

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

LICENSING DEPT
SOUTH LAKE LAND DISTRICT COUNCIL

South Lakeland District Council
Public Protection

15 AUG 2013

Receipt No 230062

Initials KP

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.

ENTERPRISE INNS PLC

(Insert name(s) of applicant)

being the [premises licence holder(s)] ~~XXXXXX~~, apply to vary a [premises licence under section 41A] ~~XXXXXX~~ of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 - Premises details

Postal address of premises (or, if none, ordnance survey map reference, or description)

GEORGE & DRAGON
MARKET PLACE

Post town KENDAL, CUMBRIA

Post code LA9 4TN

Telephone number at premises (if any)

Premises licence number/~~XXXXXX~~
~~XXXXXX~~

PL(A) 0509

Brief description of premises (Please see Guidance Note 2)

PUBLIC HOUSE

Delete words in square brackets which do not apply.

Part 2 - Applicant Details

I am/we are the premises licence holder/~~XXXX XXXXX XXXXXXX XXXXX~~ (Please delete as appropriate)

Contact phone number in working hours (if any)

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS

3 MONKSPATH HALL ROAD
SHIRLEY

Post town SOLIHULL

Post code B90 4SJ

Please provide email address if you would prefer us to contact you by email (optional)

janet_braithwaite@gosschalks.co.uk

Part 3 - Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible? Yes ☒ No ☐ Please tick

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 3) Yes ☐ No ☒

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):

Details of proposed variation(s) (Please see Guidance Note 4)

TO ATTACH CONDITIONS FOLLOWING LIAISON WITH CUMBRIA CONSTABULARY

Part 4 - Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

- a. plays ☐
- b. films ☐
- c. indoor sporting events ☐
- d. boxing or wrestling entertainment ☐
- e. live music ☐
- f. recorded music ☐
- g. performances of dance ☐
- h. anything of a similar description to that falling within (e), (f) or (g) ☐

Provision of late night refreshment

☐

Supply of alcohol

☐

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

Please tick to indicate you have enclosed the following:

I have enclosed the premises licence/~~XXXXXX~~ ☐

I have enclosed the relevant part of the premises licence/~~XXXXXX~~ ☐
~~XXXXXX~~

I have included a copy of the plan (this is 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 not enclosed the premises licence/club premises certificate or relevant parts.

THE PREMISES LICENCE HAS NOT YET BEEN ISSUED FOLLOWING A DPS VARIATION APPLICATION SUBMITTED BY ENTERPRISE INNS PLC

Any further information to support your application. (See Guidance Note 5)

THE APPLICATION FOLLOWS A REQUEST FROM CUMBRIA CONSTABULARY TO ATTACH THE CONDITIONS ATTACHED TO THIS APPLICATION TO THE PREMISES LICENCE

CHECKLIST:

Please tick to indicate agreement

- 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/~~any premises licence~~ 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 must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day. ☒


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

Part 5 - Signatures and Contact Details

(See Guidance Note 6)

Premises Licence:

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 7). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

Signature	
Date	12 AUGUST 2013
Capacity	Solicitors for and on behalf of the applicants

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 8). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Where the premises are a club

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 9) Gosschalks Solicitors Queens Gardens Hull East Yorkshire	
Post town Hull	Post code HU1 3DZ
Telephone number (if any) 01482 324252	
If you would prefer us to correspond with you by email your email address (optional) janet_braithwaite@gosschalks.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 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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
 4. **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.
5. 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.
6. Signatures: The application form must be signed.
7. 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.
8. 2nd Applicant: Where there is more than one applicant, both applicants or their respective agents must sign the application form.
9. 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.

1. The premises are to operate an effective CCTV system, which will be maintained in good working order at all times the premises is open for business. The recording medium (e.g. discs / tapes / hard drive etc.) and associated images will be retained and securely stored for a minimum period of 14 days and will be made available to the Police and Authorised Officers of the Licensing Authority upon a request being made pursuant to the Data Protection Act 1998.
2. At all times when the premises are open there shall be present in the premises a member of staff who is trained in the operation of CCTV installed at the premises and downloading of data images onto a recording format. Any images required for police investigation will be supplied to police officers on demand or by close of business at the latest.
3. The designated premises supervisor or a person nominated by them shall actively participate and be a member of a Pub and Club watch scheme for the area within which the premises is located.
4. An incident book will be maintained when a licensable activity is being conducted at the premises in which shall be recorded:-
 - a. All incidents of crime and disorder
 - b. Any refused sales to suspected under age or drunken persons
 - c. A record of any person refused admission or asked to leave the premises
 - d. Details of those occasions when police are called to the premises
 - e. Any incident involving the misuse or recovery of drugs
5. The incident book will be made available to the Police and Authorised Officers of the Licensing Authority upon request.
6. The Premises Supervisor will risk assess the need for Security Industry Authority accredited door security staff on a monthly basis. The risk assessment will provide an auditable trail and will be available for inspection to a Police Officer or Council Licensing & Enforcement Officer.
7. Where security staff are used on the premises a daily log will be maintained at the premises showing the full name, date of birth and Security Industry Authority badge number of the Door Security Staff on duty, the time when they started and ended their shift. The log is to be made available to the Police, to Security Industry Authority inspectors and to Authorised Officers of the Licensing Authority on request.
8. A dispersal policy is to be implemented setting out the steps the venue will take at the end of the trading session to minimise the potential for disorder and disturbance as customers leave the premises.
9. All staff who are involved in the sale of alcohol will be trained in relation to all of the licensing objectives so as to prevent crime, disorder, public nuisance and to promote public safety and the protection of children from harm. Such training will encompass service refusal skills and recognising drunkenness. Refresher training will be completed no later than every 6 months thereafter. Training will be documented and be available for inspection to a Police Officer or council Licensing and Enforcement Officers.
10. There shall be in force for the premises a drugs policy for prospective customers.