



LICENSING ACT 2003 SUB-COMMITTEE

LOCATION OF HEARING:
**GARROD ROOM - GROUND FLOOR
ENDEAVOUR HOUSE, 8 RUSSELL ROAD,
IPSWICH IP1 2BX**

DATE AND TIME OF HEARING:
WEDNESDAY, 1 MAY 2019 at 12.30 PM

LICENSING ACT 2003 NOTICE OF HEARING

In accordance with Regulation 6(1) of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing Authority of Mid Suffolk District Council hereby gives notice that a hearing of a Sub-Committee of the Authority's Regulatory Committee has been arranged as set out above in order to determine the following application:

Application for VARIATION of premises licence (section 34)

Application date: 18 March 2019
Application reference: 023214
Applicant: Punch Taverns Limited
Premises: Kings Head

Please ensure that the attached 'Attendance at Hearing Notice' is completed and returned

Sub-Committee Members

Members

Sue Carpendale
Richard Kemp
Ray Smith

Reserve Member

Nick Ridley

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **ELECTION OF CHAIRMAN FOR HEARING**
- 2 **APOLOGIES FOR ABSENCE**
- 3 **DECLARATION OF INTERESTS BY COUNCILLORS**

Report from the Licensing Officer attached.

Right of attendance, assistance and representation

Subject to regulations 14(2) - concerning exclusion of the public from all or part of a hearing where the Licensing Authority considers doing so to be in the greater public interest, and regulation 25 - concerning the exclusion of any person attending the hearing who is behaving in a disruptive manner:

- A party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

At the hearing a party shall be entitled to:-

- a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representation or notice (as applicable);
- b) if given permission by the authority, question any other party; and
- c) address the authority.

Failure of parties to attend hearing

- (1) If a party has informed the Authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may –
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the Authority holds the hearing in the absence of the party, the Authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Any points the Authority considers that it will want clarification on (if any):

If any party is withdrawing their application based on the Applicant's voluntary reductions or modifications since the application was submitted then please contact us at LicensingTeam@baberghmidsuffolk.gov.uk without delay.

If any party is to rely on documentary/video or other material to support their representation or submission please provide it as soon as possible in a legible/useable format (with any redactions having been made where appropriate). Late or on the day documentation/media production may not be admissible, in accordance with relevant regulations.

APPLICANT – RESPONSIBLE AUTHORITIES – INTERESTED PARTIES

Please ensure that you complete and return the attached 'Attendance at Hearing Notice' NO LATER than 5 (five) working days before the date of the hearing.

A party who wishes to withdraw any representations they have made should do so as soon as possible.

If you consider that the hearing is not necessary, the Licensing Authority may dispense with a hearing providing all parties subject to the hearing agree that a hearing is not necessary. If you consider this to be the case, then you should give notice to the authority as soon as possible.

Procedure to be followed at the hearing

The procedure is attached.

For further information on any of the Part 1 items listed above, please contact the Committee Officer on 01473 296373 or via email at committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

Agenda Item 4

BABERGH DISTRICT COUNCIL

To: Licensing Act 2003 Sub-Committee	Report Number: B/LASub/18/2
Officer: Lee Carvell, Corporate Manager – Open for Business	Date of meeting: 1 May 2019

HEARING TO DETERMINE AN APPLICATION MADE TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

1. Purpose of Report

- 1.1 To report information to the Sub-Committee to enable the determination of an application made to vary premises licence BPL0057 - on issue in respect of the Kings Head, 90 High Street, Hadleigh, IPSWICH, Suffolk IP7 5EF.

2. Recommendation

- 2.1 The Sub-Committee must, having regard to the representations made, take such of the steps below (if any) as it considers appropriate for the promotion of the licensing objectives:

- to modify the conditions of the licence;
- to reject the whole or part of the application;

and for this purpose, the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

The Sub-Committee is able to determine the variation application.

3. Financial Implications

- 3.1 There is a statutory right of appeal to the magistrates' court for any party aggrieved by the decision taken by the Licensing Authority.

4. Risk Management

- 4.1 None, other than those that inherently apply to the Licensing Authority when carrying out its licensing functions. The four licensing objectives are prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

5. Consultations

- 5.1 The application made has been subject to the statutory consultation period as prescribed by regulation. The notices advertising the application have been on display at the premises and published (East Anglian Daily Times: 19 March 2019 – 26 March 2019).

6. Equality Analysis

- 6.1 There are no equality impacts arising directly from the matters contained within this report.

7. Shared Service / Partnership Implications

- 7.1 Not applicable.

8. Key Information

- 8.1 The hearing is to determine an application made to VARY an existing premises licence (number BPL0057) made under section 34 of the Licensing Act 2003. For ease of reference a summary of the existing premises licence permissions is attached as **Appendix A**.

- 8.2 The application has been submitted by the premises licence holder:

Punch Taverns Limited

For licensed premises:

Kings Head, 90 High Street, Hadleigh, IPSWICH, Suffolk IP7 5EF

The Designated Premises Supervisor (DPS) is:

Michael William Ager (personal licence holder BPA0202 with Babergh DC)

- 8.3 The variation application was submitted on 18 March 2019 (application reference number BPL0057 - 023214).
- 8.4 The premises licence holders are seeking to diversify and update their current premises licence entitlements. The main element of the variation seeks to alter the existing premises licence by extending authorised hours for the sale of alcohol to commence from 08:00hrs Monday to Saturday and from 10:00hrs on Sunday. The full application attached as **Appendix B** specifies the full proposals of the variation.
- 8.5 The Kings Head, Hadleigh has benefitted from a premises licence issued by Babergh District Council since 7 November 2005 (granted via Licensing Act 2003 Sub-Committee hearing) and prior to that from a Magistrates liquor licence under the 1964 Licensing Act.
- 8.6 A hearing is necessary to determine the application following receipt of relevant representations which have not been withdrawn. The Licensing Authority must carry out its functions under the Act with a view to promoting the licensing objectives, which are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm

- 8.7 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing Policy published under section 5 of the Act, and any guidance issued by the Secretary of State under section 182 of the Act. The adopted Statement of Licensing Policy does not contain any Cumulative Impact Policy for any specific area of the district, as there is no evidential basis for it. However, the Licensing Authority is empowered to create a special policy should circumstances require it. The Licensing Authority's approach to this is specified in section 5 of the local Statement of Licensing Policy.
- 8.8 Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.
- 8.9 The Sub-Committee will also be aware of Human Rights Act 1998 considerations - specifically Article 6 and Articles 8 and 1 of Protocol 1 when determining applications for the variation of an existing licence.
- 8.10 Section 1.9 of the Council's Statement of Licensing Policy guides that the licensing process can only seek to control those measures within the control of the licensee or certificate holder (and their staff/agents). Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from such premises and beyond the direct control of the licence holder, nor is it a cure-all for community problems. If a licence holder has taken all appropriate steps to promote the licensing objectives whilst carrying on authorised licensable activities, and there is no causal link established between problem issues in the locality and a specific premises then it is unlikely that licensing processes are the mechanism to address them.
- 8.11 Paragraph 14.19 of Secretary of State Guidance issued under section 182 of the Licensing Act 2003 states that "there can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.
- 8.12 The Licensing Authority's general approach to considering licensing hours is contained within section 6 of the local Statement of Licensing Policy, and section 7 guides on relevant representations.

9. Representations

- 9.1 Representations have not been received from any Responsible Authority under the 2003 Act.
- 9.2 There has been 1 representation received made by 'other persons'. These are attached as Appendix C to this report.

10. Appendices

Title	Location
A. Summary of premises licence BPL0057	Attached
B. Variation application (section 34)	Attached
C. Representations received from 'other persons'	Attached

11. Background Documents

- Licensing Act 2003
- Guidance issued by Secretary of State under Section 182 of the Licensing Act 2003 (April 2018)
- Statement of Licensing Policy (2016-2021)



Appendix A

BABERGH DISTRICT COUNCIL
'The Licensing Authority'
Endeavour House
8 Russell Road
IPSWICH IP1 2BX
Website: www.babergh.gov.uk
Switchboard: 0300 123 4000

Licensing Act 2003 Premises Licence Summary

BPL0057

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Kings Head
90 High Street
Hadleigh
IPSWICH, Suffolk IP7 5EF

POST TOWN	IPSWICH	POST CODE	IP7 5EF
TELEPHONE NUMBER	01473 828855		

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Live music (indoors)
- Recorded music (indoors)
- Supply of alcohol (both ON and OFF the premises)
- Late night refreshment (indoors and outdoors)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

STANDARD TIMINGS:

Late night refreshment

Hours authorised: 23:00hrs until 00:00hrs (Monday to Saturday)

All other licensed activities

Hours authorised: 10:00hrs until 00:00hrs (Monday to Saturday)
11:00hrs until 23:00hrs (Sunday)

SEASONAL VARIATIONS / NON-STANDARD TIMINGS:

Friday to Monday of all bank holiday weekends, Thursday before Easter weekend, Christmas Eve and Boxing Day: One hour beyond standard timing listed above for that day of the week

New Years Eve (31 December):

From the end of authorised hours on 31 December to the start of authorised hours on the following day

THE OPENING HOURS OF THE PREMISES

STANDARD TIMINGS:

Hours authorised: 10:00hrs until 00:45hrs (Monday to Saturday)
11:00hrs until 23:45hrs (Sunday)

SEASONAL VARIATIONS / NON-STANDARD TIMINGS:

Friday to Monday of all bank holiday weekends, Thursday before Easter weekend, Christmas Eve and Boxing Day: One hour beyond standard timing listed above for that day of the week

New Years Eve (31 December):

From the end of authorised hours on 31 December to the start of authorised hours on the following day

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Supply of alcohol (both ON and OFF the premises)

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Punch Taverns PLC

Jubilee House, Second Avenue, BURTON-UPON-TRENT, Staffordshire DE14 2WF

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company number: 03752645

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Michael William Ager

A: By virtue of section 145 of the Licensing Act 2003:

(i) Children under the age of 16, that are not accompanied by an individual aged 18 or over, are not allowed to be on the premises at a time whilst the premises is open and being used exclusively or primarily for the supply of alcohol for consumption on the premises.

(ii) Children under the age of 16, that are not accompanied by an individual aged 18 or over, are not allowed to be on the premises between the hours of midnight and 5am whilst the premises is open and being used for purposes including the supply of alcohol for consumption on the premises.

B: By virtue of sections 168, 171, 201 of the Licensing Act 1964:

No person under 14 shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

1. He/she is the child of the holder of the premises licence.
2. He/she resides in the premises, but is not employed there.
3. He/she is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
4. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.



BABERGH DISTRICT COUNCIL
'The Licensing Authority'
Endeavour House
8 Russell Road
IPSWICH IP1 2BX
Website: www.babergh.gov.uk
Switchboard: 0300 123 4000

Licensing Act 2003 Premises Licence

BPL0057

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION			
Kings Head 90 High Street Hadleigh IPSWICH, Suffolk IP7 5EF			
POST TOWN	IPSWICH	POST CODE	IP7 5EF
TELEPHONE NUMBER	01473 828855		

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none">○ Live music (indoors)○ Recorded music (indoors)○ Supply of alcohol (both ON and OFF the premises)○ Late night refreshment (indoors and outdoors)

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES
<u>STANDARD TIMINGS:</u>
Late night refreshment Hours authorised: 23:00hrs until 00:00hrs (Monday to Saturday)
All other licensed activities Hours authorised: 10:00hrs until 00:00hrs (Monday to Saturday) 11:00hrs until 23:00hrs (Sunday)
<u>SEASONAL VARIATIONS / NON-STANDARD TIMINGS:</u>
Friday to Monday of all bank holiday weekends, Thursday before Easter weekend, Christmas Eve and Boxing Day: One hour beyond standard timing listed above for that day of the week
New Years Eve (31 December): From the end of authorised hours on 31 December to the start of authorised hours on the following day

THE OPENING HOURS OF THE PREMISES

STANDARD TIMINGS:

Hours authorised: 10:00hrs until 00:45hrs (Monday to Saturday)
11:00hrs until 23:45hrs (Sunday)

SEASONAL VARIATIONS / NON-STANDARD TIMINGS:

Friday to Monday of all bank holiday weekends, Thursday before Easter weekend, Christmas Eve and Boxing Day: One hour beyond standard timing listed above for that day of the week

New Years Eve (31 December):

From the end of authorised hours on 31 December to the start of authorised hours on the following day

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Supply of alcohol (both ON and OFF the premises)

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND E-MAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Punch Taverns PLC

Jubilee House, Second Avenue, BURTON-UPON-TRENT, Staffordshire DE14 2WF

Telephone number: **(01283) 501600**

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company number: 03752645

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Michael William Ager

The Kings Head, 90 High Street, Hadleigh, IPSWICH, Suffolk IP7 5EF

Telephone number: **(01473) 828855**

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Personal Licence number: BPA0202

Issued by: BABERGH DISTRICT COUNCIL



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**CONDITIONS ATTACHED TO THE ISSUE OF:
PREMISES LICENCE No: BPL0057 Kings Head (Hadleigh)**

ANNEX 1 - MANDATORY CONDITIONS

The following conditions in Annex 1 are mandatory under the provisions of the Licensing Act 2003:

1. Alcohol shall not be sold or supplied:
 - (a) At any time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) At any time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended
2. Every sale or supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of undermining a licensing objective.

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (a) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (b) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - i. a holographic mark, or
 - ii. an ultraviolet feature

7. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
8. The relevant person (the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, the personal licence holder who makes or authorises a supply of alcohol under such a licence, or any member or officer of a club present on the premises in a capacity which enables the member or officer to prevent the supply in question) shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979, “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

where – (i) **P** is the permitted price, (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

[“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994]

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The following conditions in Annex 2 are conditions consistent with the operating schedule submitted by the applicant within the application. These will include, where required, existing expressed conditions and embedded restrictions contained within previous authorisations and enactments as specified by the Secretary of State, in accordance with Schedule 8 of the Licensing Act 2003:

1. No person under the age of 14 shall be in the bar of the licensed premises during the permitted hours, unless one of the following applies:
 - (a) He is the child of the holder of the premises licence
 - (b) He resides in the premises, but is not employed there
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of a premises licence is ancillary
2. External and security lighting shall be provided to the licensed premises. (Note: It may be prudent for the licence-holder to liaise with the local Environmental Health Office to ensure that any lighting does not cause public nuisance).
3. A selection of non-alcoholic drinks shall be available for customers to purchase.
4. Drug prevention measures shall be in effect on the licensed premises in accordance with the licence-holders policies and procedures.

5. Emergency exits and escape routes from the licensed premises shall be kept free from obstruction.
6. Customer departure shall be managed by staff on duty.
7. The licence-holder shall participate in the local Pubwatch scheme (or similar) where this is available in the locality of the licensed premises.
8. CCTV shall be installed and operated on the licensed premises.
9. Children on the premises shall be accompanied by a responsible adult on all occasions.
10. The external drinking area designated on the plan attached as Annex 4 to the premises licence shall be used for late night refreshment only and no other licensable activity.
11. Signage shall be displayed and maintained in outdoor areas, and at entrance/exit points, alerting patrons of the need to leave the premises and locality quietly and with consideration to the needs of neighbouring residents and properties.
12. There shall be regular supervisory checks made by staff on duty to any part of the premises accessible to customers, including the patio and external drinking areas, in order to minimise the risk of public nuisance.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Not applicable.

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Appendix B

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 Punch Taverns 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 BPL0057

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Kings Head 90 High Street Hadleigh			
Post town	Ipswich	Postcode	IP7 5EF
Telephone number at premises (if any)		n/a	
Non-domestic rateable value of premises		£31,750 (Band B)	

Part 2 – Applicant details

Daytime contact telephone number	03330 061999		
E-mail address (optional)	PunchLicensing@TLTsollicitors.com		
Current postal address if different from premises address	Jubilee House Second Avenue		
Post town	Burton Upon Trent	Postcode	DE14 2WF

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
<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 see guidance note 2)

This is an application to extend the hours for the sale of alcohol to commence from 08:00h Monday to Saturday (current permission commences at 10:00h) and from 10:00h on Sunday (current permission commences at 11:00h).

All other permitted hours (including the terminal hour for the sale of alcohol), activities and conditions are to remain unchanged by this application.

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input 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 type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input 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

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play 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)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed			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 6)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
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"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
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)			<u>Will the performance of live music 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)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music 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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur					
			<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)		
Fri					
Sat					
Sun					

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"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

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		
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				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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					

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 type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	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 5)		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	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 6) As per current licence permission.		
Fri	08:00	00:00			
Sat	08:00	00:00			
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 9).
N/A

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)
Day	Start	Finish	
Mon	08:00		
Tue		00:45	
	08:00		
Wed		00:45	
	08:00		
Thur		00:45	
	08:00		
Fri		00:45	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) As per current licence permission.
	08:00		
Sat		00:45	
	08:00		
Sun		00:45	
	08:00	23:45	

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.

N/A

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.

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)

All conditions remain as per current licence permission.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

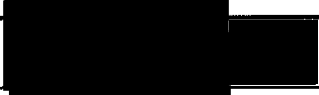
Checklist:**Please tick to indicate agreement**

- 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, 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	
Date	18/3/19
Capacity	SOLICITOR TO 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) Paul Uren TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	+44(0)3330 060213		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) paul.uren@tltsolicitors.com			

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.

Appendix C

Good morning,

I wish to object to this application as in the past there have been numerous complaints of excessive noise and disturbance to residents in the vicinity. I do hope and expect that these comments will be taken into account.

Tina Campbell

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NEW OR VARIATION APPLICATION HEARING PROCEDURE (PREMISES OR MEMBER'S CLUB)

NOTE: References to the 'Applicant' may also apply to an existing licence holder if the hearing consideration relates to a licence already on issue (for example a variation)

1. The Council's Licensing Officer will present a report to the Sub-Committee outlining details of the application and reasons for the hearing including representations/objections made. The Licensing Officer may then, through the Chair, be questioned on his report by any party to the hearing.
2. The Applicant (and/or his advocate/representative) will then present their case in support of the application they have made. The Applicant calls any witnesses (if applicable). The Applicant and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
3. Responsible Authorities (and/or his advocate/representative) will then present their case in support of their representations. The Responsible Authorities call any witnesses (if applicable). The Responsible Authorities and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
4. REPEAT STEP 3 FOR EACH RESPONSIBLE AUTHORITY.
5. Other Persons objecting (and/or his advocate/representative) will then present their case in support of their representations. Other Persons call any witnesses (if applicable). Other Persons and witnesses (if any) may then, through the Chair, be questioned by any party to the hearing.
6. REPEAT STEP 5 FOR EACH OTHER PERSON OBJECTING.
7. The Chairman may then allow additional questioning/ clarification of any of the parties in the order indicated by him.
8. The Council's Licensing Officer gives any closing comments to the Sub-Committee.
9. The Applicant (and/or their advocate) gives any closing address to the Sub-Committee.
10. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Chairman or Legal Advisor to the Sub-Committee (in some cases the Sub-Committee may decide to defer making a decision in accordance with any regulatory timeframe). The full written notification of the decision and rights of appeal will follow forthwith.

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Responsible Authorities, Other Persons, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.
- (c) At all times during proceedings due regard shall be had to The Licensing Act 2003 (Hearings) Regulations 2005.

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