

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 Marston's PLC 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

LICPR/14776/05

11/A LFORM E315
Audit:
019655

Part 1 - Premises details

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

Que Pasa
31 Market Place

Post town
Hitchin

Post code
SG5 1DY

Telephone number of premises (if any)

01462 434396

Non-domestic rateable value of premises

£79000

Part 2 - Applicant Details

Daytime contact telephone number

01462 434396

Email address
(optional)

Current postal
address if
different from
premises address

Marston's House
Brewery Road

Post Town

Wolverhampton

Postcode

WV1 4JT

N.H.D.C.

21 SEP 2012

Part 3 – Variation

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

Please tick yes

If not do you want the variation to take effect from

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

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 |
|-----|

Please describe briefly the nature of the proposed variation (please read guidance note 1)

Following developments of other premises within the Hitchin town centre the Applicant seeks to extend hours on Friday and Saturday evenings from 02:00hrs to 03:00hrs, with the premises closing 30 minutes thereafter.

In addition an existing condition restricting entry to the premises in effect on 1 evening a week is sought to be removed.

The premise already operates until 02:00hrs on Friday and Saturday evenings in a manner which does not undermine the Licensing Objectives. The experience of the management and operating plan, as currently drawn, is therefore appropriate for the proposed hour.

An extension of 1hr, in the opinion of the Applicant, does not present any additional risks to the Licensing Objectives.

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.

Please tick ✓ yes

Provision of regulated entertainment

- 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 entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoors | | |
|--|-------|--------|---|--|--|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | | | Please give further details here (please read guidance note 3) | Both | | |
| Tue | | | | | | |
| Wed | | | | State any seasonal variations for performing plays (please read guidance note 4) | | |
| Thur | | | | | | |
| Fri | | | | | | |
| Sat | | | | | | |
| Sun | | | | 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 5) | | |
| | | | | | | |

B

| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoors | ✓ | |
|--|-------|--------|---|--|---|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | 12:00 | 00:00 | Please give further details here (please read guidance note 3) As existing | Both | | |
| Tue | 12:00 | 00:00 | | | | |
| Wed | 12:00 | 00:00 | | State any seasonal variations for the exhibition of films (please read guidance note 4) As existing | | |
| Thur | 12:00 | 00:00 | | | | |
| Fri | 12:00 | 03:00 | | 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 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| Sat | 12:00 | 03:00 | | | | |
| Sun | 12:00 | 00:00 | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) |
|---|-------|--------|---|
| Day | Start | Finish | |
| Mon | 12:00 | 00:00 | As existing |
| | | | |
| Tue | 12:00 | 00:00 | State any seasonal variations for indoor sporting events (please read guidance note 4) As existing |
| Wed | 12:00 | 00:00 | |
| Thur | 12:00 | 00:00 | 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 (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) |
| Fri | 12:00 | 03:00 | |
| Sat | 12:00 | 03:00 | |
| Sun | 12:00 | 00:00 | |

D

| Boxing or wrestling entertainment Standard days and timings (please read guidance note 6) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | |
|--|-------|--------|---|----------|
| Day | Start | Finish | Indoors | Outdoors |
| Mon | | | | |
| Tue | | | | |
| Wed | | | | |
| Thur | | | | |
| Fri | | | | |
| Sat | | | | |
| Sun | | | | |

| | | | Both | |
|--|--|--|-------------|--|
| | | | | |

| | | | Please give further details here (please read guidance note 3) | |
|--|--|--|---|--|
| | | | | |
| | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4) | |
| | | | | |
| | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | |
| | | | | |

E

| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoors | ✓ |
|---|-------|--------|--|----------|---|
| Day | Start | Finish | | Outdoors | |
| Mon | 12:00 | 00:00 | Please give further details here (please read guidance note 3) As existing | Both | |
| Tue | 12:00 | 00:00 | | | |
| Wed | 12:00 | 00:00 | State any seasonal variations for the performance of live music (please read guidance note 4) As existing | | |
| Thur | 12:00 | 00:00 | | | |
| Fri | 12:00 | 03:00 | 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 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| Sat | 12:00 | 03:00 | | | |
| Sun | 12:00 | 00:00 | | | |

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoors | ✓ |
|---|-------|--------|--|----------|---|
| Day | Start | Finish | | Outdoors | |
| Mon | 12:00 | 00:00 | Please give further details here (please read guidance note 3) As existing | Both | |
| Tue | 12:00 | 00:00 | | | |
| Wed | 12:00 | 00:00 | State any seasonal variations for playing recorded music (please read guidance note 4) As existing | | |
| Thur | 12:00 | 00:00 | | | |
| Fri | 12:00 | 03:00 | Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| Sat | 12:00 | 03:00 | | | |
| Sun | 12:00 | 00:00 | | | |

G

| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | |
| Mon | 12:00 | 00:00 | Please give further details here (please read guidance note 3) As existing | Both | |
| Tue | 12:00 | 00:00 | | | |
| Wed | 12:00 | 00:00 | State any seasonal variations for the performance of dance (please read guidance note 4) As existing | | |
| Thur | 12:00 | 00:00 | | | |
| Fri | 12:00 | 03:00 | Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| Sat | 12:00 | 03:00 | | | |
| Sun | 12:00 | 00:00 | | | |

H

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | 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 {Y} (please read guidance note 2). | Indoors | |
| Mon | | | | Outdoors | |
| Tue | | | | Both | |
| Wed | | | Please give further details here (please read guidance note 3) | | |
| Thur | | | | | |
| Fri | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | Non standard timings. Where you intend to use the premises for the entertainment of 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 5) | | |

I

| | | | | | |
|--|-------|--------|--|--|---|
| Provision of facilities for making music. Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | | |
| | | | Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2). | | Indoors <input checked="" type="checkbox"/> |
| | | | | | Outdoors <input type="checkbox"/> |
| | | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 12:00 | 00:00 | Please give further details here (please read guidance note 3) | | |
| | | | As existing | | |
| Tue | 12:00 | 00:00 | | | |
| | | | | | |
| Wed | 12:00 | 00:00 | State any seasonal variations for the provision of facilities for making music (please read guidance note 4) | | |
| | | | As existing | | |
| Thur | 12:00 | 00:00 | | | |
| | | | | | |
| Fri | 12:00 | 03:00 | Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 12:00 | 03:00 | | | |
| | | | | | |
| Sun | 12:00 | 00:00 | When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| | | | | | |

J

| | | | | | |
|---|-------|--------|---|--|---|
| Provision of facilities for dancing. Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 2). | | Indoors <input checked="" type="checkbox"/> |
| | | | | | Outdoors <input type="checkbox"/> |
| | | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 12:00 | 00:00 | Please give a description of the facilities for dancing you will be providing | | |
| | | | As existing | | |
| Tue | 12:00 | 00:00 | | | |
| | | | | | |
| Wed | 12:00 | 00:00 | Please give further details here (please read guidance note 3) | | |
| | | | As existing | | |
| Thur | 12:00 | 00:00 | | | |
| | | | | | |
| Fri | 12:00 | 03:00 | State any seasonal variations for providing dancing facilities (please read guidance note 4) | | |
| | | | As existing | | |
| Sat | 12:00 | 03:00 | | | |
| | | | | | |
| Sun | 12:00 | 00:00 | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| | | | When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
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K

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|--|-------|--------|--|--|
| Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment facility you will be providing | |
| Day | Start | Finish | Will the entertainment facility be indoors or outdoors or both – please tick {Y} (please read guidance note 2). | Indoor |
| Mon | | | | Outdoor |
| Tue | | | Please give further details here (please read guidance note 3) | Both |
| Wed | | | | |
| Thur | | | | State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4) |
| Fri | | | | |
| Sat | | | | Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5) |
| Sun | | | | |
| | | | | |

L

| | | | | | | |
|--|-------|--------|---|--|---------|---|
| Late night refreshment Standard days and timings (please read guidance note 6) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2). | | Indoors | ✓ |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | Outdoors | | |
| Mon | 23:00 | 00:00 | | Both | | |
| Tue | 23:00 | 00:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | As existing | | |
| Wed | 23:00 | 00:00 | | | | |
| Thur | 23:00 | 00:00 | | As existing | | |
| Fri | 23:00 | 03:00 | | 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 5) | | |
| Sat | 23:00 | 03:00 | | | | |
| Sun | 23:00 | 00:00 | | When applicable, when hours for sale of alcohol are extended hereunder these hours are also extended (see box M below) | | |
| | | | | | | |

M

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7) | On the premises |
|--|-------|--------|--|--|
| Day | Start | Finish | | Off the premises |
| Mon | 09:00 | 00:00 | State any seasonal variations for the supply of alcohol (please read guidance note 4) As existing | Both <input checked="" type="checkbox"/> |
| Tue | 09:00 | 00:00 | | |
| Wed | 09:00 | 00:00 | | |
| Thur | 09:00 | 00:00 | | |
| Fri | 09:00 | 03:00 | | |
| Sat | 09:00 | 03:00 | | |
| Sun | 09:00 | 00:00 | | |
| | | | 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 5) | |
| | | | On Friday, Saturday, Sunday and Monday of the Spring, May and August Bank Holiday weekends. Good Friday, Easter Saturday, Sunday and Monday, Christmas Eve and Boxing Day the premises shall be permitted to retail alcohol and provide regulated entertainments until 03:00hrs the following day. | |
| | | | On New Year's Eve, the premises will be permitted to provide the stated licensable activities from 10:00hrs until the end of standard permitted hours on New Year's Day. | |
| | | | On day when major national and international sporting events are held and those events take place outside of the standard permitted hours, the premise may provide the stated licensable activities during the hours the premises are open to the public. | |
| | | | On the evening British Summer time takes effect the premises shall remain open until 04:00hrs (BST). | |

N

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)

None

0

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variation (please read guidance note 4) |
|--|-------|--------|---|
| Day | Start | Finish | N/A - save as below |
| Mon | 08:00 | 00:30 | |
| Tue | 08:00 | 00:30 | |
| Wed | 08:00 | 00:30 | |
| Thur | 08:00 | 00:30 | Non standard timings. Where you intend to use 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 5) |
| Fri | 08:00 | 03:30 | The premises will close 30 minutes after the hour permitted for the retail sale of alcohol. |
| Sat | 08:00 | 03:30 | |
| Sun | 08:00 | 00:30 | |

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

- Persons are not permitted entry or re-entry to the premises after 01:00hrs the following morning; other than on a Saturday.

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

P

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)

No new steps have been identified in relation to the four licensing objective.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

No further risks have been identified which need to be addressed.

I have made or enclosed payment of the fee

▪ 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 CONVICTION TO A FINE UP TO 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: John Gaunt & Partners *John Gaunt + Partners*

Date: 19th September 2012

Capacity: Solicitors

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 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners

Date:

Capacity: Solicitors

| | |
|---|-----------------------------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) | |
| John Gaunt & Partners Omega Court 372 Cemetery Road | |
| Post town Sheffield | Post code S11 8FT |
| Telephone number (if any) 0114 266 8664 | |
| If you would prefer us to correspond with you by email your email address (optional) | |

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.

Notes for Guidance

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, 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.