

South Lakeland District Council

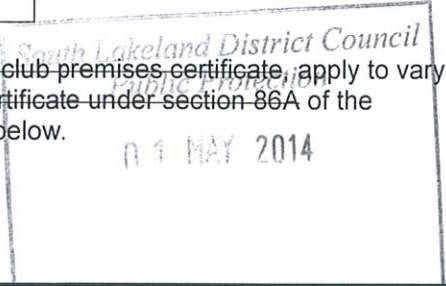
Application for a minor variation to a premises licence or ~~club premises certificate~~ under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1. 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 in black ink. Use additional sheets if necessary. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

Andrew Milliard

We being the premises licence holder(s) / ~~club holding a club premises certificate~~, apply to vary a premises licence under section 41A / ~~club premises certificate under section 86A~~ of the Licensing Act 2003 for the premises described in Part 1 below.



Part 1 – Premises details

Telephone number at premises (if any)

Postal address of premises (or, if none, ordnance survey map reference, or description) Smokehouse Bar Yard 2 Stricklandgate	
Post town Kendal	Post Code LA9 4ND

[Empty box]

Premises licence number/~~club premises certificate number~~

Brief description of premises (Please see Guidance Note 2)
A public house with bar to ground floor.

PL(A)0450

Receipt No 232488
Initials PP
Date 1/5/14

Part 2 – Applicant Details

Please tick

I am/ we are the premises licence holder/~~club premises certificate holder~~
Contact phone number in working hours (if any)

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS Andrew Milliard [REDACTED]	
Post town Kendal	Postcode [REDACTED]
Please provide email address if you would prefer us to contact you by email (optional)	

Part 3 – Proposed variation(s)

Please tick **yes**

Do you want the proposed variation to have effect as soon as possible?

Day Month Year

If not, from what date do you want the variation to take effect?

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

<p>Details of proposed variations (Please see Guidance Note 3)</p> <p>To remove certain conditions currently attached to the Premises Licence and to add further conditions considered to be consistent with the operating schedule of the Premises Licence.</p> <ol style="list-style-type: none">1. Remove condition 1 of Annex 1 of the Premises Licence as the condition is not a Mandatory Condition of the Licensing Act 2003 (LA2003).2. Move condition 2 of Annex 1 of the Premises Licence to Annex 2 as the condition is not a Mandatory Condition of the Licensing Act 2003.3. Remove condition 3 of Annex 1 as the condition is not a Mandatory Condition of the Licensing Act 2003.4. Remove condition 6 of Annex 1 as the condition is not a Mandatory Condition of the Licensing Act 2003.5. To remove Paragraph 2 Annex 2 Members of the public shall not be admitted to the premises after 01:30 each night.6. To amend the opening hours to 09:00 Monday to Sunday (for the service of coffee etc and other non-licensable activities).

Details of proposed variations (Continued)

To add the following conditions:-

1. To add CCTV.

- a) A CCTV system shall be installed which will be compliant with the requirements and recommendations of Cumbria Constabulary.
- b) CCTV recordings shall be made available to an Authorised Officer of the South Lakeland District or a Police Officer upon request as is reasonably practicable and in any case within 24 hours.
- c) Any subject access request shall be compliant with the provisions of the Data Protection Act and shall be pursuant to an investigation of crime and disorder.
- d) Notices confirming CCTV systems are in operation shall be displayed at the premises.

2. SIA

- a) A requirement for the use of Security Industry Authority Registered Door Supervisor shall be risk assessed by the management of the premises.
- b) Cognizance shall be taken of Police intelligence when determining whether Door Supervisors should be deployed for specific events occurring within the vicinity of the premises.
- c) Where Door Supervisors are employed a register shall be maintained confirming the full name and Security Industry Authority badge number and time of deployment. The register shall be signed by each Supervisor confirming the hours worked and the register shall be retained for a period of not less than one calendar year.
- d) A separate register shall be maintained by the Designated Premises Supervisor/Manager identifying the name, address, date of birth and SIA Registered badge number of each Supervisor employed by the premises. The register shall be retained for a period of not less than one calendar year.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment

- | | |
|---|--------------------------|
| | <i>Please tick ✓ yes</i> |
| a. plays | <input type="checkbox"/> |
| b. films | <input type="checkbox"/> |
| c. indoor sporting events | <input type="checkbox"/> |
| d. boxing or wrestling entertainment | <input type="checkbox"/> |
| e. live music | <input type="checkbox"/> |
| f. recorded music | <input type="checkbox"/> |
| g. performances of dance | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of late night refreshment

Sale by retail of alcohol

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Enclosures

I have enclosed the premises licence/~~club premises certificate~~

I have enclosed the relevant part of the premises licence/~~club premises certificate~~

I have included a copy of the plan
(necessary if the proposed variation will affect the layout)

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have failed to enclose the premises licence/~~club premises certificate~~ or relevant parts.

The original Premises Licence will be hand delivered to the Licensing Authority by the Premises Licence Holder.

Any further information to support your application. (See Guidance Note 4)

CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have enclosed the plan, if appropriate, of the premises in scale (1mm to 100mm), unless otherwise agreed with the licensing authority
- I have enclosed the premises licence/~~club premises certificate~~ or relevant part
- of it or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected.
- I understand that I am required to advertise my application by posting a white notice at or on the premises for ten consecutive working days commencing on, and including the day after the day when my application is given to the licensing authority.

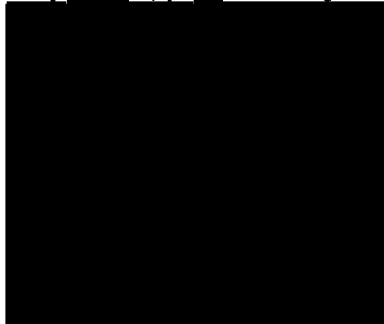
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures and Contact Details

(See Guidance Note 5)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See Guidance Note 6) If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

Signature:



Date:

Capacity: We Poppleston Allen – Licensing Solicitors sign on behalf of and have authority to bind the applicant.

~~Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (See Guidance Note 7). If signing on behalf of the applicant please state in what capacity.~~

~~Signature:~~

~~Date:~~

~~Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.~~

~~Where the premises is a club~~

~~I (insert full name) make this application on behalf of the club and have authority to bind the club~~

~~Signature:~~

~~Date:~~

~~Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.~~

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8) Poppleston Allen Solicitors 37 Stoney Street The Lace Market Nottingham NG1 1LS	
Telephone number (if any) 0115 9487410	If you would prefer us to correspond with you by email your email address (optional) n.walton@popall.co.uk

Notes for Guidance

1. General Note: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence or certificate has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) of the Licensing Act 2003 in a premises licence.

2. Description of premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with 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, etc.

3. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted

by including as much information as you can about this. (**However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation**). Relevant information includes:

a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock (e.g. 16.00). Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors. Indoors may include a tent;
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer; and
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) Revisions, removals and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) Variations to opening hours: Details of any changes to hours when the premises or club is open to the public.

4. **Further information:** You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

5. **Signatures:** The application form must be signed.

6. **Authorised agent:** An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

7. **2nd Applicant:** Where there is more than one applicant both applicants or their respective agents must sign the application form.

8. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided."