

[Insert name and address of relevant licensing authority and its reference number (optional)]

TORQUAY COUNCIL ENV. & C.F. DIVISION		
25 MAR 2011		
OFFICIAL	REPLY	FILE No
		DOC No

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.

- (1) Delete as applicable.
(2) Insert name(s) of applicant(s).

(1) ~~[We]~~ (2) Coyote Torbay Limited

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

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description Coyote Cafe Bar 3-5 Union Street Torquay Devon. TQ1 1ES	
Post town Torquay	Post code TQ1 1ES

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Post Town Postcode

Part 3 - Variation

Please tick Yes

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

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If not do you want the variation to take effect from

Please describe briefly the nature of the proposed variation (Please read guidance note 1)

1. To extend the opening hours so as to commence at 0800 and terminate at 0330, 7 nights a week, and extending to 0300 hours the licensable activities permitted under the licence.
2. To remove certain conditions which are no longer appropriate or relevant.
3. To attach conditions intended to ensure that the licensing objectives are not undermined.

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 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 entertainment facilities for:

(i) making music (if ticking yes, fill in box I)

(j) dancing (if ticking yes, fill in box J)

(k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	x
Day	Start	Finish		Outdoors	
				Both	
Mon	1000	0300	Please give further details here (please read guidance note 3) Screens showing general entertainment films which shows at various places within the premises.		
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the exhibition of films (please read guidance note 4) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.		
Thur	1000	0300			
Fri	1000	0300	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	1000	0300			
Sun	1000	0300			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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)
Fri			
Sat			
Sun			

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

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

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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1000	0300	From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.		
Fri	1000	0300			
Sat	1000	0300			
Sun	1000	0300	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)		

✓ 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 <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	x
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the performance of dance (please read guidance note 4) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.		
Thur	1000	0300			
Fri	1000	0300	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)		
Sat	1000	0300			
Sun	1000	0300			

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		
			Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (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)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.		
Thur	1000	0300			
Fri	1000	0300	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1000	0300			
Sun	1000	0300			

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for providing dancing facilities (please read guidance note 4) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.		
Thur	1000	0300			
Fri	1000	0300	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	1000	0300			
Sun	1000	0300			

K

Provision of facilities for entertainment of a similar description to that falling within I or J			Please give a description of the type of entertainment facility you will be providing	
Standard days and timings (please read guidance note 6)			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	
Standard days and timings (please read guidance note 6)			Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish	Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	2300	0300	Please give further details here (please read guidance note 3)	
Tue	2300	0300		
Wed	2300	0300	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	2300	0300	From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.	
Fri	2300	0300	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	2300	0300		
Sun	2300	0300		

✓ M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box <input checked="" type="checkbox"/>) (please read guidance note 7)		On the premises	
					Off the premises	
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.			
Mon	1000	0300				
Tue	1000	0300				
Wed	1000	0300				
Thur	1000	0300	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)			
Fri	1000	0300				
Sat	1000	0300				
Sun	1000	0300				

N

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

O

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) From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.
Day	Start	Finish	
Mon	0800	0330	
Tue	0800	0330	
Wed	0800	0330	
Thur	0800	0330	
Fri	0800	0330	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)
Sat	0800	0330	
Sun	0800	0330	

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

1. Annexe 2 - Additional Conditions Transferred from the Licence. Condition 1 (duplication of CCTV)
2. Annexe 2 -General Condition 1 (no longer appropriate in the present ownership.)
3. Annexe 2 - The Prevention of Crime and Disorder. Conditions 2, 3, 5 (no longer appropriate/duplication)
4. Annexe 3 - Conditions attached after Hearing. The Prevention of Crime and Disorder. Condition 1(duplication), 2, 3 and 5(amended versions below)
5. Annexe 3 - Conditions Attached after Hearing. The Prevention of Crime and Disorder. Condition 5 shall be amended so as to read as follows:-
 5. There should be no entry or re-entry to the premises after 0200 hours.
6. Annexe 3 - Conditions Attached after Hearing. Public Safety. Condition 1 (amended version below)

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

P

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)

(b) The prevention of crime and disorder

4
5
6
7

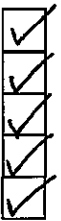
- 1. CCTV system of an evidential standard shall be installed to the satisfaction of the police, the system to be in operation at all times the premises are open to the public. All recordings from that system shall be kept for a period of 14 days and the police to have access to recordings at any reasonably time.
 - 2. On every occasion that the premises sells alcohol after midnight and then closed after 12.30am, SIA door stewards shall be employed from 10.00pm until closing at a ratio of 1 door steward per 100 customers.
 - 3. All drinks shall be served in toughened, strengthened, polycarbonate or plastic glasses, and no alcohol to be served in glass bottles from which it is intended or likely that a person shall drink after 10.00pm daily.
 - 4. All door stewards employed on front of house duties, shall at all times wear a reflective/high visibility jacket.
- CONT/... PLEASE SEE ATTACHED SHEET

(c) Public safety

(d) The prevention of public nuisance

(e) The protection of children from harm

- I have made or enclosed payment of the fee
- 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

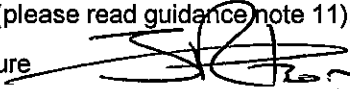


IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (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


C.S. ROBERTSON, KITSONS LLP

Date

24/03/2011

Capacity

Solicitor 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)

Mr R.D. Newman
Kitsons LLP
Minerva House, Orchard Way
Edginswell Park, Torquay. TQ2 7FA

Post town Torquay

Post code TQ2 7FA

Telephone number (if any) 01803 202020

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
rob.newman@kitsons-solicitors.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 (eg 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, 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.

CONTINUATION OF VARIATION APPLICATION

COYOTES TORBAY LIMITED

Premises Licence Number: PL590

Section P

(b) The Prevention of Crime and Disorder

- 8 5. The premises shall join and maintain membership of the Torquay Night Time Economy Forum, and the DPS or a member of the management team, shall attend at least two meetings per calendar year.
- 9 6. On all days that the premises remain open until 3.30 am, from 10.00 pm onwards, the DPS or a Personal Licence Holder shall be on duty at the premises.
- 10 7. Food shall be available from opening time until midnight.
- 11 8. Prominent, clear and legible notices will be displayed at all exits, requesting customers to leave quietly, and in an orderly manner.
- 12 9. As the premises are situated within the Torbay Council No Drinking Zone, the DPS shall ensure that prominent, clear, and legible notices are displayed at all exits, notifying patrons that they are entering a No Drinking Zone.
- 13 10. All drinks promotions shall be managed in a responsible manner.
- 14 11. Written records of all SIA door stewards (including full name and full SIA badge number) shall be kept on the premises for at least 12 months and be available for inspection at any reasonable time by a member of the Responsible Authorities, including the police.
- 15 12. An incident book must be kept on the premises and maintained on a daily basis and shall be available for inspection at any reasonable time by a member of the Responsible Authorities, including the police. Such records to be kept for at least 12 months.
- 16 13. Any person employed at the premises in the sale and supply of alcohol, shall attend and successfully complete the BIIAB Level 1 Award in Responsible Alcohol Retailing, within 2 months of commencing their employment.
- 17 14. A record of all staff training, including copies of all relevant BIIAB certificates, shall be kept on the premises and be available for inspection at any reasonable time by a member of the Responsible Authorities, including the police. Such records to be kept for at least 12 months.

~~15. Amended condition from Annexe 3 (Prevention of Crime and Disorder)~~

Condition 5: "There shall be no entry or re-entry to the premises after 2am"

