, Which backs onto Unique, are over the age of 60 and as you can imagine were quite anxious about a 6am license being given out. There is already trouble at weekends as it stands were police cars and vans are outside at 3am on a Friday or Saturday night, the rubbish and litter being chucked into our garden, the noise of people leaving the clubs in the area. Therefore the residents of Eleanors Court have many concerns if this license was to be granted. The safety of local residents who go out at 6-6:30am in the morning for the local paper, will they feel safe to do so if there are drunk people leaving the club at the same time, the answer from the residents here was no.

We are very concerned regarding the noise level as many residents are awoken by noise already of a weekend due to clubs and they feel it is unfair that they now have to be kept awake until 6am. We have encountered many times people disgracing themselves in our car parks by having sex, throwing up or urinating as it's a secluded area, we are forever picking up beer cans, bottles, litter on a weekend too.

The residents of Eleanors Court disagree with a 6am license being issued under the principles of "prevention of crime and disorder" "public safety" and "prevention of public nuisance"

I hope to hear from you soon with a decision that has been made so that I can make the residents aware of the outcome.

**Kind Regards**

**Sarah Sygrove  
Estate Manager  
Eleanors Court 0564/HOC 5130**

**CENTRAL BEDFORDSHIRE LICENSING AUTHORITY**  
**Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority:** PUBLIC PROTECTION

<b>Your Name</b>	Alan Stone
<b>Job Title</b>	Environmental Health Officer
<b>Postal and e:mail address</b>	Priory House, Monks Walk, Chicksands, Shefford, Beds SG17 5TQ alan.stone@centralbedfordshire.gov.uk
<b>Contact telephone number</b>	0300 300 4388

<b>Name of the premises you are making a representation about</b>	Unique
<b>Address of the premises you are making a representation about</b>	25-27 High Street North, Dunstable LU6 1HX

<b><i>Which of the four licensing objectives does your representation relate to?</i></b>	<b><i>Yes Or No</i></b>	<b><i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i></b>
<b>To prevent crime and disorder</b>	No	
<b>Public Safety</b>	No	
<b>To prevent public nuisance</b>	Yes	To protect nearby residents from undue disturbance due to noise from the premises including events (live and recorded music) and patrons leaving the premises.
<b>To protect children from harm</b>	No	

<p><b>Suggested conditions/restrictions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub-Committee to take into account. Please use separate sheets where necessary and refer to checklist</b></p>	<p>Whilst the indication is that the requested hours for Sundays to Thursdays should not cause undue problems as they are similar to those on the previous license, I do have concerns over the hours for Fridays and Saturdays.</p> <p>There are increasingly more residential units being occupied in the town centre and so I believe that the application to serve alcohol on Fridays and Saturdays to 6.00am and people to leave on Fridays and Saturdays by 6.30am are too permissive for this location.</p> <p>In line with the majority of premises in this vicinity, I would suggest hours as per those set out by the police licensing authority i.e. to serve alcohol until 3.30am and for people to vacate the premises by 4.00am.</p> <p>In addition to this restriction on hours, I would also recommend that the following conditions be placed on the premises license to minimise noise and disturbance (i.e. prevention of public nuisance) to nearby residents.</p> <ol style="list-style-type: none"> <li>1. Ingress and egress notwithstanding, all external doors and windows to the premises are to be kept closed during regulated entertainment.</li> <li>2. Prominent, clear and legible notices are to be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and area quietly.</li> <li>3. No amplified music or speech shall be audible at the nearest residential boundary.</li> <li>4. The use of any areas external to the premises for the consumption of alcohol, other refreshment or food must cease by 23:00 Monday to Saturday and 22:30 on Sunday.</li> <li>5. All external doors are to be fitted with automatic door closers.</li> <li>6. The placing of bottles into receptacles external to the premises must not take place between 19:00 and 09:00 hours.</li> </ol>
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Signed: Alan Stone

Date: 25<sup>th</sup> March 2015