

NOTICE OF MEETING

COMMITTEE : LICENSING PANEL (381)
DATE : 15TH AUGUST 2017
TIME : 2.00 PM
PLACE : COUNCIL CHAMBER
TOWN HALL, LUTON, LU1 2BQ
COUNCILLORS : GARRETT, MOLES AND PEDERSEN
QUORUM : 3 MEMBERS


CONTACT OFFICER: EUNICE LEWIS – TEL. 01582 547149

INFORMATION FOR THE PUBLIC


PURPOSE: To exercise the Council's functions under the Licensing Act 2003.


This meeting is open to the public and you are welcome to attend.

For further information, or to see the papers, please contact us at the Town Hall:

 **IN PERSON**, 9 am to 5 pm, Monday to Friday, or

 **CALL** the Contact Officer (shown above).

An induction loop  facility is available for meetings held in Committee Room 3.

Arrangements can be made for access to meetings for  disabled people.
If you would like us to arrange this for you, please call the Contact Officer (shown above).

EMERGENCY EVACUATION PROCEDURE

Committee Rooms 1, 2, 4 & Council Chamber

Turn left, follow the green emergency exit signs to the main town hall entrance and proceed to the assembly point at St George's Square.

Committee Room 3:

Proceed straight ahead through the double doors, follow the green emergency exit signs to the main Town Hall entrance and proceed to the assembly point at St George's Square.

(Note: this meeting is convened under s105 of the Licensing Act 2003 and is therefore not subject to the advance notice requirements of Schedule 12 of the Local Government Act 1972)

AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Page No.</i>
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1.	ELECTION OF CHAIR	
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2.	MINUTES	
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None for this meeting

3.	DISCLOSURES OF INTERESTS	
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Members are reminded that they must disclose both the existence and the nature of any personal interest that they have in any matter to be considered at this meeting.

A Member with a personal interest in any matter to be considered at this meeting will also have a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

A Member who has a prejudicial interest must withdraw from the meeting room unless (s)he has obtained a dispensation from the Council's Standards Committee.

4.	URGENT BUSINESS	
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The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.

AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Page No.</i>
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REPORTS

- | | | |
|----|--|---------------------------|
| 5. | Objection to Temporary Event Notice – 9th September 2017
for Bird and Bush, Hancock Drive Luton |)
)
) 6 - 39 |
| 6. | Objection to Temporary Event Notice - 16th September 2017
for Bird and Bush, Hancock Drive Luton |)
) |

(Note: this meeting is convened under s105 of the Licensing Act 2003)

7. **Licensing Act 2003 (Hearings) Regulations 2005**

To consider whether the Panel should exclude the public from all or part of the hearing during consideration of any item listed above if the Panel believe that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public, in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

Note:

The procedure for oral hearings is attached to this Agenda Page	4 & 5
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BOROUGH OF LUTON

PROCEDURE AT ORAL HEARINGS BEFORE THE

COUNCIL'S LICENSING PANEL

1. The Panel will be assisted on matters of law and procedure by its Clerk who will be one of the Council's Solicitors.
2. The Clerk will give a brief outline of the application and introduce the Members of the Panel, the Licensing Officer, the Applicant and those who have made representations. He/she will ensure that those present understand the procedure to be followed.
3. The hearing will normally be in public. However, the Panel may decide to exclude the public from any part of the meeting, not only the Panel's deliberations (including the Applicant and those making representations) where it considers that the public interest in doing so outweighs the public interest in the hearing taking place in public.
4. The Licensing Officer will present the report outlining the application and relevant representations.
5. The Panel may question the Licensing Officer.
6. The Applicant may question the Licensing Officer.
7. Those making representations may question the Licensing Officer.
8. The Applicant or his/her representative will present his/her case and call their witnesses.
9. The Panel may question the Applicant
10. Those making representations may question the Applicant
11. Those making representations or their representative will present their case.
12. The Panel may question those making representations.
11. The Applicant may question those making representations.
12. The Applicant will sum up his/her case.
13. Those making representations will then sum up their case (s).
14. The Clerk will then raise any points that need to be raised before the Application is determined.
15. The Applicant and those making representations will be asked whether there is anything further they wish to say.
16. Members will consider whether the public interest of holding their deliberations in private outweighs the public interest in holding their deliberations in public. Where Members consider that they should deliberate in private all persons other than the

Members, the Clerk and any person present solely for the purpose of taking notes, shall withdraw from the room. Any advice given by the Clerk to the Panel in private will be repeated to all the parties before the Panel announces their decision.

17. Where the decision must be made at the conclusion of the hearing the Chair will inform the Applicant, the Licensing Officer, and those making representations of its decision and the reasons for it. The decision will be confirmed in writing to all parties within 5 working days.
18. Where the decision is not required to be made at the conclusion of the hearing the panel will inform the parties in writing of its decision and the reasons for it within 5 working days.

5 & 6

COMMITTEE: LICENSING PANEL

DATE: 15TH AUGUST 2017

SUBJECT: OBJECTION TO 2 TEMPORARY EVENT NOTICES FOR BIRD AND BUSH, HANCOCK DRIVE, LUTON, LU2 7SF

REPORT BY: SERVICE DIRECTOR, ENVIRONMENTAL AND CONSUMER SERVICES

CONTACT OFFICER: TONY IRELAND

TEL: 546040

IMPLICATIONS:

LEGAL	<input type="checkbox"/>	COMMUNITY	<input type="checkbox"/>
		SAFETY	
EQUALITIES	<input type="checkbox"/>	ENVIRONMENT	<input type="checkbox"/>
FINANCIAL	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
STAFFING	<input type="checkbox"/>		

WARDS AFFECTED: BARNFIELD

PURPOSE

1. The purpose of this report is to enable the Licensing Panel to consider the Objection Notice received from the police in response to two Temporary Event Notices from Charles McGuinness of the Bird and Bush, Hancock Drive, Luton, LU2 7SF.

RECOMMENDATION

2. That the Licensing Panel considers the Objection Notice received from the police in response to two temporary Event Notices from Charles McGuinness of the Bird and Bush, Hancock Drive, Luton

BACKGROUND

3. The premise is a Public House located in the Barnfield ward. A map showing the location of this Premises, is attached at Appendix A (page 8).
4. In May 2017 an application to review of the premises licence was received from Bedfordshire Police. Having considered all evidence at the panel hearing, the members determined to amend the licence in accordance with the proposed conditions with some minor amendment's and additions.
5. A copy of the Premises Licence for the premises is attached at Appendix B (page 9 - 19).

6. On 03rd August 2017 the Licensing Service received 3 Temporary Event Notices (TENs) from Charles McGuinness, the DPS of the premises. One of the Temporary Event notices was withdrawn by the applicant and it was confirmed by Charles McGuinness that he only wishes to continue with two notices. Copies of the two Temporary Event Notices are attached at Appendix C (pages 20 - 35)
7. The police have made an objection opposing the two Temporary Event Notices on the grounds of the Prevention of Crime and Disorder. A copy of that representation is at Appendix D (pages 35 - 39)
8. The TENs are for events which take place on the following dates: 09/09/2017 to 10/09/2017 20:00 to 01:00 and 16/09/2017 to 17/09/2017 20:00 to 01:00.

OBSERVATIONS

9. The Licensing Panel must, having regard to each TEN and the objection notice separately, give the premises user a counter – notice if it considers it necessary for the promotion of the crime prevention objective to do so.
10. Alternatively, if the Panel consider it appropriate to do so for the purpose of the licensing objectives they may impose one or more conditions on the temporary event notice if:
 - (a) the conditions are also on the premises licence which is in force for the premises; and
 - (b) the conditions are not inconsistent with carrying out the activity covered by the temporary event notice.
11. If the Panel do not consider it appropriate to take either of these steps then the events can proceed as indicated in the TENs.

LEGAL COMMENTS

12. The Panel must, in relation to each TEN, after considering the content and the objection notices either take one of the options at either paragraph 7 or 8 above or, if the Panel does not consider it appropriate to do so, the event will be able to proceed.

As agreed with Clive Tobin, Senior Solicitor in Legal Services on 9 August 2017.

APPENDICES

The following Appendices are attached to this report:-

Appendix A: Map showing location of the premises (page 8)

Appendix B: Premises Licence (pages 9 - 19)

Appendix C: Temporary Event Notices (pages 20 - 35)

Appendix D: Representation from Bedfordshire Police (pages 36 -39)

LIST OF BACKGROUND PAPERS

ss 98 – 110 Licensing Act 2003

Guidance issued under s182 of the Licensing Act 2003

Luton Borough Council's Statement of Licensing Policy

APPENDIX - A



**Part A
Premises Licence**

Premises Licence Number

054303

This revision (reference number):

153119

Effective from:

23/05/2017

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Bird and Bush Hancock Drive	
Post town Luton	Post code LU2 7SF
Telephone number: 01582 390670	

Where the licence is time limited the dates

Start Date

24/11/2005

End Date

Licensable activities authorised by the licence

Films – (Indoors)
Live Music – (Indoors)
Recorded Music – (Indoors)
Entertainment of a similar description to music or dance (Indoors)
Provision of facilities for making music (Indoors)
Late Night Refreshment – (Indoors and Outdoors)
Supply of Alcohol – on and off the premises

The times the licence authorises the carrying out of licensable activities

Films

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Live Music

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th

December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Recorded Music

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Entertainment of a similar description to music or dance

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Provision of facilities for making music

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Late Night Refreshment

Monday to Sunday 23.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

Supply of Alcohol

Monday to Sunday 10.00 to 24.00

New Years Day, Valentines Night, Burns Night, St David's Day (1st March), St Patrick's Day (17th March), Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May Bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/ Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27th December, 28th December and 30th December

One extra hour

Christmas Eve – two extra hours

From end of permitted hours on New Years Eve through to 01.00 hours on New Years day.

In the event of the transmission of any recognised international event which falls outside the current permitted hours on the premises licence to permit the activity one hour before the start of the event and ending one hour after the end of the event, the details of the activity to be notified to the police 10 days beforehand.

The opening hours of the premises

Monday	10.00 - 00.30
Tuesday	10.00 - 00.30
Wednesday	10.00 - 00.30
Thursday	10.00 - 00.30
Friday	10.00 - 00.30
Saturday	10.00 - 00.30
Sunday	10.00 - 00.30

Seasonal Variations	New Years Day, Valentines Night, Burns Night, St Davids Day (1 st March), St Patricks Day (17th March) Good Friday, Easter Saturday, Easter Sunday, Easter Monday, May bank Holiday and Friday/Saturday/Sunday prior, Whitsun Bank Holiday and Friday/Saturday/Sunday prior, August Bank Holiday and Friday/Saturday/Sunday prior, Halloween, Boxing Day, 27 th December, 28th December and 30th December - One extra hour; Christmas Eve - Two Extra hours From end of permitted hours on New Years Eve through to start of permitted hours on New Years Day
Non-Standard timings	None

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

Supply of Alcohol for consumption on and off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

CJ & JG Ltd
Bird and Bush
Hancock Drive
Luton
LU2 7SF

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

09983267

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

Charles John McGuiness

Annex 1 - Mandatory conditions

1. Where a premises licence authorises the supply of alcohol:
 - a) No supply of alcohol may be made under the premises licence-
 - i. at a time when there is no designated premises supervisor in respect of the premises licence, or
 - ii. at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 - b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
2. Where the premises licence authorises the exhibition of films, the admission of children to the exhibition of any film is to be restricted in accordance with the recommendations made by the British Board of Film Classification.
In this condition "children" means persons aged under 18;
3. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001.

This condition is not imposed in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films) and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)".

- a) , or
- a) in respect of premises in relation to-
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - i. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- b) For the purposes of this condition-
 - i. "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, (guarding of premises against unauthorised access, against outbreaks of disorder and against damage), and
 - i. paragraph 8(5) of that Schedule applies namely references in this condition to the occasion on which any premises are being used for a particular purpose include references to any time on that occasion when the premises are about to be used for that purpose, or have just been used for that purpose.

Premises Licences and Club Premises Certificates authorising the supply of alcohol for consumption on the Premises

FURTHER MANDATORY LICENSING CONDITIONS

With effect from 1 October 2014

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the

sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that—

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

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

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of

alcohol to be sold, the customer is made aware that these measures are available.

With effect from 28th May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) The holder of the premises licence,
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

1. All staff to have effective training so that they are aware of the licensing objectives.
2. The licence holder is to monitor the need for door supervisors and in doing so takes into account any advice given by the police.
3. The manager of the premise to be an active member of the local Pubwatch or similar scheme.
4. Text and/or radio pagers to be used for any additional hours.
5. Toughened glass to be used during licensed hours.
6. The premise to have CCTV installed which is fully maintained.
7. No drink promotions are to be permitted.
8. Health & Safety, Fire Safety and all other policies to have certification kept on the premises.
9. An incident reporting system to operate during opening hours.
10. All staff to be trained to ensure customers leave the premises quietly.
11. Management to liaise with local neighbours to resolve any reasonable concerns.
12. Alcohol to only be served to customers over 18 years of age.
13. Any children under 16 years of age to be accompanied by an adult.
14. No adult entertainment (paid for by the company of a nude physical nature) to be permitted.

Condition added as Minor Variation Application submitted on 21st May 2014

1. The premises shall install and maintain a comprehensive CCTV system. The main entry/exit door to be covered and the customer's area of the service bar. The CCTV system shall continually record whilst the premises is open for licensable activities. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Staff to be trained to use the CCTV system should an urgent request be made for a copy from the police or authorised officer.

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

1. That during operation of regulated entertainment all windows and doors at the front of the premises shall remain closed except for the purpose of entrance and egress.

Conditions attached to Licence on 23rd May 2017 following the Premises Licence Review

1. The premises shall ensure that there is adequate training for staff on licence conditions and the measures necessary for compliance with those conditions. A record shall be made of the training provided and this record shall be made available upon request to an authorised officer of the Licensing Authority and the Police.
2. The CCTV system shall operate and record images at all times the premises are open to the public and the quality and standard of recorded images will meet the requirements of the Police and Local Authority to enable the positive identification of individuals.
 - A. A camera at the entrance to the premises shall be capable of recording images of individuals to identification standard.
 - B. Recorded images will be capable of being played back at a speed of at least 3-4 frames per second, and will be retained for 31 days. They will be supplied for the Police, Fire Service or Authorised Officers of the Licensing Authority upon request, in a readily viewable format.
 - C. Signage will be displayed at the premises to inform customers and staff that CCTV surveillance is in operation and that recorded images can be used by Police, Fire Service or Authorised Officers of the Licensing Authority for their use.
 - D. There will be a member of staff on the premises after 20.00hrs when the premises are open to the public, who is conversant with the operation of the CCTV system and able to show Police recent recorded images without delay when requested to do so by Police, and be able to supply a downloaded copy on request.
 - E. The CCTV system shall be checked at the start of each day (prior to the premises opening to the public) to ensure that it is operating correctly. An entry shall be made in the incident record book to the effect that the check has been made and this entry shall be dated, timed and signed by the person making the check.
 - F. The Premises shall set the CCTV system to either Greenwich mean time or British summer time, and notify the Local Authority and Police of which has been set, and not amend the time further to prevent and avoid loss of data.
3. The premises shall adopt a 'zero tolerance' policy in respect of illegal drugs and other illegal substances. Signage shall be displayed at the premises to advise customers of this policy. The policy will include regular checks of the toilets, details relating to the handling, storage, seizure and disposal of illegal drugs and other illegal substances, and also include actions to be taken to involve Police when drugs issues arise.

4. The premises shall ensure that a Personal Licence Holder will be on duty, save for unforeseen exceptional circumstances, after 20.00hrs on a Friday and Saturday, and also after 20.00hrs on the Sundays and Monday of Bank Holiday weekends.
5. The premises will adopt a 'Challenge 25' age verification policy.
6. The premises shall adopt a dispersal policy whereby the sale of alcohol shall terminate at least 10 minutes prior to the permitted time. Customers will be encouraged by staff to finish their drinks and to leave the premises quietly. Staff will also encourage customers to leave the vicinity of the premises once they have left the building.
7. The outside area shall not be used after 22.00hrs on any given day, with the exception of persons wishing to smoke.
8. The premises shall ensure that there are no bottles or glasses in the outside area after 22.00hrs on any given day.
9. No refreshments of any description shall be taken to the outside area after 22.00hrs on any given day.
10. A notice shall be displayed in a prominent position in the outside area, requesting persons who are using that area to do so quietly, respecting the needs of local residents. The notice shall be reinforced verbally by staff at the premises.
11. A notice shall be displayed at the exit to the premises, requesting people to leave quietly and not to loiter outside the premises. The notice shall be reinforced verbally by staff at the premises.

Annex 4 - Plans

Note: Plans may not be shown to any scale that may be specified in the drawing.

LICENSING KEY	
Shade & supply of alcohol, use of premises for entertainment & refreshment	
<p>NOTES: The plan must show the layout of the premises, including the location of the bar, kitchen, store, office, and other areas. The plan must also show the location of the entrance and exit doors. The plan must be drawn to scale and must be signed by the licensee.</p>	

LICENSING KEY The plan must show the layout of the premises, including the location of the bar, kitchen, store, office, and other areas. The plan must also show the location of the entrance and exit doors. The plan must be drawn to scale and must be signed by the licensee.	
	Shade & supply of alcohol, use of premises for entertainment & refreshment
	Selling to the Public
	W.C.
	Disabled
	Fire exit
	Bar
	Beer cellar
	Store
	Office
	Lobby
	Gents
	Ladies
	Kitchen
	W.C.
	Disabled
	Fire exit
	Bar
	Beer cellar
	Store
	Office
	Lobby
	Gents
	Ladies
	Kitchen
	W.C.
	Disabled
	Fire exit
	Bar
	Beer cellar
	Store
	Office
	Lobby
	Gents
	Ladies
	Kitchen
	W.C.
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	Fire exit
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	Gents
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	Lobby
	Gents
	Ladies
	Kitchen
	W.C.
	Disabled
	Fire exit
	Bar
	Beer cellar
	Store



Luton
Temporary Event Notice
Licensing Act 2003

For help contact
licensing@luton.gov.uk
Telephone: 01582 546040

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

ELI NIGHT

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Charles

Family name

McGuinness

E-mail address

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

9983267

Business name

CJ and JG Ltd

If your business is registered, use its registered name.

VAT number

- 236607701

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

☐ Yes ☒ No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value=""/>
Telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). ([See also guidance on completing the form, note 2](#))

Does the premises have an address?

☒ Yes ☐ No

Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="The Bird and Bush"/>
Street	<input type="text" value="Hancock Drive"/>
District	<input type="text" value=""/>
City or town	<input type="text" value="Luton"/>
County or administrative area	<input type="text" value="Beds"/>
Postcode	<input type="text" value="LU27SF"/>
Country	<input type="text" value="United Kingdom"/>

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither ☒ Premises licence ☐ Club premises certificate

Premises licence number	<input type="text" value="054303"/>
-------------------------	-------------------------------------

Location Details

Provide further details about the location of the event

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Public House

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

Live disco

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 8](#))

Event start date

09

/

09

/

2017

ddmmyyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

10

/

09

/

2017

ddmmyyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

20:00 - 01:00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

120

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- ☒ On the premises only
☐ Off the premises only
☐ Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

20:00 - 00:00 hours

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

dd

mm

yyyy

Any further relevant details

Section 7 of 9**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐

Yes

☒

No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes ☒ No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 18)

* The information contained in this form is correct to the best of my knowledge and belief and I have completed all sections within the form in full

* I understand that it is an offence:

- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/luton/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="ELI NIGHT"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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APPENDIX - C (Cont'd)



Luton
Temporary Event Notice
Licensing Act 2003

For help contact
licensing@luton.gov.uk
Telephone: 01582 546040

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

DISCO/KARAOKE

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Charles

Family name

McGuinness

E-mail address

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

9983267

Business name

CJ and JG Ltd

If your business is registered, use its registered name.

VAT number

- 236607701

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

☐ Yes ☒ No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value=""/>
Telephone number	<input type="text" value=""/>
Other telephone number	<input type="text" value=""/>

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

☒ Yes ☐ No

Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="The Bird and Bush"/>
Street	<input type="text" value="Hancock Drive"/>
District	<input type="text" value=""/>
City or town	<input type="text" value="Luton"/>
County or administrative area	<input type="text" value="Beds"/>
Postcode	<input type="text" value="LU27SF"/>
Country	<input type="text" value="United Kingdom"/>

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither ☒ Premises licence ☐ Club premises certificate

Premises licence number	<input type="text" value="054303"/>
-------------------------	-------------------------------------

Location Details

Provide further details about the location of the event

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Public House

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

disco/karaoke

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- ☐ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 8](#))

Event start date

16

/

09

/

2017

ddmmyyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

17

/

09

/

2017

ddmmyyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

20:00 - 01:00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

120

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- ☒ On the premises only
☐ Off the premises only
☐ Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

20:00 - 00:00 hours

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

/ /

dd

mm

yyyy

Any further relevant details

Section 7 of 9**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐

Yes

☒

No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes ☒ No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 18)

* The information contained in this form is correct to the best of my knowledge and belief and I have completed all sections within the form in full

* I understand that it is an offence:

- * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/luton/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="DISCO/KARAOKE"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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APPENDIX - D

Licensing Department
Luton Borough Council

PC 5900 Leanne Kirsop
Licensing Officer
Luton Police Station
Buxton Road
Luton
LU1 1SD

T01582394465
Licensingluton@bedfordshire.pnn.police.uk

07/08/2017

Dear Sir or Madame,

RE: Application for a Temporary Event Notice, The Bird and Bush, Hancock Drive Luton, LU2 7SF.

On behalf of the Chief Officer of Bedfordshire Police, I wish to make the following representations in relation to the application of two temporary event notices submitted by Charles MCGUINNESS for 09/09/2017 and 16/09/2017. It is the view of Bedfordshire Police that should these events go ahead then they will undermine the prevention of crime and disorder.

A review of the premises licence, called by Bedfordshire Police, took place on 23/05/2017. This was due to a series of violent incidents that took place at the location, breach of licence conditions around licensable hours, a lack of provision of CCTV to police frustrating the detections of offences, and evidence of drug use at the location.

Through consultation with the DPS and company owning the building, additional licence conditions were agreed between parties prior to this hearing. These were implemented by the committee on the date of the hearing, and were very much an agreement between all parties that they represented a last chance for the DPS.

The week following this hearing, a licensing check was conducted by Licensing Sergeant 75 GURR and PC 5844 Mitchell in the early hours of Monday 29/05/2017. They found several members of the public still inside the location drinking at 01:34 hours, when the premise should have been closed. Please see the MG11 provided by PS 5844 Mitchell that is in relation to this.

Following this breach, the building owners terminated their contract with the DPS. The DPS has until 22/09/2017 to vacate the premise.

Since then, there have been no further reported incidents at the venue itself. However, there was a report of disorder outside on 03/06/2017 where it was described that 4-5 males were

fighting outside the location with weapons. A sword was seen by a member of the public, and a sword sheath was later recovered by Bedfordshire Police close to the premises.

On receipt of the two stated temporary event notice, and due to this recent disorder in the immediate area of the pub, Bedfordshire Police requested that the DPS uses door staff on the dates of the proposed events. This was requested to mitigate the risk of disorder taking place in the pub, due to the recent stated nearby incident as well as previous history at the pub itself. This was put to the DPS, who refused to supply door staff citing 'NO ONE WILL MESS' with one of the acts booked and that 'THEY BRING THEIR OWN PEOPLE'. The second event has been described as a leaving party for the outgoing DPS Mr MCGUINESS.

The refusal of a measure that would mitigate risks of crime and disorder, as well as the DPS' disregard of the conditions of his licence just one week after being given a final chance to act appropriately, leave Bedfordshire Police no confidence that these events will not have a negative impact on the licensing objectives. This view is backed-up by the building owners, who supported Mr MCGUINESS at the previous review hearing.

There is the additional concern over the nature of the second event. The fact that it represents a 'leaving party' for a DPS who has shown in the past to have little regard for his licence conditions, leads us to believe that the licensing objectives will not be upheld at this event as the DPS has very much 'nothing to lose' due to moving-on from the premise.

Yours sincerely

PC 5900 Leanne Kirsop

Bedfordshire Police.

RESTRICTED (when complete)

MG11

WITNESS STATEMENT**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: Liam Paul Mitchell

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Police Sergeant 5844

This statement (consisting of two page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: (witness) Date: 07/08/2017

The statement concerns my attendance at THE BIRD IN BUSH PUB HANCOCK DRIVE LUTON, at 01:32 hrs on Monday 29/05/2017. I was on duty at the time, in uniform, crewed with the then licensing sergeant PS 75 GURR on marked-vehicle patrol.

At the stated time on the stated date, PS GURR and I attended THE BIRD IN BUSH. We went there to see if the premise was complying with its licence conditions, as there had been a review of the premise licence the week previous. One of the concerns of this review was that the designated premises supervisor had been operating out of hours.

On our arrival, lights were still on inside the location and people could be seen inside. It was my understanding that the location was licensed to be open until 01:30 hrs that morning, with alcohol supply to cease half an hour before this. This represented an hour's extension to regular hours, due to it being a bank holiday weekend night.

On walking up to the front door, we found it to be locked. A member of staff, who later identified himself as 'Joe ROMERO' opened the door when knocked. Inside the location were two females sitting at a table and a male standing off to their side. There were three pints of what appeared to be lager on this table, all more than half full and one with only a small amount missing from the top. There was another female behind the bar, appearing to work at the location, and three males off to the right playing pool.

PS GURR explained words to the effect that the pub should be closed. ROMERO responded words to the effect that the people left inside were 'FRIENDS'. PS GURR asked where 'CHARLIE', the designated premises supervisor, was. ROMERO responded that he was upstairs asleep. As they were talking, the male and two females in the main bar area left via the front door.

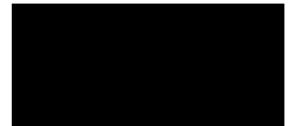
Signature: Signature witnessed by:

RESTRICTED (when complete)

I went over to the males playing pool and asked them if they knew who the male who worked there was. One responded that he was 'JOE'. I asked what they were doing and the same male responded words to the effect that they didn't have any beer, but had been told that they could finish their game of pool. I then went back over to ROMERO, where I obtained his name. As I was doing this, the males who had been playing pool also left. Due to their comments around being permitted to finish their game, I formed the impression that these males were in fact customers at the location and not 'friends' as ROMERO had initially stated.

PS GURR continued to speak to ROMERO about breaching licence conditions, and how follow-up action would likely result. We left the location at 01:38 hrs.

I recorded my entire attendance on body worn video camera, the footage of which I have reviewed prior to making this statement to refresh my memory of events.



Signature: Signature witnessed by:

