

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

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



**Central  
Bedfordshire**

**please ask for** Celina Jagusz  
**direct line** 0300 300 4034  
**date** 30 August 2018

## **NOTICE OF MEETING**

### **LICENSING SUB-COMMITTEE**

Date & Time

**Friday, 7 September 2018 10.00 a.m.**

Venue at

**Room 14a, Priory House, Chicksands, Shefford**

Richard Carr  
**Chief Executive**

To: The Members of the LICENSING SUB-COMMITTEE:

Cllrs K Collins, T Nicols and P Smith

[Named Substitutes: Cllrs R Berry, D Bowater, J Chatterley, I Dalgarno,  
A Dodwell, P Duckett, T Swain, N Warren and R Wenham]

All other Members of the Council - on request

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

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## AGENDA

1. **Election of Chairman**

To elect a Chairman for the 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).

**Report**

**Item    Subject**

6. **Application for a Premises Licence at The Clophill Centre, Shefford Road, Clophill, Bedfordshire MK45 4BT**

To consider an objection by residents to the application for a Premises Licence for The Clophill Centre, Shefford Road, Clophill, Bedfordshire MK45 4BT.

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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**

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**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/<br>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:*

|  |
|--|
| <b><u>COMMENCEMENT DATE</u></b>                            |
| 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

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

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

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

| <b><u>Right of Appeal</u></b>  |
|--|
| 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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**Meeting:** Licensing Sub-Committee

**Date:** 7<sup>th</sup> September 2018

**Subject:** Application for a Premises Licence under The Licensing Act 2003 at The Clophill Centre, Shefford Road, Clophill, Bedford, MK45 4BT

**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:** Nicola O'Donnell, Licensing Compliance Officer

**Function of:** Licensing Committee of a licensing authority

**Public/Exempt:** Public

**Wards Affected:** Ampthill

**Ward Councillors** Cllr Paul Downing, Cllr Paul Duckett, Cllr Michael Blair

**Location** The Clophill Centre, Shefford Road, Clophill, MK45 4BT

**Applicant** 

**Applicant's agent** N/A

**Reason for consideration by Sub-Committee** There has been an objection from two interested parties on the grounds of the prevention of public nuisance licensing objective.

**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.
- Enhancing Central Bedfordshire
- Creating Stronger Communities

### **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 Public 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 Shefford Road, Clophill. There are residential properties nearby.

**Details of the present application**

14. This is an application for a premises licence by [REDACTED].  
A copy of the application is attached at Appendix A.

**Representations**

15. An objection have been received from two local residents. See Appendix B  
The location of the interested parties property can be seen on the map. See Appendix B.1

16. 2 representations were received. The Fire Service objected on the grounds of Public Safety due to insufficient detail on the original plan. See Appendix C.  
The Environmental Health Officer (Pollution Team) objected on the grounds of the prevention of public nuisance. See Appendix D.

17. No other responsible authorities have made representations

| <b>Responsible authority</b> | <b>Comment</b>                            |
|------------------------------|---|
| Police                       | No representations                        |
| Fire                         | Representation (withdrawn) See appendix C |
| Environmental Health         | Representation (withdrawn) See appendix D |
| Health & Safety              | None                                      |
| Planning                     | None                                      |
| Child Protection             | No representations                        |
| Public Health                | No representations                        |
| Trading Standards            | No representations                        |

18. In response to the objections, the applicant and the environmental health officer agreed some conditions to be added to the premises licence. The environmental health officer agreed to withdraw his representation following the agreement of the conditions. See Appendix E and E.1. Following this agreement, the proposed conditions were sent to the interested parties. The interested parties were unhappy with the proposals and stated that they wished to continue with their objection. See Appendix E.2. The Fire Service also withdrew their representation after further details regarding the plan of the premises were supplied. Please see Appendix F.

19. 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**

20. 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

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

The Prevention of Public Nuisance

22. 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).

23. 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 B.1 - Map

Appendix C – Representation from Fire Service

Appendix D – Representation from Environmental Health Officer (EHO)

Appendix E – Withdrawal of EHO representation

Appendix E.1 – Applicant’s agreement to proposed conditions

Appendix E.2 – Interested parties reject proposed conditions

Appendix F – Withdrawal of Fire service representation

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

The Licensing Act 2003

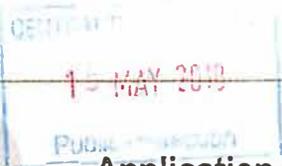
The Live Music Act 2012

The Deregulation Act 2015

Central Bedfordshire Council Licensing Policy  
(on website)

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Appendix A



2005601

**Application for a premises licence to be granted under the Licensing Act 2003**

**Premises licence**

**Premises licence**

Application for a premises licence to be granted under the Licensing Act 2003

Before you complete this form please be aware that you will be unable to submit the application online as legislation states that original signatures are required. Please check you are able to print this form, as some PCs may not have the appropriate software to do this. To test, select the button below.

If you encounter problems, please email [licensing@centralbedfordshire.gov.uk](mailto:licensing@centralbedfordshire.gov.uk) and we will send you the application form.

Once you have tested the print option, before you complete the form, please read the guidance notes at the end of the form.

If you prefer to complete this form by hand please print off, and 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.

Name of applicant

Above named applies for a premises licence under section 71 of the Licensing Act 2003 for the premises described in Part 1 (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 (inc Town and Postcode or, if none, ordnance survey map reference or description)

Telephone number(s) of premises (if any)

Daytime Telephone Number

Evening Telephone Number

Mobile Telephone Number

Non-domestic rateable value of premises

**Applicant details**

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as:

a) an individual or individuals\*

If selected above, please complete section A

b) a person other than an individual\*

i. as a limited company

ii. as a partnership

iii. as an unincorporated association or

iv. other (for example a statutory corporation)

If selected yes to any of the above, please complete section B

c) a recognised club

If selected yes to the above, please complete section B

d) a charity

If selected yes to the above, please complete section B

e) the proprietor of an educational establishment

If selected yes to the above, please complete section B

f) a health service body

If selected yes to the above, 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

If selected yes to the above, please complete section B

h) the chief officer of police of a police force in England and Wales

If selected yes to the above, please complete section B

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

I am carrying on or  
purposing to carry on a  
business



I am making the application pursuant to a:

MUSIC EVENTS

### Applicants

#### Section A - Individual Applicants

Title: [Redacted]

Forename: [Redacted]

Surname: [Redacted]

Date of birth: [Redacted]

Nationality: [Redacted]

I am 18 years old or over: yes

Address: [Redacted]

Post code: [Redacted]

Daytime Telephone Number: [Redacted]

Evening Telephone Number: [Redacted]

Mobile Telephone Number: [Redacted]

Email Address: [Redacted]

I am 18 years or older

#### Second Individual Applicant

Title: [Redacted]

Forename: [Redacted]

Surname: [Redacted]

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association, etc)

**Operating schedule**

**Part 3 - Operating Schedule**

When do you want the premises licence to start?

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

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

General description of premises

What licensing activities do you intend to carry on from the premises? (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 of the Licensing Act 2003)

Provision of regulated entertainment:

a) plays (if selected yes, fill in box A)

b) films (if selected yes, fill in box B)

c) indoor sporting events (if selected yes, fill in box C)

d) boxing or wrestling entertainments (if selected yes, fill in box D)

e) live music (if selected yes, fill in box E)

Yes

f) recorded music (if selected yes, fill in box F)

Yes

g) performances of dance (if selected yes, fill in box G)

Yes

h) anything of a similar description to that falling within (e), (f) or (g) (if selected yes, fill in box H)

NO

NO

Provision of entertainment facilities for:

i) making music (if selected yes, fill in box I)

Yes

j) dancing (if selected yes, fill in box J)

Yes

k) entertainment of a similar description to that falling within (i) or (j) (if selected yes, fill in box K)

NO

NO

Provision of late night refreshment (if selected yes, fill in box L)

Yes

The supply of alcohol (if selected yes, fill in box M)

No

In all cases complete boxes N, O, and P

### A - Plays

#### Plays

Plays Standard days and timings (please read guidance note 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.

Please give further details here

State any seasonal variations for boxing or wrestling entertainments

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainments at different times from those listed, please list

**E - Live music**

**Live music**

Live music Standard days and timings (please read guidance note 6)

*FRIDAY / SAT / SUN*

*regularly during the week*

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.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

Will the performance of live music take place indoors or outdoors or both

Both

Please give further details here

State any seasonal variations for the performance of live music

N/A.

Non standard timings. Where you intend to use the premises for the performance of live music at different times from those listed, please list

N/A

**F - Recorded music**

**Recorded music**

Recorded music Standard days and timings (please read guidance note 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.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

Will the playing of recorded music take place indoors or outdoors or both

Please give further details here

State any seasonal variations for the playing of recorded music

Non standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed, please list

**G - Dance**

**Performances of dance**

*Handwritten notes: "MR" and "1402" with a small circle below.*

Performances of dance Standard days and timings (please read guidance note 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.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

Will the performance of dance take place indoors or outdoors or both

Please give further details here

State any seasonal variations for the performance of dance

Non standard timings. Where you intend to use the premises for the performance of dance at different times from those listed, please list

**H - similar to E/F/G**

**Anything of a similar description**

Anything of a similar description to that falling within (e), (f) or (g)

Standard days and timings (please read guidance note 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.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

Please give a description of the type of entertainment that you will be providing

Will the entertainment take place indoors or outdoors or both

Please give further details here

State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g)

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 from those listed, please list

**I - Late night**

**Late night refreshment**

Standard days and timings (please read guidance note 6)

*Tea/coffee  
Wednes*

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.

Monday Start

Monday Finish

|                  |                        |
|------------------|------------------------|
| Tuesday Start    |                        |
| Tuesday Finish   |                        |
| Wednesday Start  |                        |
| Wednesday Finish |                        |
| Thursday Start   | 12:00                  |
| Thursday Finish  | <del>12:00</del> 00:00 |
| Friday Start     | 12:00                  |
| Friday Finish    | <del>12:00</del> 00:00 |
| Saturday Start   | 12:00                  |
| Saturday Finish  | <del>12:00</del> 00:00 |
| Sunday Start     | 12:00                  |
| Sunday Finish    | <del>14:00</del> 23:00 |

Will the provision of late night refreshment take place indoors or outdoors or both

BOTH

Please give further details here

State any seasonal variations for the provision of late night refreshment

NO

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed, please list

NO

**J - Alcohol supply**

Supply of alcohol

No supply of Alcohol

Standard days and timings (please read guidance note 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.

**Monday Start**

**Monday Finish**

**Tuesday Start**

**Tuesday Finish**

**Wednesday Start**

**Wednesday Finish**

**Thursday Start**

**Thursday Finish**

**Friday Start**

**Friday Finish**

**Saturday Start**

**Saturday Finish**

**Sunday Start**

**Sunday Finish**

**Will the supply of alcohol be for consumption**

**State any seasonal variations for the supply of alcohol**

**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed, please list**

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

**Name**

**Address**

**Postcode**

Personal Licence number (if known)

Issuing licence authority (if known)

**K - Adult**

**Adult entertainment**

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children

Any entertainment, services:

**L - Premises hours**

**Hours premises are open to the public**



Standard days and timings (please read guidance note 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.

Monday Start

Monday Finish

Tuesday Start

Tuesday Finish

Wednesday Start

Wednesday Finish

Thursday Start

Thursday Finish

Friday Start

Friday Finish

Saturday Start

Saturday Finish

Sunday Start

Sunday Finish

State any seasonal variations

Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed, please list

**M - Objectives**

**Four licensing objectives**

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



a) General. All four licensing objectives (b,c,d,e)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

**Signatures**

To be completed by hand once the application has been printed

Signature of applicant or applicant's solicitor or other authorised agent

If signing on behalf of the applicant please state in what capacity (see guidance note 3)

Signature

Date

Capacity

Joint Applicants - Signature of 2nd applicant or applicant solicitor or other authorised agent

If signing on behalf of the applicant please state in what capacity (see guidance note 4)

Signature

Date

Capacity

Please provide details for correspondence associated with this application

Checklist

Checklist

Please tick yes:

I have made or enclosed payment of the fee [View payment options](#)

I have enclosed the plan of the premises

I have sent copies of this application and plan to the responsible authorities and others where applicable [List of responsible authorities](#)

I have enclosed the consent form completed by the individual I wish to be premises supervisor (if alcohol is being supplied) [Open the consent form](#)

I understand that I must now advertise my application [Open the Notice of Application Form](#)

 - I await instructions from you.

I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Address for correspondence associated with this application (please read guidance note 11)

CLOPHILL FENIT HALL, SHEFFORD RD, CLOPHILL, MK45 4BT

Daytime Telephone Number

Evening Telephone Number

Mobile Telephone Number

If you would prefer us to correspond with you by email your email address (optional)

Please print, sign and return the form, along with any supporting evidence

Please send completed form to Licensing Team, Central Bedfordshire Council, Watling House, High Street North, Dunstable, LU6 1LF

## Notes

### 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 ie Christmas Eve.
6. Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.

**8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.**

**9. Please list here steps you will take to promote all four licensing objectives together.**

**10. The application form must be signed.**

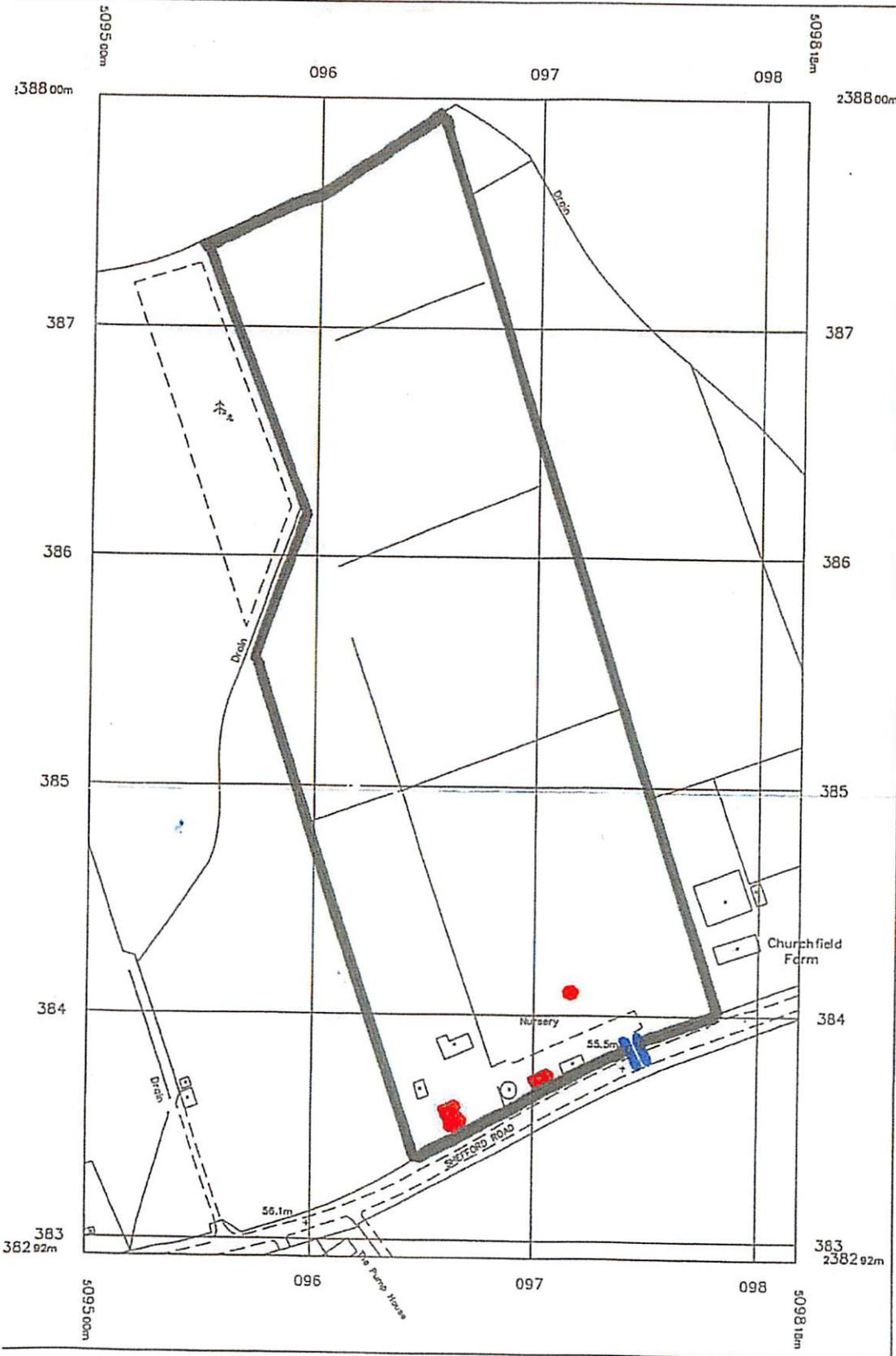
**11. A applicants agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.**

**12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.**

**13. This is the address which we shall use to correspond with you about this application.**

Ordnance Survey<sup>®</sup>  
Superplan Data<sup>®</sup>

Option 1  
Site-centred



SCALE:- 1:2500.

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1/2500 & 1/10000.



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## Appendix B

-----Original Message-----

From:

Sent: 10 July 2018 21:47

To: Licensing Enquiries <[Licensing.Section@centralbedfordshire.gov.uk](mailto:Licensing.Section@centralbedfordshire.gov.uk)>

Subject: Notice of application by [REDACTED] at The Clophill Centre Shefford Road Clophill submitted 2/7/18

Dear Sir or Madam,

We have been made aware by our next door neighbour of the above application by [REDACTED] for activities applied for both indoor and outdoors regarding live music/recorded music/performances or dance/making music/dancing/late night refreshments between the hours of Thursday to Saturday 12.00 to 00.00 and Sunday 12.00 to 23.00 but had not received anything in writing from yourselves informing us of this when we are located close to this property.

Both my Husband and I would write today objecting to this application as it would infringe on the rights as a public nuisance due to this area being a quiet countryside place currently and having experienced issues with noise levels throughout last summer from [REDACTED] property we would fear that if this application was accepted it would have a greater impact with noise levels than previous years.

Any day of the week could be a working day or night and we do not see why [REDACTED] would consider it a good idea having extended time to make any sort of excessive noise. Clearly he has not taken into account his immediate neighbours.

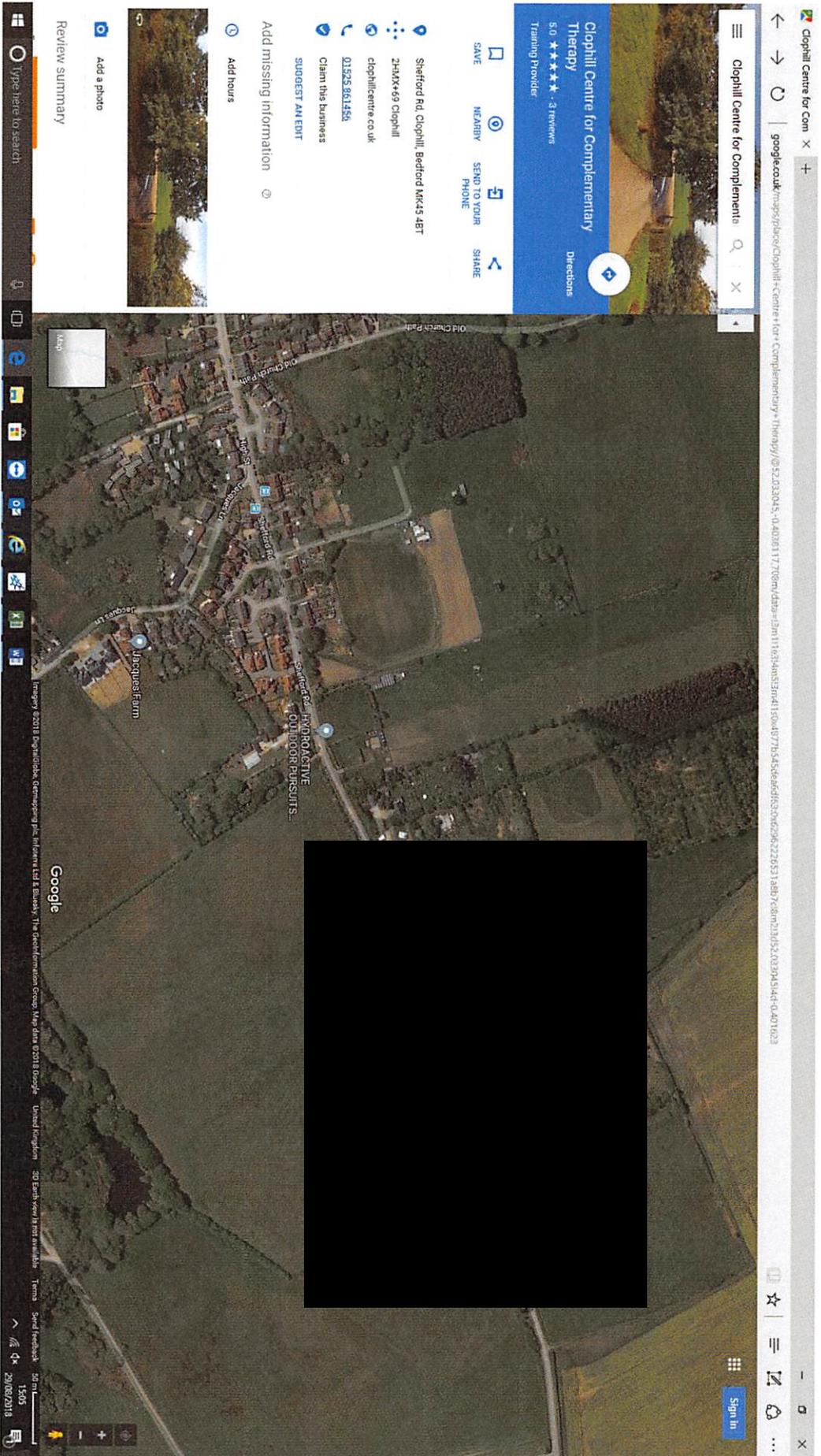
In the summer local neighbours have their windows open for air flow when sleeping so we would ask, if you were living in our area would you accept loud music, shouting from visitors to that property and possible drums making rhythms which require earplugs when attempting to sleep?

Thank you for your time. Please do contact us if you require any further information on our objection.

[REDACTED]

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Appendix B1



Interested parties  
The Clophill Centre

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Appendix C

FSSL 16  
28.10.16

Clophill Fruit Farm  
Shefford Road  
Clophill  
MK45 4BT

Your Ref:  
Our Ref:  
Name:  
Telephone:  
Email:  
Date:

FSSL 16/16787/SJM/LS

  
naofiresafetyadministration@bedsfire.com  
28 June 2018

For the attention of 

Dear 

**LICENSING ACT 2003**

THE CLOPHILL CENTRE SHEFFORD ROAD CLOPHILL BEDFORD MK45 4BT

I am in receipt of an application for the **Grant** of a licence for the above premises.

An inspection of the above application was carried out on 28 June 2018 at which time, the fire safety measures relating to public safety were found unable to be assessed as there was insufficient detail in the application plan. Please provide a plan (scale 1:100) that includes the buildings to be used and the fire safety details shown on the plan, e.g. building layout, fire exits, firefighting equipment, emergency lighting and signage.

**IMPORTANT NOTES:**

The Regulatory Reform (Fire Safety) Order 2005 places a legal requirement for all licensed premises to have a recorded Fire Risk Assessment. The significant findings and actions to be taken relating to the assessment must be written down and a copy should be available on the premises.

The Fire Risk Assessment should clearly detail the calculated occupant capacity of the venue and any control measures that may be required to effectively control those numbers.

For guidance on completing a Fire Risk Assessment, visit "[www.bedsfire.com](http://www.bedsfire.com)" and follow the links for 'Community/Business Safety'. Alternatively, you may wish to employ a competent Fire Safety Consultant to carry this out for you.

Yours sincerely



  
FIRE SAFETY INSPECTING OFFICER  
On behalf of Bedfordshire Fire & Rescue Authority

cc:  
(Licensing Team – Central Bedfordshire Council, Dunstable)

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Form A

Appendix D

**CENTRAL BEDFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** (please delete as applicable):

~~Police / Fire / Environmental Protection / Health and Safety / Child Protection / Weights and Measures / Planning Authority / Public Health~~

|                                 |  |
|---------------------------------|--|
| <b>Your Name</b>                | [REDACTED]   |
| <b>Job Title</b>                | Pollution [REDACTED]   |
| <b>Postal and email address</b> | Central Bedfordshire Council<br>Priory House<br>Chicksands<br><br>[REDACTED] |
| <b>Contact telephone number</b> | [REDACTED]   |

|  |                                       |
|--|---------------------------------------|
| <b>Name of the premises you are making a representation about</b>    | The Clophill Centre                   |
| <b>Address of the premises you are making a representation about</b> | Shefford Road<br>Clophill<br>MK45 4BT |

| <b>Which of the four licensing Objectives does your representation relate to?</b> | <b>Yes<br/>Or<br/>No</b> | <b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>   |
|---|--------------------------|--|
| <b>Prevention of crime and disorder</b>   |                          |  |
| <b>Public safety</b>  |                          |  |
| <b>Prevention of public nuisance</b>  | Yes                      | We have received a number of complaints from nearby residents regarding unlicensed events, and disturbance from noise arising from events taking place at the Clophill Centre, often late into the evening/night. Following on site meetings and discussions with Mr Diss from the Clophill Centre, we have agreed a number of conditions (see below) which we believe should be implemented to protect residents from nuisance associated with events at the venue, whilst enabling the operator to still undertake lawful events under their premises licence. |
| <b>Protection of children from harm</b>   |                          |  |

|   |  |
|---|--|
| <b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to</b> | 1. Within one month of the granting of this Premises licence the licence holder shall submit a noise management plan for the Premises to the Licensing Authority and the Pollution Team of Central Bedfordshire Council for written approval. The approved noise plan shall be fully |
|---|--|

Form A

**take into account. Please use separate sheets where necessary and refer to checklist.**

implemented at all times when licensable activities take place at the venue.

2. The performance and/or playing of outside live or recorded music shall only take place between the hours of 1200 to 2300 on any day and at no other time. Events in a tent or marquee rather than a permanent building fall under the definition of outside for the purposes of this condition.
3. For the period from 1<sup>st</sup> January 2018 to 31<sup>st</sup> December 2018 there shall be a maximum of 15 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. From 1<sup>st</sup> January 2019 onwards there shall be a maximum of 12 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. The year period shall be calculated from 1<sup>st</sup> January to 31<sup>st</sup> December.
4. The Premises Licence holder shall engage and provide on-site a minimum of 2 Security Officers for the duration of any outside regulated entertainment events lasting more than 24 hours. Each Security Officer shall be registered with the Security Industry Authority, and will be under the direction and control of the Premises Licence Holder at all times.
5. A written record shall be kept on the premises by the Premises Licence holder of every person employed on the premises as a security guard in a register kept for that purpose. That record shall contain the following details:
  - a) the security guards name, date of birth and home address
  - b) his/her Security Industry Authority licence number
  - c) the time and date he/she starts and finishes duty
  - d) the time of any breaks taken whilst on duty
  - e) each entry shall be signed by the security guard

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
6. Within six months of the granting of this Premises Licence the licence holder shall undertake and obtain an accredited Award for Personal Licence Holders (accredited training course) and obtain a Personal Licence.
7. The licence holder shall notify Central Bedfordshire Safety Advisory Group with the details of any regulated entertainment event of more than 24 hours duration, not less than 3 calendar months in advance of the first date of

Form A

|  |            |
|--|------------|
|  | the event. |
|--|------------|

Signed: 

Date: 27<sup>th</sup> July 2018

Please return this form along with any additional sheets to: Central Bedfordshire Council, Public Protection, at one of the addresses shown overleaf.

**This form must be returned within the Statutory Period.**

#### NOTES

1. If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
3. You must live, work or represent a body that is in the vicinity of the premises that you are writing about in order to make representations.
4. These can only relate to the four licensing objectives.
5. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available. Names and addresses will only be withheld from the Committee report at your request.
6. Please return this form when completed to:

Central Bedfordshire Council  
Public Protection  
Watling House  
High Street North  
Dunstable  
Bedfordshire  
LU6 1LF

Tel: 0300 300 8647

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Nicola O'Donnell

---

**From:** [REDACTED]  
**Sent:** 27 July 2018 10:26  
**To:** Licensing Enquiries  
**Cc:** [REDACTED]  
**Subject:** 180727 Clophill Centre Representation Form  
**Attachments:** 180727 Clophill Centre Representation Form.docx

Hello Licensing

Please find attached the representation form from the Pollution Team in respect of the premises licence application for The Clophill Centre, Shefford Road, Clophill. Following a number of meetings and discussions with the venue operator, [REDACTED], we have agreed that we will not be objecting to the premises licence at the present time on the understanding that the conditions set out in the attached representation form are attached to the premises licence and complied with.

[REDACTED] should be confirming to you that he is willing to accept these conditions on his premises licence. However, should [REDACTED] not provide this confirmation or state that he is unwilling to accept the conditions, then please be advised that we wish to object to the premises licence application and will expect a Licensing Hearing to be convened to review the matter.

Please let me know should you have any queries in this matter that you wish to discuss further.

Regards

[REDACTED]

[REDACTED]

Public Protection Service

Central Bedfordshire Council  
Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ  
Direct Dial: 0300 300 [REDACTED] | Internal: [REDACTED] | Email: [REDACTED]@centralbedfordshire.gov.uk

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Information security classification\* of this email: OFFICIAL

\*Information security definitions:

OFFICIAL – Loss could cause some damage to the Authority

OFFICIAL – SENSITIVE – Loss could cause severe damage to the Authority

UNCLASSIFIED – Loss would cause little or no damage to the Authority

Form A

**CENTRAL BEDFORDSHIRE COUNCIL**  
**Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** (please delete as applicable):

~~Police / Fire / Environmental Protection / Health and Safety / Child Protection / Weights and Measures / Planning Authority / Public Health~~

|                                 |   |
|---------------------------------|---|
| <b>Your Name</b>                | ██████████  |
| <b>Job Title</b>                | Pollution ██████████  |
| <b>Postal and email address</b> | Central Bedfordshire Council<br>Priory House<br>Chicksands<br><br>██████████@centralbedfordshire.gov.uk |
| <b>Contact telephone number</b> | 0300 300 ██████████   |

|  |                                       |
|--|---------------------------------------|
| <b>Name of the premises you are making a representation about</b>    | The Clophill Centre                   |
| <b>Address of the premises you are making a representation about</b> | Shefford Road<br>Clophill<br>MK45 4BT |

| <b>Which of the four licensing Objectives does your representation relate to?</b> | <b>Yes<br/>Or<br/>No</b> | <b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>   |
|---|--------------------------|--|
| <b>Prevention of crime and disorder</b>   |                          |  |
| <b>Public safety</b>  |                          |  |
| <b>Prevention of public nuisance</b>  | Yes                      | We have received a number of complaints from nearby residents regarding unlicensed events, and disturbance from noise arising from events taking place at the Clophill Centre, often late into the evening/night. Following on site meetings and discussions with Mr Diss from the Clophill Centre, we have agreed a number of conditions (see below) which we believe should be implemented to protect residents from nuisance associated with events at the venue, whilst enabling the operator to still undertake lawful events under their premises licence. |
| <b>Protection of children from harm</b>   |                          |  |

|   |  |
|---|--|
| <b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to</b> | 1. Within one month of the granting of this Premises licence the licence holder shall submit a noise management plan for the Premises to the Licensing Authority and the Pollution Team of Central Bedfordshire Council for written approval. The approved noise plan shall be fully |
|---|--|

Form A

**take into account. Please use separate sheets where necessary and refer to checklist.**

implemented at all times when licensable activities take place at the venue.

2. The performance and/or playing of outside live or recorded music shall only take place between the hours of 1200 to 2300 on any day and at no other time. Events in a tent or marquee rather than a permanent building fall under the definition of outside for the purposes of this condition.
3. For the period from 1<sup>st</sup> January 2018 to 31<sup>st</sup> December 2018 there shall be a maximum of 15 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. From 1<sup>st</sup> January 2019 onwards there shall be a maximum of 12 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. The year period shall be calculated from 1<sup>st</sup> January to 31<sup>st</sup> December.
4. The Premises Licence holder shall engage and provide on-site a minimum of 2 Security Officers for the duration of any outside regulated entertainment events lasting more than 24 hours. Each Security Officer shall be registered with the Security Industry Authority, and will be under the direction and control of the Premises Licence Holder at all times.
5. A written record shall be kept on the premises by the Premises Licence holder of every person employed on the premises as a security guard in a register kept for that purpose. That record shall contain the following details:
  - a) the security guards name, date of birth and home address
  - b) his/her Security Industry Authority licence number
  - c) the time and date he/she starts and finishes duty
  - d) the time of any breaks taken whilst on duty
  - e) each entry shall be signed by the security guard

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
6. Within six months of the granting of this Premises License the licence holder shall undertake and obtain an accredited Award for Personal Licence Holders (accredited training course) and obtain a Personal Licence.
7. The licence holder shall notify Central Bedfordshire Safety Advisory Group with the details of any regulated entertainment event of more than 24 hours duration, not less than 3 calendar months in advance of the first date of

Form A

|  |            |
|--|------------|
|  | the event. |
|--|------------|

Signed: 

Date: 27<sup>th</sup> July 2018

Please return this form along with any additional sheets to: Central Bedfordshire Council, Public Protection, at one of the addresses shown overleaf.

**This form must be returned within the Statutory Period.**

#### NOTES

1. If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
3. You must live, work or represent a body that is in the vicinity of the premises that you are writing about in order to make representations.
4. These can only relate to the four licensing objectives.
5. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available. Names and addresses will only be withheld from the Committee report at your request.
6. Please return this form when completed to:

Central Bedfordshire Council  
Public Protection  
Watling House  
High Street North  
Dunstable  
Bedfordshire  
LU6 1LF

Tel: 0300 300 8647

Nicola O'Donnell

Appendix E2

**From:** Nicola O'Donnell  
**Sent:** 28 August 2018 14:52  
**To:** [REDACTED]  
**Subject:** RE: Clophill Centre Proposed conditions

Good afternoon

Thank you for your reply which I forwarded to my manager as I was on leave when it was received. We have contacted our committees department to arrange a hearing. I will be in touch as soon as I know the date of the hearing.

Kind regards

Nicola O'Donnell  
Licensing Compliance Officer  
Licensing (Public Protection)

**Central Bedfordshire Council** Watling House High Street North Dunstable Bedfordshire LU6 1LF  
Telephone: 0300 300 8307  
Email: [nicola.odonnell@centralbedfordshire.gov.uk](mailto:nicola.odonnell@centralbedfordshire.gov.uk)

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**From:** [REDACTED]  
**Sent:** 11 August 2018 13:35  
**To:** Nicola O'Donnell <Nicola.O'Donnell@centralbedfordshire.gov.uk>  
**Subject:** RE: Clophill Centre Proposed conditions

Good Afternoon Nicola,

Thank you for your email received on 9<sup>th</sup> August.

After reading through the proposed conditions we can confirm we are still deeply unhappy with the revised details and as before will continue with our objection for this matter to be granted.

At the moment this applicant, [REDACTED] of The Clophill Centre, currently holds these events or performances which carry on during the afternoons into the night and do not stop at 23:00 hours, our concerns are that how can he meet the pollution team requirements below when he is not in control of the situation before this is put in place.

Anyhow, the conditions below now state that he could be playing live or recorded music on any day between 1200 and 2300 whereas the original application was for Thursday to Saturday 1200 to 0000 and on Sundays 1200 to 2300, which we objected to in the first instance.

[REDACTED] has consistently proved that he can not/will not shut these instances down for 2300 and has overrun through to 2330 or longer.

Kind regards,  
[REDACTED]

Sent from [Mail](#) for Windows 10

---

**From:** [Nicola O'Donnell](#)

**Sent:** 09 August 2018 13:20

**To:** [REDACTED]

**Subject:** Clophill Centre Proposed conditions

Good afternoon [REDACTED]

The pollution team have proposed the following conditions and the applicant for The Clophill Centre has agreed to them;

1. Within one month of the granting of this Premises licence the licence holder shall submit a noise management plan for the Premises to the Licensing Authority and the Pollution Team of Central Bedfordshire Council for written approval. The approved noise plan shall be fully implemented at all times when licensable activities take place at the venue.
2. The performance and/or playing of outside live or recorded music shall only take place between the hours of 1200 to 2300 on any day and at no other time. Events in a tent or marquee rather than a permanent building fall under the definition of outside for the purposes of this condition.
3. For the period from 1<sup>st</sup> January 2018 to 31<sup>st</sup> December 2018 there shall be a maximum of 15 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. From 1<sup>st</sup> January 2019 onwards there shall be a maximum of 12 outside music performance/playing event days per year (as defined in condition 2 above) at the Premises. The year period shall be calculated from 1<sup>st</sup> January to 31<sup>st</sup> December.
4. The Premises Licence holder shall engage and provide on-site a minimum of 2 Security Officers for the duration of any outside regulated entertainment events lasting more than 24 hours. Each Security Officer shall be registered with the Security Industry Authority, and will be under the direction and control of the Premises Licence Holder at all times.
5. A written record shall be kept on the premises by the Premises Licence holder of every person employed on the premises as a security guard in a register kept for that purpose. That record shall contain the following details:
  - a) the security guards name, date of birth and home address
  - b) his/her Security Industry Authority licence number
  - c) the time and date he/she starts and finishes duty
  - d) the time of any breaks taken whilst on duty
  - e) each entry shall be signed by the security guard

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

6. Within six months of the granting of this Premises License the licence holder shall undertake and obtain an accredited Award for Personal Licence Holders (accredited training course) and obtain a Personal Licence.

7. The licence holder shall notify Central Bedfordshire Safety Advisory Group with the details of any regulated entertainment event of more than 24 hours duration, not less than 3 calendar months in advance of the first date of the event.

In accordance with the Licensing Act 2003, if an agreement can be reached between all interested parties, the need for a hearing can be withdrawn. Please could you confirm if you feel that the proposals address your concerns? If they do, please confirm that you wish to withdraw your objection. If they don't, please confirm that you still wish for your objection to be heard before a licensing committee.

Kind regards

Nicola O'Donnell  
Licensing Compliance Officer  
Licensing (Public Protection)

**Central Bedfordshire Council** Watling House High Street North Dunstable Bedfordshire LU6 1LF  
Telephone: 0300 300 8307  
Email: [nicola.odonnell@centralbedfordshire.gov.uk](mailto:nicola.odonnell@centralbedfordshire.gov.uk)

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**Appendix E1**

**Nicola ODonnell**

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**From:** Licensing Enquiries  
**Sent:** 30 July 2018 15:41  
**To:** Nicola ODonnell  
**Subject:** FW: Clophill Centre Events Licence  
**Attachments:** 180727 Clophill Centre Representation Form.docx  
  
**Importance:** High



**From:** [Redacted]  
**Sent:** 27 July 2018 12:58  
**To:** Licensing Enquiries <Licensing.Section@centralbedfordshire.gov.uk>  
**Subject:** Clophill Centre Events Licence

To whom it may concern,

I have been advised by [Redacted] that I should let you know that I have accepted the terms as laid out in the attached document.

All the best,

[Redacted]  
[www.clophillcentre.co.uk](http://www.clophillcentre.co.uk)

Form A

**CENTRAL BEDFORDSHIRE COUNCIL  
Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** (please delete as applicable):

~~Police / Fire / Environmental Protection / Health and Safety / Child Protection / Weights and Measures / Planning Authority / Public Health~~

|                                 |   |
|---------------------------------|---|
| <b>Your Name</b>                | ██████████  |
| <b>Job Title</b>                | ████████████████████  |
| <b>Postal and email address</b> | Central Bedfordshire Council<br>Priory House<br>Chicksands<br><br>██████████@centralbedfordshire.gov.uk |
| <b>Contact telephone number</b> | 0300 300 ██████████   |

|  |                                       |
|--|---------------------------------------|
| <b>Name of the premises you are making a representation about</b>    | The Clophill Centre                   |
| <b>Address of the premises you are making a representation about</b> | Shefford Road<br>Clophill<br>MK45 4BT |

| <b>Which of the four licensing Objectives does your representation relate to?</b> | <b>Yes<br/>Or<br/>No</b> | <b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>   |
|---|--------------------------|--|
| <b>Prevention of crime and disorder</b>   |                          |  |
| <b>Public safety</b>  |                          |  |
| <b>Prevention of public nuisance</b>  | Yes                      | We have received a number of complaints from nearby residents regarding unlicensed events, and disturbance from noise arising from events taking place at the Clophill Centre, often late into the evening/night. Following on site meetings and discussions with Mr Diss from the Clophill Centre, we have agreed a number of conditions (see below) which we believe should be implemented to protect residents from nuisance associated with events at the venue, whilst enabling the operator to still undertake lawful events under their premises licence. |
| <b>Protection of children from harm</b>   |                          |  |

|   |  |
|---|--|
| <b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to</b> | 1. Within one month of the granting of this Premises licence the licence holder shall submit a noise management plan for the Premises to the Licensing Authority and the Pollution Team of Central Bedfordshire Council for written approval. The approved noise plan shall be fully |
|---|--|

Form A

take into account. Please use separate sheets where necessary and refer to checklist.

implemented at all times when licensable activities take place at the venue.

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6. Within six months of the granting of this Premises License the licence holder shall undertake and obtain an accredited Award for Personal Licence Holders (accredited training course) and obtain a Personal Licence.
7. The licence holder shall notify Central Bedfordshire Safety Advisory Group with the details of any regulated entertainment event of more than 24 hours duration, not less than 3 calendar months in advance of the first date of

Form A

|  |            |
|--|------------|
|  | the event. |
|--|------------|

Signed: 

Date: 27<sup>th</sup> July 2018

Please return this form along with any additional sheets to: Central Bedfordshire Council, Public Protection, at one of the addresses shown overleaf.

**This form must be returned within the Statutory Period.**

#### NOTES

1. If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made.
2. This form must be returned within the statutory period of 28 days from the date the application was displayed on the premises of the date given in the public notice in a local newspaper or other local publication.
3. You must live, work or represent a body that is in the vicinity of the premises that you are writing about in order to make representations.
4. These can only relate to the four licensing objectives.
5. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available. Names and addresses will only be withheld from the Committee report at your request.
6. Please return this form when completed to:

Central Bedfordshire Council  
Public Protection  
Watling House  
High Street North  
Dunstable  
Bedfordshire  
LU6 1LF

Tel: 0300 300 8647

Appendix F

FSSL 16  
28.10.16

Clophill Fruit Farm  
Shefford Road  
Clophill  
BEDFORD  
MK45 4BT

Your Ref:  
Our Ref:  
Name:  
Telephone:  
Email:  
Date:

FSSL 16/16787/SJM/JM

[REDACTED]  
naofiresafetyadministration@bedsfire.com  
15 August 2018

For the attention of [REDACTED]

Dear [REDACTED]

**LICENSING ACT 2003**

CLOPHILL FRUIT FARM SHEFFORD ROAD CLOPHILL BEDFORD MK45 4BT

I am in receipt of an application for the **Grant** of a licence for the above premises.

An inspection of the above application was carried out on 28 June 2018 and further information was supplied on 10 August 2018, at which time, the fire safety measures relating to public safety were found to be satisfactory and Bedfordshire Fire and Rescue Authority (the Authority) has no objection to the application.

Yours sincerely

[REDACTED]  
[REDACTED]  
FIRE SAFETY INSPECTING OFFICER  
On behalf of Bedfordshire Fire & Rescue Authority

cc:

[REDACTED]@centralbedfordshire.gov.uk

Licensing.Section@centralbedfordshire.gov.uk

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