

Merton London Borough Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We Livelyhood Venues Ltd

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

Premises licence number

LN/000000753

Part 1 – Premises Details

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

The Old Frizzle
74-78 The Broadway
Wimbledon

Post town

London

Post code

SW19 1RQ

Telephone number at premises (if any)

Non-domestic rateable value of premises

£150,000.00

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

231 Putney Bridge Road
Putney

Post Town

London

Postcode

SW15 2PU

Part 3 - Variation

Please tick yes

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

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

Day			Month			Year		

Please describe briefly the nature of the proposed variation (Please see guidance note)

1. To amend the start times for licensable activities and the opening times on Sundays to 10.00hrs.
2. To amend the start times for the sale of alcohol and the opening times on Fridays and Saturdays to 09.00hrs.
3. To amend the terminal times for recorded music, performance of dance, entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance, the supply of alcohol to 01.00hrs on Fridays and Saturdays.
4. To amend the closing time of the premises on Fridays and Saturdays to 01.30hrs.
5. To permit the sale of alcohol for consumption on and off the premises
6. To amend, delete and add conditions as detailed in the application lodged with the Licensing department.
7. To amend and delete the non-standard timings as detailed in the application lodged with the Licensing department.

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

Not applicable

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 tick yes

- 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)

Sale by retail 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 3)	
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			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)	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		Outdoors	<input type="checkbox"/>
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		Both	<input type="checkbox"/>
			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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	As existing	As existing	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	As existing	As existing		As existing	
Wed	As existing	As existing	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	As existing	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)		
Sat	As existing	As existing			
Sun	10am	As existing		An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	As existing	As existing	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	As existing	As existing		As existing	
Wed	As existing	As existing	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	01.00hrs	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	As existing	01.00hrs			
Sun	10.00hrs	As existing		An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

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 (please read guidance note 2)	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 3) As existing					
Mon	As existing	As existing						
Tue	As existing	As existing						
Wed	As existing	As existing				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	As existing	As existing						
Fri	As existing	01.00hrs				Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	As existing	01.00hrs						
Sun	10.00hrs	As existing						

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 As existing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	As existing	As existing		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	As existing	As existing	Please give further details here (please read guidance note 3) As existing		
Wed	As existing	As existing			
Thur	As existing	As existing	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) As existing		
Fri	As existing	01.00hrs			
Sat	As existing	01.00hrs	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		
Sun	10.00hrs	As existing			

			<p>listed in the column on the left, please list (please read guidance note 5)</p> <p>An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
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I

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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	As existing	As existing	Please give further details here (please read guidance note 3)		
Tue	As existing	As existing	As existing		
Wed	As existing	As existing	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	As existing	As existing			
Fri	As existing	As existing	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	As existing	As existing	An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	As existing	As existing			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	As existing	As existing			
Tue	As existing	As existing			
Wed	As existing	As existing			
Thur	As existing	As existing			
Fri	09.00hrs	01.00hrs			
Sat	09.00hrs	01.00hrs			
Sun	10.00hrs	As existing	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) An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day..		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)		
Day	Start	Finish			
Mon	As existing	As existing			
Tue	As existing	As existing			
Wed	As existing	As existing			
Thur	As existing	As existing			
Fri	09.00hrs	01.30hrs			
Sat	09.00hrs	01.30hrs			
Sun	10.00hrs	As existing	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) An additional hour to the terminal hour on the following notable days; International sporting events, St. Patrick's Day, on all bank holidays and the Fridays, Saturdays and Sundays preceding all bank holidays, Valentine's Night, Christmas Eve, Christmas Day and Boxing Day.		

			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
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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

- Deletion of Australia Day (26th January), Waitangi Day (6th February) and Freedom Day (27th April) from the non-standard timings. *(Add other non-standard timings as agreed with Merton Police Licensing.)*
- Deletion of conditions 3 and 4 of Annex 2. *(This provision is superseded by Section 145 of the Licensing Act 2003.)*
- Condition 1 of Annex 3 to be replaced with conditions details in box M b) below *(As agreed with Merton Police Licensing Officer.)*

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
 The premises licence was submitted to the Licensing Authority on the 10th March 2016. The licence is still with the licensing department.

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)

The Commentary in this box is for information and it is not proposed that the contents of this box will form conditions as part of this variation, if it is granted.

This application for a variation, based on the historical trade of the premises under the current Premises Licence Holders, has been assessed and does not cause an issue as far as the Licensing Objectives nor will it add to the cumulative impact of other premises in the area.

The premises licence holders, Livelyhood Venues Ltd, have traded these premises for over 13 years. Prior to this, the premises traded as an “all singing, all dancing” Australian themed pub, which historically caused issues with the authorities and residents in the area.

However, since Livelyhood Venues took over the operation and acquired the freehold, there has not been any issues recorded with the Police. Livelyhood Venues operates a number of venues, south of the river in SW9, SW12 and, two premises SE19.

The applicant has traded in the area for nearly 4 years. They are therefore familiar with local issues in the area and ensure that they do not add to them.

Their venues are varied in location but are all are in essence, community premises. They are close to a variety of commercial, and residential dwellings and all have traded successfully and without causing problems to either the local community or responsible authorities.

Pre consultation has taken place with the Police Licensing Sergeant at Merton Police Licensing Department and considering the operation style and strong history of trading without any problems, it is assessed that there are no risks posed by this application.

Consideration has been given to Merton Licensing Policy para 7.

The Company have no intention to sell or lease the premises to another operator and are therefore at the premises and in the community for the "long haul". They work with local suppliers, the community and they are actively involved in charities, mentoring schemes, and local businesses which are conducted at the premises. Taking into account the escalating costs of rents, rates and supplies, Livelyhood Venues have assessed that this benign variation will allow them to continue to be a positive influence in the area without adversely affecting the licensing objectives.

The premises are currently trading and can be visited. There is nothing which suggests that it cannot continue to trade without adversely affecting the licensing objectives should this application be granted.

During our pre-consultation with Police Sergeant Paoli and assessing the existing Premises Licence, subject to the application being granted in full, the conditions in boxes M b), and e) were deemed appropriate to promote the licensing objectives.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement of a Metropolitan Police Crime and Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recording shall be stored for a minimum of 31 days with date and time stamp. Recording shall be made available immediately upon the request of the Police or authorised Officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to reasonable Police recommendations.

2. 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. The staff member must be able to show the Police or authorised Council Officer, recent data or footage with the absolute minimum of delay when requested.

3. An incident log shall be kept at the premises and made available on request to an authorised Officer of the Council or the Police, which will record the following;

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any incidents of disorder
- (d) Any faults in CCTV system

4. Door staff shall be on duty from 21.00hrs to closing time on Fridays and Saturdays.

c) Public safety

The nature of operation will not change and having considered the history of the premises along with the Council's licensing policy, no additional conditions are assessed as being required.

d) The prevention of public nuisance

The nature of operation will not change and having considered the history of the premises along with the Council's licensing policy, no additional conditions are assessed as being required.

e) The protection of children from harm

1. A proof of age scheme shall be operated by the premises where the only acceptable forms of identification are recognised photographic identification cards, (such as driving licence or passport) or holographical marked pass scheme identification cards.

2. 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 made available for inspection at the premises by the Police or authorised Officer at the Council at all times whilst the premises is open.

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	
Date	19 th April 2016
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **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 13) Craig Barwell Poppleston Allen Solicitors 37 Stoney Street			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349170		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) c.barwell@popall.co.uk			

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. 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 or 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.

Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003

Notice is hereby given that Livelyhood Venues Ltd in respect of Premises known as The Old Frizzle, 74-78 The Broadway, Wimbledon, London, SW19 1RQ applied to Merton London Borough Council for a Variation of a Premises Licence.

The proposed variation is:

1. To amend the start times for licensable activities and the opening times on Sundays to 10.00hrs.
2. To amend the start times for the sale of alcohol and the opening times on Fridays and Saturdays to 09.00hrs.
3. To amend the terminal times for recorded music, performance of dance, entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance, the supply of alcohol to 01.00hrs on Fridays and Saturdays.
4. To amend the closing time of the premises on Fridays and Saturdays to 01.30hrs.
5. To permit the sale of alcohol for consumption on and off the premises
6. To amend, delete and add conditions as detailed in the application lodged with the Licensing department.
7. To amend and delete the non-standard timings as detailed in the application lodged with the Licensing department.

Any representations regarding the above-mentioned application must be received in writing by Licensing Section, Merton London Borough Council , 14th Floor, Merton Civic Centre , London Road , Morden , SM4 5DX

no later than 17th May 2016 stating the grounds for representation.

The register of Merton London Borough Council and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - www.merton.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

