

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 Star Pubs & Bars Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number 1330/13

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Fusion Inn (TBK The Sail Inn) Queen Street			
Post Town	Lymington	Postcode	SO41 9NG
Telephone number at premises		01590 672139	
Non-domestic rateable value of premises		£29,500	

Part 2 - Applicant Details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	3-4 Broadway Park Edinburgh		
Post Town	Edinburgh	Postcode	EH12 9JZ

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year
<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 read guidance note 1)

The application proposes to:-

1. Amend the licensing plan in accordance with drawing number 7482-08 revision B dated 31st May 2017 which accompanies this application. Please note that the proposed changes to the layout are not to take effect until such times as the works are complete and the Licensing Authority are notified.
2. Extend the start time for live music to 10:00 daily, to remove the restriction of live music to two times per week, and to extend the terminal hour for live music on Friday and Saturday to midnight
3. Extend the start time for recorded music to 10:00 on Saturday
4. Remove the restriction of recorded music only being permitted every other Saturday evening
5. Add in recorded music on Sunday to Thursday from 10:00 to 23:00 and on Friday from 10:00 to midnight
6. Extend the terminal hour for late night refreshment on Friday and Saturday to 02:30 the following day and add in late night refreshment on Sunday to Thursday from 23:00 to 00:30 the following day
7. Add in the provision of films on Sunday to Thursday from 08:00 to 00:30 the following day and on Friday and Saturday from 08:00 to 02:30 the following day
8. Remove all existing non-standard timings and add new non-standard timings
9. Remove all existing Annex 2 conditions and replace with updated conditions

If 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 tick yes

- | | |
|--|-------------------------------------|
| 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 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 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"/> |

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

B

Films			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08:00	00:30		<u>Please give further details here</u> (please read guidance note 5) Films including but not limited to amplified music videos, sports and TV programs	
Tue	08:00	00:30			
Wed	08:00	00:30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur	08:00	00:30			
Fri	08:00	02:30	<u>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</u> (please read guidance note 7) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day, unless this falls on a Friday and Saturday when the standard permitted timings shall apply		
Sat	08:00	02:30			
Sun	08:00	00:30			

E

Live music			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	23:00	<u>Please give further details here</u> (please read guidance note 5) As existing		
Tue	10:00	23:00			
Wed	10:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	10:00	23:00			
Fri	10:00	00:00	<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) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		
Sat	10:00	00:00			
Sun	10:00	23:00			

F

Recorded music			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	23:00		<u>Please give further details here</u> (please read guidance note 5) As existing	
Tue	10:00	23:00			
Wed	10:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	23:00			
Fri	10:00	00:00	<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) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		
Sat	10:00	00:45			
Sun	10:00	00:00			

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) As existing		
Mon	23:00	00:30			
Tue	23:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	23:00	00:30			
Thur	23:00	00:30	<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) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day, unless this falls on a Friday and Saturday when the standard permitted timings shall apply		
Fri	23:00	02:30			
Sat	23:00	02:30			
Sun	23:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	00:00	<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) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		

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>

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	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	
Fri	08:00	02:30	
Sat	08:00	02:30	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) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:30 the following day
Sun	08:00	00:30	

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

We seek to remove all existing conditions under Annex 2 of the Premises Licence and replace with updated and proportionate conditions.

- 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

N/A

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 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

The Premises Licence Holder, Star Pubs & Bars Limited, are a subsidiary of Heineken (UK) who now have approximately 3000 sites in their estate. Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the Council's Licensing Policy. These premises have been previously closed for three years and our client has now found an experienced operator to trade the premises with the requested hours and conditions proposed in the operating schedule.

Our client is planning a substantial investment of over £250,000 for these premises to undergo an extensive refurbishment to create a premium venue concept offering a great quality selection of food and drink for both the local community and seasonal tourists. The kitchen area is to be extended to meet the demands of the developed food offer while enhancing the pub's ability to cater for larger groups. The dining area will be refurbished and redecorated, creating an attractive environment for customers to enjoy the great new food offer. Overall the premises will benefit from a complete external refresh with a new signage and lighting scheme, creating a welcoming entrance appealing to passers-by. Please note that the proposed changes to the layout are not to take effect until such times as the works are complete and the Licensing Authority are notified.

The new tenant and Designated Premises Supervisor (DPS), Mr Paul Smith, has 30 years experience in the licensed trade and takes his responsibilities under the Licensing Act 2003 very seriously. The premises will have a strong focus on the local community with it being family friendly and providing home cooked food. The Premises Licence Holder have a tenancy agreement in place with the DPS who they will work closely together with in partnership to make the premises successful and an asset to the local community.

The proposed extension of hours for both live and recorded music, along with removing the existing restrictions, would allow the premises the flexibility around trading. In any event no

Premises Licence is required for live and recorded music from 08:00 to 23:00 daily due to the deregulation of the Live Music Act 2012.

Amending the existing permitted timings for late night refreshment and also adding this for the rest of the week from 23:00 until the permitted closing time would allow the premises to sell hot drinks to their customers during these times. We are seeking to add the provision of films to allow the premises on occasions to show pre-recorded films to customers.

The variation application has also been submitted to update the Premises Licence conditions to ensure that they are suitable for the style of operation at the premises moving forward and to uphold the licensing objectives.

Considering the above, we believe that the variation would not have an adverse impact on the licensing objectives and we believe that the measures proposed will ensure the premises continue to promote the licensing objectives, and that these measures are adequate and further conditions are not required.

b) The prevention of crime and disorder

1. No customers carrying bottles, either sealed or open, shall be permitted to enter the premises at any time that the premises are open.
2. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering the premises. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28 day period.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
4. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and other officers of Responsible Authorities at all times whilst the premises are open.
5. An incident log shall be maintained at the premises and details of all known incidents recorded within the log. The log shall be kept on the premises and be produced to an authorised officer on reasonable request.
6. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 12 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

c) Public safety

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in external storage receptacles between 23.00 hours and 07:00 hours the following day
8. No customers shall be allowed to use any external area of the premises after 23.00 hours, except for customers permitted to temporarily leave the premises to smoke
9. Staff shall monitor customers in the external area of the premises on a regular basis and ensure customers do not cause a public nuisance
10. When regulated entertainment, including live and recorded music, is taking place, regular boundary noise checks shall be conducted, and any required action shall be taken. Records detailing the sound checks and any required action shall be recorded.
11. All external windows and doors shall be kept closed after 23:00 hours, except in the event of an emergency and to permit access and egress
12. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers unless to an external drinking area set aside for consumption
13. Notices shall be prominently displayed at all exits and in the external area requesting customers to respect the needs of local residents and leave the premises and area quietly.

e) The protection of children from harm

14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. Notices informing customers of the proof of age scheme in operation shall be prominently displayed at the premises
16. Children under the age of 18 must be accompanied by an adult over the age of 18 at all times whilst on the premises and must be off the premises by 22.00 hours, unless attending a private function or on New Year's Eve or Christmas Eve

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 (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	09/04/2019
Capacity	Flint Bishop LLP – Solicitors for and on behalf of 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 postal address for correspondence associated with this application (please read guidance note 13)

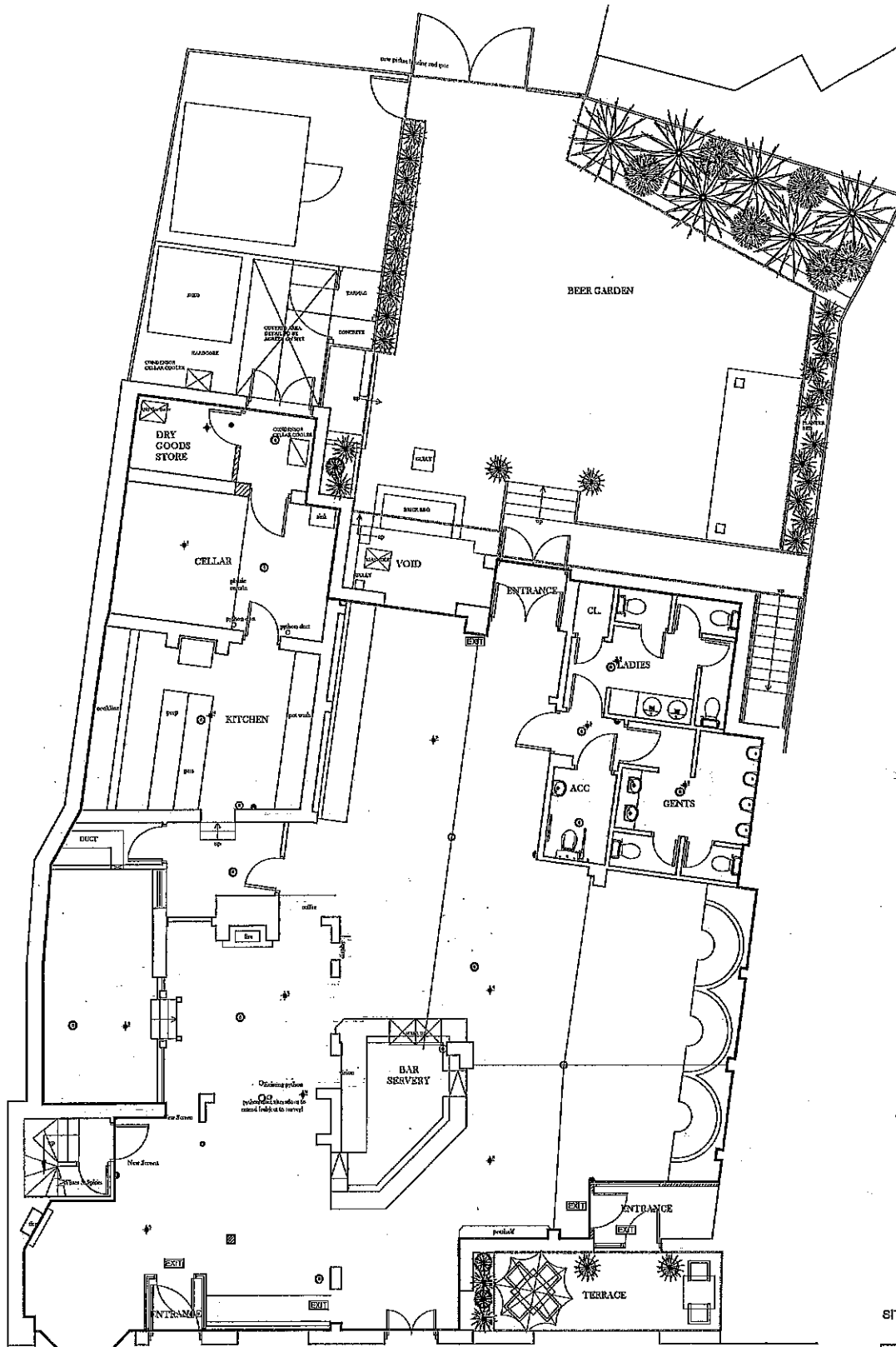
George Domleo
Flint Bishop LLP
St. Michael's Court
St. Michael's Lane
Derby
DE1 3HQ

Telephone number (if any)	01332 340 211
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Do not scale dimensions from this drawing. The client is responsible for the accuracy of the information provided above. All dimensions are in millimetres unless otherwise stated and are to be used in accordance with the manufacturer's recommendations and are not to be scaled.

Rev	Date	Notes
A	13.02.19	See number on back. Top and side added and/or will be added during construction.
B	22.01.19	Notes for bars and/or areas outlined, additional floor areas increased to include all internal areas.



FIRE LEGEND	
[Symbol]	FIRE ALARM SOUNDER
[Symbol]	SUBMERGED DETECTOR (area to be covered by)
[Symbol]	HEAT SENSING FDR (area to be covered by)
[Symbol]	FANS WITH SELF CLOSING DEVICE
[Symbol]	EXIT
[Symbol]	FIRE RESISTING GLAZING
[Symbol]	VP DOOR FITTED WITH VISION PANEL
[Symbol]	FOLKS FIRE DOOR KEEP LOCKED SHUT SIGN
[Symbol]	FOLKS FIRE DOOR KEEP SHUT SIGN
[Symbol]	REMARKED DOOR SWORAGE
[Symbol]	EXTERNAL EMERGENCY LIGHT FITTING
[Symbol]	WATER EXTINGUISHER
[Symbol]	CO2 EXTINGUISHER
[Symbol]	FIRE BLANKET
[Symbol]	STRESS ALARM INDICATOR TO OUTSIDE
[Symbol]	EMERGENCY LIGHT FITTING
[Symbol]	COMBINED EMERGENCY FITTING
[Symbol]	FIRE ALARM BREAK GLASS POINT

INTERNAL AREA TO BE USED FOR THE SALE & CONSUMPTION OF ALCOHOL & ANY OTHER FLAMMABLE ENTERTAINMENT - EDGED IN RED

EXTERNAL AREA TO BE USED FOR THE CONSUMPTION OF ALCOHOL & ANY OTHER FLAMMABLE ENTERTAINMENT - EDGED IN BLUE

THE LOCATION AND TYPE OF ANY FIRE SAFETY EQUIPMENT IS INDICATED IN THIS PLAN. THIS MAY BE REVISED WITH THE AGREEMENT OF THE FIRE SAFETY OFFICER OR AFTER FIRE RISK ASSESSMENT

ESTIMATED DRINKING AREAS	
BAR/FOUR FLOOR:	22.14sqm
	2122.5 sqm
EXTERNAL GRASSING FLOOR:	100 sqm
	1075 sqm



SITE PLAN @A1 1:1250

CDM 2015:
Under the CDM regulations there are no significant design risks.

jsd the jsdesign partnership
architects and interior designers
104 & 106, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

Client
STAR PUBS & BARS LTD

Address
FUSION
QUEEN STREET
LYMINGTON
SO41 9NG

Drawing title
LICENSING PLAN

Drawn by	Rev	Date	Checked by	Scale
7482-08	B	31.05.17	LB	AB

Scale @ A1
1:80