

# 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.

**We Marston's PLC 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

PREM/05/0107

### Part 1 – Premises details

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

Wigginton, Wigginton Road

Post town  
Tamworth

Post code  
B79 8TA

Telephone number of premises (if any)

~~01827 200000~~

Non-domestic rateable value of premises

~~£2000~~

### Part 2 – Applicant Details

Daytime contact telephone number

~~01827 200000~~

Email address  
(optional)

Current postal  
address if  
different from  
premises address

Marston's PLC, Marston's House, Brewery Road

Post Town

Wolverhampton

Postcode

WV1 4JT

DEPARTMENT OF Environment	
Date Received	1 MAY 2015
Cheque Received	£190-00 HCRM
Job No	147080
Officer	MF

### Part 3 – Variation

Please tick  $\pi$ yes

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

If not do you want the variation to take effect from

Day Month Year

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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

#### Please describe briefly the nature of the proposed variation (please read guidance note 1)

These premises are presently licensed for films, indoor sports, live music, recorded music, performance of dance, late night refreshment and the sale of alcohol for the following hours:

Films, indoor sports, live music, recorded music, performance of dance and sale of alcohol by retail

- Monday to Thursday: 10.00 – 23.30;
- Friday to Saturday: 10.00 – 00.30; and
- Sunday: 12.00 – 22.30.

Late night refreshment

- Sunday to Thursday: 23.00 – 23.30; and
- Friday to Saturday: 23.00 – 00.30.

Hours open to the public

- Monday to Thursday: 10.00 – 00.00;
- Friday to Saturday: 10.00 – 01.00; and
- Sunday: 12.00 – 23.00.

The variation seeks to extend trading hours on Sundays and amend the children's condition as further detailed below.

#### 1) Permitted trading hours - Sundays

The application seeks to:

- advance the commencement hour for licensable activities on Sundays to 10.00 for both standard and non-standard timings; and
- extend the terminal hour for licensable activities on Sundays until 23.00 with the premises closing to the public 30 minutes thereafter.

As the proposed hours for Sunday do not permit the premises to trade later hours than authorised for any other days of the week, it is not anticipated that the licensing objectives will be adversely affected and the operating schedule has been completed on that basis.

As no changes are proposed to the provision of late night refreshment under this application, Box I has not been completed.

#### 2) Annex 2, condition 11 – children's condition

The variation further seeks to amend annexure 2 condition 11, which currently prohibits under 16s entering the premises after 21.00.

The proposed new wording for the condition is as follows:

- *Children under the age of 16 shall not be permitted to enter the premises after 21.00 unless accompanied by an adult and dining or attending a private function.*

Under the new condition, as under 16s will only be permitted entry after 21.00 with an adult and then only for the purposes of dining or attending a private function, it is not anticipated that the licensing objectives will be adversely affected.

Please note that there is no intention to change the layout at these premises and therefore no plans are included.

## 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.

Please tick  $\pi$  yes

### Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) Indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).</b>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here (please read guidance note 3)</b>	Both	
Tue					
Wed					
Thur			<b>State any seasonal variations for performing plays (please read guidance note 4)</b>		
Fri					
Sat			<b>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 5)</b>		
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).</b>	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	23:30	<b>Please give further details here (please read guidance note 3)</b>  As per the existing licence	Both	
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>		
Thur	10:00	23:30			
Fri	10:00	00:30	<b>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 5)</b>		
Sat	10:00	00:30			
Sun	10:00	23:00	Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.		

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)
Day	Start	Finish	As per the existing licence
Mon	10:00	23:30	
Tue	10:00	23:30	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Wed	10:00	23:30	
Thur	10:00	23:30	<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	10:00	23:00	
			Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y}</b> (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).</b>	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	23:30	<b>Please give further details here (please read guidance note 3)</b>  As per the existing licence	Both	
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30	<b>State any seasonal variations for the performance of live music (please read guidance note 4)</b>		
Fri	10:00	00:30			
Sat	10:00	00:30	<b>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 (please read guidance note 5)</b>  Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.		
Sun	10:00	23:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).</b>	Indoors	π
Day	Start	Finish		Outdoors	
Mon	10:00	23:30	<b>Please give further details here (please read guidance note 3)</b>  As per the existing licence	Both	
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30	<b>State any seasonal variations for playing recorded music (please read guidance note 4)</b>		
Fri	10:00	00:30			
Sat	10:00	00:30	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>  Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.		
Sun	10:00	23:00			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	7C
Day	Start	Finish		Outdoors	
Mon	10:00	23:30	Please give further details here (please read guidance note 3)  As per the existing licence	Both	
Tue	10:00	23:30			
Wed	10:00	23:30	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10:00	23:30			
Fri	10:00	00:30	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)  Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.		
Sat	10:00	00:30			
Sun	10:00	23:00			

**H**

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Mon				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

**I**

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place <u>indoors or outdoors or both</u> – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption</u> (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10:00	23:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	π
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30	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 (please read guidance note 5)		
Fri	10:00	00:30			
Sat	10:00	00:30	Non-standard timings to continue as per the existing Premises Licence except any commencement hour for licensable activities on Sundays to be advanced to 10:00.		
Sun	10:00	23:00			

**K**

**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 8)**

None.



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variation</b> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	00:00	<b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)  Non-standard timings to continue as per the existing Premises Licence except any commencement hour for opening hours on Sundays to be advanced to 10:00.
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	23:30	

**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**

None except amendment to Annex 2 condition 11 as identified in Part 3 above.

Please tick  $\pi$  yes

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 failed to enclose the premises licence or relevant part of premises licence

## 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,e) (please read guidance note 9)**

I have undertaken my own risk assessment to take the following proposed steps.

The variation is not anticipated to adversely affect the four licensing objectives and the conditions to remain on the licence are assessed to be sufficient for the proposals.

No new steps have been identified in relation to the four licensing objectives save as below.

**b) The prevention of crime and disorder**

No further risks have been identified which need to be addressed.

**c) Public safety**

No further risks have been identified which need to be addressed.

**d) The prevention of public nuisance**

No further risks have been identified which need to be addressed.

**e) The protection of children from harm**

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

I have made or enclosed payment of the fee

- 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, 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** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

Signature: ~~John Gaunt & Partners~~  .....

Date: 28<sup>th</sup> April 2015 .....

Capacity: Solicitors .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent. (Please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature: ~~John Gaunt & Partners~~ .....

Date: .....

Capacity: Solicitors .....

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>	
John Gaunt & Partners Omega Court 372 Cemetery Road	
<b>Post town</b> Sheffield	<b>Post code</b> S11 8FT
<b>Telephone number (if any)</b> <del>0114 272 2000</del>	
<b>If you would prefer us to correspond with you by email your email address (optional)</b>	

#### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

#### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.