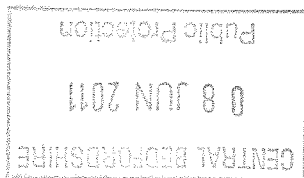
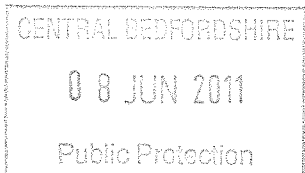


Appendix A



Application for the review of a premises licence or club premises certificate 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 RENÉ SAMWAYS
(insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>THE BELL PUBLIC HOUSE</u> <u>6 MARKET SQUARE</u> <u>TODDINGTON</u> <u>DUNSTABLE</u>	
Post town <u>DUNSTABLE</u>	Post code (if known) <u>LU5 6BP</u>
Name of premises licence holder or club holding club premises certificate (if known) <u>THE BELL PUBLIC HOUSE</u>	
Number of premises licence or club premises certificate (if known) <u>013185</u>	

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

SAMWAYS

RENÉ

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

6 MARKET SQUARE
TODDINGTON

Post town

DUNSTABLE

Post Code

LU5 6BS

Daytime contact telephone number

01525 872346

E-mail address (optional)

R.SAMWAYS@NILEWORLD.COM

(B) DETAILS OF OTHER APPLICANT

Name and address MRS ELIZABETH PAMELA SAMWAYS 6 MARKET SQUARE TODDINGTON DUNSTABLE LU5 6BS
Telephone number (if any) 01525 872346
E-mail address (optional) PAMSAM@NTWORLD.COM

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 1)

SEE ATTACHED :-

Please state the ground(s) for review (please read guidance note 1)

1/ At various times customers leaving the Bell Public House at closing time cause disorder with their arguing, fighting, smashing bottles and glasses on the pavement, urinating against our house, at one time urinating through our letter box, breaking our windows and even smashing a panel of our front door. All these have been reported to the Police, but nothing changes. Two weeks ago I reported to the police that two men were urinating against the front of our house, on asking for a crime number I was informed by this PC that he did not consider this to be a crime and it would be a waste of police time to come out as they would have been long gone before they got there.

We have over the years had many fights outside our house, people being stabbed and hit with bottles and glasses, police have made arrests outside, the latest being 2 weeks ago for fighting.

2/ As regards public safety the amount of broken glass on the pavement outside our house is a hazard to pedestrians, in the mornings small children travelling by foot to St. Georges Lower in Leighton Road run the risk of hurting themselves on this broken glass, also dangerous for animals when people are walking their dogs.

3/ The prevention of public nuisance is plain to see, and be heard, the loudness of music at weekends coming from this pub late at night is excessive, this can be heard in houses across the village green by residents inside their houses, the continuous base beat that is emitted from this pub at night is mind numbing as well as stopping one from sleeping. There is supposed to be a sound restricter in the pub set to a low level by the Environmental Health Department, but it certainly does not seem to be used,

4/ The loudness of noise at night I have been told keeps children living in close proximity awake at night, also the broken glass problem as in 2/ above.

Please provide as much information as possible to support the application
(please read guidance note 2)

SEE ATTACHED DIARY OF NOISE AND EVENTS

Please tick yes

Have you made an application for review relating to this premises before



DIARY OF NOISE & EVENTS AT THE BELL PUBLIC HOUSE

Previous to these dates we did not keep a diary:-

May 22nd. Monday at 3pm;

Shouting and screeching coming from Bell rear garden, disgusting language being used by male and female customers, unable to enjoy our own back garden we went indoors.

At about 7pm I telephoned the Bar Manager and asked him if would get his customers to quiet down a little. He replied that he was in the rear garden and he did not consider the noise to be too loud, I told him I disagreed with him and again asked if it could be toned down, especially the swearing, he agreed to do this and it did quiet down a little.

11-30 pm.

Once again we have to suffer the excessive base beat which we can hear in our bedroom coming from the pub, it eventually stopped at just after 1 am.

May 6th Friday 8pm

Excessive noise coming from rear garden of pub, usual obscene language being used.

11-40,

Base beat is again very loud in our bedroom, stopped at about 12-45 am.

May 7th Saturday 8-20pm.

Loud shouting and screeching sounds from pub rear garden, usual obscene language.)Why do they have to screech and shout, using bad language. Unable to again not be able to enjoy our own rear garden we decide to go indoors. The noise never stops, at 11.30 pm we decide to go to bed but that incessant base beat goes on and on, eventually stops at about 1 am.

Peace at last.

May 13th Friday 4 pm.

Same loud noise again from rear garden of pub, this carries on all evening until closing time, base beat sounds louder tonight.

1-45 am.

Woken by customers leaving pub as they gather on the pavement outside our house, shouting and swearing at one another, females as bad as males. On looking out of bedroom window I notice they are all young teenagers, one can hardly stand and is being supported by two others, they eventually wander off at about 2.25am.

May 14th Saturday. Late afternoon.

Very noisy in rear garden, usual obscene language.

Loud base beat at night again, tried to phone Bar Manager but got no answer.

May 20th Friday.

Noise from rear garden very loud throughout the evening, loud base beat again.

May 21st Saturday.

PM live football on garden TV but must expect some shouting during the game.

During evening very loud shouting in rear garden, also can hear the music indoors, base beat very loud again until 1am.

May 25th Tuesday.

Very noisy again in rear garden, at about 1015 pm a loud argument starts in pub driveway between a couple in the driveway of pub next to my living room, they are shouting at the top of their voices and swearing at one another, others seem to join in as there are now many voices, all shouting, and it sounds like they are smashing up the advertising "A" board that is outside the pub, at 1045 pm I telephone the Bar Manager of the Bell pub and ask him to please take charge of his customers as the noise is now getting ridiculous, he informs me that in no way is he going to put himself at risk by intervening but he had called the police, I told him that I thought as a Bar Manager he should take control of his customers behaviour before they got out of control.

The Police did arrest one male person.

I have found out since that at the start of the trouble in the Bell, he, the Bar Manager, who I think is called Pete was drinking in another pub in the village, namely the "Sow and Pigs" so would have been unaware of any problems in his pub.

May 28th Saturday.

We went to bed at about 11-35 pm, the loud heavy base beat kept us awake until past 12-20 am.

Glasses broken on the pavement outside our house and urine stains on our house front wall and across the pavement. The broken glass was still on the pavement at 11-30 am.

If yes please state the date of that application

Day Month Year

30/11/2010

If you have made representations before relating to this premises please state what they were and when you made them

SEE ATTACHED LETTER TO TOSBINGTON PARENT COUNCIL
OF 30th NOVEMBER 2010

*Mr. & Mrs. R. Samways
6 Market Square
Toddington
Bedfordshire LU5 6BS*

Tel: 01525 872346

Chairman
Toddington Parish Council Offices
Leighton Road
Toddington
Bedfordshire

30th November 2010

Dear Sir,

Once again, problems regarding The Bell Public House and its customers raise concerns.

1. Have their licence conditions been changed? Again we are suffering the loud bass beat of the music, at times up to 1am. Is music still going through limiter?
2. No entry after 11.30pm. Customers *are* being allowed entry after 11.30pm.
3. Are licensed doormen being employed on Fridays, Saturdays and Sundays?
4. Sunday opening times? We thought they were noon to 11pm? Pub is now open until 1am on Sundays.
5. When customers leave at closing time they stand outside the pub and our house (above address) with glasses and cans of alcohol in hand, creating noise and nuisance. i.e. shouting, fighting and urinating against our house. We thought Market Square to be an alcohol free zone, or so signs say on various places around the Square. Why is this tolerated by the Police?
6. Taxis are supposed to pick up in the pub car park only, yet they wait outside our house, on the double yellow lines, with engines running. This goes on until 2am most Fridays and Saturdays. Police cars cruise by but never question these taxi drivers. Why?
7. Last Saturday, 27th November 2010, my wife and I were again woken at 12.30am by shouting and arguing by a group of about 10-12 people outside our house. Some had glasses, bottles and cans of alcohol. One glass was smashed on the pavement, another was thrown into our driveway, smashing and leaving shards of glass.

12...

2

Two males urinated against the wall of our house. I telephoned the Police at 1.40am and a lady operator said someone would come out. I stood at my window watching and at 1.50am a Police car drove slowly by but did not stop.

I called the Police again and told a P.C. operator what I had seen and reported the incident to him. I asked for a crime number and he informed me that he would not issue a crime report number because people urinating against my house, or in public, is not a crime!

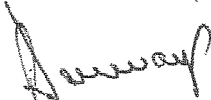
At 0200 a Policeman arrived and spoke to one of the group, a female I believe. After a few minutes he drove off, but the group did not disperse until after 0215, still shouting and drinking.

The glass on the pavement outside the Bell was still there at 10.30am Sunday morning, along with a large amount of cigarette stubs. I, once again, had to clear up broken glass in our driveway.

It appears that as far as the Police are concerned, problems of this nature come a poor second to what happens in Dunstable. What is so sacrosanct about Dunstable?

As you are aware, there have been problems with The Bell Public House for as long as 20 odd years, whoever has been the owner, landlord or manager. Is it now about time to ask if it is possible to get this pubs licence revoked, or even changed by revoking the late licence?

Yours faithfully,



Mr. Rene Samways



Mrs. Elizabeth Samways

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature [Handwritten Signature]

Date 7th June 2011

Capacity RESIDENT OF MARKET SQUARE TODDINGTON

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
MR. RENÉ SAMWAYS 6 MARKET SQUARE TODDINGTON	
Post town <u>DUNSTABLE</u>	Post Code <u>LU5 6BS</u>
Telephone number (if any) <u>01525 872346</u>	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.