

16/03625/LAPREM



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 Invincible Leisure Limited

(Insert name(s) of applicant)

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

Premises licence number

14/02228/LAPRMV

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description			
Astoria 37 – 39 Guildhall Walk			
Post town	Portsmouth	Postcode	PO1 2RY
Telephone number at premises (if any)	023 9286 3741		
Non-domestic rateable value of premises	[REDACTED]		

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]
Current postal address if different from premises address	Registered office Compass Accountants The Tanneries East Street NB Please use agent's address for correspondence
Post town	Titchfield
Postcode	PO14 4AR

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

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)

1. To amend the terminal hour for regulated entertainment and the sale of alcohol to 4 a.m. on Friday and Saturday nights and 2 a.m. on Sunday nights with a further 30 minutes for opening and late night refreshment;
2. To reduce the permitted hours for recorded music to coincide with other licensable activities as opposed to 24 hours a day;
3. To reduce the permitted opening hours on a Sunday so that the same commence at 19:00 hours instead of noon;
4. To amend some conditions and add further conditions, all intended to promote the licensing objectives; and
5. To approve new drawings of the premises which accurately show the existing layout.

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please 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)

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

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 4) Not included on the licence.	
Tue				
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)	
Thur				
Fri			<u>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</u> (please read guidance note 6)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input checked="" type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	19:00	02:00	This is not a cinema. However, videos may on occasions be shown on television screens as part of a performance of live or recorded music. Please note that all references to 02:00 and 04:00 hours are to the day following.		
Tue	19:00	02:00			
Wed	19:00	02:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	19:00	02:00	None		
Fri	19:00	04:00	<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 6)		
Sat	19:00	04:00	An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours.		
Sun	19:00	02:00			
			From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4) Not included on the licence.	
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)	
Mon				
Tue				
Wed				
Thur				<u>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</u> (please read guidance note 6)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) Not included on the licence.				
Tue							
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)				
Thur							
Fri			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 (please read guidance note 6)				
Sat							
Sun							

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	19:00	02:00	Performances would involve amplification. Please note that all references to 02:00 and 04:00 hours are to the day following.		
Tue	19:00	02:00			
Wed	19:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	19:00	02:00	None		
Fri	19:00	04:00	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 6)		
Sat	19:00	04:00	An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		
Sun	19:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	19:00	02:00	<u>Please give further details here</u> (please read guidance note 4) Performances would be the same as at present. Please note that all references to 02:00 and 04:00 hours are to the day following.		
Tue	19:00	02:00			
Wed	19:00	02:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) None		
Thur	19:00	02:00			
Fri	19:00	04:00	<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 6) An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		
Sat	19:00	04:00			
Sun	19:00	02:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	19:00	02:00	Please give further details here (please read guidance note 4) Performances would be the same as at present. Please note that all references to 02:00 and 04:00 hours are to the day following.	Both	<input checked="" type="checkbox"/>
Tue	19:00	02:00			
Wed	19:00	02:00	State any seasonal variations for the performance of dance (please read guidance note 5) None		
Thur	19:00	02:00			
Fri	19:00	04:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		
Sat	19:00	04:00			
Sun	19:00	02:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing Performances would be the same as at present.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	19:00	02:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	19:00	02:00	Please give further details here (please read guidance note 4) Performances would be the same as at present.		
Wed	19:00	02:00	Please note that all references to 02:00 and 04:00 hours are to the day following.		
Thur	19:00	02:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	19:00	04:00	None		
Sat	19:00	04:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	19:00	02:00	An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	23:00	02:30	Hot food and/or drink might be supplied until the premises close. Please note that all references to 02:30 and 04:30 hours are to the day following.			
Tue	23:00	02:30				
Wed	23:00	02:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur	23:00	02:30	None			
Fri	23:00	04:30	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 6)			
Sat	23:00	04:30	An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).			
Sun	23:00	02:30				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Please note that all references to 02:00 and 04:00 hours are to the day following. 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 6) An additional hour to the standard times on the day when British Summertime commences. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).		
Mon	19:00	02:00			
Tue	19:00	02:00			
Wed	19:00	02:00			
Thur	19:00	02:00			
Fri	19:00	04:00			
Sat	19:00	04:00			
Sun	19:00	02:00			

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 9).

No adult entertainment will be provided. If an event takes place to which persons under the age of 18 are admitted, no alcohol shall be offered for sale – see proposed conditions.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
			None
			Please note that all references to 02:30 and 04:30 hours are to the day following
Day	Start	Finish	
Mon	19:00	02:30	
Tue	19:00	02:30	
Wed	19:00	02:30	
Thur	19:00	02:30	
Fri	19:00	04:30	
Sat	19:00	04:30	
Sun	19:00	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 6)
			An additional hour to the standard times on the day when British Summertime commences. A terminal hour of 04:30 (the day following) on Sundays immediately preceding a Bank Holiday Monday. Christmas Day from 12:00 until 15:00 and 19:00 until 22:30 hours. From the commencement of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day (i.e. throughout 1 st January).

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.

Please see section M below but in summary (all references being to Annex 2 to the licence) :-
Delete conditions 03, 04 and 06 and replace with a new condition
Delete condition 07
Replace conditions 08, 09 and 10.
Delete condition 13, 15, 16, 17, 18 and 19.
Re-write conditions 22 to 30 inclusive.
Replace condition 34

Please tick as appropriate

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

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

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

Not applicable.

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 10)

Note – not to form any part of the licence conditions but for information only. The applicant is aware that the premises fall within the City Council's Cumulative Impact Area and has therefore reviewed all of the conditions attached to the licence with a view to deleting conditions that are no longer relevant, amending conditions to make them more relevant where appropriate and adding additional conditions designed to further promote each of the licensing objectives and in particular, the prevention of crime and disorder.

The applicant also considers that extending the licensed hours of the premises is likely to lead to a more gradual exodus of customers from the premises and reduce the risk of large crowds congregating outside at closing time and that in turn will reduce the risk of conflicts arising, particularly around the taxi rank.

Please refer to the attached schedule which sets out all of the existing conditions, proposed amendments to the same and the new conditions to be added to the licence.

Please also note the revised plans attached to this application which should replace the existing plans as the latter do not completely accurately show the layout of the premises.

b) The prevention of crime and disorder

Please refer to the attached schedule which sets out all of the existing conditions, proposed amendments to the same and the new conditions to be added to the licence.

c) Public safety

Please refer to the attached schedule which sets out all of the existing conditions, proposed amendments to the same and the new conditions to be added to the licence.

d) The prevention of public nuisance

Please refer to the attached schedule which sets out all of the existing conditions, proposed amendments to the same and the new conditions to be added to the licence.

e) The protection of children from harm

Please refer to the attached schedule which sets out all of the existing conditions, proposed amendments to the same and the new conditions to be added to the licence.

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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 11)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	[REDACTED]
Capacity	Solicitors for 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 (please read guidance note 13). **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 14)

Philip Day
Laceys Solicitors LLP
9 Poole Road

Post town	Bournemouth	Post code	BH2 5QR
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

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 to 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 for consumption of these off-

- supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

1
