

**Babergh District Council**

**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** Stonegate Pub Company Limited

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

<b>Premises licence number</b> BPL0332
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**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Silkworm Queensbury Building East Street			
<b>Post town</b>	Sudbury	<b>Post code</b>	CO10 2HX

Telephone number at premises (if any)	01787 464050
Non-domestic rateable value of premises	£76,000.00

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>	020 3078 7494		
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	Porter Tun House 500 Capability Green		
<b>Post Town</b>	Luton	<b>Postcode</b>	LU1 3LS

### Part 3 - Variation

Please tick yes

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

If not, from what date do you want the variation to take effect?

Day		Month		Year	

**Please describe briefly the nature of the proposed variation (Please see guidance note)**

1. To extend the terminal hour for licensable activities in the form of Sale of Alcohol, Recorded Music and Late Night Refreshment to 02:00 hours the following day on Fridays and Saturdays.
2. To extend the terminal Opening Hour to 02:30 hours the following day on Fridays and Saturdays.
3. To extend the Sale of Alcohol and Recorded Music to commence at 09:00 hours, seven days a week.
4. To extend Opening Hours to commence at 07:00 hours, seven days a week.
5. To add the provision of regulated entertainment in the form of Films from 07:00 hours to 02:00 hours the following day on Fridays & Saturdays; 07:00 hours to midnight on Sundays to Wednesdays; and 07:00 hours to 01:00 hours the following day on Thursdays;
6. To add non-standard timings for notable days as detailed in the application;
7. To remove the provision of Facilities for Dancing from the licensable activities authorised by the licence. The Live Music Act 2012 removed the requirement to license the provision of entertainment facilities and therefore all such activities are now de-regulated. As Facilities for Making Music and Dancing are no longer licensable under the Licensing Act 2003, we would be grateful if any reference to such provision could be omitted from any new licence issued as a result of this application;
8. To amend the name of the premises to "The Silkworm", removing "Silk Worm (formerly Smith & Jones)" from the Licence and to update the postal address of the premises.

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 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)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	07:00	00:00	<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	07:00	00:00			
Wed	07:00	00:00	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur	07:00	01:00			
Fri	07:00	02:00	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	07:00	02:00			
Sun	07:00	00:00	<b>To add the following:</b>  <b>New Years Eve (31 December):</b> All licensable activities authorised from the end of standard timing on New Years Eve until the start of standard timings on New Years Day  An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day.  An additional hour to the standard and non-standard times on the day when British Summertime commences.		



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<p><b><u>Please give further details</u></b> (please read guidance note 3)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sun			
			<p><b><u>State any seasonal variations for indoor sporting events</u></b>                  (please read guidance note 4)</p>
			<p><b><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></b> (please read guidance note 5)</p>

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<p><b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed			<p><b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)</p>		
Thur					
Fri			<p><b><u>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</u></b> (please read guidance note 5)</p>		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both			<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)			
Tue						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)  As existing		
Mon	09:00	No change			
Tue	09:00	No change			
Day	Start	Finish	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	09:00	No change			
Thur	09:00	No change			
Day	Start	Finish	<b>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</b> (please read guidance note 5)		
Fri	09:00	02:00			
Sat	09:00	02:00			
Day	Start	Finish	<b>To retain the following non-standard timing:</b>  <b>New Years Eve (31 December):</b> All licensable activities authorised from the end of standard timing on New Years Eve until the start of standard timings on New Years Day  <b>And to add the following:</b>  An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day.  An additional hour to the standard and non-standard times on the day when British Summertime commences.		
Sun	09:00	No change			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					



<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)  As existing		
Mon	No change	No change			
Tue	No change	No change	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed	No change	No change			
Thur	No change	No change	<b>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</b> (please read guidance note 5)  <b>To retain the following non-standard timing:</b>		
Fri	No change	02:00			
Sat	No change	02:00	<b>New Years Eve (31 December):</b> All licensable activities authorised from the end of standard timing on New Years Eve until the start of standard timings on New Years Day  <b>And to add the following:</b>  An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day.  An additional hour to the standard and non-standard times on the day when British Summertime commences.		
Sun	No change	No change			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	09:00	No change			
Tue	09:00	No change			
Wed	09:00	No change			
Thur	09:00	No change			
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	No change	<b>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</b> (please read guidance note 5)		
			<b>To retain the following non-standard timing:</b>		
			<b>New Years Eve (31 December):</b> All licensable activities authorised from the end of standard timing on New Years Eve until the start of standard timings on New Years Day		
			<b>And to add the following:</b>  An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day.  An additional hour to the standard and non-standard times on the day when British Summertime commences.		

**K**

<b>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</b> (please read guidance note 8)
None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	No change	
Tue	07:00	No change	
Wed	07:00	No change	
Thur	07:00	No change	
Fri	07:00	02:30	
Sat	07:00	02:30	
Sun	07:00	No change	<b>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</b> (please read guidance note 5)
			<b>To retain the following non-standard timing:</b>  <b>New Years Eve (31 December):</b> All licensable activities authorised from the end of standard timing on New Years Eve until the start of standard timings on New Years Day
			<b>And to add the following:</b>  An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day.
			An additional hour to the standard and non-standard times on the day when British Summertime commences.

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

The following conditions are either outdated, obsolete or have been updated with more appropriate conditions, namely 1,2,3,4,5,6,18,19,20,21,22,23,24,25,26,27,28 in Annex 2, and condition 1 in Annex 3

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The premises licence will follow via post.



**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

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

This variation application seeks to extend the start time and terminal hour for licensable activities and opening hours as well as an additional hour later for certain notable days. We have carefully considered the impact of the proposed variation and the operation of the premises in accordance with the Council's licensing policy.

Pre consultation has taken place with the Police Licensing Officer and Environmental Health Officer prior to submission. A number of conditions have been highlighted as being outdated and obsolete and therefore those have been removed and a number of revised conditions have been added.

The applicant believes the application will promote the licensing objectives in accordance with the use of company policies and procedures and the additional measures proposed in the new operating schedule, as well as the company's extensive staff training on licensing obligations.

Additionally, with regard to the hours sought and additional hour for certain notable days, the premises has operated with a number of temporary event notices to later hours without issue and which have not had a negative impact on the licensing objectives.

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

1. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
2. Where the premises are open for the sale of alcohol after 1am on Fridays and Saturdays the premises shall operate with a minimum of two door supervisors from 21.00hrs on Fridays and Saturdays. At all other times, the requirement for door staff shall be determined by management risk assessment.
3. The premises shall maintain a written drugs policy, which shall be made available to the Police or an authorised officer of the Council upon request.
4. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
  - a. Any incidents of disorder
  - b. Any seizures of drugs or offensive weapons
  - c. Any ejections of patrons
5. The premises shall maintain a written dispersal policy, which shall be made available to the Police or an authorised officer of the Council upon request.

**c) Public safety**

We understand our obligations under existing legislation and take our responsibilities seriously.

**d) The prevention of public nuisance**



1. Reasonable steps will be taken to recognise the rights of local residents and notices will be displayed at the premises exits requesting customers to leave quietly and reminding them that they are in a residential area.

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

1. A proof of age scheme such as Challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
2. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available upon reasonable request.
3. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence holder, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised Police Officer or Council Officer upon request.


Please tick yes

- 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 10)

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

Signature	
Date	10 May 2016
Capacity	Poppleston Allen – Solicitors for & on behalf of 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 note12). 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 13)**

David Inzani  
31 Southampton Row

<b>Post town</b>	London	<b>Post code</b>	WC1B 5HJ
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<b>Telephone number (if any)</b>	020 3078 7494
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<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> d.inzani@popall.co.uk
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#### 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. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.

11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

