



Environment, Health, & Regulatory Services
 Marmion House
 Lichfield Street
 Tamworth
 Staffordshire
 B79 7BZ

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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.

(Insert name(s) of applicant)	GLOW
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Depot Assets & Environment	
Date Received	1 SEP 2016
Cheque Received	09 £89 RM JW
Office	JAS 160006 MP

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

Postal address of premises (or, if none, ordnance survey map reference, or description)	
13 SILVER STREET	
Post town	TAMWORTH
Post Code	B79 7NH
Telephone number at premises (if any)	01287 67800

Premises licence number/club premises certificate number PREM/05/0077
Brief description of premises (Please see Guidance Note 2) BAR/NIGHT CLUB

Part 2 – Applicant Details

I am/ we are the premises licence holder/club premises certificate holder Please tick yes

Contact phone number in working hours (if any) 07747 808600
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Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS 27 KENTON STREET	
Post town BIRMINGHAM	Postcode B18 6AR
Please provide email address if you would prefer us to contact you by email (optional) DLIS@GLOW-BAR.CO.UK	

Part 3 – Proposed variation(s)

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

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):

Details of proposed variations (Please see Guidance Note 3)

PLEASE FIND Attached Proposed Variations and agreed with Tracey Carsley.

Reasons for this, we are moving from being a night club operating 3 days a week over the weekend to a cocktail bar lounge operating 7 days a week but opening during the day offering tea & coffee a relaxing environment and beverages & light bites.

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

Please tick ✓ yes

- | | |
|---|--------------------------|
| 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 entertainment facilities for

Please tick ✓ yes

- | | |
|---|--------------------------|
| i. making music | <input type="checkbox"/> |
| j. dancing | <input type="checkbox"/> |
| k. entertainment of a similar description to that falling within (i) or (j) | <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.

Glow, 13 Silver Street, Tamworth

The Prevention of Crime and Disorder

A minimum of two Security Industry Authority (SIA) registered door supervisors must be present when the premises are open for trade on a Friday, Saturday, Christmas Eve and New Year's Eve from 23.00 hours and must remain at the premises until such time the premises are closed and all members of public have left the venue.

On Thursday and Sunday two SIA registered door supervisors must be present from 23.00 hours when the premises intend to trade after midnight on Thursday and Sunday and must remain at the premises until such time the premises are closed and all members of public have left the venue.

A written record must be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record must contain the following details:

- The door supervisors name, date of birth and home address
- His/her security Authority licence number
- The time, date he/she starts and finishes duty
- Each entry must be signed by the door supervisor
- Hi visibility clothing to be worn at all times

The register must also include the company name, address, contact number and contact name for all supervisors working at the premises.

That register must be kept fully updated at all times and remain at the licensed premises and be available for inspection at the time of the visit by any Responsible Authority.

Door supervisors must wear high visibility jackets clearly indicating their role and enabling the clear display of SIA Authority.

CCTV must be installed and operating correctly to manufacturer's instructions internally and externally and must cover all public areas where licensable activity takes place whilst the premises is open to the public. This must include all areas that smokers are allowed to congregate.

The time and date must be set to the correct time relating to BST/GMT

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load at the time of the visit in a recognised format any information requested by the Police or Responsible Authority

All CCTV images must be retained for a period of not less than 31 days and any evidential incidents must be down loaded and stored in a secure system until such time as collected by an appropriate authority.

Clear signage must be displayed at all entrance and exits indicating that CCTV is in operation.

Weekly checks are to be made of the operation of the CCTV system to confirm that it is working correctly and such checks are to be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by Responsible Authorities.

At any time when the DPS is not physically present on the premises there must be present a nominated person who has been authorised by the DPS to cover their functions under the licensing act. Any such person must have seen read and be fully aware of the conditions of the premises licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the venue.

A record must be kept detailing, the name, address, personal licence number and issuing authority of personal licence relative to the person left in charge of the venue and the times and dates when the authority to cover the functions of the DPS exists.

The record must be produced and made available at the time of the visit for inspection upon request by any responsible authority.

These must be individual entries covering short periods of time only and must not exceed more than a three week period.

An incident register of all occurrences and ejections from the premises must be maintained at the premises and any details of any incidents of crime or disorder or misuse of drugs offences must be recorded. The register must be produced and made available at the time of the visit for inspection upon request by any responsible authority.

All persons involved in the sale of alcohol who are not the holder of a Personal Licence to sell alcohol must receive initial and regular 6 monthly refresher training by the Designated Premises Supervisor or training provider with regards to the law in relation to the sale of alcohol. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available for inspection at the time of the visit by a responsible authority. There must be twelve months records retained.

Both initial and subsequent refresher training in relation to the sale of age restricted products must contain a written 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.

Public Safety

No persons will be permitted to take any opened vessels containing any alcoholic/non alcoholic drinks from the boundaries of the premises.

All glasses and bottles must be removed from the public areas as soon as reasonably practicable after they are finished with or are empty.

Public Nuisance

A notice advising customers to leave the premises quietly and respect the needs of residents must be displayed at each of the exits of the premises.

A notice advising customers to be quiet and respect the needs of residents must be displayed in all outside drinking/smoking areas.

No external speakers to be sited at the front of the premises

Noise must not be directed outside of the premises except for that caused by the opening and closing of entrance/exit doors

All external doors used by the public must be fitted with a self closing mechanism except for fire doors.

An electronic noise limiting device must be installed at the premises in order to control the maximum level of amplified music and voices. The maximum operating level of the noise limiting device must be approved and determined in consultation with Tamworth Borough Council.

Any such noise limiting device must be sealed by a statutory authority or other approved contractor agreed by Tamworth Borough Council Environmental Health Department and the seal must remain intact and any tampering constitutes an immediate breach of conditions

There must be no opening windows installed on the premises

Staff must advise customers to leave the premises quietly at night

A record must be kept of noise checks conducted by staff which must be hourly between the hours of 03.00 and closure. This record must be available for the Police or other statutory authority to inspect at any time the premises are open

The Protection of Children from Harm

A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification will be a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.

Posters must be displayed prominently and in sight of customers & staff.

A refusals register with details of all refusals must be maintained at the premises. The register must contain details of the staff member refusing the sale

The refusals register must be produced and made available for inspection at the time of the visit by any Responsible Authority.

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

CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- 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 UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 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: *Otis Hanley*

Date: *28/08/2016*

Capacity: I / We (insert full name and capacity) *OTIS HANLEY (LICENCE HOLDER)*
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)	
OTIS HANLEY, 27 KENTON STREET	
Post town BIRMINGHAM	Post code B18 6AR
Telephone number (if any) 07747 808600	If you would prefer us to correspond with you by email your email address (optional) OTIS@glow-bar-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;
- transfer the licence or certificate from one premises to another;
- specify, in a premises licence, an individual as the 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) 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;

- 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."

LICENSING ACT 2003:

Minor Variation of a Premises Licence

Notice is hereby given that an application has been made to Tamworth Borough Council's Licensing Authority for a Minor Variation of the Premises Licence in respect of the premises shown below.

Details of the application can be inspected between the hours of 9am and 5pm, Monday to Friday at:

**Tamworth Borough Council, Marmion House,
Lichfield Street Tamworth, Staffordshire, B79 7BZ**

Any interested party wishing to make a representation in respect of this application should do so in writing to the above address, or via e-mail to: publicprotection@tamworth.gov.uk before the date specified below.

All representations must include the full name, address and contact details of the interested party (or parties) making the representation. Representations submitted after the specified date cannot be considered.

It is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction, is £5000.

Name of applicant	OTISHANLEY
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Name and Postal Address of Premises:	GLOW 13 SILVER STREET, TAMWORTH, B79 7NH.
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Details of the minor variation:

Removal / Rewording of individual conditions regarding The Prevention Of Crime and Disorder to support the New Business Model.

Glow is a cocktail Bar Lounge by day, serving Tea & Coffee, Cocktails in a relaxing environment and by night, Cocktails, premium drinks, Champagne and Entertainment.

Date by which Representations must be made: 10th September 2016

Guidance Notes for Applicants on the completion and display of the Minor Variation Site Notice

Please note, you do not need to display these guidance notes.

1. The site notice must be printed on white paper, of size A4 or greater.
2. The site notice must be printed legibly in black ink or typed in black, in a font size equal to or larger than, 32 for the heading text and 16 for the body text.
3. The site notice must be correctly completed and prominently displayed at or on the premises to which it relates.
4. The notice must be displayed so that it can be conveniently read from the exterior of the premises by members of the public.
5. The notice must be displayed for ten working days, starting on the day after the day, on which the minor variation application was submitted to Tamworth Borough Council's Licensing Authority.
6. If any part of the external perimeter of the premises abuts a public highway, or other place accessible to the public, for a distance of one hundred metres or more, then a copy of this notice must be displayed every fifty metre interval.
7. The site notice must include all the relevant statutory information, as given in the example site notice.
8. The following information must be included to the site notice by the applicant, at the sections clearly identified for that purpose:
 - (a) *The name of the applicant – this will normally be the holder of the premises licence;*
 - (b) *The name that the premises is known by and the postal address of the premises. If there is no postal address for the premises enter a description of the premises sufficient to enable the location and extent of the premises to be identified.*
 - (c) *A brief description of the proposed minor variation.*
 - (d) *The last date that representations on the application can be made. This date must be ten **working** days after the date, on which the application is submitted to Tamworth Borough Council's Licensing Authority.*