

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mountain Pub Company Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PLA0269

Part 1 – Premises Details

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

Bird in Hand
17 Market Square

Post town

Leek

Postcode

ST13 5HJ

Telephone number at premises (if any)

N/A

Non-domestic rateable value of premises

£14,400

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Suffolk

Postcode

Part 3 - Variation

Please tick as appropriate

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

☐
No

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

This is an application to vary the opening hours; the hours where the premises can provide regulated entertainment; the hours where the premises is permitted for the Sale of Alcohol and the hours when the premises can provide Late Night Refreshment on Fridays & Saturdays only. The new hours shall be as follows:

Opening Hours

Friday & Saturday 08.00 – 01.30

Regulated Entertainment (Exhibition of Films; Indoor Sporting Event; Performance of Live Music; Playing of Recorded Music; Performance of Dance)

Friday & Saturday 10.00 – 01.00

Sale of Alcohol (on & off sales)

Friday & Saturday 10.00 – 01.00

Late Night Refreshment

Friday & Saturday 23.00 – 01.00

We further apply to remove Annex 2 of the licence in its entirety and replace it with the following operating schedule as agreed previously with police licensing:

1. No persons under the age of 18 years allowed on the premises after 21:00 hours each day.
2. The sale of alcohol for consumption outside the building must be restricted to a defined area which must have all of the appropriate consents from the Local Authority and must include a plan on which the area is defined and should also utilise a physical barrier which is approved by the Local Authority.
3. Signage requesting the public respect local residents and to leave the premises quietly.
4. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
5. CCTV must be installed and cover all internal areas, including all public entry and exit points and any areas where smokers are allowed to congregate. The CCTV unit must be positioned in a secure part of the licensed premises and not within

any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or an Authorised Officer of the Licensing Authority in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law

6. All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or an Authorised Officer of the Licensing Authority in relation to the investigation of crime and/or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
7. Challenge 25 must be operated at the premises whereby all persons who appear to be under 25 years of age and purchasing or attempting to purchase alcohol must be asked to provide identification to prove they are over 18 years of age. The only acceptable forms of identification allowed are a valid passport, a valid photo ID driving licence or a valid proof of age scheme card with the PASS approved hologram.
8. Challenge 25 signage must be displayed in a clear and prominent public place at the premises.
9. All staff must be fully trained in relation to the Challenge 25 scheme before being allowed to sell alcohol and a record must be kept of staff training. Training must be refreshed at least every 12 calendar months. Such training must be recorded and be maintained at the premises and made available for inspection upon request by a Responsible Authority. Records for each person must be retained for a minimum of 24 months. Both initial and subsequent refresher training in relation to the sale of alcohol must contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.
10. A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. This register must be made available for inspection upon request by a Responsible Authority. This register can be written or electronic.
11. The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for drinking receptacles at all times by way of a risk assessment. Where the Risk Assessment identifies a requirement for non-glass drinking receptacles (including bottles), these must be of an alternative material other than glass. Any drinks not available in this packaging must be decanted and the glass/bottle retained by the staff at the location and not handed to the customer.
12. The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for Door Staff at all times by way of a risk assessment. Where the Risk Assessment identifies the need for Door Staff to be deployed, Door Staff must be of sufficient number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously. Door Staff must remain at the premises until such time the premises are closed and all members of the public have left the venue. All persons utilised at the premises in the capacity of a Door Supervisor must wear high visibility clothing at all times they are deployed.
13. Where Door Staff are employed there must be a register of every SIA person employed at the premises that contains the following details:
 - Name, date of birth and home address.
 - Security Industry Authority licence number.
 - Time and date each security staff starts and finishes duty.

· Each entry must be signed by the security staff.
That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.

All other hours and activities currently permitted by the premises are to remain unchanged by this application.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input checked="" type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
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<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X
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In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
	10:00	00:00						
Tue								
	10:00	00:00						
Wed						State any seasonal variations for the exhibition of films (please read guidance note 6)		
	10:00	00:00						
Thur								
	10:00	00:00						
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)					
	10:00	01:00						
Sat								
	10:00	01:00						
Sun								
	10:00	00:00						

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
	10:00	00:00	State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
	10:00	00:00	
Wed			
	10:00	00:00	
Thur			
	10:00	00:00	
Fri			
	10:00	01:00	
Sat			
	10:00	01:00	
Sun			
	10:00	00:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
	10:00	00:00				
Tue						
	10:00	00:00				
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)
	10:00	00:00				
Thur						
	10:00	00:00				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
	10:00	01:00				
Sat						
	10:00	01:00				
Sun						
	10:00	00:00				

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
	10:00	00:00				
Tue						
	10:00	00:00				
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)
	10:00	00:00				
Thur						
	10:00	00:00				
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)			
	10:00	01:00				
Sat						
	10:00	01:00				
Sun						
	10:00	00:00				

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
	10:00	00:00			
Tue					
	10:00	00:00			
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
	10:00	00:00			
Thur					
	10:00	00:00			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	10:00	01:00			
Sat					
	10:00	01:00			
Sun					
	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
	23:00	00:00			
Tue					
	23:00	00:00			
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
	23:00	00:00			
Thur					
	23:00	00:00			
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
	23:00	01:00			
Sat					
	23:00	01:00			
Sun					
	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	X
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
	10:00	00:00			
Tue					
	10:00	00:00			
Wed			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	10:00	00:00			
Thur					
	10:00	00:00			
Fri					
	10:00	01:00			
Sat					
	10:00	01:00			
Sun					
	10:00	00:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>None</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			
	10:00	00:30	
Tue			
	10:00	00:30	
Wed			
	10:00	00:30	
Thur			
	10:00	00:30	
Fri			
	10:00	01:30	
Sat			
	10:00	01:30	
Sun			
	10:00	00:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

We will be removing the entire operating schedule.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Copy enclosed.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The sale of alcohol for consumption outside the building must be restricted to a defined area which must have all of the appropriate consents from the Local Authority and must include a plan on which the area is defined and should also utilise a physical barrier which is approved by the Local Authority.

b) The prevention of crime and disorder

CCTV must be installed and cover all internal areas, including all public entry and exit points and any areas where smokers are allowed to congregate. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or an Authorised Officer of the Licensing Authority in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or an Authorised Officer of the Licensing Authority in relation to the investigation of crime and/or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

A refusals register must be held at the premises and contain details of the time and date of any sales that are refused in relation to persons that are under age. This register must be made available for inspection upon request by a Responsible Authority. This register can be written or electronic.

The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for Door Staff at all times by way of a risk assessment. Where the Risk Assessment identifies the need for Door Staff to be deployed, Door Staff must be of sufficient number to be able to control entry to the premises and deal with any instances of disorderly behaviour within the premises simultaneously. Door Staff must remain at the premises until such time the premises are closed and all members of the public have left the venue. All persons utilised at the premises in the capacity of a Door Supervisor must wear high visibility clothing at all times they are deployed.

Where Door Staff are employed there must be a register of every SIA person employed at the premises that contains the following details:

- Name, date of birth and home address.
- Security Industry Authority licence number.
- Time and date each security staff starts and finishes duty.
- Each entry must be signed by the security staff.

That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection immediately by an authorised officer of the Licensing Authority, the Security Industry Authority or Police.

c) Public safety

The Premises Licence Holder/Designated Premises Supervisor must identify the requirement for drinking receptacles at all times by way of a risk assessment. Where the Risk Assessment identifies a requirement for non-glass drinking receptacles (including bottles), these must be of an alternative material other than glass. Any drinks not available in this packaging must be decanted and the glass/bottle retained by the staff at the location and not handed to the customer.

d) The prevention of public nuisance

Signage requesting the public respect local residents and to leave the premises quietly.

Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

No persons under the age of 18 years allowed on the premises after 21:00 hours each day.

Challenge 25 must be operated at the premises whereby all persons who appear to be under 25 years of age and purchasing or attempting to purchase alcohol must be asked to provide identification to prove they are over 18 years of age. The only acceptable forms of identification allowed are a valid passport, a valid photo ID driving licence or a valid proof of age scheme card with the PASS approved hologram.

Challenge 25 signage must be displayed in a clear and prominent public place at the premises.

All staff must be fully trained in relation to the Challenge 25 scheme before being allowed to sell alcohol and a record must be kept of staff training. Training must be refreshed at least every 12 calendar months. Such training must be recorded and be maintained at the premises and made available for inspection upon request by a Responsible Authority. Records for each person must be retained for a minimum of 24 months. Both initial and subsequent refresher training in relation to the sale of alcohol must contain a written or electronic test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the Designated Premises Supervisor.

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 sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
	
	 to 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 (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**


Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Matthew May
TLT Solicitors



Post town		Post code	
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Telephone number (if any)	
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

