

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 23 March 2017

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Friday, 31 March 2017 at 10.00 a.m.

Venue at

**The Warrenfield Room, The Rufus Centre, Steppingley
Road, Flitwick, MK45 1AH**

Richard Carr
Chief Executive

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

CLrs Mrs A Barker, K M Collins and T Nicols

[Named Substitutes:

CLrs J Chatterley, I Dalgarno, Mrs A L Dodwell, K Janes, I Shingler, P Smith,
T Swain, N Warren and R D Wenham]

All other Members of the Council - on request

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

***Please note that phones and other equipment may be used to film, audio record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming.**

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AGENDA

1. **Election of Chairman**

To elect a Chairman for the hearing.

2. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **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).

5. **The Four Licensing Objectives**

To note the four Licensing Objectives (copy attached).

6. **Determining Applications**

To note chapter 9 of the revised guidance (dated March 2015) 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. |
|-------------|---|------------------|
| 7. | Application for a Premises Licence under The Licensing Act 2003 at The Four Horsemen, 7 High Street, Sandy, Beds, SG19 1AG | * 33 - 96 |

To consider objections by the Council's Environmental Health Officer, Sandy Town Council and local residents to an application for the grant of a Premises Licence at The Four Horsemen, 7 High Street, Sandy, Bedfordshire, SG19 1AG.

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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

Central Bedfordshire Council

Priory House, Monks Walk
Chicksands, Shefford, Beds
SG17 5TQ

Telephone 0300 300 8000

Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

**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

| | |
|-----------------|--|
| Date of Hearing | |
|-----------------|--|

| | |
|-------------------|--|
| Applicant's Name: | |
| Premises Address: | |

| | |
|------------------|--|
| Application for: | |
|------------------|--|

| | |
|----------------------|--|
| Reasons for Hearing: | |
|----------------------|--|

| | |
|---|--|
| Members of the Licensing Sub-Committee: | |
|---|--|

| | |
|---|--|
| Applicant: | |
| Person(s) Appearing on Behalf of the Applicant: | |

| | |
|---|--|
| Objector(s): | |
| Person(s) Appearing on Behalf of Objector(s): | |

| | |
|------------------------|--|
| Other Persons Present: | |
|------------------------|--|

If appropriate:

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

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

| <u>Irrelevant Representations</u> | |
|--|--|
| The Sub-Committee determined that the following representations were irrelevant: Not applicable. | |
| <u>Representation</u> | <u>Reason Representation was Considered Irrelevant</u> |
| 1. | |
| 2. | |

| <u>Right of Review</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>Effect of Failing to Comply with Conditions (Explained to Applicant)</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>Right of Appeal</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. |

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 or where representations are made and subsequently withdrawn. 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. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed.

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. While 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 area⁵. 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.

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.

⁵ 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.

- 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)⁶ 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 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

⁶ 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.

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 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. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.
- 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. While 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.

Meeting: Licensing Sub-Committee
Date: 31 March 2017
Subject: Application for a Premises Licence under The Licensing Act 2003 at The Four Horsemen, 7 High Street, Sandy, Beds, SG19 1AG
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.

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: Sandy
Ward Councillors Cllr Caroline Maudlin, Cllr Peter Smith, Cllr Tracey Stock
Location The Four Horsemen, 7 High Street, Sandy, Beds SG19 1AG
Applicant Mr Liam Brittany
Applicant's agent N/A
Reason for consideration by Sub-Committee There have been several representations against the licensing application. These were from the Environmental Health Officer, Sandy Town Council and local residents.
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.

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 is located on the ground floor on a main road in the town centre.

Details of the present application

14. This is an application for a premises licence by Mr Liam Brittany of The Four Horsemen Ltd. A copy of the application is attached at Appendix A.

Representations

15. Representations have been received from local residents as well as Sandy Town Council. See Appendix B.

16. A representation has also been received from the Environmental Health Officer. See Appendix C.

17. No other responsible authorities have made representations

| Responsible authority | Comment |
|------------------------------|--------------------|
| Police | None |
| Fire | No representations |
| Environmental Health | See appendix C |
| Health & Safety | None |
| Planning | None |
| Child Protection | No representations |
| Public Health | None |
| Trading Standards | No representations |

18. In response to the objections, the applicant provided an email with details of the intended premises use and addressing some of the issues raised by the objectors. See Appendix D. Copies of the email were sent to the objectors, who declined to withdraw their objections. See Appendix E.

19. Applicant submitted photographs showing the type of atmosphere he would like to create. See Appendix F.

20. Further agreement has been reached between the applicant and the Environmental Health Officer, see Appendix G, which has also led to the

applicant requesting that the hours of opening and for licensable activities have been reduced to finish at 23.00hrs. A noise management plan is attached at Appendix H and the applicant's decision to withdraw from applying for live music is at Appendix I.

21. Members may wish to note that since The Live Music Act 2012 and deregulation under The Deregulation Act 2015:

- a) No licence permission is required for a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- b) No licence permission is required for a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- c) No licence permission is required for any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

Application Guidance

22. 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

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

Public Safety & The Prevention of Public Nuisance

24. 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 7.2 and 7.3 refer to the relevant licensing objectives).

25. 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 licence as sought

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

Option C: Reject the application

Appendices:

Appendix A – Application

Appendix B – Representations from interested parties

Appendix C – Representation from Environmental Health Officer (EHO)

Appendix D – Applicant email

Appendix E – Emails from objectors

Appendix F – Photographs from applicant

Appendix G - Email agreement between applicant and EHO

Appendix H – Noise Management Plan

Appendix I – Applicant email no 2

Background Papers: (open to public inspection)

The Licensing Act 2003

The Live Music Act 2012

The Deregulation Act 2015

Central Bedfordshire Council Licensing Policy
(on website)

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Central Bedfordshire Council

10 FEB 2017

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 LIAM BRITTANY (THE FOUR HORSEMEN PUBS LIMITED)
(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 | | | |
| 07, HIGH STREET | | | |
| Post town | SANDY | Postcode | SG19 1AG |
| Telephone number at premises (if any) | N/A | | |
| Non-domestic rateable value of premises | £ 7300.00 | | |

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

| | |
|---|--|
| Daytime contact telephone number | |
| E-mail address (optional) | |

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) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | | <input type="checkbox"/> Please tick yes |
| Current postal address if different from premises address | | | | | |
| Post town | | Postcode | | | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

(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 | LIAM BRITTANY |
| Address |  |
| Registered number (where applicable) | 10593561 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) | THE FOUL HORSEMEN PUBS LIMITED |
| 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 | 04 | 2017 |

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)

CURRENTLY A VACANT "A1" PREMISES WE WISH TO TURN INTO AN "A4" MICRO PUB. THE BUILDING HAS 2 MAIN ROOMS, 1 TOILET, 1 KITCHEN AND 1 CELLAR. THE LARGER STREET FACING ROOM WILL CONTAIN THE BAR AND ALSO BE THE MAIN AREA FOR CUSTOMERS. STOCK WILL BE HELD IN THE KITCHEN AND CELLAR.

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

| |
|-----|
| N/A |
|-----|

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) (NO)

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

B

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

C

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

D

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

E

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | Both | | |
| Mon | | | Please give further details here (please read guidance note 3) THIS WILL NOT NOT BE A REGULAR OCCORANCE AND LIKELY TO ONLY BE A FEW HOURS BUT MAY ON SOME OCCASIONS BE THESE LONGER HOURS. | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 4) POSSIBLY ADDITIONAL DAY DURING CHRISTMAS + NEW YEAR. | | |
| Thur | | | | | |
| Fri | 1200 | 2300 | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 1200 | 2300 | | | |
| Sun | 1200 | 2300 | | | |

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 | 0900 | 0000 | Please give further details here (please read guidance note 3) MUSIC PLAYED OVER A SPEAKER SYSTEM (AMPLIFIED) (STANDARD) | Both | <input type="checkbox"/> |
| Tue | 0900 | 0000 | | | |
| Wed | 0900 | 0000 | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| Thur | 0900 | 0000 | | | |
| Fri | 0900 | 0000 | 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 | 0900 | 0000 | | | |
| Sun | 0900 | 0000 | | | |
| | | | | | |

G

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

H

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

I

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

J

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 7) | On the premises | <input checked="" type="checkbox"/> |
|---|-------|--------|---|------------------|-------------------------------------|
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 1200 | 0000 | | | |
| Tue | 1200 | 0000 | | | |
| Wed | 1200 | 0000 | | | |
| Thur | 1200 | 0000 | | | |
| Fri | 1200 | 0000 | | | |
| Sat | 1200 | 0000 | | | |
| Sun | 1200 | 0000 | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |

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

| | |
|--|---|
| Name | LIAM BRITTANY |
| Address |  |
| Postcode |  |
| Personal licence number (if known) | |
| Issuing licensing authority (if known) | |

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).

No.

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 | 0900 | 0000 | <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> |
| Tue | 0900 | 0000 | |
| Wed | 0900 | 0000 | |
| Thur | 0900 | 0000 | |
| Fri | 0900 | 0000 | |
| Sat | 0900 | 0000 | |
| Sun | 0900 | 0000 | |
| | | | |

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)

WE WILL CREATE A PEACEFUL ENVIRONMENT THAT UPHOLDS ALL OF THE BELOW LICENSING OBJECTIVES, THESE WILL BE ENFORCED BY HAVING A ZERO TOLERANCE TO ANY BREAKAGES OF SAID LICENSING OBJECTIVES.

b) The prevention of crime and disorder

ENFORCEMENT OF THINK 25 SCHEME
SEEK OUT PUBWATCH IN THE AREA
NO MONEY LEFT ON SITE (WITH SIGNAGE INDICATING THAT)
SUPPLY OF ALCOHOLIC BEVERAGES DENIED TO INTOXICATED PATRONS, SOFT DRINK ALTERNATIVES SUPPLIED.

c) Public safety

ONCE CAPACITY IS MET NEW CUSTOMERS DENIED ENTRY.
LIAISE WITH FIRE INSPECTOR TO TAKE ALL APPROPRIATE MEASURES TO COMPLY WITH STATUTORY FIRE SAFETY CONTROLS.
TO PREVENT OVERHEATING INWARD OPENING DOOR AND FANS TO PROVIDE VENTILATION.

d) The prevention of public nuisance

KEEP AN INCIDENT BOOK FOR A LOG OF ANTI SOCIAL BEHAVIOUR.
MULTI CAMERA CCTV SYSTEM (24 HOURS) WITH SIGNS.
TO PREVENT SOUND POLLUTION, WINDOWS AND DOORS REMAIN SHUT DURING REGULATED ENTERTAINMENT.
NOTICES TO REMIND PATRONS TO BE RESPECTFUL OF LOCAL RESIDENT WHEN LEAVING THE PREMISES.
ALL RUBBISH AND REFUSE WILL BE KEPT AT REAR OF PREMISES AWAY FROM CUSTOMERS (DUSPOSED)

9e) The protection of children from harm

THINK 25 ENFORCED
NO MINORS ADMITTED AGE 1900
NO MINORS AT THE BAR AT ANY TIME
NOTICES EXPLAINING ABOVE RULES.
KEEP A REFUSAL BOOK

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 | 06/02/17 |
| Capacity | |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

Responsible Authorities

| | |
|---|--|
| Police Licensing Officer Luton Police Station Buxton Road Luton LU1 1SD | Fire Safety Officer Bedfordshire and Luton Fire and Rescue Service Southfield Road Kempston Bedford MK42 7NR |
| Environmental Health - Pollution Control | Environmental Health - Health & Safety |
| Public Protection Central Bedfordshire Council Priory House Monks Walk Chicksands SG17 5TQ | Public Protection Central Bedfordshire Council Priory House Monks Walk Chicksands, SG17 5TQ |
| Child Protection | Planning |
| Child Protection Head of Professional Standards Watling House (DB2R) High Street North, Dunstable, Beds. LU6 1LF | Planning Authority Central Bedfordshire Council Priory House Monks Walk Chicksands SG17 5TQ |
| Trading Standards | Health |
| Central Bedfordshire Council Public Protection – Trading Standards Priory House Monks Walk Chicksands SG17 5TQ | Sarah Pacey, Public Health Co-Ordinator Public Health Unit 3, Doolittle Mill Froghall Road Amphill Beds MK45 2NX |
| Licensing Authority | |
| Public Protection Central Bedfordshire Council Watling House High Street North Dunstable SG17 5TQ | |

[name of applicant] LIAM BRITTANY

concerning the supply of alcohol at

[name and address of premises to which application relates] 07 HIGH STREET
SANDY BED
BEDFORDSHIRE
SG19 1AG

I also confirm that I am _____
applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any] COURSE BOOKED. EXAM FEB 27 17

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any] COURSE BOOKED. EXAM FEB 27/17

Signed



Name (please print)

LIAM BRITTANY

Date

04/02/17



Introduction into the concept of Micro pubs

As time passes more and more Great British public houses close their doors for the final time. Burdened by the demands of large breweries such as Green King and Charles Wells, the British Pub as we know it is slowly dying out. The buildings soon to be replaced by perhaps housing, or offices.

In 2005, a gentleman by the name of Martyn Hillier, opened the doors of his establishment to the public, and thus the micropub was born. His simple idea was soon replicated all across the UK.

To date there are now more than 250 micropubs spread around the UK, all holding onto that idea Martyn Hillier established. With a selection of real ales on sale, that can be priced lower per pint, due to not being tied to the previously mentioned breweries. They are known as "Free Houses", and are free to choose any kind of ale, stout or porter from suppliers as they see fit.

This is truth is all possible due to the 2003 licensing act, which permits the change of use from shop to a public house, and does not allow your friendly regional brewer to challenge the granting of a new license.

Micropubs are a relatively new concept and are fast becoming accepted into towns and villages. This is more prominent in areas that have had there once thriving communal pub closed, leaving them with little facility's to meet up and chat etc.

The model for a micropub is:

Small size = Low-cost and maximum use of space.

The majority of the micropubs have been set up in old, small shop premises in order to re-use a building that would otherwise lose money for the owner, whether it's council or privately owned. All micropubs strive for a welcoming, low key atmosphere, where patrons can come and have a quiet beverage and chat.

Beers from local micro-breweries = A wide range of ales and ciders, providing an interesting choice which cannot usually be matched by a neighbouring public house

Reasonable prices = An obvious bonus to our patrons, this can be maintained because of low overheads.



Supporting Information

Business Overview

The Four Horsemen Micropub (as far as we are aware) will be the first micropub to be opened within an 8-mile radius around Sandy. The business owners are myself, my two brothers and close family friend; Luke Brittany, Liam Brittany, Daniel Brittany, and James Hailey. The premises where we have chosen to develop our micropub is the shop that used to be called Austins at 7 High Street, Sandy. It is our aim to be able to put something back into the community, to provide a service to both businesses and the people living in the local areas.

Word soon gets around about a good place, a micropub that has a friendly atmosphere providing high quality, unique products, coupled with excellent customer services and value for money. By providing all the above, our goal is to encourage residence of the neighbouring towns to come to Sandy, which will in turn provide custom to other businesses in the local area. With the local train station walking distance away from the establishment we feel this is achievable. We will create an atmosphere that allows patrons to escape from the hustle and bustle, and have a quiet drink and good conversation.

The Four Horsemen Micropub will be keen to use the services of businesses close by and vice versa. The nature of our products and how we sell them will not cause other local shops to lose any business, quite the opposite we hope. We will strive to create strong links with other local business and work with them to bring in more business for everyone.

Whilst cask ale beer will be the primary product we intend to sell through the business, it will not be the only drink we offer to customers. Bottled beers and larger, wine, cider and soft drinks will be available. Tea and coffee will be also available. Our vision is to see customers popping in on a Sunday afternoon for a warm or cold beverage and good company. Or read the paper or a book peacefully after looking around the local shops.

Our opening and licensing hours are listed below in our Operating Schedule.

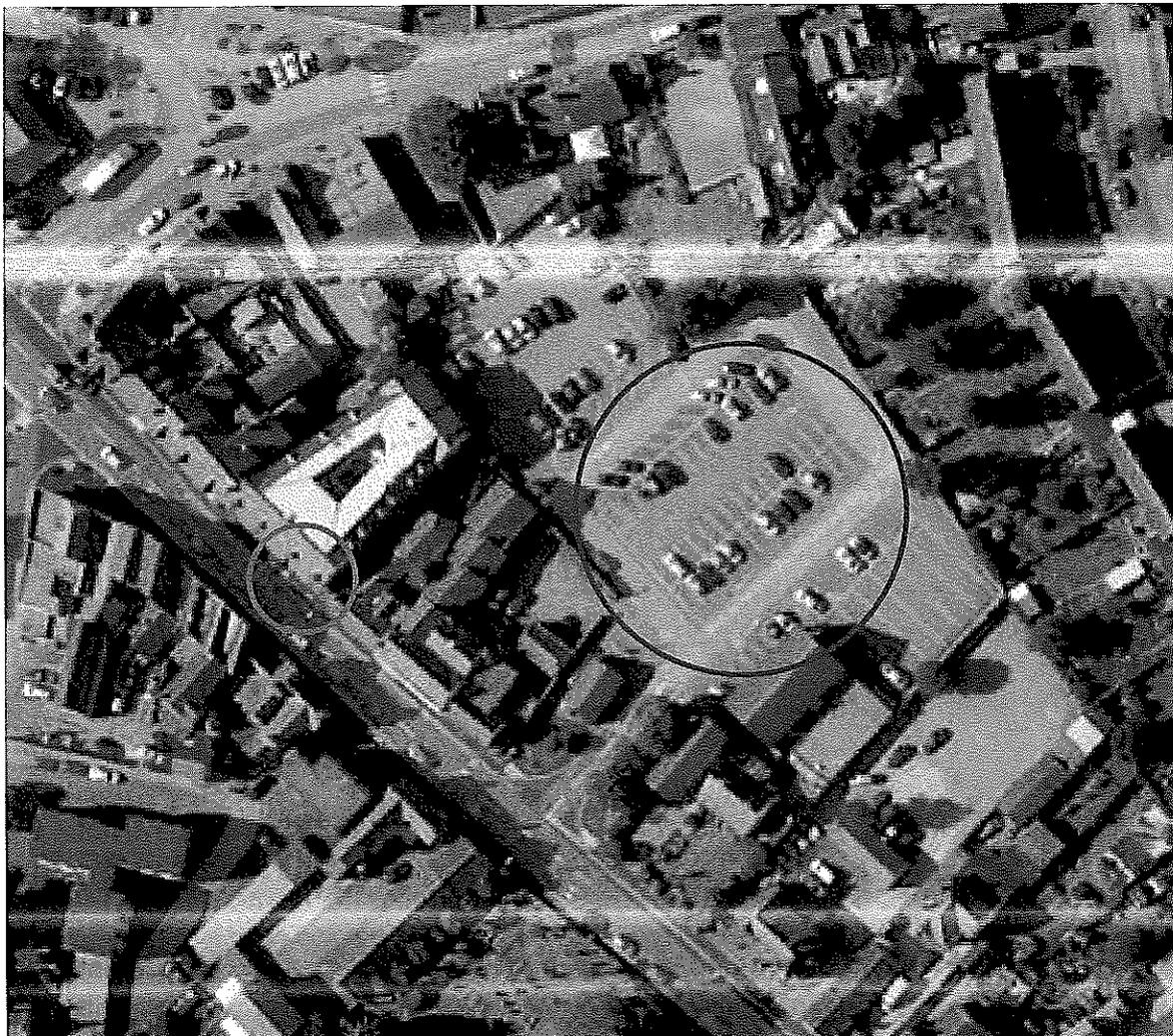
We appreciate that when the business is in operation we become responsible for how it is conducted. The health and safety of our customers whilst on the premises is a high priority as this will ensure all customers visiting The Four Horsemen Micropub will enjoy a good time in a safe and calm environment.



Customer Parking

We will discourage drink driving, but feel it is necessary to point out to customers a safe and practical area in which to park their cars should they choose to drive.

There is a local carpark in walking distance from the premises, shown in the picture below:



The Four Horsemen Micropub

Local Car Park



Aims and Objectives

In order to achieve success in our new business venture we have carefully considered the points listed below.

- Promote responsible drinking.
- Meeting place for clubs and associations.
- Promote challenge 25 scheme.
- Join Pubwatch Scheme
- Liaise with community police
- Links with local businesses to generate more trade
- Respecting our neighbours
- Advertising
- Signage
- CCTV for safety and security

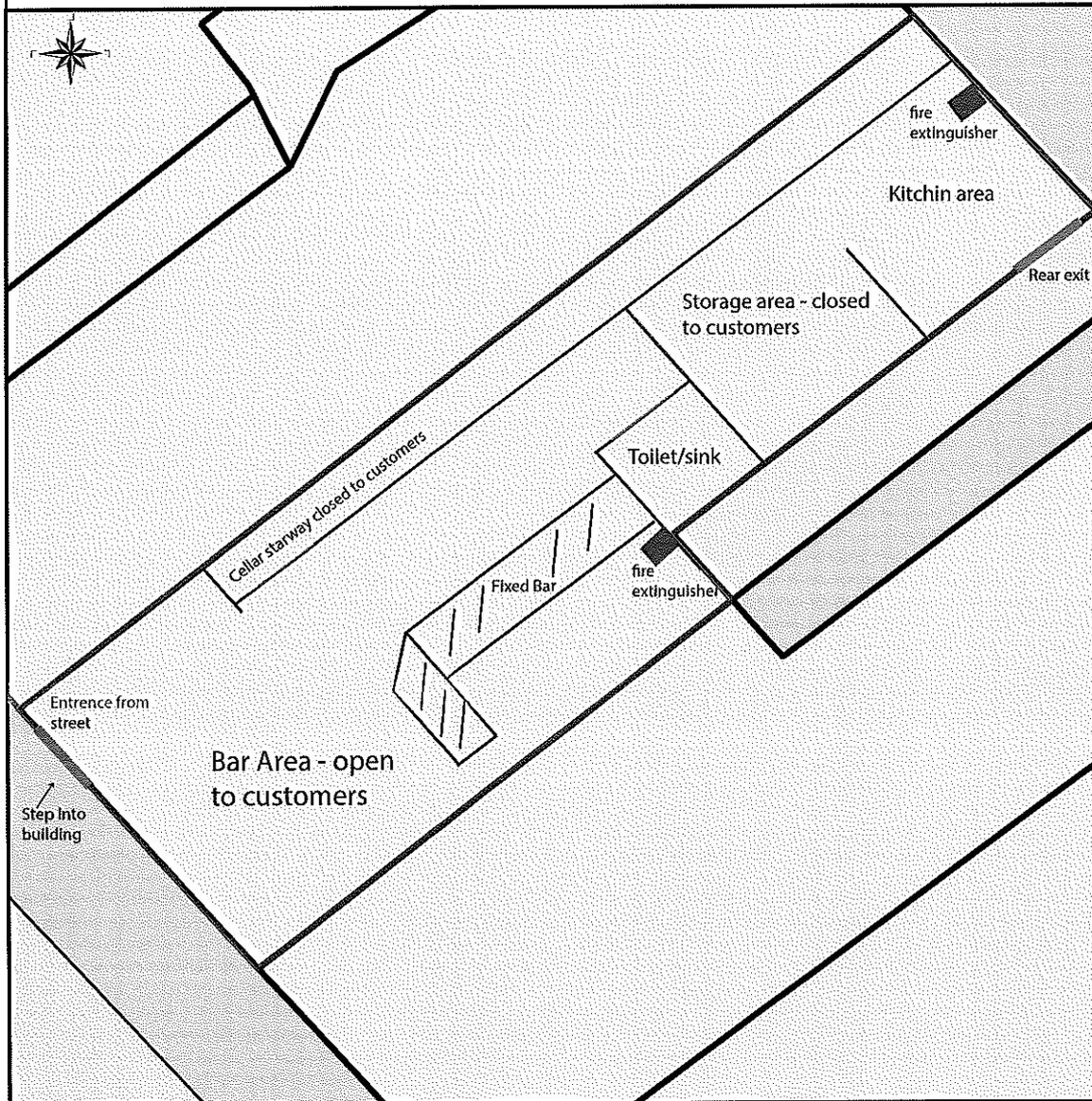
Operating schedule

The details below are the opening hours and licensing hours.

| | | |
|-----------|---------------|-------|
| Monday | Closed | |
| Tuesday | 18:00 - 22:30 | 4.5hr |
| Wednesday | 18:00 - 22:30 | 4.5hr |
| Thursday | 18:00 - 22:30 | 4.5hr |
| Friday | 18:00 - 23:00 | 5hr |
| Saturday | 12:00 - 23:00 | 11hr |
| Sunday | 12:00 - 21:00 | 9hr |

Total opening hours = 38.5 Hours

Location Plan near sg19 1ag



This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2017. Ordnance Survey 0100031673

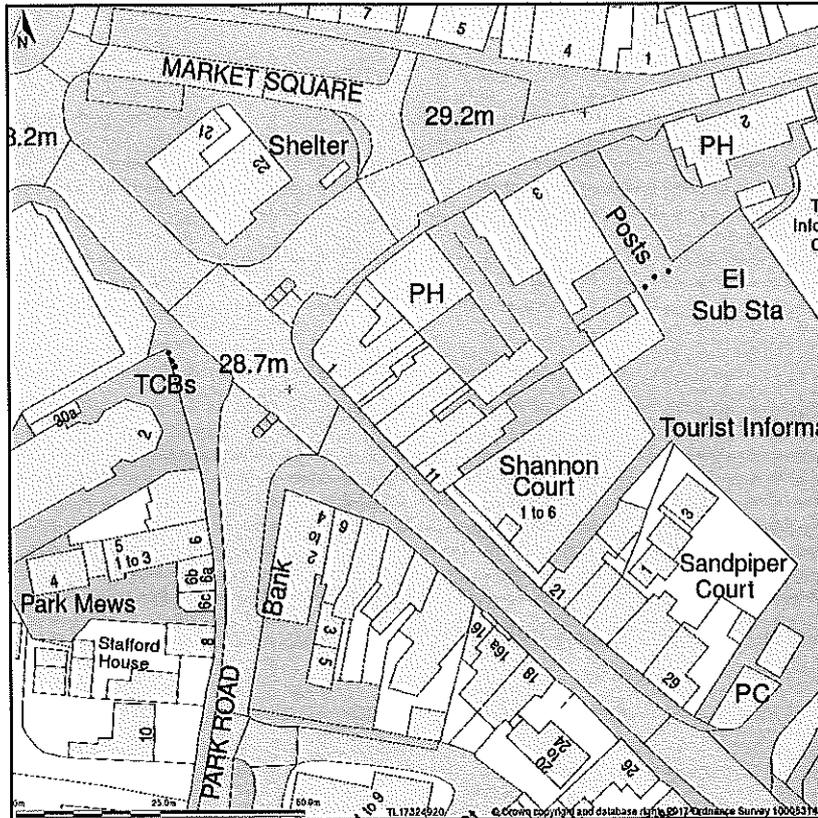
0m 1m 2m 3m 4m 5m 6m 7m 8m

Scale: 1:100, paper size: A4

NET INTERNAL FLOOR AREA 572 sq.ft (53.14 sqm) excluding cellar

Fire extinguisher location-pending fire officer advice

7 High Street, Sandy, SG19 1AG



Site Plan shows area bounded by: 517255.26, 249136.32 517396.68, 249277.74 (at a scale of 1:1250), OSGridRef: TL17324920. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Central Bedfordshire Council

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

02 MAR 2017

Public Protection

28th February 2017

Dear Sir/Madam

Application for Premises Licence – The Four Horsemen, 7 High Street Sandy

At a meeting of its Full Council on Monday 27th February 2017 Sandy Town Council discussed a licence application put forward by The Four Horsemen Pubs Limited for 7 High Street, Sandy.

Members of the Council reviewed the application, along with supporting information which formed part of the applicants separate Change of Use application. Sandy Town Council wish to strongly object to the issuing of the licensed activities applied for by the applicant and believe that approving the application would contravene three of the four licensing objectives.

While many members felt that the proposed business could be a positive benefit for Sandy, it is the location of the premises and the specifics of this building which raise most concern and ultimately makes the application unsuitable.

The Councils objections to the application are summarised as follows;

1) The prevention of crime and disorder

While the licence applicant may not be generally held responsible for the conduct of individuals once they leave the premises the Council do feel that it must be responsible if its setup results in forcing patrons to congregate in an unsuitable location and increasing the potential for disorder.



SANDY
Town Council



The application does not identify any outdoor area where patrons would be able to smoke, in line with the smoke free law. If there were an area to the back of the building this would be inaccessible to patrons, as the only entrance/exit for patrons to use, as identified in the Change of Use application, leads on to the High Street. The pavement outside the premises is narrow and unsuitable for use as a smoking area due to the high volume of foot traffic that passes, including mobility scooters and push chairs. In addition, the road is the main road through Sandy and is constantly busy at all times of day. The potential of having patrons standing on such a narrow pavement poses a risk to the patrons, pavement users and drivers.

2) Public Safety

The safety of individuals on the premises will clearly be at risk if the licence is approved due to the size of the premises, floor space and the lack of sufficient fire exits.

There is no indication of maximum capacity in either the licensing or Change of Use application. If approved a maximum capacity must be applied and then enforced by the applicant. The Council question how the applicant will do this.

There is only one exit indicated on the plan put forward by the applicant. This is wholly unsuitable and extremely dangerous in case of fire or emergency.

3) Prevention of Public Nuisance

7 High Street Sandy is an older terraced building surrounded on both sides, and above, by other businesses and residences. The approval of a music licence will have a detrimental effect on the residents of the flat above and adjoining the premises. The building does not have sufficient sound proofing to support the application.

While the Council appreciates that the licencing team are dealing only with the licencing application and not the Change of Use application, the Council would like to highlight that the two applications contradict each other. The operating times for which the licencing application covers contradict the supporting information in the Change of Use application, which details far less operating hours.



SANDY
Town Council



The Council has received objections from members of the public and we have instructed these individuals to contact the licensing team directly to submit those objections.

Should you require any clarification or more information on the points made above please do not hesitate in contacting me.

Kind regards,


Chris Robson
Town Clerk

Central Bedfordshire Council

Miss C Wilson

01 MAR 2017

Public Protection

[REDACTED]
Sandy
Bedfordshire
[REDACTED]

Dear Sirs,

I am writing to register my objection with the licence application of Liam Brittany (The Four Horsemen Pubs Limited) for 7 High street Sandy. The basis of this objection is in regards to the prevention of public nuisance due to the location of the premises.

The rear of 7 High street Sandy is situated [REDACTED] my flat, and if there is live music permitted until 23.00 over the weekend the noise will affect me, and all of the other flats surrounding the building. Furthermore, if customers are allowed to the rear of the building, for example for smoking or in the summer time, this would create more noise pollution during the week as well as at the weekend.

In view of the above I would urge the licensing authority to refuse the application.

Yours Faithfully

[REDACTED]

Charlotte Wilson.

Central Bedfordshire Council

22 FEB 2017

Public Protection

[REDACTED]
Sandy
Bedfordshire

[REDACTED]
20th February, 2017.

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

New Premise Licence Application: Four Horsemen Sandy

Dear Sir/Madam

I write regarding the New Premise Licence Application for The Four Horsemen, 7 High Street, Sandy SG19 1AG posted 10/02/2017.

I wish to object to this application on the following grounds:

1. The prevention of crime and disorder. There is a history of disorder within the Market Square area. This licence application and its poor frontage will give increased opportunity for disorder.
2. Public safety. Safe access and egress from the building is compromised due to narrow pavement adjacent to main highway. The highway is usually very busy and already constitutes a high risk to pedestrians.
3. The prevention of public nuisance. The building is situated in a residential area of the town and will therefore constitute a public nuisance. In particular there are dwellings above and adjacent to the property which will clearly be adversely affected by the proposed application.
4. I do not understand whether there is any provision for drop off and pick up. The road is currently designated no stopping to ensure pedestrians and particularly children who frequent the nearby school are not harmed.

To conclude, I object to this application for the reasons of prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. I do believe that the proposed location for this application is ill-advised and will constitute a serious health and safety risk to both people frequenting the premises and residents of Sandy.

Yours faithfully

[REDACTED]
(Mrs. Jennifer A. Sutcliffe)

Mrs Samantha Quiney

Central Bedfordshire Council

20 FEB 2017

Public Protection

Sandy
Bedfordshire

15th February 2017

Dear Central Bedfordshire Council

I am writing to object against the proposed new bar "The Four Horseman" being allowed to set up business on the Sandy High Street.

Having heard a few resident's objections to noise and anti-social behaviour which I agree with I have my own concerns in relation to the possible damage it will cause. I believe this to come under the category of prevention of Crime and Disorder and prevention of public nuisance.

Prevention of Crime and Disorder

- My insurance premiums will increase substantially if the front window to my shop is broken through drunken behaviour, not to mention the possible theft whilst I arrange repairs, and the disruption it will cause.
- Urinating in the shop door entrance which sits back from the pavement making it obscure enough for people to relieve themselves out of sight.
- Cleaning the up vomit from the entrance to my shop which for the above reason is likely to happen.

Public Nuisance

- Friday/Saturday lunchtimes when the community is out shopping are unlikely to walk past this bar to come up to my shop if there are people spilled onto the pavement smoking and causing an obstruction. The general public would feel intimidated by this in my opinion.
- Should people be standing on the pavement smoking this would almost certainly stop disabled people and prams being free to walk up the high street.

The Town has recently had a benchmarking survey to try and understand why the public use or don't use the town centre. Had this application been made public prior to that survey I am sure some of the answers would have been different.

I know Sandy Town Council have funds to regenerate the town centre and shop front's (How? I am not sure) but surely this is one idea that would be detriment to what is trying to be achieved.

The shops in Sandy should be used as just that. We need a more variable supply of goods in the town to allow the community to stay within it's borders to shop.

Please feel free to discuss my objection on the above number or email.

Regards
Mrs Samantha Quiney

Teresa Resinato

Central Bedfordshire Council

14 FEB 2017

Public Protection

Sandy

Bedfordshire

12/02/17

Dear Sir/Madam,

I wish to make a representation under the public nuisance licensing objective against the applicant Liam Brittany (The Four Horsemen Pubs LTD) at 7 High Street Sandy, SG19 1AQ.

The reasoning is that this would be unsuitable due to the close proximity of residents living in, around and above the High Street businesses. Live music FRI-SUN up to 11pm and recorded music MON-SUN until midnight would be a public nuisance, as well as patrons of the pub leaving the premises under the influence of alcohol. The path is very narrow and the main road is very busy, raising a concern for public safety. Smokers outside the premises would also be an obstruction to pedestrians, shoppers, push-chairs and the elderly with walking aids. An establishment like this is also likely to cause violence in town, and I myself have witnessed broken windows, doors kicked in, broken glass and bodily fluids disposed onto the streets in relation to similar premises.

I am the proprietor of [REDACTED] and have ran a business in town for 20 years, I therefore strongly object to the application being granted. Please consider my objection. Thank you.

Kind Regards,

Teresa Resinato

[REDACTED]

[REDACTED]
**Sandy
Beds**
[REDACTED]

8th March 2017

**Licensing Team
Central Bedfordshire Council
Watling Street North
Dunstable
Beds
LU6 1LF**

Central Bedfordshire Council

09 MAR 2017

Public Protection

Dear Sirs

**Ref: Alcohol License Application
7A High Street, Sandy, Beds SG19 1AG**

We are writing with reference to the above application.

The premises are totally unsuitable for this type of business. There is no exterior area for smoking apart from a narrow pavement at the front in the High Street, which will cause problems for people walking past.

All day music and live bands three days a week will cause a major nuisance to residents. There will also be a major difficulty in getting their equipment into the building as there is no rear public access and double yellow lines at the front, therefore causing a nuisance everytime.

Yours sincerely

[REDACTED]
Sally and Chris DeNoronha

**CENTRAL BEDFORDSHIRE LICENSING AUTHORITY
Licensing Act 2003**

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority
Environmental Protection

| | |
|---------------------------------|---|
| Your Name | André Douglas |
| Job Title | Public Protection Officer (Pollution Team) |
| Postal and email address | Priory House, Monks Walk, Chicksands, Shefford Beds SG17 5TQ andre.douglas@centralbedfordshire.gov.uk |
| Contact telephone number | 0300 300 4404 |

| | |
|--|------------------------------------|
| Name of the premises you are making a representation about | 7 High Street Sandy |
| Address of the premises you are making a representation about | 7 High Street Sandy SG19 1AG |

| <i>Which of the four licensing objectives does your representation relate to?</i> | <i>Yes Or No</i> | <i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i> |
|--|---------------------------------|---|
| To prevent crime and disorder | No | |
| Public Safety | Yes | <p>I wish to object to this application with reference to this Licensing Objective as it seems inevitable - given the modest interior space, lack of alternative smoking areas and the Pollution Team's experience of similarly problematic locations - that drinking customers and other members of the public would tend to congregate on the relatively narrow pavement adjacent to the public highway fronting the premises, thereby substantially raising the risk of hazardous obstructions to pedestrians and road users.</p> <p>Controlling or significantly mitigating the above risks by means of Condition or adopted Management Practice does not appear to be sufficiently realistic an option to consider for this proposal in this location.</p> |

| | |
|---|--|
| <p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub-Committee to take into account. Please use separate sheets where necessary and refer to checklist</p> | <p>As described above, and having given the matter due consideration, controlling or significantly mitigating the identified risks presented by this application to the Licensing Objectives by means of Conditions does not appear to be sufficiently realistic an option to consider for this proposal in this location.</p> |
|---|--|

Signed:

André Douglas

Date: 22 February 2017

APPENDIX D

Patricia Davies

From: Luke Brittany
Sent: 06 March 2017 07:14
To: Patricia Davies
Cc: Andre Douglas
Subject: Application for a Premises Licence at : The Four Horsemen, 7 High Street,Sandy, Beds SG19 1 AG
Attachments: POSTER2.pdf.pdf

Dear Mrs Davies,

Thank you for bringing the concerns of the residents of Sandy, to our attention.

This is truly appreciated as we feel we can address these concerns and hopefully provide both clarification and resolution.

Firstly we would like to directly address the concerns Andre Douglas - Public Protection Officer has raised.

It has been stated that there is a fear of congregation outside the front of the premises, we hope the following will help ease these concerns.

1. We will have a zero tolerance for any of our products to be taken off premises, thus no large groups will gather outside the front.
2. Rear entrance will be open to our customers, and customers who wish to smoke will be asked to use this area, rather than the front of store.

Whilst we will take a zero tolerance of patrons lingering outside the premises, we do feel it is worth mentioning that both premises either side of 7 High Street Sandy have extruding elements to their store front. One has tables and chairs set up for customers, the other has an awning as well as a product display unit.

We will now address the other concerns raised for the licensing objective.

Public Safety:

We would like to stress that our micropub does not follow in the footsteps of a standard pub. We hope to forge an atmosphere similar to that of a cafe. Whilst we will sell alcohol our intended audience is that of a discerning drinker. With no generic lagers on sale, e.g. Stella, we hope to create a more relaxed place to drink than a conventional pub.

We would like to draw your attention to the following website:

<http://micropubassociation.co.uk/micropubs/>

Here you can see similar sized, if not smaller premises successfully running without issue.

We would also like to clarify that the cellar will be off limits to customers so concerns of limited fire escapes from this location are void. Moreover the premises has been assessed by Bedfordshire Fire and Rescue Authority, and no objections have been raised.

Public Nuisance:

With regards to the concerns raised for the music license:

1. Background music will be played at a low volume on a standard bluetooth speaker system. We have no intentions to have this louder than speaking volume as this would be detrimental to the atmosphere we are trying to craft. Music will not be audible from outside the premises at any time.
2. Live music will not be a regular occurrence and will only be acoustic. Furthermore all live music will have a curfew of 22:00pm.

We would once again like to enforce the previous points made within the Public safety concerns. All measures will be taken to ensure none of our customers gather outside the premise, and the utmost respect is given to the residents in the surrounding area.

I have attached a supporting document that hopefully adds further clarification to our intentions.

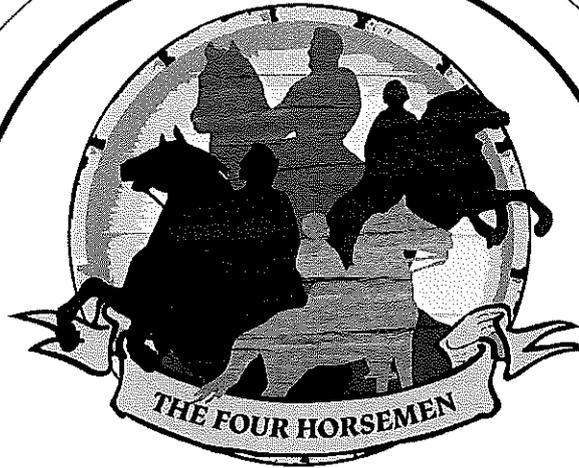
If any further explanation is needed on any of the above points, please do not hesitate to ask.

Yours sincerely

Luke Brittany

The Four Horsemen

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ALL ABOUT OUR MICROPUB

A micro pub is quite different to what many may expect. Taking steps away from the conventional pub atmosphere we hope to recreate the atmosphere similar to that of a café.

A place where you can come and read a book peacefully, work on that business project, or simply catch up with a friend, all whilst enjoying the finest beverages this country has to offer.

All beverages will be sourced off premises, no brewing on site!

Our goal is to work with our customers to provide the drinks you love. One of the main advantages of being independent and not linked to a brewery, is we can provide you the drinks you want. That amazing beverage you had 5 years ago whilst traveling, we will make it our mission to track it down, and get it on our shelf!

To support this we want you to tell us some beverages you love and we will do everything in our power to have it when our doors open.

We don't just want to know the things you love, please let us know if you have any concerns, and we will gladly ease them in any way we can.

All feedback can be emailed to:

feedback.fourhorsemen@gmail.com

We can't wait to open and start this adventure with you.

The Four Horsemen

The Four Horsemen

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Patricia Davies

From: Charlotte Wilson
Sent: 13 March 2017 17:50
To: Patricia Davies
Subject: Application for premises licence

Dear Patricia,

I am emailing you in regards to the application for a premises licence at The Four Horsemen, 7 High Street, Sandy, Beds, SG19 1AG.

I have received a letter asking me if I want my objection to still stand.

I am still concerned about the noise that may be created to the rear of the said building due to the smoking area. Therefore I would like my objection still to stand.

Regards

Charlotte Wilson.

Sent from my iPhone

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Patricia Davies

From: Teresa Resinato
Sent: 10 March 2017 16:03
To: Patricia Davies
Subject: Application 7 High street sandy

Dear Mrs P Davies,

██████████ High St Sandy Beds.

Thank you for the letter I received today 10/3/17 for the application for a premises licence at:
The Four Horsemen, 7 High Street Sandy, Beds SG191AQ.

I have read and understood the content regarding concerns raised by myself and other residents within close proximity of the proposed premises and I do not wish to withdraw my objection.

I believe once the licence has been granted, it would allow the applicant much more freedom. It would enable opening hours to be extended, drinking alcohol up until midnight. It allows live music Friday, Saturday and Sunday up to 11pm.

I live too close, ██████████ 7 High Street to not believe this will be a public nuisance to myself and my family.

Has Mr Brittany even considered the tenants that live above 7a? They have a child. I wish to point out that I myself live above ██████████ shop and they play recorded music from 8am until 6pm. I hear their music and the talking when I'm off work all day. It doesn't bother me during the daytime but if it continued during my evening or until midnight I would be forced to take drastic action. I would like to invite any member of Central Beds Licensing to come to my home and hear it for themselves.

As for the smoking, even the exterior of the premises have flats: 7a, 9a, 11a. The area is so small, pitch black once dark, dirty and muddy. I cannot imagine this is even possible. Are the tenants and shops aware of the smoking at the rear will be open to the customers? No, they are not. The tenants at 7a were only informed about the Micro-Pub last Friday from the owner of the Barber shop. They are not happy at all.

There is no proof that the applicant has management skills or people skills to reinforce his rules, or even control what will go on during the evenings, especially if patrons are under the influence of alcohol. I do believe people can get drunk on other alcohol without the sale of generic lager. The general comings and goings during the evening will encourage loud behaviour and this will feel like it's in my sitting room or bedroom. It's bad enough with high street traffic and Patrons passing through from another source.

The capacity control worries me. How will you turn Patrons away if it's full without any repercussions?

I believe on the applicant's plans he had a rear fire exit, but it looked like this area was closed to the public as it was for staff and storage. Does this mean smokers will be allowed unattended through staff quarters?

It also concerns me that if the application was granted, who is to say that if the applicant ever left what would happen in the future with the granted licence and planning? This address is also a residential area, noise of any kind echoes in the High Street due to the high buildings.

As for the comment on the two shops either side of 7, The cafe Chunky's has not been granted permission to have tables and chairs for smokers and the butchers awning is a real nuisance for passing pedestrians.

However, I think the business has potential but in another location. I would like to ask if anyone else would want this to happen next door or opposite to where they live?

Kind Regards,

Teresa

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Patricia Davies

To: Jennifer Sutcliffe
Subject: RE: Premises Licence at:The Four Horsemen,7 High Street, Sandy, Beds SG19 1AG

From: Jennifer Sutcliffe
Sent: 12 March 2017 14:27
To: Patricia Davies
Cc: 'Jennifer Sutcliffe'
Subject: Premises Licence at:The Four Horsemen,7 High Street, Sandy, Beds SG19 1AG

Dear Mrs.Davies

Application for a Premises Licence at: The Four Horsemen, 7 High Street, Sandy, Beds SG19 1AG

Thank you very much for sending me a copy of an email you received from Luke Brittany dated 06 March 2017 regarding the above application. In that he states that all live music will have a curfew of 22.00pm. Therefore, I fail to understand why the official Notice of Application states live music until 23.00hrs.

I have considered his statements but I still believe that the proposed location for the application is ill-advised. Therefore I wish my objection to stand.

Yours sincerely

J.A.Sutcliffe

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Patricia Davies

From: Liam Brittany
Sent: 15 March 2017 14:40
To: Patricia Davies
Cc: andre.douglas@centralbedfordshire.gov.uk
Subject: 7 High Street Sandy

Afternoon Pat

After Meeting with Andre today we have agreed on a few things that we will be adding to the application.

We will be getting a professional acoustical assessment and applying any recommendations to the property.

We will also be working with Andre to get a suitable management plan for us to implement.

We no longer require our opening hours to be as late as midnight as we will be closing at 11 and only require our hours to match that time.

Thanks

Liam

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**THE FOUR HORSEMEN
NOISE MANAGEMENT PLAN
March 2017**

1. SITE DESCRIPTION

The premise is known as 'The Four Horsemen' of 7 High Street, Sandy, a [market town](#) and [civil parish](#) in the County of Bedfordshire, [England](#). The property fronts onto the pavement adjoining 'High St', and consists of a former shop in application for a change of use to a drinking establishment, with a residential flat above. A site plan is shown in Appendix A.

Immediately adjacent to the premises are retail units at ground floor level, with a residential property located on the first floor of a neighbouring property. There are further residential properties to the left and right of the property on the first floor.

These are considered to be most at risk of noise disturbance from the operations of the premises. All though there are no residential properties opposite action will be taken in managing disturbance will be treated as if there is.

2. INTENDED USE OF THE PREMISES

It is anticipated that the premises will be primarily operated as a Micro Pub and will be licensed to sell alcohol with background music. By definition, this is music or other audio played whose main function is to create an atmosphere suitable to a specific occasion rather than to be listened to and is incidental to speech, conversation and the other main activities performed at the premises. In addition to this use the proprietors intend to hold the occasional live or recorded music events, the intentions are for this to be limited to acoustic instruments, and all local residents will be informed prior to the event. All live music will have a curfew to 22:00. This will be accommodated for within the premises license or through temporary event notices.

In terms of the specific operation of the premises, any live or recorded music events will take place on the ground floor, towards the front of the premises and at the greatest distance from the first floor residential receptor. With regards to the remainder of the premises and the first floor, such areas are only intended to operate with background music.

AGREED POLICIES TO CONTROL NOISE

A) INTRODUCTION

The venue is committed to develop and maintain good relations with local residents, neighbours and local authority. The objective of this policy is to minimise disturbance to local residents and to ensure that any licensing objectives or other controls at the venue are being upheld. This policy sets out the measures which have been considered and will be adopted.

B) GENERAL

The premises will be open to the public between the hours of 18:00 and 10:30 Tuesday to Thursday, 18:00 - 23:00 Friday, 12:00 - 23:00 Saturday, and 12:00 - 21:00 Sundays.

Use of the rear outdoor areas shall not be permitted.

Customers will not be admitted to premises outside of opening hours.

There shall be no re-admission to the premises 15 minutes before closing.

The licence holder shall make available and regularly promote a contact number for local residents to contact the premises to discuss any specific incidents or concerns either during or

after events. The number will be manned at all times and any action taken as a result of the complaint should be recorded and kept.

Customers will be permitted to use the front of the store if they wish to smoke. This will give staff vision on the numbers gathered, and allow constant monitoring. To prevent unsatisfactory numbers gathering outside, staff will make requests for customers to return inside, or move on to another establishment. Steps will be taken to educate regulars on the limited area for smokers. Furthermore no shelter will be provided to help discourage unnecessary use of the path.

C) PROVISION OF LIVE AND AMPLIFIED MUSIC

The provision of background music shall be permitted at any time the premises is open to the public. By definition this is music or other audio played whose main function is to create an atmosphere suitable to a specific occasion rather than to be listened to and is incidental to speech, conversation and the other main activities performed at the premises.

Where amplified music is planned to form part of any event it will be demonstrated either subjectively that levels will be reasonable at the boundary of the event, or be barely audible at the nearest residential receptors.

No music shall be permitted outside beyond the permitted hours.

During provision of live and amplified music (excluding background) all windows and doors shall remain shut other than for the provision of ingress and egress to the premises.

D) DISPERSAL OF CUSTOMERS

Management will actively encourage the gradual dispersal of customers to minimise nuisance.

During the last 20 minutes of trading the following strategies will be implemented to encourage the gradual dispersal of customers. These include the gradual increase in ambient lighting levels and playing of music of slower content and reduced volume. Music will stop playing 5 minutes before the closure of the premises.

A duty manager will be positioned in an area close to the main exit to oversee the end of night departure period. Customers will be encouraged to be considerate upon leaving the premises.

Customers shall not leave the premises other than by the doors to the front of the premises.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Communication will be made with taxi companies regarding the use of horns and slamming of doors.

E) MONITORING

Routine monitoring will be regularly conducted around the perimeter of the premises during opening hours. Details of checks, observations and any actions taken as a result of such shall be recorded. A noise log book kept on the premises and maintained by management and be available for inspection by the Local Authority upon request.

Monitoring will be conducted by individuals who have not had prolonged exposure to loud music.

APPENDIX H

F) TRAINING

There is a management commitment to train the staff so that they are aware of the premises licence and the requirements to reduce external impact from noise.

All staff will be made fully aware and conversant with the noise management policy and procedures

Training will be conducted at regular intervals and during induction training for new staff.

G) PROVISION OF INFORMATION

Notices will inform customers of our commitment to local concerns.

Prominent, clear and legible notices will be displayed at the exits requesting the public to respect residents and to leave the premises and the area quietly.

H) WASTE MANAGEMENT

The movement of bins and rubbish outside the premises will be kept to a minimum after 21.00hrs

The removal of empty kegs or bottles to external areas shall not be permitted between the hours of 21.00hrs and 08.00hrs.

Refuse collections will only be permitted by external companies between the hours of 08.00 and 21.00hrs.

I) MANAGEMENT OF DELIVERIES

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to avoid causing disturbance to nearby residents.

Deliveries shall not be permitted outside the hours of 08.00 and 21.00hrs

J) PREMISES

The premise has been designed appropriately and detailed consideration has been give to its ability to operate in a manner which does not give rise to disturbance. The controls and limitations of the venue are reflected in this noise management plan.

Management will consider carefully the issue of thermal comfort during the operation of the venue, particularly during the summer events and for events. Plans will be implemented to control the temperature in the venue to discourage the public and staff from opening doors and windows to assist in cooling and therefore reducing the effectiveness of noise control measures. The provision of air conditioning at the venue may be considered

Where practicable no speakers will be directly attached to the fabric of the building. Where speakers are installed anti-vibration mounts will be used where necessary to decouple the sound source from the structure.

Windows and doors where necessary shall be fitted with self-closing devices.

No significant structural alterations shall be made to the premises without due consideration of its potential impact on noise management.

K) PROCEDURAL

The noise management plan will be reviewed at least annually or as agreed appropriate to ensure that it is streamlined and effective. New and innovative approaches to problem solving or incidents and any lessons learnt will be incorporated accordingly.

COMMITMENT

We the undersigned commit to ensuring this noise management plan is implemented and maintained at all times for the duration of operation of our premises. We understand that it forms a key part of our Licence to operate, and that departure from it could lead to curtailment or loss of said operating Licence:

.....

.....

.....

.....

APPENDIX I

From: Liam Brittany
Sent: 21 March 2017 14:56
To: Nikolas Smith; Patricia Davies; Andre Douglas
Subject:

Hi

Wanted to inform you all that I would like to remove Live music off of both the licencing and planning application.

As this will no longer be happening.

Thanks
Liam

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