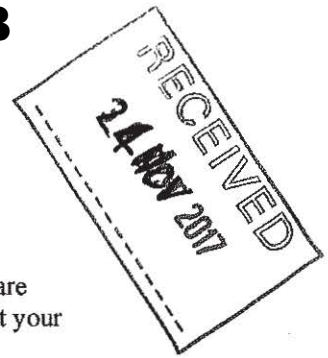


## APPENDIX B



### Application to vary a premises licence under the Licensing Act 2003

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PONCE'S CORPORATION LIMITED

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 851276
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#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description ARCH 144, EAGLE YARD, WALWORTH ROAD
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Post town	LONDON	Postcode	SE1 6SP
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Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 10,500.00

#### Part 2 – Applicant details

Daytime contact telephone number	07401157115		
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

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)

On Friday and Saturday nights to increase the permitted hours for Regulated Activities and Opening Times as follows:

- 1) To allow the provision of Live Music (Indoors Only) on :  
Friday and Saturday from 14.00 to 02.30 hours;
- 2) To allow the provision of Recorded Music (Indoors Only) on :  
Friday and Saturday from 14.00 to 02.30 hours;
- 3) To allow the provision of Late Night Refreshment (Indoors Only) on :  
Friday and Saturday from 23.00 to 02.30 hours;
- 4) To vary the permitted hours for the retail sale of alcohol ('On' sales Indoors Only) as follows :  
Friday and Saturday from 14.00 hours to 02.30 hours;
- 5) To vary the opening times as follows :  
Friday and Saturday from 09.00 hours to 03.00 hours.

NB - No changes are being requested for the operating hours or the opening times from Sunday to Thursday.

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

N/A

#### Part 4 Operating Schedule

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

**Provision of regulated entertainment (Please 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			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<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)		
Sat					
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			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<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)		
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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<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)
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)			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	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed					
Thur					
			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)		
Fri	14.00	02.30			
Sat	14.00	02.30			
Sun	14.00	22.30			



F

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			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri	14.00	02.30	<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)		
Sat	14.00	02.30			
Sun	14.00	22.30			

G

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

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon						
Tue						
			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)			
Wed						
Thur						
			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)			
Fri	23.00	02.30				
Sat	23.00	02.30				
Sun						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	14.00	22.30			
Tue	14.00	22.30			
Wed	14.00	22.30			
Thur	14.00	22.30	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri	14.00	02.30			
Sat	14.00	02.30			
Sun	14.00	22.30			

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 10).

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	09.00	23.00	
Tue	09.00	23.00	
Wed	09.00	23.00	
			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Thur	09.00	23.00	
Fri	09.00	03.00	
Sat	09.00	03.00	
Sun	09.00	23.00	

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.

Licence Condition 843 states:

"843 - That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 00:00 to monitor the patrons and number of smokers outside the premises."

Should this application to granted then the above condition will need to be amended to reflect the new closing time, and should state:

"843 - That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 03:00 to monitor the patrons and number of smokers outside the premises."

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.

licence misplaced.



## **Page 1 of 4**

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

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

'Corporation Ponce' is neither a Nightclub nor a Bar but is simply a small licensed Restaurant, accommodating a maximum of sixty (60) diners seated at tables. The venue does not have a dance floor or any available floor space between the tables and chairs for dancing.

Alcohol may only be sold or supplied to customers who consume substantial table meals in accordance with licence condition 840 which states: "840 - That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal."

Sales of hot food and hot non-alcoholic drinks (after 11.00 p.m.) and all alcoholic drinks are for in-house consumption only, and no such Take-Away of such food or Off-Sales of such drinks is permitted.

The Licence Holder/Applicant, management and staff are familiar with the requirements of the Licensing Act 2003 and with the provisions of the four Licensing Objectives. They are equipped to and fully intend to promote those objectives (as outlined below).

The current Licence Holder/Applicant believes that the current licence conditions are both comprehensive and stringent given that it is a small Restaurant business, and also believes that those conditions will be more than sufficient to promote the Licensing Objectives should the requested later trading hours be granted. Apart from the Mandatory Licence Conditions, the current licence conditions are set out below in Sections (b); (c); (d); and (e).

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

"351 - That all staff shall be trained in respect of the terms and conditions of this licence and their responsibilities in respect of the sale of alcohol. A record of such training shall be kept / be accessible at the premises at all times and will be made immediately available to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received. Staff shall receive documented refresher training every 6 months."

"352 - That a CCTV system be installed at the premises, be maintained in full working order and be continually recording at all times the premises are in use. The CCTV system shall have a minimum of 9 cameras."

"353 - That all CCTV footage be kept for a period of 31 days and shall be made immediately available to officers of the police and the council on request."

**Page 2 of 4**

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

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

"354 - An incident book / incident recording system shall be maintained at the premises to record details of any of the following occurrences at the premises: Instances of anti-social or disorderly behaviour ; Violence; Calls to the police or fire brigade; Abuse of staff and / or customers; Ejections of people from the premises; Visits to the premises by the local authority, police or fire brigade; Refused sales of alcohol; Any malfunction in respect of the CCTV system; Any other relevant incidents The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use and shall be made available to officers of the council, police or fire brigade on request."

"355 - That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card."

"356 - That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available to council or police officers on request. At any time, the preceding 12 months refusal register details shall be available at the premises."

"362 - That all staff involved in the sale of alcohol shall be trained in the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received. Staff shall receive documented refresher training every 6 months."

"840 - That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal."

"841 - That a comprehensive dispersal policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the dispersal policy shall be kept at the premises and made available to officers of the council or the police on request."



### **Page 3 of 4**

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

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

"843 - That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 00:00 to monitor the patrons and number of smokers outside the premises."

**c) Public safety**

"357 - That all staff shall be trained in the emergency procedures & emergency evacuation procedure(s) at the premises. A record of such training shall be kept / be accessible at the premises at all times and will be made immediately available to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received."

"361 - That all entrances and exits, emergency exits and emergency escape routes shall be kept free from obstructions at all times that the premises are in use."

**d) The prevention of public nuisance**

"340 - That no noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance."

"341 - That the applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment."

"342 - That the applicant shall close all entrance doors when regulated entertainment takes place except for the purpose of immediate access and egress of persons to and from the premises. All externally facing windows must be kept shut at any time that regulated entertainment is provided at the premises."

"343 - That the applicant shall install a sound limiter device which shall be set and maintained to ensure that the maximum sound level of amplified music, song or speech at the premises does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest noise sensitive premises."

"344 - That the applicant shall route any sound generating / amplification equipment used at the premises through the sound limiter device."

"345 - That the applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours."

"346 - That the applicant shall employ suitably experienced person(s) at all times during licensable activities to ensure that patrons do not cause a nuisance in the vicinity of the premises."

#### **Page 4 of 4**

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

**d) The prevention of public nuisance (continued)**

"347 - That there shall be no more than five customers permitted to smoke outside the premises at any one time after 21:00 hours."

"348 - That the applicant shall not permit patrons to take drinks outside the premises at any time."

"349 - That the applicant shall keep the pavement in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open."

"350 - That the applicant shall properly present and place out all waste for collection no earlier than 30 minutes before the scheduled collection times."

"358 - That all waste from the premises shall be deposited into suitable receptacles."

"359 - That any waste in the immediate external area around the premises arising from the operation of the premises shall be cleared away at the end of trade on each day."

"842 - That the premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary."

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

"362 - That all staff involved in the sale of alcohol shall be trained in the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received. Staff shall receive documented refresher training every 6 months."

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	22 November 2017
Capacity	Agent

**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	<del>Agent</del>

**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)

### 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.