

Southwark London Borough Council

Application for a minor variation to a premises licence or ~~club premises certificate~~ 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, especially Note 1. 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 in black ink. Use additional sheets if necessary. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

A & M Leisure Limited

(Insert name(s) of applicant)

being the premises licence holder(s) / ~~club holding a club premises certificate~~, apply to vary a premises licence under section 41A / ~~club premises certificate under section 86A~~ of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises details

Postal address of premises (or, if none, Ordnance Survey map reference, or description) Pulse 1-4 Blackfriars Arches	
Post town London	Post Code SE1 9UF

Telephone number at premises (if any)

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Premises licence number/~~club premises certificate number~~

834962

Brief description of premises (Please see Guidance Note 2)

Nightclub in railway arches operating with a customer area on ground and mezzanine levels with toilets on the mezzanine level. An external customer area is on Invicta Plaza

Part 2 – Applicant Details

Please tick

I am/ we are the premises licence holder/club-premises-certificate-holder
Contact phone number in working hours (if any)

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS	
[REDACTED]	
Post town [REDACTED]	Postcode [REDACTED]
Please provide email address if you would prefer us to contact you by email (optional)	

Part 3 – Proposed variation(s)

Please tick ✓ yes

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

Day Month Year

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

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

<p>Details of proposed variations (Please see Guidance Note 3)</p> <p>To redraft the operating schedule by way of removal, addition and amendment of conditions.</p> <p><u>Conditions to be Removed</u> 340, 342, 343, 344, 345, 351, 352, 353, 354, 357, 358, 363, 364, 365, 366, 370, 371, 372, 376, 378, 379, 391, 392, 394, 395</p> <p><u>Conditions to be Added</u></p> <ol style="list-style-type: none">1. Prior to any event, SIA doorstaff shall conduct a thorough search of the premises and equipment brought into the premises by promoters for weapons and/or drugs2. The premises overall capacity is set at 1,591 attendees plus staff. The breakdown of each area is as follows:-<ul style="list-style-type: none">- Area 1 – 271- Area 2 – 289- Area 3 – 83- Area 4 – 440- Area 5 – 508Security staff shall ensure no localised overcrowding exceeding the permitted number in any area of the premises.3. The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card4. All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police

5. Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required
6. That a written policy shall be implemented for dealing with drunk people. Staff shall be trained in all aspects of the Licensing Act in order to be able to recognise underage people as well as the early signs of drunkenness
7. That all events held at the premises shall be staged under direct supervision of senior management, including ALL bar areas. A bar supervisor shall be employed under the control of the premises licence holder at each bar
8. The premises will operate with polycarbonate glassware and all bottled products will be decanted. The only exception will be the provision of champagne by waiter/ waitress service to patrons at the premises.
9. Door staff are to wear High Vis waistcoats whilst in the main areas of the venue. This will create customer awareness of security staff on the premises.
10. The emergency exit doors onto Invicta Plaza from Area 5 to be electronically linked to the amplification system sound limiter circuit to reduce sound if opened during performance of amplified music
11. That a designated chill out area shall be established with access from each area when entertainment is being provided
12. The heating, cooling and ventilation system provide for air changes (to be confirmed by H&S) and cooling in each area of the venue to meet the technical standards for entertainment and be certified and in operation by the CIBSE approved engineer
13. That drinking water is available to customers of the premises in each arch area
14. The L_{max} noise level from amplified music and speech shall be no greater than the existing L_{90} one metre from the facade of the nearest noise sensitive premises at octave bands between 38Hz and 19kHz
15. Before 23.00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that the L_{eq} in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over any 5 minute period with music based entertainment taking place shall not increase by more than 5dB as compared to the same measure from the same position and over a comparable period with no entertainment taking place
16. After 23.00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that the L_{eq} in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over any 5 minute period with music based entertainment taking place shall not increase by more than 3dB as compared to the same measure from the same position and over a comparable period with no entertainment taking place

Conditions to be Amended

17. Condition 347 amended to read: *That the toilets will be checked at least once per hour by staff who will be trained to look out for any suspicious events taking place. Records shall be kept and made available to authorised officers*
18. Condition 349 amended to read: *That a drugs drop box, which must be secure and have a tamper proof entrance, shall be fixed to the wall in the foyer of all entrances to the premises. An agreement must be established with the local Police over the emptying and collection of any drugs deposited in the box*
19. Condition 356 amended to read: *That all entrances are lobbied to prevent any noise escape in order to comply with noise management conditions. The entrances shall be operated by management staff to ensure that external and internal doors are not open simultaneously when amplified music is being performed*
20. Condition 360 edited to read: *That door supervisors will encourage patrons to arrive and leave quietly with due regard for neighbours*
21. Condition 361 edited to read: *That all audio and musical equipment on the premises shall be played through the approved sound limiting/cut out device in order to comply with noise management conditions*
22. Condition 373 amended to read: *That SIA registered door supervisors, both male and female (except for single sex events), shall be employed at all times (unless with prior consent from the Police, in which case the licensing service must be given written*

notification at least 14 days in advance) that the premises are in use under this licence and provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions and readmissions to the premises, whether staff, members of the public or performers and their assistants. Mechanical counting devices shall be used to ensure that the maximum accommodation limit of the premises is not exceeded.

23. Condition 380 amended to read: *That a completed Metropolitan Police risk assessment (venue hire agreement form 696) shall be provided to the Police and Council's Licensing Service for all performers and promoters for all events a minimum of fourteen (14) days prior to the date of hire*
24. Condition 393 amended to read: *That the licensee shall make available and display externally and on premises run websites the telephone number of the premises so that they can be contacted immediately by neighbours disturbed by noise*
25. Condition 397 amended to read: *That the licensee shall instruct either SIA door supervisors or a staff member to inspect the neighbourhood at one hour intervals for any sound escape from the premises. Where sound from the premises is audible in the neighbourhood, the licensee shall take all reasonable steps to ensure that a noise nuisance will not be caused to local residents. Records shall be made available to authorised officers*

Conditions to be retained from existing licence

26. A security log is maintained detailing the hours of duty of all staff employed in security roles and this is to include SIA badge members.
27. Notices shall be displayed at the entrances to the premises stating "Drug Free Zone" and "No Search, No Entry – Management reserve the Right to Refuse Entry".
28. All staff will be trained to look for signs of drug use or sale.
29. All matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the Handling of Drugs in Pubs and Clubs.
30. Risk assessments (including fire risk assessments) will be carried out and following such risk assessment an action plan will be prepared and any additional action required will be implemented. This will be reviewed annually.
31. Staff will be responsible for ensuring the rear of the premises is kept tidy and no customers are loitering or causing a disturbance.
32. Suitable notices shall be displayed requesting people leave the premises in a quiet and orderly manner so as to not to disturb residents.
33. Signs within the premises shall be erected directing patrons to the use of services of the dedicated taxi company.
34. Taxi drivers of the dedicated taxi company and local firms shall be instructed not to sound car horns to attract customer attention.
35. There shall be no movement of musical or amplification equipment from the premises between the hours of 12 midnight and 8am.
36. A CCTV system will be installed at the premises and maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system is to be capable of capturing a clear facial image of all patrons who enter the premises.
37. All CCTV footage shall be kept for a period of 31 days and shall, upon request, be immediately made available to officers of the Police and Council.
38. That a personal licence holder is on the premises and on duty at all times intoxicating liquor is supplied.
39. An accurate record shall be kept of the number of persons admitted to each part of the premises. Such records shall be retained for six months and made available to the responsible authorities.
40. There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, to keep exit routes clear and to ensure safe evacuation of people from the premises. In the event of an emergency staff will have been issued with specific duties in the event of an emergency.
41. All staff will receive training on the safe evacuation of premises in the event of an emergency and such training will be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and shall be

made available to the fire service or council upon request.

42. Adequate arrangements will be made in the fire evacuation plan to ensure the safe evacuation of any disabled persons in the event of any emergency.
43. All escape doors and escape routes will be checked before the premise open for trading to the public and records of the checks shall be maintained.
44. All fire doors shall be available and shall be capable of opening without the use of any key, card, code or similar means.
45. Fire doors will be self closing and shall not be held open other than by devices approved by the Fire Service.
46. Edges to steps and stairways shall be maintained so as to be conspicuous.
47. Notices detailing the action to be taken in the event of fire or other emergency will be prominently displayed at the premises.
48. Fire alarm/ fire evacuation/ emergency lighting tests will be carried out at least monthly and a record maintained of those tests. Such records to be kept at the premises for at least 12 months and made available to the Fire Service and the Council.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment

- Please tick ✓ yes
- | | |
|---|--------------------------|
| a. plays | <input type="checkbox"/> |
| b. films | <input type="checkbox"/> |
| c. indoor sporting events | <input type="checkbox"/> |
| d. boxing or wrestling entertainment | <input type="checkbox"/> |
| e. live music | <input type="checkbox"/> |
| f. recorded music | <input type="checkbox"/> |
| g. performances of dance | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of entertainment facilities for

- Please tick ✓ yes
- | | |
|---|--------------------------|
| i. making music | <input type="checkbox"/> |
| j. dancing | <input type="checkbox"/> |
| k. entertainment of a similar description to that falling within (i) or (j) | <input type="checkbox"/> |

Provision of late night refreshment

Sale by retail of alcohol

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Enclosures

- | | |
|--|--------------------------|
| I have enclosed the premises licence/ club premises certificate | <input type="checkbox"/> |
| I have enclosed the relevant part of the premises licence/ club premises certificate | <input type="checkbox"/> |
| I have included a copy of the plan
(necessary if the proposed variation will affect the layout) | <input type="checkbox"/> |

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have failed to enclose the premises licence/~~club premises certificate~~ or relevant parts.

The premises licence is with the Licensing Authority awaiting issue following an application to change the Designated Premises Supervisor to Mr. Christopher Intrieri.

Any further information to support your application. (See Guidance Note 4)

This application has been made in consultation with the Licensing, Trading Standards, Health and Safety and Environmental Protection Teams of Southwark Borough Council and Ian Clements and Keith Dempster of the Metropolitan Police.

CHECKLIST:

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan, if appropriate, of the premises in scale (1mm to 100mm), unless otherwise agreed with the licensing authority
- I have enclosed the premises licence/~~club premises certificate~~ or relevant part of it or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected.
- I understand that I am required to advertise my application by posting a white notice a or on the premises for ten consecutive working days commencing on, and including the day after the day when my application is given to the licensing authority.

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 and Contact Details

(See Guidance Note 5)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See Guidance Note 6) If signing on behalf of [REDACTED] and in what capacity you are authorised to sign:

Signature:

[REDACTED]

Date:

9th MAY 2012

Capacity: We Poppleston Allen – Licensing Solicitors sign on behalf of and have authority to bind the applicant.

~~Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (See Guidance Note 7). If signing on behalf of the applicant please state in what capacity.~~

~~Signature:~~

~~Date:~~

~~Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.~~

Where the premises is a club

~~I (insert full name) make this application on behalf of the club and have authority to bind the club~~

~~Signature:~~

~~Date:~~

~~Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.~~

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8)	
Clare Eames Poppleston Allen Solicitors 88 Kingsway	
Post town London	Post code WC2B 6AA
Telephone number (if any) [REDACTED]	If you would prefer us to correspond with you by email your email address (optional) [REDACTED]

Notes for Guidance

1. General Note: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence or certificate has effect;
- transfer the licence or certificate from one premises to another;
- specify, in a premises licence, an individual as the premises supervisor
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) in a premises licence.

2. Description of premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with 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, etc.

3. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation).** Relevant information includes:

a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock (e.g. 16.00). Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors. Indoors may include a tent;
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer;
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) Revisions, removals and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) Variations to opening hours: Details of any changes to hours when the premises or club is open to the public.

4. Further information: You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

5. Signatures: The application form must be signed.

6. Authorised agent: An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

7. 2nd Applicant: Where there is more than one applicant both applicants or their respective agents must sign the application form.

8. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.".

