

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.

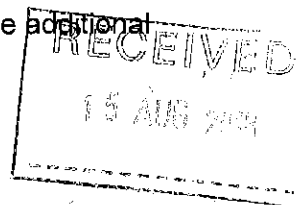
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/WE Star Pubs & Bars Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.



Premises Licence Number

P0302

Part 1 – Premises Details

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

Reresby Arms

Vale Road

Thrybergh

Post Town	Rotherham	Postcode	S65 4DN
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Telephone number at premises	
Non-domestic rateable value of premises	£9,500.00

Part 2 - Applicant Details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	3-4 Broadway Park
Post Town	Edinburgh
Postcode	EH12 9JZ

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? ☒ Yes ☐ No

If not do you want the variation to take effect from

Day		Month		Year		
1	1	1	1	1	1	1

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 read guidance note 1)

Application is made to amend the Licensing plan in accordance with drawing number 7214-03 dated 23 July 2018.

Application is also made to amend the Licensing hours for live and recorded music until midnight Sunday to Thursday and until 01:00 Friday and Saturday.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

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

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	01:00			
Sat	10:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) Application is made for an additional hour into the morning on all Bank Holiday Friday, Saturday, Sunday, Mondays, Christmas Eve, Boxing Day, 27 December, 28 December and 2 January and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	10:00	00:00			

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	00:00	Please give further details here (please read guidance note 5)		
Tue	10:00	00:00			
Wed	10:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	01:00	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 7) Application is made for an additional hour into the morning on all Bank Holiday Friday, Saturday, Sunday, Mondays, Christmas Eve, Boxing Day, 27 December, 28 December and 2 January and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	10:00	01:00			
Sun	10:00	00:00			

- 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

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 11)

This application may be amended during the application period to reflect any agreements that may be reached with the responsible authorities and other parties.

Please note that the Licensing plan was amended recently but that a few slight alterations are proposed, essentially to the toilets, the main front entrance and kitchen areas. The pool table area has also been replaced with dining covers and play equipment is to be erected in the external area.

It is noted that sale of alcohol is already permitted until 02:00 daily and on occasions the premises would wish to have the flexibility to provide regulated entertainment during their current operating hours.

b) The prevention of crime and disorder

In light of the proposed changes, after 23:00 all external windows and doors will be kept shut whilst regulated entertainment is being provided. Doors may be open for normal entrance and egress but must be shut immediately thereafter.

Clear and legible notices will be prominently displayed requesting customers to respect the need of local residents and to leave the area quietly.

The children's play area in the fenced area at the front of the premises will only be open until 21:00 hours during the week and 22:00 at weekends and during school holidays.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:


Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	14/08/2018
Capacity	Flint Bishop LLP - Solicitors for 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 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Karen Cochrane
 Flint Bishop LLP
 St. Michael's Court
 St. Michael's Lane
 Derby
 DE1 3HQ

Telephone number (if any)	01332 226148
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)

karen.cochrane@flintbishop.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. 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

Bailey, Audrey

From: Thorpe, Hazel
Sent: 15 August 2018 15:29
To: Underwood-Parkin, Lisa
Cc: Bailey, Audrey
Subject: FW: Premise Licence- 042963- "Reresby Arms", Vale Road, Thrybergh,
Attachments: Scan-to-Me from 10.235.232.17 2018-08-15 133325; Scan-to-Me from 10.235.232.17 2018-08-15 133131

Hi Lisa,

Please be advised I have looked at the attached variation for the premises licence for the Reresby Arms public house Vale road at Thrybergh.

I do have certain concerns regarding the extension of hours for the purposes of playing recorded music and live music. They are proposing to extend the hours in the week Monday – Friday until 24:00hrs and at the weekend Friday and Saturday until 01:00hrs. This public house is surrounded by domestic premises. One would envisage noise complaints from surrounding residents if the noise from amplified music wasn't controlled within these late times, in order not to cause a noise nuisance to surrounding residents.

It is my proposal that they revise their proposed variation for the purposes of playing recorded music and live music in the midweek. Monday – Friday and Sunday until 23:00hrs and Friday and Saturday evening until the hours if 24:00hrs. in order prevent excessive noise nuisance to surrounding residents.

Kind regards Hazel Thorpe

Hazel Thorpe BSc (Hons) CIEH

Assistant Principal

Environmental Health Officer

Community Protection Unit

Community Safety and Street Scene

Rotherham Metropolitan Borough Council 'Building Sustainable Neighbourhoods'

A place to live, where people have choice, quality & aspiration.

Tel: 01709 255024

Fax: 01709 823147



Email: hazel.thorpe@rotherham.gov.uk

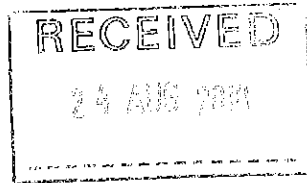
Letter: Community Protection Unit, Riverside House, Main Street, Rotherham, S60 1QY

Think before you print - please consider the impact on the environment before printing this document.

Providing services that promote and support freedom from discrimination or harassment, personal dignity & respect, and improved quality of life so that :

- People can exercise choice, retain their independence, be offered protection and have equality of access.
- Communities are active and shape local services to meet their characteristics and needs.
- Neighbourhoods are safe, free from crime and places to be proud of.

 Think before you print - please consider the impact on the environment before printing this document 



38, Reresby Road,
Thrybergh,
Rotherham,
South Yorkshire.
S65 4DP

20th August 2018

Rotherham Metropolitan Borough Council
Riverside House
Main Street
Rotherham

Dear Sir/Madam,

I am writing in connection of the amendment notice to the Premises Licence Plan Drwg No 7214/03 Reresby Arms Public house on Vale Road Thrybergh, specifically the item concerning to amend the licencing hours to 1am on Friday and Saturday nights.

My concern is not only the noise from the live music and disco at 1am but could I also point out the fact that although the bar and music may stop at 1 am that doesn't mean the noise stops then. You have the people leaving, shouting arguing sometimes fighting as well as car doors banging. Having lived for 30 years virtually in the car park of the pub I can say that this will happen and if the weather is warm the windows and doors are opened and the noise is magnified. Taking a look around at the adjoining estate you will see that to the left of the pub across the street and to the front right there are a considerable amount of wardened old folks bungalows who I am pretty sure would not want the noise at that time of the morning.

I am 100% in favour of the refurbishment of the Reresby Arms as a family orientated pub and restaurant and my concern is that if the said hours are allowed then family's may stay away and once again it will turn into a lads late night bar .

Could I also ask if the notice that appeared on the security fence will be posted out to the relevant householder in the same way as the original planning application plans were for everyone to view and have their say.

Sincerely,

Mr & Mrs J. Brown

Underwood-Parkin, Lisa

From: Underwood-Parkin, Lisa on behalf of Licensing
Sent: 24 August 2018 16:25
To: Underwood-Parkin, Lisa
Subject: FW: (C003324) - Reresby Arms, Vale Road, Thrybergh, Rotherham S65 4DN

From: Nikki Rennie [<mailto:nikki.ennie@flintbishop.co.uk>] **On Behalf Of** Karen Cochrane
Sent: 24 August 2018 09:28
To: Licensing
Cc: 'pat.mcgrath@starpubs.co.uk' (pat.mcgrath@starpubs.co.uk); 'David Boulter (david.boulter@starpubs.co.uk)'; McGann, Gary
Subject: (C003324) - Reresby Arms, Vale Road, Thrybergh, Rotherham S65 4DN

Dear Sirs

Following discussions with Trading Standards I would be most grateful if the variation application for the Reresby Arms could be amended to include conditions whereby

1. The premises will operate as a minimum a Challenge 21 policy whereby anyone that appears to be under the age of 21 shall provide documented proof that he/she is over eighteen years of age. Proof of age shall only comprise a Passport, photo card Driving Licence, an EU/EEA National ID card or similar document, an HM Forces Warrant Card or a card bearing the PASS hologram.
2. A refusals log (which may be electronically recorded) shall be kept at the premises for at least six months and made available upon request to Police Licensing or an authorised officer of the Licensing Authority.
3. All staff shall be trained in relevant age restrictions in respect of products, recognising signs of drunkenness, how to refuse service and the conditions in force under this Licence. Documented records of training completed will be kept for each member of staff. Training shall be regularly refreshed and records made available for inspection upon request by a Police Officer or an authorised officer of the Licensing Authority.

Should you have any queries in relation to the above, please do not hesitate to contact me.

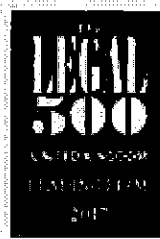
Yours faithfully

Karen Cochrane
 Solicitor

DD 01332 226 148
 F 0870 191 8678
 DX 729320 DERBY 24

Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ

**Flint
 Bishop**
 SOLICITORS





Licensing Act 2003 Premises Licence

P0302

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Reresby Arms

Vale Road, Thrybergh, Rotherham, South Yorkshire, S65 4DN.

Telephone 01709 850335

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Playing of recorded music (Indoors)	Monday to Sunday	7:00pm	11:00pm
Performance of dance (Indoors)	Monday to Sunday	7:00pm	11:00pm
Entertainment of a similar description (Indoors)	Monday to Sunday	7:00pm	11:00pm
Late night refreshment (Indoors)	Monday to Sunday	11:00pm	2:30am on the following day
The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	11:00am	2:00am on the following day
Seasonal Variations: From the end of permitted hours of New Year Eve to the start of permitted hours on New Years Day.			

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	2:30am on the following day

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- The sale by retail of alcohol for consumption ON and OFF the premises

Part 2





Licensing Act 2003 Premises Licence

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NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Star Pubs & Bars Limited

3-4 Broadway Park, South Gyle, Broadway, Edinburgh, Scotland, EH12 9JZ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Star Pubs & Bars Limited

SC250925

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE
AUTHORISES THE SUPPLY OF ALCOHOL**

Alan Colin MCDONALD

92 Broadway, Duncroft, Doncaster, DN7 4AL.

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. LN201600474

Issued by Doncaster



Licensing Act 2003 Premises Licence

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ANNEXES

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the



Licensing Act 2003 Premises Licence

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ANNEXES continued ...

vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing



Licensing Act 2003 Premises Licence

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ANNEXES continued ...

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.



Licensing Act 2003 Premises Licence

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ANNEXES continued ...

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence has conditions in respect of Door Supervision [except theatres, cinemas, bingo halls and casinos]

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Public Safety

None.

Prevention of Public Nuisance

None.



**Licensing Act 2003
Premises Licence**

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ANNEXES continued ...

Protection of Children from Harm

None.

Annex 3 Conditions attached after a Hearing of Licensing Authority

None.

Annex 4 Plans

See attached.

