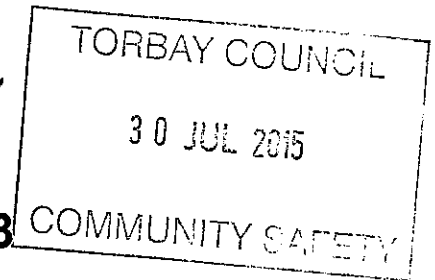


L009205+

WPST 00219 FORM L
00179591



LICENSING ACT 2003

APPLICATION TO VARY A PREMISES LICENCE

NOTIFICATION

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act 1998. The information that you provide on this form will only be used for this application form and will only be disclosed where necessary under any applicable legislation.

Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.

You have a right of access to your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 20 7467. Further information can be found on the Information Governance pages on Torbay Council's Internet site at, www.torbay.gov.uk

Completed forms should be returned to:

**Environmental Health Manager (Commercial)
Torbay Council
Community Safety
C/O Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR**

Contact Details:

Tel: 01803 208025

Web: www.torbay.gov.uk

Email: licensing@torbay.gov.uk

**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 Jam Leisure (Park Lane) Ltd
(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 PL0595

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Park Lane 1 Torwood Street			
Post town	Torquay	Postcode	TQ1 1ED
Telephone number at premises (if any)	01803 214446		
Non-domestic rateable value of premises	£18657		

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	As above		
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)

- Removal and addition of premises licence conditions
- Change of premises layout
- Increase of timings to licensable activity (Recorded Music – Fri & Sat 10:00-03:30)
- Decrease of timings to licensable activity (Supply of Alcohol – Sat 10:00-03:00)

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:

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 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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	10.00	03.00			
Tue	10.00	03.00			
Wed	10.00	03.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10.00	03.00			
Fri	10.00	03.30	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 6) Christmas Eve 10.00 -- 03.30 New years Eve 10.00 -- 03.30 Bank Holiday Sundays 10.00 -- 03.30 BST – allow for additional hour when the clocks move forward		
Sat	10.00	03.30			
Sun	10.00	03.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10.00	03.00			
Tue	10.00	03.00			
Wed	10.00	03.00			
Thur	10.00	03.00			
Fri	10.00	03.00			
Sat	10.00	03.00			
Sun	10.00	03.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) Christmas Eve 10.00 -- 03.30 New years Eve 10.00 -- 03.30 Bank Holiday Sundays 10.00 -- 03.30 BST – allow for additional hour when the clocks move forward		
Thur	10.00	03.00			
Fri	10.00	03.00			
Sat	10.00	03.00			
Sun	10.00	03.00			

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 9).

None

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 and e) (please read guidance note 10)

See attached list of conditions to add

b) The prevention of crime and disorder

See attached list of conditions to add

c) Public safety

See attached list of conditions to add

d) The prevention of public nuisance

See attached list of conditions to add

e) The protection of children from harm

See attached list of conditions to add

Park Lane Variation

Remove ALL CONDITIONS.

The Prevention of Crime and Disorder	Condition to ADD	Comments of original new, updated etc
1.	The Licensees shall carry on working with the local authority and support any seasonal and other advertising campaigns. ✓	Original condition
2.	The number of persons admitted to the premises on any one occasion shall not exceed a safe occupancy. This is in agreement with the responsible authorities notably Devon Fire and Rescue and the Health and Safety team. ✓	Original condition
3.	On every operational day when door supervision is required, then those SIA door supervisors employed in front of house duties must wear YELLOW high visibility jackets for the entirety of their duty. ✓	Original condition
4.	A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 14 days and the police to have access to recordings at any reasonable time. ✓	Original condition
5.	In respect of the roof terrace area, CCTV cameras shall be installed in this area to the satisfaction of the police and there shall be a monitor situated behind the ground floor bar for viewing by staff. ✓	Original condition
6.	Each accredited door steward when on duty must wear distinctive dress. ✓	Updated condition
7.	The premises will maintain membership and actively participate in the Nitenet Radio Scheme, with the radio being in the possession of either the Head Door Steward (when door stewards are employed on the premises) or the Duty Manager. ✓	Original condition
8.	There must be a zero tolerance with drugs and have a drugs policy in force on the premises, with the objective of securing, as far as reasonably practical, the safety of others attending the premises. ✓	Original condition
9.	A secure drug deposit box approved by Devon & Cornwall Police shall be located on the premises for the safe storage of any drugs found or seized. ✓	Original condition
10.	All bar staff will be trained in relation to their responsibilities in relation to the Licensing Act in respect of the sale/supply of alcohol. After 2200 hrs at least one competent manager shall be on the premises whilst open to the public. ✓	Updated condition

11.	Adequate glass and bottle collection shall be undertaken throughout the premises. ✓	Original condition
12.	There must be no entry/re-entry after 2 am. ✓	Updated condition
13.	Most door stewards and member of management must carry effective two way radios with earpieces and used at all times after 23:00 hrs. This equipment is kept in good working order. ✓	Updated condition
14.	At all times after 23.00 when the premises are open for licensable activities, an SIA registered door supervisor shall be employed at the entrance to the premises to ensure there is no unauthorized entrance to the premises. ✓	Updated condition
15.	On any Wednesday, Friday, Saturday and Sunday nights SIA door stewards shall be employed from 11.00 pm until closing time at a ratio of 2 stewards for the first 100 patrons, and thereafter 1 additional steward for each 100 patrons. This condition shall also apply on Christmas Eve and New Years Eve when they do not fall on a Wednesday, Friday, Saturday or Sunday. On all other occasions the Premises Licence Holder shall assess the need for door stewards and employ these at such numbers and at such times determined by that risk assessment. ✓	Updated condition moved from Public Safety Annexe 2 no.22
16.	Consumption of alcohol on the ground floor terrace shall be by persons seated, no alcohol shall be served in glass bottles within those areas from which it is intended or likely that a person shall drink. This condition shall not apply once the area is enclosed. ✓	Updated condition
17.	In relation to the consumption of food and drink (alcoholic or non-alcoholic) on the ground floor terrace, there shall be no consumption after 2am on Friday and Saturday and after midnight from Sunday to Thursday. This condition shall not apply once the area is enclosed. ✓	Updated condition
18.	Patrons leaving the Premises for all purposes between 00:00 hours on Saturday nights until 02:00 hours on Sunday mornings will not be permitted back into the Premises without paying an entrance fee. ✓	Updated condition
19.	Notices shall be prominently displayed within all bars of the Premises informing patrons who wish to smoke to use the roof terrace area. ✓	Original condition
20.	At all times that the roof terrace area is open, regular checks are to be made by staff and after 23:00 hours, an SIA registered door steward shall be situated in that area. Their duties will include, ensuring that persons using the roof terrace behave in an orderly manner, and that persons shouting, singing or acting in a way that may cause a noise nuisance will be asked to leave the roof terrace area and if necessary, the Premises. ✓	Updated condition

		Updated condition
21.	From 2300 hours all drinks must be served in toughened/strengthened glasses or polycarbonate/plastic vessels and no drinks will be served in glass bottles from which it is intended or likely that a person shall drink. All glasses are stamped in accordance with Weights and Measures Legislation.	
PUBLIC SAFETY		
1.	The fire safety measures with which the premises are provided shall be maintained in good working order, and their adequacy shall be determined on a regular basis, by the carrying out of a fire risk assessment as required by and in accordance with the Fire Precautions Regulations.	Original condition
2.	The premises shall undertake to maintain a safe occupancy level.	Original condition
3.	Suitable and clearly identifiable areas for dancing must be set aside, and separate from the dance area suitable means of providing cool air/ventilation and adequate seating must be provided.	Original condition
4.	In the event of evacuation caused by failure of general lighting, the public shall not be readmitted until the general lighting is fully restored.	Original condition
5.	Suitable and sufficient sanitary accommodation must be provided, clearly marked and in good order at all times.	Original condition
6.	Where crowd management measures are needed all reasonable steps shall be taken to ensure that such persons do not obstruct exits, yards, passageways, stairways and ramps and that portable barriers shall be provided to prevent crushing and keep queues in an orderly fashion.	Original condition
7.	No explosive or highly inflammable material shall be brought into the premises.	Original condition
8.	No pyrotechnics shall be used on the premises.	Original condition
9.	Lasers must not be used on the premises without prior consultation with the Licensing Authority and compliance with HS(G) 95.	Original condition
THE PROTECTION OF CHILDREN FROM HARM		
1.	No persons under the age of 18 shall be employed in connection with the sale of alcohol after 23.00hrs	Original condition, slight re-wording
2.	All bar staff shall be suitably trained to prevent the sale of alcohol to under 18's.	Original condition
3.	Persons under the age of 18 shall be required to vacate the premises by 22:00 hrs unless they are eating, in which case they shall be required to vacate the premises by 22:30 hrs, or unless they are attending an under 18 event.	Updated condition.
4.	Persons under the age of 18 shall not be allowed into the Nightclub on the first floor at anytime unless attending an under 18 event.	Original condition
5.	Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.	Original condition

6.	The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 shall be requested to provide an approved form of identification bearing a photograph. ✓	Original condition
7.	Under 18 events may take place to which the following conditions shall apply: ✓	Original condition
7.1	These events shall finish no later than 23.00 hours, after which there will be 30 minute period before reopening to over 18's. ✓	Original condition
7.2	The police shall be notified in writing or email at least 14 days prior to the event. ✓	Original condition
7.3	SIA door stewards must be employed throughout the event, which shall include at least one female steward. All stewards shall have undergone a Disclosure & Barring Service check. ✓	Original condition, slight re-wording
7.4	All alcohol shall be locked and or obscured from view. ✓	Original condition
7.5	All gaming machines with prizes and cigarette machines shall be unplugged and locked. ✓	Original condition
7.6	All promotional material relating to alcohol shall be removed. ✓	Original condition
7.7	Any person refusing to be searched shall be refused entry. ✓	Original condition
7.8	The event shall be promoted to ages 14 years and above. ✓	Original condition
7.9	Foreign student events shall be restricted to foreign students only. ✓	Original condition
7.10	Throughout under 18 events, The DPS or personal licence holder must be present. ✓	Original condition
THE PREVENTION OF PUBLIC NUISANCE		
1.	Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 11pm. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:- (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise. (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise. (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property. ✓	Original condition
2.	Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains. ✓	Original condition
3	Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment, with the exception of the ground floor terrace main door. ✓	Updated condition

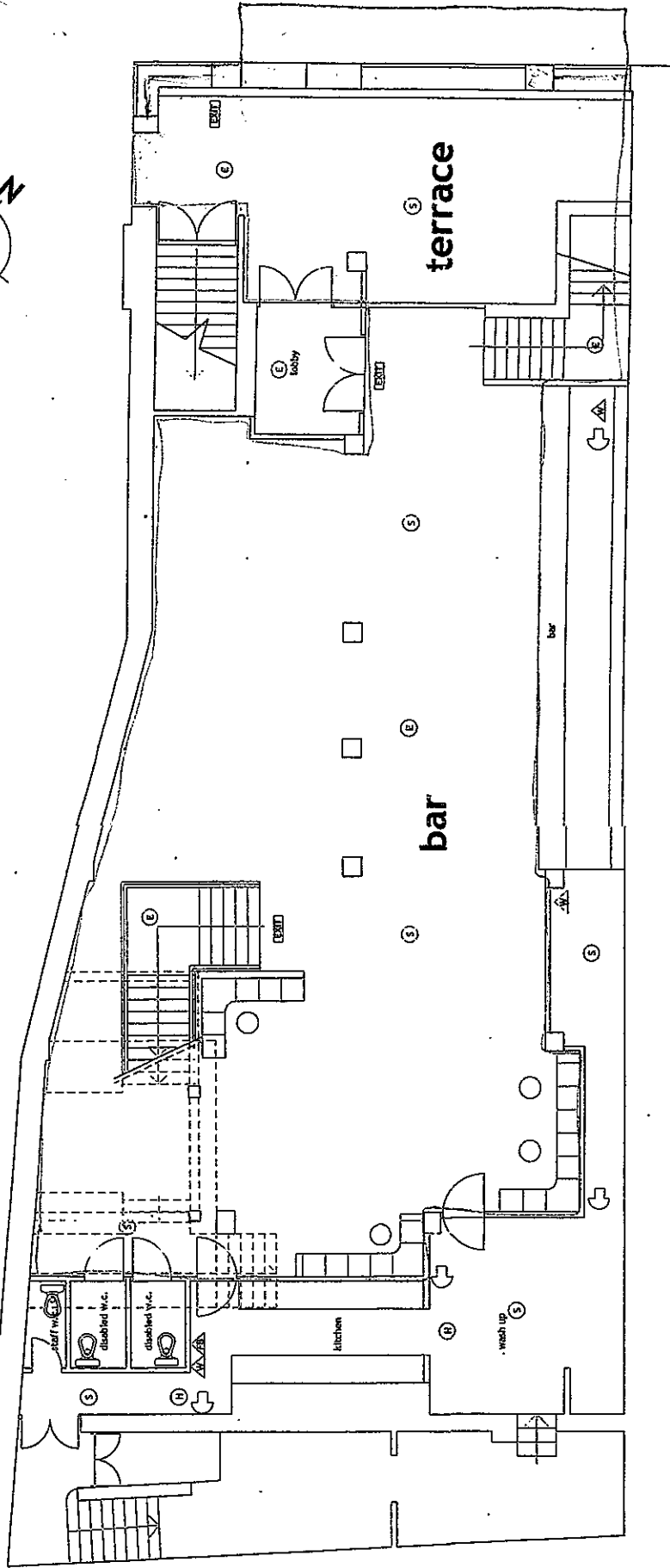
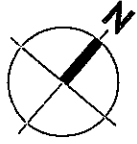
4.	Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.	Original condition
5.	Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.	Original condition
6.	Where any structural changes are made to the premises, agreement must be reached with the Environmental Health Department that these works will not increase noise break out.	New condition
7.	No significant changes to the Public Address system shall be made without prior consultation with the local Environmental Health Department; this includes moving of speakers, addition or removal of any equipment and the use of guest acts/DJ's own equipment.	Updated condition
8.	Patrons of the premises shall be reminded by door staff to leave in a quiet respectful manner and the door staff shall take all reasonable steps to ensure that their patrons leave in a quiet manner.	Original condition
9.	Door staff will monitor the area outside their premises and take reasonable steps to ensure that patrons do not congregate outside the premises.	Original condition
10.	Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties.	Original condition
11.	A management scheme shall be put in place to prevent excessive queuing into the street and particularly into Park Lane.	Original condition
12.	From 23:00 on door staff shall monitor the external areas and ensure that patrons behaving in a noisy manner are either asked to leave or asked to return inside the building.	Original condition
13.	All regulated music should be played through a noise limiter which is set at a level as agreed with the local responsible authority for public nuisance; The noise limiter shall be made tamper proof and any adjustments to sound levels shall only be made in consultation with the responsible authority for public nuisance.	Updated condition
14.	There shall be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.	Original condition
15.	The placing of refuse such as bottles into skips outside the premises shall take place at times that will prevent disturbance to nearby properties and the movement of bins and rubbish outside the premises shall be kept to a minimum after 11pm.	Original condition
16.	Door staff must be positioned at exits at closing times to ensure noise from patrons leaving is minimized.	Original condition
17.	The licensee shall ensure that staff leaving the premises after a late night shift will conduct themselves in a manner as not to disturb nearby residents.	Original condition
18.	Deliveries of kegs, bottles, food and other materials shall be carried out between the hours of 09.30am - 05.30pm weekdays.	Original condition

19.	The areas shown by red hatching on the plan shall before being used by the public, have the same treatments applied as the other similar areas in the premises, and be inspected by the Environmental Health Department.	✓	New condition
20.	The level of amplified music shall be reduced automatically by 1/3 at 03.00 hrs until closing	✓	New condition
21.	Patrons shall not be permitted to take drinks onto the roof terrace area after 00:00 hours	✓	Updated condition
22.	After 00:00 hours, the number of patrons permitted to use the roof terrace area shall be limited to a maximum of 80 patrons at any one time.	✓	Updated condition
23.	All patrons consuming drinks on the roof terrace area must cease doing so at 00:00 hours and arrangements must be in place by the premises licence holder for all glasses to be cleared from that area at 00.00 hours. Those patrons wishing to continue drinking must be advised to do so inside the Premises.	✓	Updated condition
24.	Patrons who behave in a noisy or disorderly manner on the roof terrace area shall be removed from that area and where appropriate asked to leave the Premises. Details of this noisy or disorderly conduct shall be recorded in a log book and where appropriate, details of the patron(s) causing the noise or disorderly conduct shall be recorded in that log book too.	✓	Original condition
25.	Signage must be displayed reminding patrons to keep noise to a minimum and warning customers who are excessively noisy or disorderly will be removed from that area and potentially the Premises.	✓	Original condition
26.	If Torbay Council receives a complaint of noise nuisance emanating from the Premises and an Environmental Health Officer of Torbay Council deems noise nuisance to exist and the upholds the complaint, the Premises Licence Holder shall on receiving written confirmation of that complaint from Torbay Council: a) Co-operate with Torbay Council's Environmental Health Officers and implement remedial measures to the satisfaction of the Environmental Health Officers immediately or as reasonably practicable to do so, as determined by the Environmental Health Officer; and b) Where remedial action cannot be identified and remediated to the satisfaction of the Environmental Health Officer, the roof terrace area shall be closed to all patrons at 20:00 hours until such time that the noise nuisance can be identified and the necessary remedial work can be carried out.	✓	Original condition
27.	No structural changes shall be made to the roof terrace, that may in anyway effect noise breakout, non sound reflective surfaces shall be maintained on the walls and floor where practically possible.	✓	New condition

28.	The volume of background music must be set and maintained at a level that is agreed by a Torbay Council Environmental Health Officer before the roof terrace is open to the public.	Original condition
29.	Background music on the roof terrace must cease at 02:00 hours and shall switch off automatically.	Updated condition.
30.	<p>The roof terrace will close at:</p> <p>Sundays – midnight, except on Sundays of Bank Holiday Weekends when the terrace will close at 3.00 am on the Monday morning.</p> <p>Mondays and Tuesdays – midnight</p> <p>Wednesdays – the terrace will close at 2.00 am on the following day (ie Thursday)</p> <p>Thursdays – midnight</p> <p>Fridays and Saturdays – the terrace will close at 3.00 am on the following days (ie Saturday and Sunday mornings).</p>	Original condition

31.	The DPS or a member of the management team shall attend at least two Torquay Forum Meetings per calendar year, and any other meetings organised by the police in relation to high risk events.	
32.	From 2300 hrs until the premises close, members of staff and SIA door stewards shall direct patrons to the roof terrace area if they suspect that the patron(s) is leaving by the main entrance to smoke outside the premises.	

ANNEXE 4



Ground Floor Plan

NOTES:

1. This drawing is subject to copyright
2. Do not scale the drawing
3. All dimensions should be checked on site
4. If in doubt, please ask

KEY

- EXIT
- illuminated emergency e sign
- break glass alarm point
- smoke detector
- heat detector
- emergency light
- water fire extinguisher
- dry powder fire extinguisher
- fire blanket
- L1250x600 1420x4

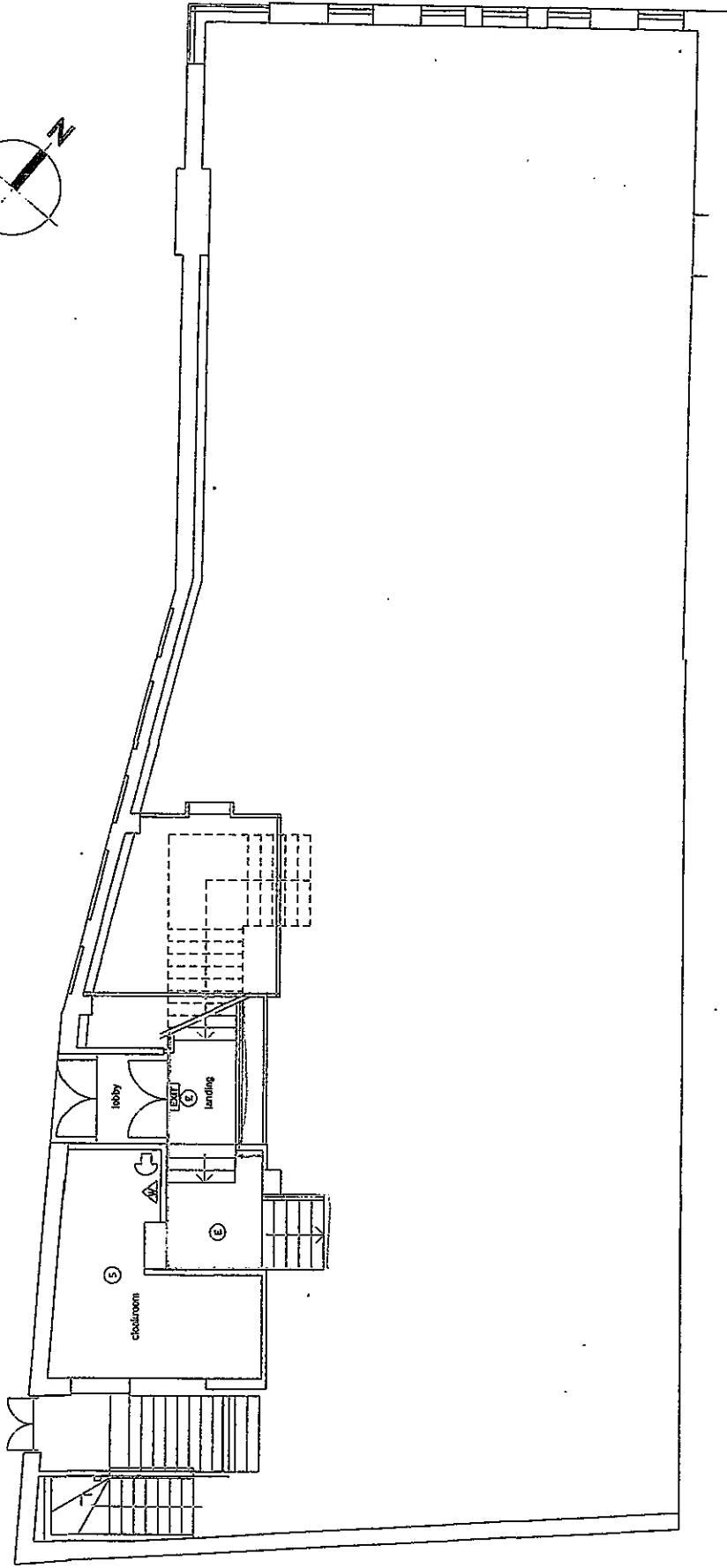
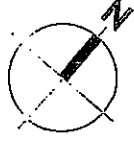
Scale:	1:50 @ A1
Date:	Feb 2013
Drawn by:	GR
Checked by:	

Job:
"Park Lane"
Torwood Street
Torquay Devon

Drawing:
Ground Floor Plan
Planning

Drawing number:
6410. 400

ANNEXE 4



NOTES:

1. This drawing is subject to any changes.
2. All dimensions are in millimetres unless otherwise stated.
3. All dimensions are to be checked on site.
4. If in doubt, please ask.

KEY

- EXIT
- illuminated emergency exit sign
- break glass alarm point
- smoke detector
- emergency light
- water fire extinguisher
- dry powder fire extinguisher
- fire blanket

Revisions		

Scale: 1:500 A1
 Date: Feb. 2013
 Drawn by: CR
 Checked by:

Job:
 "Park Lane"
 Torwood Street
 Torquay Devon

Drawing:
 Mezzanine Floor Plan
 Licensing

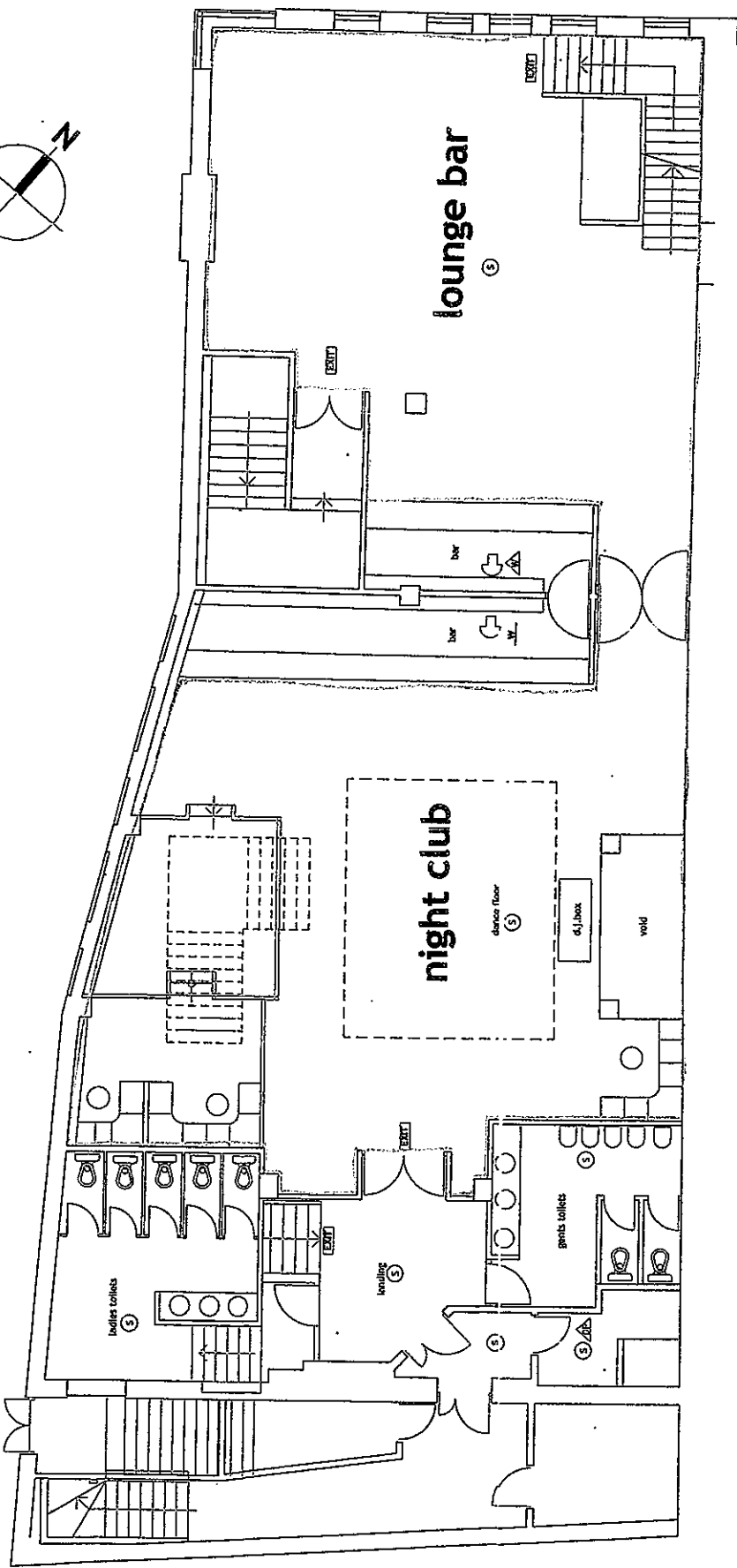
Drawing number:
6410. 402

Mezzanine Floor Plan

ANNEXE 4

NOTES:

1. This drawing is subject to copyright.
2. No part of this drawing is to be reproduced without the written consent of the architect.
3. All dimensions to be checked on site.
4. If in doubt, please ask.



- KEY
- illuminated emergency sign
 - break glass alarm point
 - smoke detector
 - emergency light
 - water fire extinguisher
 - dry powder fire extinguisher
 - fire blanket

Revisions	Date	By

Scale: 1:50 @ A1
Date: Feb. 2013

Drawn by: CF

Checked by:

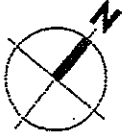
Job:
"Park Lane"
Tottenham Court Road
Torquay Devon

Drawing:
First Floor Plan
Renovating

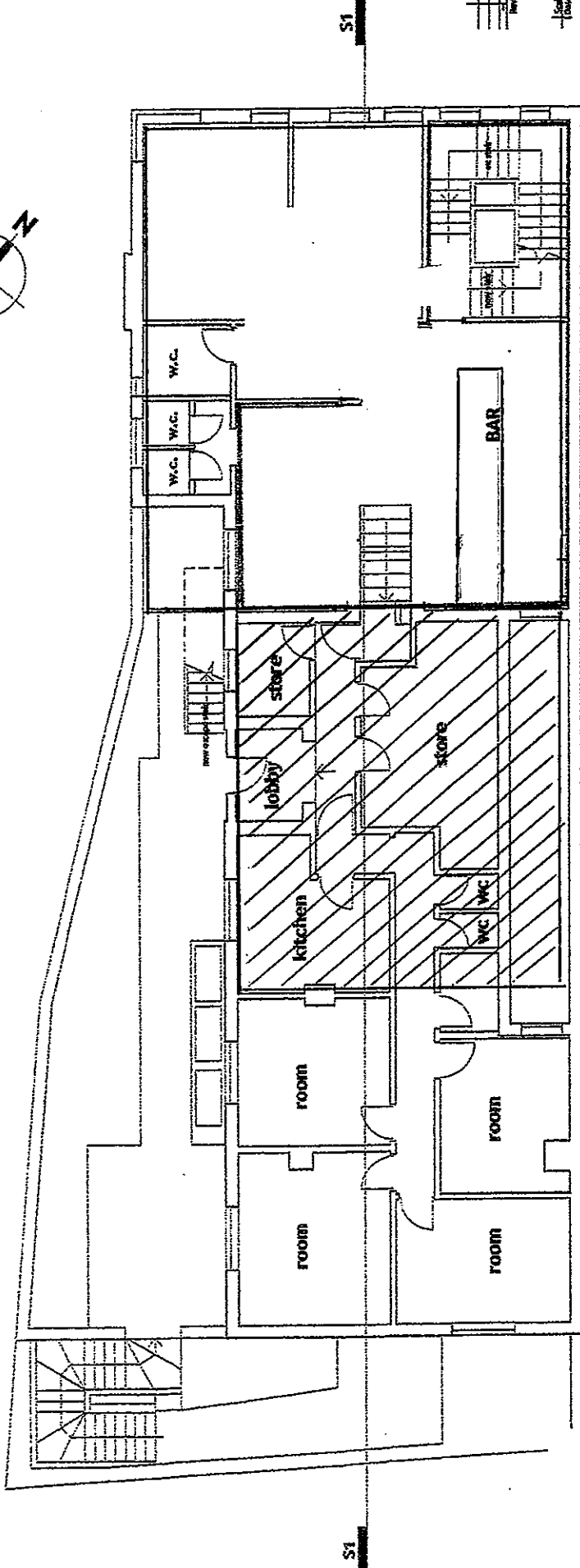
Drawing number:
6410. 401

First Floor Plan

ANNEXE 4



- NOTES**
1. The owner's requirements are to be followed.
 2. All dimensions are in millimeters unless otherwise stated.
 3. All dimensions are to be checked on site.
 4. If necessary, please refer to the drawings.



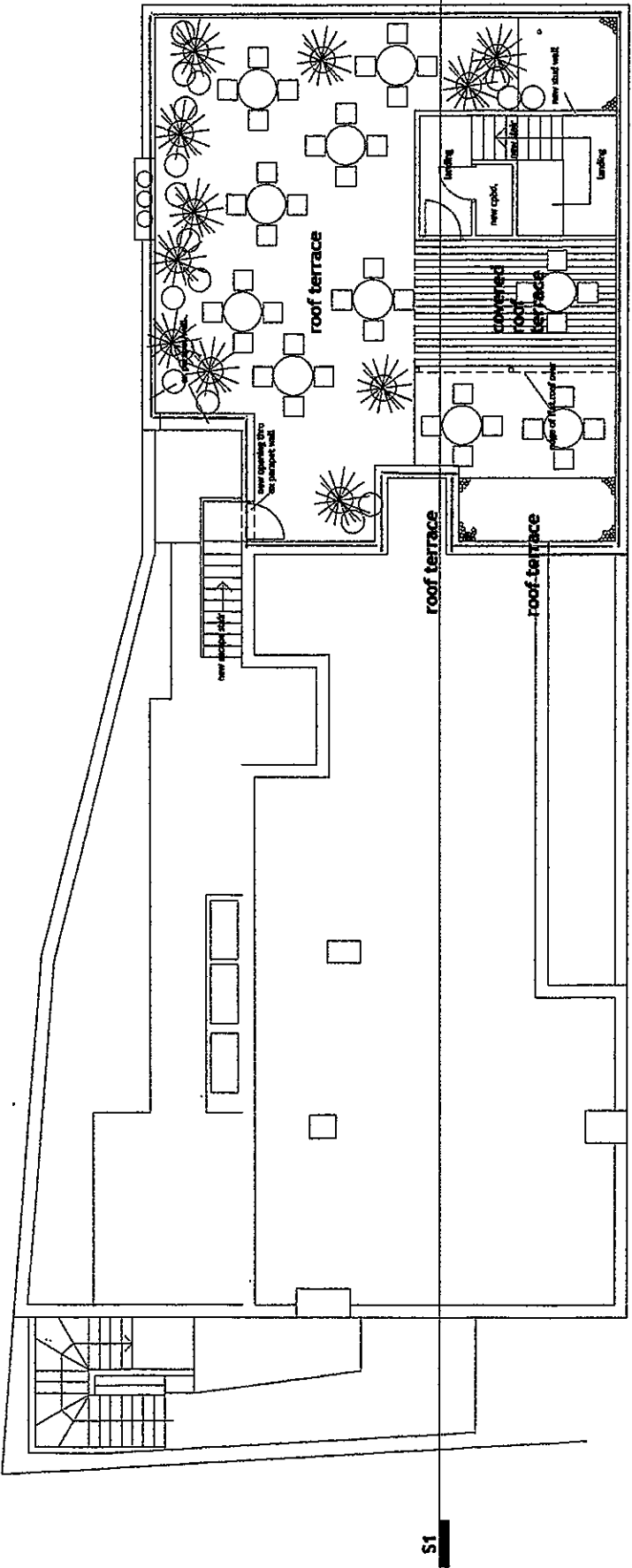
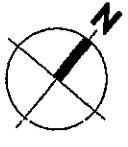
Second Floor Plan

Scale: 1:50 (A1)
 Date: 14/02/2013
 Drawn by: GR
 Checked by: ER
 Date: 14/02/2013
 Project Name: Victoria Parade
 Drawing No: 6410.503
 Drawing Title: Preliminary 2
 Drawing Number: 6410.503
PRELIMINARY 2

COLIN RITCHIE ARCHITECTS LTD.
 22a VICTORIA PARADE, TORQUAY, TQ2 2BN
 TEL: 01803 294331 FAX: 01803 262266
 EMAIL: colin@colinritchie.com

ANNEXE 4

- NOTES:**
1. This drawing is subject to any amendments shown on any subsequent drawings.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All work is to be done in accordance with the relevant building codes.
 4. If the building is to be used for any other purpose than that shown on this drawing, the architect should be consulted.

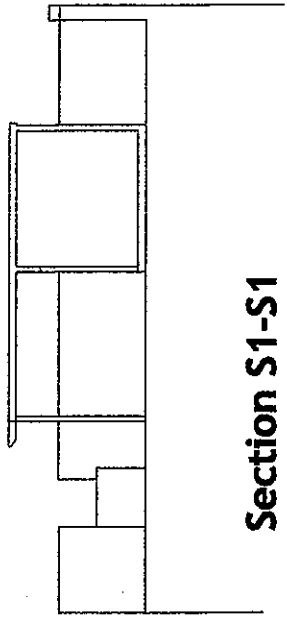


Revision	Description

Scale: 1:50
 Date: 08/08/2013
 Drawn by: [Name]
 Checked by: [Name]
 Job: [Project Name]
 Project Name: [Project Name]
 Drawing: Roof Level Plan
 As Proposed

Drawing number:
6410. 504
PRELIMINARY 2

Roof Level Plan



Section S1-S1

COLIN RITCHIE ARCHITECTS LTD.
 22A VICTORIA PARADE TORQUAY TQ1 2BB
 TEL: 01803 238481 FAX: 01803 260966
 EMAIL: colin@colinritchie.com