

VARIATION OF A PREMISES LICENCE (Not Private Members Clubs)

LICENSING ACT 2003

This guidance document is designed to help you, please read it all carefully. If the Council receives application forms or other documents that are incomplete, missing or incorrect the application will be returned to you.

To assist you, this guidance refers to documents by a quoting a reference number such as *Prem/03*. This reference number can be found by looking in the bottom right-hand corner of the various forms that have been sent to you.

Copies of Application

When you make your application, the law requires you to send a copy of your application to a number of 'responsible authorities'. Appendix I provides the names and addresses of these organisations. You must send a copy of you application to these organisations as soon as you apply to the Council.

Application Form (Prem/03)

If you wish to apply to vary your current Premises Licence you must complete the application form (*Prem/03*).

You may apply for a number of activities to be included on your licence. Whatever you intend to do, you must detail all of this information clearly on the application form. The Council will consider only those activities that you have specifically requested.

A licence is needed to offer any of the following activities: -

- Sale of alcohol, and
- Supply of alcohol by or on behalf of a club.

A licence may also be needed where entertainment is being provided but only in certain circumstances. In general terms, a licence is NOT needed for the

following activities where they are being provided between 0800 hours and 2300 hours and before an audience of less than 500 people.

Regulated entertainment means: -

- Performance of live amplified music,
- Performance of live unamplified music (no audience limit),
- Recorded music,
- Performance of dance,
- Performance of a play,
- An exhibition of a film,
- Indoor sports events (with an audience exceeding 1000),
- Boxing or wrestling entertainment (with an audience exceeding 1000),
- Anything similar to the above, or offering facilities for any of the above.

The law relating to the licensing of entertainment is complicated and the above should only be considered as a guide. Please contact the Licensing Team for further advice if you have any questions.

The Fee

The fee you must pay to obtain your licence depends on the rateable value of the premises to which the application relates. A table of fees is attached as Appendix II.

Advertising Your Application

The law requires you to advertise your application to allow members of the public to make comments.

You are required to advertise in two ways: -

- Display a predominant Notice on the premises, for at least 28 consecutive days, which can be easily read from the exterior of the premises; and
- Place a Notice in the Hartlepool Mail

A copy of the Notice (*Not-01*) that must be displayed on the premises is attached. Obviously this is a standard form and requires you to complete it with details of your application before it is displayed.

A copy of the Public Notice to be placed in a local newspaper (*Not-01a*) is also attached and must contain the same information that is displayed on the blue premises Notice. This must be done within ten working days following the date of your application. You will need to calculate the date by which objections must be received and insert it on the form (i.e. the date will be 28 consecutive days following the day you made your application).

In order to place your notice in a local publication you must send the completed *Not-01a* form via email to either <u>publicnotices@jpress.co.uk</u> (Hartlepool Mail) or <u>advertising@hartlepoollife.co.uk</u> (Hartlepool Life). Please note that the publications cannot accept bookings over the phone.

After 28 days you must complete and return the attached form (*Dec1*) to the Licensing Team, confirming that you have advertised the application on the premises and when it was advertised in the Hartlepool Mail.

It is a criminal offence to knowingly or recklessly make a false statement concerning a licence application.

Once you have completed the application form it must be submitted to all of the organisations listed in Appendix I.

Appendix I

LICENSING ACT 2003

If you are making an application to Hartlepool Borough Council for a new licence, or a variation to an existing licence, under the Licensing Act 2003, you must send a copy of your application to each of the following organisations.

The Licensing Team
Hartlepool Borough Council
Public Protection Division
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Licensing Support Unit Middlesbrough Police Office Bridge Street West Middlehaven Middlesbrough TS2 1AB

Home Office (Immigration Enforcement)
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Chief Fire Officer
Community Services Group
Fire Engineering Hartlepool
Fire Brigade HQ
Endeavour House
Stockton Road
Hartlepool
TS25 5TB

Development Control Manager Hartlepool Borough Council Civic Centre Victoria Road Hartlepool TS24 8AY Hartlepool Safeguarding Children Board Child and Adult Services Department Hartlepool Borough Council Level 4, Civic Centre Victoria Road Hartlepool TS24 8AY

Principal Environmental Health Officer (Commercial Services)
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Principal Environmental Health Officer (Environmental Protection)
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Principal Trading Standards Officer Hartlepool Borough Council Civic Centre Victoria Road Hartlepool TS24 8AY

Paul Edmondson-Jones
Director of Public Health
Hartlepool Borough Council
Level 4, Civic Centre
Victoria Road
Hartlepool
TS24 8AY

For more information contact the Council's Licensing Team on (01429) 523354 or visit Civic Centre, Victoria Road, Hartlepool, TS24 8AY

Appendix II

Licence Fees

Band	Rateable Value (£)	Variation Fee (£) & New Application Fee (£)	Annual Fee (£)
А	No rateable value to 4,300	100	70
В	4,301 to 33,000	190	180
С	33,001 to 87,000	315	295
D	87,001 to 125,000	450	320
D*	See Note 1 below	900	640
Е	125,001 and above	635	350
E*	See Note 2 below	1905	1050

Note 1. There is a larger fee for premises that have a band D rateable value (as detailed above) and which are used exclusively or primarily for the supply of alcohol for consumption on the premises.

Note 2. There is a larger fee for premises that have a band E rateable value (as detailed above) and which are used exclusively or primarily for the supply of alcohol for consumption on the premises.

Note 3. For large events, where the expected attendance will be greater than 5,000, an additional fee may be payable. Please contact the Council's Licensing Team for more details.

The Licensing Team
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

LICENSING ACT 2003

Confirmation of Advertisement of Application

I hereby confirm that the application
made to Hartlepool Borough Council for a Premise Licence in respect of
was advertised as follows: -
A Notice of the required size and form, was predominantly
displayed on the premises between and
(a minimum of 28 days)
A Notice was published in the Hartlepool Mail on
I understand that giving a false statement in respect of the above may make
me liable for prosecution.
Signed
Name
Date

Once completed, this form should be returned to: -

The Licensing Section
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

PUBLIC NOTICE LICENSING ACT 2003

NOTICE OF APPLICATION FOR: PREMISES LICENCE*

VARIATION TO AN EXISTING LICENCE*

(*Please delete as appropriate)

Notice is hereby given that I/We
(Full Name)
have applied to Hartlepool Borough Council for a <i>Premise Licence*/variation to an existing licence*</i> in respect of the premises known as:
(Postal Address)
Proposed days, times and type of licensable activities are:
Any objections, and reasons for objection, to this application must be made in writing to
the address below and must be received no later than :
Trading Standards & Licensing Manager The Licensing Team Hartlepool Borough Council Civic Centre Victoria Road Hartlepool TS24 8AY
A record of the above application and licensing register can be inspected by

contacting the licensing team at the above.

It is an offence knowingly or recklessly to make a false statement in connection with an application for which a person is liable on summary conviction of a maximum fine of £5,000.

Not-01(a)

LICENSING ACT 2003

NOTICE OF APPLICATION FOR: PREMISES LICENCE* **VARIATION TO AN EXISTING LICENCE***

("Please delete as appropriate)
Notice is hereby given that I/We(Full Name)
have applied to Hartlepool Borough Council for a <i>Premise Licence*/variation to an existing licence*</i> in respect of the premises known as:
(Postal Address)
Proposed days, times and type of licensable activities are:
Any objections to this application must be made in writing to:
Principal Licensing Officer Hartlepool Borough Council Civic Centre Victoria Road Hartlepool TS24 8AY
No later than 28 days from the day of display of this notice stating your grounds for objection.
Date notice displayed:

A record of the above application and licensing register can be inspected by contacting the licensing team at the above.

It is an offence knowingly or recklessly to make a false statement in connection with an application for which a person is liable on summary conviction of a maximum fine of £5,000.

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 (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** Part 1 – Premises Details Postal address of premises or, if none, ordnance survey map reference or description Postcode Post town Telephone number at premises (if any) Non-domestic rateable value of premises Part 2 – Applicant details Daytime contact telephone number E-mail address (optional) Current postal address if different from premises address Postcode Post town

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 UNDERSTOOM 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 1) Yes No
Please describe briefly the nature of the proposed variation (Please see guidance note 2)
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:

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.

Prov	vision of regulated entertainment (Please see guidance note 3)	Please tick all that apply				
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)	g)				
Pro	vision of late night refreshment (if ticking yes, fill in box I)					
<u>Sup</u>	Supply of alcohol (if ticking yes, fill in box J)					
In a	ll cases complete boxes K, L and M					

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4) Indoors		
guidance note 8)			gordanie note ty	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance)	ce note 5)	
Tue					
Wed			State any seasonal variations for performing plays (guidance note 6)	(please read	
Thur					
Fri			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)		
Sat					
Sun					

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
guidance note 8)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidant	ce note 5)	
Tue					
Wed			State any seasonal variations for the exhibition of f guidance note 6)	ilms (please rea	ad
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those listed the left, please list (please read guidance note 7)		
Sat					
Sun					

Indoor sporting events Standard days and timings (please read guidance note 8)		nd read	Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

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

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
guidance note 8)			,	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance)	ce note 5)	
Tue					
Wed			State any seasonal variations for the performance or read guidance note 6)	<u>f live music</u> (pl	ease
Thur					
Fri			Non standard timings. Where you intend to use the performance of live music at different times to thos column on the left, please list (please read guidance)	se listed in the	<u>he</u>
Sat					
Sun					

Recorded music Standard days and timings (please read			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) Indoors		
guidance note 8)			, , , , , , , , , , , , , , , , , , , ,	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance)	ce note 5)	
Tue					
Wed			State any seasonal variations for the playing of recordance note 6)	orded music (pl	ease
Thur					
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to thos column on the left, please list (please read guidance)	e listed in the	<u>he</u>
Sat					
Sun					

Standa	mances or rd days ar	nd	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
	ings (please read dance note 8)		(prease read guidance note 4)	Outdoors	
Day	y Start Finish			Both	
Mon			Please give further details here (please read guida	ance note 5)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		ease
Thur					
Fri			Non standard timings. Where you intend to use the performance of dance at different times to the column on the left, please list (please read guidan	nose listed in tl	
Sat					
Sun					

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 your providing	ou will be	
Day Start Finish Will this entertainment take place indoors or outdoors or both – please tick (please read	doors	
Mon guidance note 4) Outd	ıtdoors	
Both	oth	
Tue Please give further details here (please read guidance no	note 5)	
Wed		
Thur State any seasonal variations for entertainment of a si		
description to that falling within (e), (f) or (g) (please guidance note 6)	e read	
Fri		
Sat Non standard timings. Where you intend to use the particle the entertainment of a similar description to that falling.		
(e), (f) or (g) at different times to those listed in the col		
<u>left, please list</u> (please read guidance note 7)		
Sun		

Standa	e night refreshment dard days and ngs (please read		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
	ance note 8)		<u> </u>	Outdoors	
Day	Start Finish			Both	
Mon Please give further details here (please read guidance)		ance note 5)			
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
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		
Sat			note 7)		
Sun					

Standar	Supply of alcohol Standard days and imings (please read		Will the supply of alcohol be for consumption - please tick (please read guidance note 9)	On the premises	
	guidance note 8)			Off the premises	
Day	Start	Finish		Both	
Mon			State any seasonal variations for the supply of alguidance note 6)	l cohol (please r	read
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the supply of alcohol at different times to those l column on the left, please list (please read guidance)	isted in the	<u>for</u>
Fri					
Sat					
Sun					

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 10).

Hours premises are open to the public Standard days and timings (please read guidance note 8)		lic ıd ead	State any seasonal variations (please read guidance note 6)
Day Start Finish		Finish	
Mon			
Tue			
Wed	Wed		Non standard timings. Where you intend the premises to be open
Thur			to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			
			itions currently imposed on the licence which you believe could be of the proposed variation you are seeking.

Please tick as appropriate	ie
• 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 pa of it below	rt
Reasons why I have not enclosed the premises licence or relevant part of premises licence.	

${f M}$ 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)
b) The prevention of crime and disorder
c) Public safety
d) The prevention of public nuisance
e) The protection of children from harm

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 Date Capacity 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)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Post town

Telephone number (if any)

Post code

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.

- 1. 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 for the late night levy
- 2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 3. In terms of specific regulated entertainments please note that:
- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display
 of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day,
 provided that the audience does not exceed 1000. Combined fighting sports defined as a
 contest, exhibition or display which combines boxing or wrestling with one or more martial
 arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting
 event.
- Live music: no licence permission is required for:
- o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
- o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
- o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. 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.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. 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.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. 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 or the presence of gaming machines.
- 11. Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- 15. This is the address which we shall use to correspond with you about this application.

The Licensing Team

Hartlepool Borough Council

Civic Centre

Hartlepool

TS24 8AY