



Licensing Act 2003 Information Pack

Variation of a Premises Licence Within the City and County of Swansea

This pack contains all the information you should need to apply to vary an existing premises licence within the City and County of Swansea.

What is included:

- Explanation of the process of applying to vary a premises licence
 - Guidance notes

Explanation of the process for applying to vary a premises licence

In order to apply to vary a premise licence you will need to:

1. Fully complete the application form (Pages 1-21 included). Please make sure that you read the Guidance Notes fully before completing the form.
2. If the layout of the premises is being altered in any way, please complete a plan of the premises (guidance at appendix A). This plan must be returned with the completed application form.
3. Contact the Responsible Authorities **before** sending in your application form. A complete contact list for the responsible authorities can be found at Appendix C. We advise you to do this as it will benefit **you** and save you time in making your application.
4. After contacting the Responsible Authorities to discuss your application submit the application form together with:
 - a plan of the premises (if the layout is being altered)
 - appropriate payment for the application (see table of costs, Appendix B).

You can submit your application either by post to:

The Licensing Division
Environment Department
City and County of Swansea
Civic Centre
Oystermouth Road
Swansea
SA1 3SN

Cheques to be made payable to “The City and County of Swansea”

Or in person at the City and County of Swansea Contact Centre

Civic Centre
Oystermouth Road
Swansea
SA1 3SN

At the Contact Centre payment can be made either by cheque, cash payment or with a debit/credit card.

5. On the **same day** as you submit your application to the Licensing Authority you must also send a copy of all the documentation to the “Responsible Authorities” listed at appendix C.

6. The **day after** you have submitted the application to the Licensing Authority you are required to advertise the application. This must be done in 2 ways:

by way of notice on the premise (see Appendix D for guidance and template)

in a newspaper notice circulating in the area (see Appendix D).

8. Once the Licensing Authority has received your completed application, together with the required additional information and payment it will then start the consultation period of 28 days. During these 28 days relevant representations can be made to the Licensing Authority by any of the responsible authorities or an interested party.

If no relevant representations are received by the end of the consultation period the Licensing Authority will write to you to notify you that you have been granted the licence. This "Notice of Determination" will be sent to you within 10 working days after the 28 days has elapsed. This notice allows you to operate under the varied premises licence. You will receive your full licence in the post within a further 6 weeks.

If representations have been received your application will have to be heard at a Licensing Committee Hearing, you will receive a notice of hearing via the post. This will then provide you with the date and time of your hearing, (all parties who make representations are invited to the hearing). You will be required to reply to the Notice of hearing to confirm your attendance at the hearing. Once you have confirmed attendance or a representative on your behalf, you will then receive the Committee report, with the complete application, and any representations attached, you will need to bring this to the hearing.

9. The Council has adopted a special policy on cumulative impact, details of which can be found on the following link:

<http://www.swansea.gov.uk/article/4280/Statement-of-licensing-policy> Policy with maps

If the premises intended to be licensed is within the areas defined on the maps, then consideration must also be given to this special policy.

The effect of the Special Policy is that in respect of premises located in this area, there is a presumption against granting any application for a premises licence, club premises certificate or a variation that is likely to add to the existing cumulative impact. This presumption is only relevant to applications which trigger a relevant representation from a Responsible Authority or Other Person referring to one or more of the licensing objectives which gave rise to the Special Policy being introduced. If there

are no such representations the Authority MUST grant the application in terms that are consistent with the operating schedule submitted.

If such representations are made, a Licensing Sub Committee of the Authority will hear those representations and conclude whether or not the presumption against granting should apply or if the application should be subject to certain limitations. Refusal will normally be the case UNLESS the applicant can demonstrate in their operating schedule that the application will not add to the cumulative impact on one or more of the licensing objectives and that the Authority would therefore be justified in departing from the Special Policy in the light of the individual circumstances of the case.

The Council based the adoption of a special policy from reports made to Cabinet on 1st November 2012 and Council on 30th July 2013. Links to these reports are listed below:

[Cabinet 1st November 2012 Statistical report for cumulative impact](#)

[Council 30th July 2013 adoption of policy with special policy on cumulative impact](#)

Plan of the Premises (if alterations are being made to the layout of the premises)

When submitting your application, if you are making alterations to the layout of the premises) you will need to submit a plan of your premises which must be on a scale of 1:100, this can be a hand drawn plan, or computer generated.

The plan MUST show -

The plan will need to show all of the following:

- the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- the location of points of access to and egress from the premises;
- the location of escape routes from the premises;
- in a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- the position of fixed structures (including furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- in a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- the location and type of any fire safety and any other safety equipment; and
- the location of a kitchen, if any, on the premises.

Please ensure that if symbols are used to identify items on a plan that they are described in an appropriate key/legend.

Cost of Licence

All the following rates apply to the financial year 2010 – 2011

The fee to accompany the premises licence application is based on the non domestic rateable value of the premises.

Application	Non Domestic Rateable Value Bands				
	A	B	C	D	E
	None - £4,300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 and above
New Premises Licence	£100	£190	£315	£450	£635
For premises that fall into either bands D or E and are used exclusively or primarily for the supply of alcohol for consumption on the premises, the following fee applies				D x 2 = £900	E x 3 = £1905

For premises in the course of construction – Band C applies,

For all other premises (i.e. not yet rated) – Band A applies,

If you require clarification on your non-domestic rateable value, you can visit the Governments Valuation Office website on www.voa.gov.uk Alternatively, you can contact the City and County of Swansea's Business Rates Division on (01792) 635937.

Annual Fees

Premises licences, if granted, will also be the subject to an annual fee based on their rateable value. This annual fee does **NOT** have to be submitted with your application, but **MUST** be **PAID** each year on the anniversary of the date your licence was granted.

Band	A	B	C	D	E
New Premises Licence	£70	£180	£295	£320	£350
For premises that fall into either bands D or E and are used exclusively or primarily for the supply of alcohol for consumption on the premises				£640	£1050

There are **additional fees** for premises licences that are used for exceptionally large events (5000+ persons).

Number in attendance at any one time	Additional Premises licence fee	Additional annual fee payable if applicable
5,000 to 9,999	£1,000	£500
10,000 to 14,999	£2,000	£1000
15,000 to 19,999	£4,000	£2,000
20,000 to 29,999	£8,000	£4,000
30,000 to 39,999	£16,000	£8,000
40,000 to 49,999	£24,000	£12,000
50,000 to 59,999	£32,000	£16,000
60,000 to 69,999	£40,000	£20,000
70,000 to 79,999	£48,000	£24,000
80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

For further information please refer to Regulation 4(4) and 4(5) of the Licensing Act 2003 (fees) Regulations 2005, available from the DCMS website, www.dcms.gov.uk.

How long will a Premises Licence last?

A premises licence will usually be granted for the 'life of the business', and as such will only be subject to one application fee. There will also be the 'annual fee' as indicated previously.

If there is to be a material change in the business, which could not be dealt with reasonably by a variation, then a new licence would have to be applied for.

A premises licence may also be granted for a specified period of time. This would be the case, perhaps for a large outdoor event lasting a certain number of days or even weeks.

Small scale, short term events may be covered by a 'Temporary Events Notice' (TEN) – see Council guidance on TEN's for more information available on www.swansea.gov.uk/ten

Responsible Authorities

Notification to 'Responsible Authorities'

This is a **vital** part of your application, and any application made without proper notification to these other Authorities will deem the application **invalid**, and it will be returned to you.

We advise you to Contact the Responsible Authorities **before** completing and sending in your application to discuss your application with them. We advise you to do this as it will benefit **you** and save you time in making your application.

A copy of your application, including copies of plans (where applicable) must be served on these authorities **on the same day** as on the Licensing Authority itself.

Applications must be sent to all of the following Responsible Authorities-

1.The Chief Officer of Police:

South Wales Police
C/O Licensing Department
Swansea Central Police Station
Grove Place
Swansea SA1 5EA
Tel: (01792) 562707

2.Fire Authority:

Licensing Officer
Swansea Command
Mid & West Wales Fire Authority
Sway Road
Morrison
Swansea SA6 6JA
Tel: 0870 6060699

3.Local Planning Authority:

Enforcement Section
Planning Services
Directorate of Place
Civic Centre
Oystermouth Road
Swansea SA1 3SN
Tel: 01792 635692

4.Enforcement of Pollution & Statutory Health:

Pollution Control Division
Directorate of Place
City & County of Swansea
The Guildhall
Swansea
SA1 4PE
Tel: 01792 635600

5.Child Protection

Principal Officer for Safeguarding, Performance and
Quality Safeguarding, Performance and Quality PO Box
685
Swansea
SA1 4PE
Tel: 01792 636000

6.Trading Standards

Trading Standards Division
Directorate of Place
City & County of Swansea
The Guildhall
Swansea
SA1 4PE
Tel: 01792 635600

7.Health & Safety

For premises controlled by the Council – (if you have any queries on who controls your premises then contact the Food and Safety Division below for confirmation before submitting your application)

Either

Food & Safety Division
Directorate of Place
City & County of Swansea
The Guildhall
Swansea
SA1 4PE
Tel: 01792 635600

or

For premises controlled by the Health & Safety Executive –

Health & Safety Executive
Government Building
Phase1
Ty Glas
Llanishen
Cardiff
CF14 5SH
Tel: 02920 263000

8. Primary Care Trust/Local Health Board

Abertawe Bro Morgannwg University Local Health Board
Cyfarwyddwr Rhanbarth Abertawe/Locality Director Swansea
Swansea Locality,
36 Orchard St.,
Swansea
SA1 5AW
Tel: 01792 601826

Appendix D

Duty to Advertise the Application

When applying to vary a Premises Licence, there is a requirement for the **APPLICANT** to advertise the application in 2 ways;

1. By way of a notice on the premises,
2. In a newspaper notice circulated in the area.

Please see details below:

1. Notice on the premises to be licensed

The notice must be displayed prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises, for a period of no less than 28 consecutive days starting on the day following the day on which the application was submitted.

The notice itself should be:

- Of a size equal to, or larger than A4;
- of a pale blue colour;
- Printed legibly in black ink or typed in black in a font equal to or larger than size 16;

In the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements must be placed every fifty metres along the external perimeter of the premises abutting any highway.

2. Notice in a newspaper

You must also advertise by publishing a notice:

- in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

- for at least one occasion during the period of ten working days following the submission of the application.

In both cases, the notice must state –

- the name of the applicant(s);
- the postal address of the premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises to be identified;
- the postal address and, where applicable, the worldwide web address where the register of the licensing authority is kept and where and when the record of the application may be inspected;
- the date by which an interested party or responsible authority may make representations to the relevant licensing authority; (28 days following submission of the application.)
- that representations shall be made in writing; and
- that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

Both notices should also briefly describe the proposed application.

A template for this notice is attached, and is also available at www.swansea.gov.uk

(A GUIDE TO THE FORMAT FOR AN ADVERTISEMENT IN RELATION TO VARIATION OF A PREMISES LICENCE)

NOTICE OF VARIATION OF A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

APPLICANT: (enter full details of names of applicant and full name and address of the premises for which the application relates to)

THE PROPOSED LICENSABLE ACTIVITIES ARE; (describe in full the details of the proposed licensable activities i.e. proposed hours, types of regulated entertainment, provision of late night refreshment, etc)

FULL DETAILS OF THE APPLICATION CAN BE INSPECTED AT THE ADDRESS BELOW DURING NORMAL BUSINESS HOURS

CITY AND COUNTY OF SWANSEA
LICENSING DIVISION
ENVIRONMENT DEPARTMENT
CIVIC CENTRE
OYSTERMOUTH ROAD
SWANSEA
SA1 3SN
evh.licensing@swansea.gov.uk

ANY REPRESENTATIONS MUST BE MADE IN WRITING BY; (please enter a date for which written representations must be made, this date will be 28 consecutive days starting on the day after the application was made to the Licensing Authority.) CLEARLY STATING THE GROUNDS UPON WHICH THE REPRESENTATION IS MADE, RELEVANT TO THE LICENSING OBJECTIVES, TO THE ABOVE ADDRESS OR EMAIL.

Gellir archwilio manylion llawn y cais yn y cyfeiriad isod yn ystod oriau busnes arferol Dinas a Sir Abertawe Yr Is-adran drwyddedu, Adran yr Amgylchedd Canolfan Ddinesig, Heol Ystumllwynarth Abertawe SA1 3SN.

IT IS AN OFFENCE KNOWINGLY OR RECKLESSLY TO MAKE A FALSE STATEMENT IN CONNECTION WITH AN APPLICATION AND IS SUBJECT TO A MAXIMUM FINE OF £5000 ON SUMMARY OF CONVICTION

(*DELETE AS APPROPRIATE) N.B NOTICES MUST BE COMPLETED ON PALE BLUE PAPER NOT LESS THAN SIZE A4 WITH PRINTING NOT LESS THAN FONT 16

Completing the Application Form

At the end of this pack you will find the application form and a guidance note. Please read these notes before you complete the application form as they will help you with any queries that you may have.

Operating Schedule

You will find your operating schedule on section P of your application form.

What is an operating schedule?

An operating schedule is a document which clearly spells out to the Licensing Authority the type and nature of the business the applicant plans to operate under their premises licence, including the steps they will take to ensure the licensing objectives are promoted. It should include the following:

- Style and character of the business: (i.e – restaurant, Nightclub, Bar, Take away)
- Relevant licensable activities and the times they are provided;
- Other times the public will be admitted;
- Any limited period for which the licence is to exist;
- Whether alcohol is to be sold for consumption on or off the premises, or both; and
- How the 4 'licensing objectives' will be promoted. There's are explained in more detail below

You will find that your operating schedule has 5 Sections, one for each of the 4 Licensing Objectives, and a general section. It is advisable to complete the four objectives firstly, and then return, to put the most important factors into your general section.

Licensing Objective - Prevention of Crime and Disorder

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits all areas where the public have access and any external drinking area's. Equipment must be maintained in good working order, the system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings must be correctly timed and date stamped , recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to a Police Officer/Local Authority Officer on demand. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor (DPS) or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to a Police Officer/Local Authority Officer on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any failings the actions taken are to be recorded. In the event of technical failure of the CCTV equipment, the Premises Licence holder/DPS must report the failure to the Police/Local Authority.

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

No drinks shall be served in glass containers at any time.

Suitable non glass receptacles only to be used at premises on days considered to be major event days in the area. Such days to be notified to designed premises supervisor in writing at least 14 days prior to event, or with agreement of Pub and Club Watch.

Other than for off sales in sealed containers no glassware or glass bottles to be taken outside the building by patrons of the premises.

Door staff to be employed when regulated entertainment is provided at a ratio of ____ supervisor per 100 customers

A minimum of (____) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.

At least (____) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.

(Please note that the number of door supervisors should be dependant on the type of business you run, the crowd profile, and certain events that you run as a premises.) see table on next page -

Members of the Public Present

Number of door Supervisors

1	-	100	2
100	-	250	3
250	-	500	4
500	-	750	5
750	-	1,000	6
1,000	-	1,250	9
1,250	-	1,500	10
1,500	-	2,000	12

In excess of 2,000 - at least 12 and such other stewards as may be required either by the Chief Fire Officer or the Council.

A register of door supervisors (Safer Swansea Partnership Register or like detailed bound numerical register) to be maintained at all times at the premises. Such register to include the name, registration number, contact details of the member of door staff along with the date, time on duty and time off duty. Full details of the agency supplying the staff to be endorsed and the register to be available for inspection on request by an Authorised officer.

No patrons shall be admitted or re-admitted to the premises after ____.

All persons entering or re-entering the premises shall be searched by an SIA trained member of staff.
Signs to be prominently displayed at the entrance to the premises, within the toilet facilities and at key strategic points within public access areas. Signs to state that drug use is unacceptable and that the venue operates a drug search policy as a condition of entry reserving the right to search customers under this provision.
Premises to actively participate in regular initiatives to target drug misuse at the venue to include full co-operation with South Wales Police led drug itemiser and drug search operations.
A drug safe to be present in the premises.
Managers/supervisors of premises to attend and fully participate in the City Centre Pub and Club Watch scheme.
Premises to actively participate in the city centre Nitenet radio communication scheme. Participation to specifically include a member of staff responsible for signing on the system, monitoring, responding to transmissions, making transmissions when incidents arise to alert other premises using the system and signing off. This participation to take place at all times the premises is open to customers and trading.
Premises to actively participate in the city centre exclusion order scheme.
Premises to give at least 7 days notification to the Police Licensing Department supplying an operating plan of any changes in or of any new drinks offers and promotions in writing.
All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
An attendant shall be on duty in the cloakroom during the whole time that it is in use.
An incident book (Safer Swansea Partnership Incident Book or like detailed bound numerical register) to be maintained at all times to record any incidents of note.
The consumption of soft or alcoholic drinks is prohibited on the highway outside the premises
A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.
Other than for off sales in sealed containers no drinks are permitted to leave the licensed area as shown on the deposited plans
No consumption of alcohol or other refreshments to be permitted after 23:00 hours in the external drinking area.

All unmixed spirits will be displayed behind the counter and supplied on a counter service provision only.
All alcohol will be displayed behind the counter and supplied on a counter service provision only.
A Comprehensive recordable CCTV system will be installed and maintained covering the trade areas whilst encompassing all ingress and egress to the premises. The system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. The system must be capable of providing pictures of evidential quality, in particular facial recognition. All recordings must be stored for a minimum period of 31 days with date and time. Recordings must be made available immediately upon the request of a Police or Authorised Officer.
A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
The premises shall actively participate in a Bottle Watch scheme, or any similar scheme as run by South Wales Police.

Licensing Objective - Public safety

Premises shall have an adequate system of counting persons in and out to ensure that the customer levels in all areas do not exceed the agreed limit.

The number of persons permitted in the premises at any one time (including staff) shall not exceed ____ persons.

Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used where 10 days prior notice has been given to the Licensing Authority where consent has not previously been given.

- dry ice and cryogenic fog
- smoke machines and fog generators
- pyrotechnics including fire works
- firearms
- lasers
- explosives and highly flammable substances.
- real flame.
- strobe lighting.

No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

Adequate and appropriate supply of first aid equipment and materials is available on the premises
If necessary, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

Licensing Objective - Prevention of Public Nuisance

The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
The supply of alcohol shall be by waiter or waitress service only.
Substantial food and non-intoxicating beverages, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
Prior to the beneficial use of the premises a sound insulation scheme designated by a competent acoustic consultant to contain noise within the cartilage of the premises shall be submitted for approval by the Pollution Control Division of the Environment Department, City & County of Swansea. Once approved, in writing, the sound insulation scheme shall be installed and properly maintained.
A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the public protection service's Pollution Control Division to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Public Protection Service.
Loudspeakers shall not be located in the entrance lobby or outside the premises building.
All windows and external doors shall be kept closed after __:__ hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
There shall be no admittance or re-admittance to the premises after __.__.
Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
Patrons permitted to temporarily leave and then re-enter the premises shall be limited to (___) persons at any one time.

<p>Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.</p>
<p>The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.</p>
<p>A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.</p>
<p>There shall be no sales of alcohol for consumption off the premises.</p>
<p>All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.</p>
<p>Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.</p>
<p>Outside tables and chairs shall not be used by patrons after __. __ each day.</p>
<p>All tables and chairs shall be removed from the outside area by __. __ each day.</p>
<p>No consumption of soft or alcoholic drinks to be permitted in any area outside the premises.</p>
<p>External drinking area to be cleared of all customers by 23:00 hours.</p>
<p>External area to be regularly supervised by staff from premises when in use.</p>
<p>There shall be no outside drinking at the premises other than by customers seated within an area covered by a pavement café licence. All such areas to utilise non glass receptacles only.</p>
<p>The external drinking area when utilised to be constantly supervised by a dedicated member of staff who is solely responsible for this duty</p>
<p>Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills/screens or secured behind locked cabinet doors.</p>
<p>No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.</p>
<p>No single cans or bottles of beer or cider shall be sold at the premises.</p>
<p>There shall be no self service of unmixed spirits on the premises.</p>
<p>Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.</p>

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a take-away meal.
No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would fall within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009), shall be provided.
There shall be no striptease or nudity.
No authorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
Admission to the <i>specified function room</i> shall be through a designated entrance.
In relation to the <i>specified function room</i> there shall be no admission after __:__ other than to (1) residents of the hotel and their bona fide guests, or (2) persons attending the pre-booked function
All functions in the <i>specified function room</i> shall be pre-booked or ticketed events
With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol

Licensing Objective - Protection of children from harm

A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.

A Challenge 21 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.
Premises to keep up to date records available for inspection of staff training in respect of age related sales.
Other than for specific youth events agreed in writing with the Police Licensing Officer, no persons under the age of 18 years to be permitted at the premises.
No access to the premises by persons under the age of 18 years.
Notices shall be clearly displayed in the premises to emphasize to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.

Swansea Council is the data controller for the personal information you provide on this form. We are collecting this information as part of our obligation under **Licensing Act 2003**. Your information will be used to help us fulfil our legal obligation and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for compliance with a legal obligation. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate **privacy notice** on our website (www.swansea.gov.uk/privacynotice).

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 _____

(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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Post town		Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

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)

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.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur								
Fri								
Sat						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun								

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
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

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)	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 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
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)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Tue					
			<u>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</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)			
Mon						
Tue						
Wed					<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur						
Fri						
Sat					<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<u>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</u> (please read guidance note 7)

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

Please 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 11)

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, 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	
Capacity	

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)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Swansea Council is the data controller for the personal information you provide on this form. We are collecting this information as part of our obligation under **Licensing Act 2003**. Your information will be used to help us fulfil our legal obligation and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for compliance with a legal obligation. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate **privacy notice** on our website (www.swansea.gov.uk/privacynotice).

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 for 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. 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.
 9. 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'.
 10. 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.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

For further guidance on the implications of the operating schedule refer the City & County of Swansea Statement of Licensing Policy, which can be found at www.swansea.gov.uk

If, after having read all the guidance notes, you still have query please email evh.licensing@swansea.gov.uk or call 01792 635600. All application forms and guidance notes can be obtained via the Council's official website:

www.swansea.gov.uk

These notes and the information contained therein are intended for guidance purposes only and are subject to change. Last updated 15 May 2018 (GDPR).