

Cheltenham Borough 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 SH Retail Investments Ltd

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 22/01488/PRMV |
|---|

Part 1 – Premises Details

| | | | |
|---|------------|------------------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| The Quad (ground floor) and The Nook (fifth floor) The Quadrangle Imperial Square | | | |
| Post town | Cheltenham | Post code | GL50 1PX |

| | |
|---|---------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £75,000 |

Part 2 – Applicant details

| | | | |
|---|---|-----------------|----------|
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |
| Current residential address if different from premises address | 3rd Floor The Library Building Sun Street | | |
| Post Town | Tewkesbury | Postcode | GL20 5NX |

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 |
| <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.
To vary the premises licence to extend the sale of alcohol and Late-Night Refreshment from 00:00 (midnight) until 02:00 every day. To extend the opening times from 08:00 until 02:30. To add the provision of regulated entertainment from 10:00 until 02:00 every day.

To add an additional hour to the standard times on the day when British Summertime commences.

Extension of hours is to apply solely to the Nook fifth floor only.

To update the premises licence conditions following consultation with the Police Licensing team.

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

Part 4 Operating Schedule

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

- | <u>Provision of regulated entertainment</u> (Please read guidance note 3) | 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 checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Sale by retail of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

| | | | | | |
|---|-------|--------|--|----------|-------------------------------------|
| Plays Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for performing plays (please read guidance note 6) | | |
| Wed | | | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

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|---|-------|--------|---|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 8) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for the exhibition of films (please read guidance note 6) | | |
| Wed | | | | | |
| Thur | | | 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 7) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 8) | | | <u>Please give further details</u> (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6) |
| 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 7) |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

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|--|-------|--------|---|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| Mon | | | Outdoors | <input type="checkbox"/> |
| Tue | | | Both | <input type="checkbox"/> |
| Wed | | | <u>Please give further details here</u> (please read guidance note 5) | |
| Thur | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6) | |
| Fri | | | <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> (please read guidance note 7) | |
| Sat | | | | |
| Sun | | | | |

E

| | | | | | |
|--|-------|--------|--|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 10:00 | 02:00 | Please give further details here (please read guidance note 5) | | |
| Tue | 10:00 | 02:00 | | | |
| Wed | 10:00 | 02:00 | State any seasonal variations for the performance of live music (please read guidance note 6) | | |
| Thur | 10:00 | 02:00 | | | |
| Fri | 10:00 | 02:00 | 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 7) To add an additional hour to the standard times on the day when British Summertime commences. | | |
| Sat | 10:00 | 02:00 | | | |
| Sun | 10:00 | 02:00 | | | |

F

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|--|-------|--------|--|----------|-------------------------------------|
| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 10:00 | 02:00 | Please give further details here (please read guidance note 5) | | |
| Tue | 10:00 | 02:00 | | | |
| Wed | 10:00 | 02:00 | State any seasonal variations for the playing of recorded music (please read guidance note 6) | | |
| Thur | 10:00 | 02:00 | | | |
| Fri | 10:00 | 02:00 | 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 (please read guidance note 7) To add an additional hour to the standard times on the day when British Summertime commences. | | |
| Sat | 10:00 | 02:00 | | | |
| Sun | 10:00 | 02:00 | | | |

G

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|---|-------|--------|--|--|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 8) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | | |
| Mon | | | | | | |
| Tue | | | | | | |
| Wed | | | State any seasonal variations for the performance of dance (please read guidance note 6) | | | |
| Thur | | | | | | |
| Fri | | | 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 7) | | | |
| Sat | | | | | | |
| Sun | | | | | | |

H

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|--|-------|--------|---|--|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | | | |
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4) | | Indoors | <input type="checkbox"/> |
| Mon | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Tue | | | Please give further details here (please read guidance note 5) | | | |
| Wed | | | | | | |
| Thur | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) | | | |
| 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 7) | | | |
| Sun | | | | | | |

I

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | |
| Mon | 23:00 | 02:00 | | | |
| Tue | 23:00 | 02:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 6) | | |
| Wed | 23:00 | 02:00 | | | |
| Thur | 23:00 | 02:00 | 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 7) To add an additional hour to the standard times on the day when British Summertime commences. | | |
| Fri | 23:00 | 02:00 | | | |
| Sat | 23:00 | 02:00 | | | |
| Sun | 23:00 | 02:00 | | | |

J

| | | | | | |
|---|-------|--------|--|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 6) | | |
| Mon | 08:00 | 02:00 | | | |
| Tue | 08:00 | 02:00 | 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 7) Changes solely to the Nook 5 th Floor Only. To add an additional hour to the standard times on the day when British Summertime commences. | | |
| Wed | 08:00 | 02:00 | | | |
| Thur | 08:00 | 02:00 | | | |
| Fri | 08:00 | 02:00 | | | |
| Sat | 08:00 | 02:00 | | | |
| Sun | 08:00 | 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 8)
N/A

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | State any seasonal variations (please read guidance note 6) |
| Day | Start | Finish | |
| Mon | 08:00 | 02:30 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) To add an additional hour to the standard times on the day when British Summertime commences. |
| Tue | 08:00 | 02:30 | |
| Wed | 08:00 | 02:30 | |
| Thur | 08:00 | 02:30 | |
| Fri | 08:00 | 02:30 | |
| Sat | 08:00 | 02:30 | |
| Sun | 08:00 | 02:30 | |
| | | | |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Below conditions have been agreed with

1. The removal of Condition 1 to be replaced with
 - A CCTV system with a minimum of 3 cameras will be in operation when the premises is open and licensable activities are taking place. Recorded images shall be retained for a minimum period of 28 days (14 days for digital systems). The CCTV system shall be maintained in good working order. CCTV images will be provided to the police and other responsible authorities if requested as soon as practicable. The correct time and date will be generated onto both the recording and the real time image screen.
2. The removal of Condition 3 to be replaced with
 - A challenge 25' scheme shall be adopted, so that any customer attempting to purchase alcoholic liquor who appears to be under the age of 25 shall be asked for an accredited photographic proof of their age (e.g. passport, photo driving licence or a PASS approved card) and that a sale shall not be made unless this evidence is produced. This will only be treated as a breach where the customer subsequently turns out to be under 18 years of age.

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
N/A

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

Addition of the following conditions:

1. Challenge 25 Notices must be displayed in prominent positions where the notice can be conveniently read by members of the public.
2. A log shall be kept at the premises to record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The DPS will sign and date the book each time it is checked. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police.
3. An incident log be will kept which will include the date, time and details of incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date. The DPS will sign and date the book each time it is checked. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police.
4. The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and “authorised persons” immediately upon request.
5. There shall be a minimum of 2 SIA registered door supervisors on each Friday and Saturday from 21.00 hours until close when the premises is open for licensable activities.

b) The prevention of crime and disorder

See box a)

c) Public safety

See box a)

d) The prevention of public nuisance

See box a)

e) The protection of children from harm

See box a)


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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|---|
| Signature |  |
| Date | 04/08/2023 |
| 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 note 14). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |

| | |
|----------|--|
| Capacity | |
|----------|--|

| | | | |
|---|---------------|------------------|---------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Alex Tomlinson Poppleston Allen Solicitors 37 Stoney Street The Lace Market | | | |
| Post town | Nottingham | Post code | NG1 1LS |
| Telephone number (if any) | 0115 953 8500 | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) a.tomlinson@popall.co.uk | | | |