



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 Casey Miles Nicholls-Floyd
(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: PR00490

Part 1 – Premises Details

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

Swan Hotel, Church Street

Post town	Kington	Postcode	HR5 3AZ
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£15,750
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Part 2 – Applicant details

Daytime contact telephone number	██████████
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E-mail address (optional)	██████████
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Current postal address:	The Swan Hotel Church Street
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Post town	Kington	Postcode	HR5 3AZ
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Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late-night levy? (Please see guidance note 1) No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The purpose of this application is to extend the hours for licensed activities to support the existing business and enable the premises to develop a programme of regular entertainment to its established and loyal clientele, residents and guests, by providing occasional entertainment including vocalists and other live musicians.

In addition, we have reviewed the current operating schedule and taken the opportunity to request the removal of outdated or unenforceable requirements and strengthen the licence with the addition of some newly proposed conditions to ensure the Licensing Objectives are robustly promoted.

This application seeks to:

extend the hours for Licensed Activities as follows:

**Live and Recorded Music, Performance of Dance, Other Entertainment,
Alcohol Sales: Monday – Sunday: 10:00 – 01:00hrs
Late Night Refreshment: Monday – Sunday 23:00 – 01:00hrs**

and update the Premises Licence conditions in Annex 3.

Please note: this application does not seek to vary the Non-Standard Timings which will remain as per the current licence.

In writing the application we have had regard to the Licensing Act 2003, the current Government Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2004, and the Herefordshire Council Statement of Licensing Policy.

Through the Licensing Guys Ltd, the applicant wishes to engage fully with all responsible authorities and other interested parties.

Should any person wish to discuss any aspect of the application or proposed activities, early contact and dialogue would be welcomed.

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 see guidance note 3)

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finis h		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			<u>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</u> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input 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					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>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</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

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	
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	10:00	01:00			
Tue	10:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	10:00	01:00			
Thur	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)		
Fri	10:00	01:00			
Sat	10:00	01:00	As per existing licence.		
Sun	10:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	01:00			
Fri	10:00	01:00	<u>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</u> (please read guidance note 7)		
Sat	10:00	01:00	As per existing licence.		
Sun	10:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	10:00	01:00			
Fri	10:00	01:00	<u>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</u> (please read guidance note 7) As per existing licence.		
Sat	10:00	01:00			
Sun	10:00	01:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p> <p>Any type of entertainment similar to the above, not including adult / relevant entertainment.</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	
Mon	10:00	01:00		Outdoors	
				Both	✓
Tue	10:00	01:00	<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed	10:00	01:00			
Thur	10:00	01:00	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri	10:00	01:00			
Sat	10:00	01:00	<p><u>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 listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun	10:00	01:00	As per existing licence.		
	10:00	01:00			

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:00			
Fri	23:00	01:00	<u>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</u> (please read guidance note 7) As per existing licence.		
Sat	23:00	01:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) <u>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</u> (please read guidance note 7) As per existing licence.		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

K

<p>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 10).</p> <p>None.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	10:00	
Tue	10:00	01:00	
Wed	10:00	01:00	
Thur	10:00	01:00	
Fri	10:00	01:00	
Sat	10:00	01:00	<u>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</u> (please read guidance note 7)
Sun	10:00	01:00	
			As per existing licence.

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.

We view this variation as an opportunity to review and update all the conditions within Annex 3 of the licence and propose replacing the conditions with those specified in section M of this application to reflect and meet the current business needs, current standards of compliance, and ensure the Licensing Objectives are robustly promoted by specific, clear, unambiguous and enforceable requirements.

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

Not applicable.

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

Staff Training

All staff responsible for selling alcohol shall receive induction and/or refresher training to BIIAB Level I or equivalent commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence.

Training shall include:

- Challenge 25 Age Verification Policy (below)
- Drink Spiking Policy
- Safeguarding Checklist
- Proxy sales
- Refusal for underage, behaviour, and/or intoxication
- Completion of refusal log
- Completion of both the incident log

Training will be documented, refreshed at least annually, training records will be kept at the premises for at least one year, and records will be made available to the Police and/or Local Authority upon request.

CCTV

A digital CCTV system shall be installed and maintained at the premises with cameras covering all entrances and exits and public areas.

The system shall be fully operational and record at all times the premises is open for licensable activities.

All recordings used in conjunction with CCTV shall:

- be of evidential quality in all lighting conditions;
- indicate the correct time and date; and
- be retained for a period of 31 consecutive days.

A responsible person must be trained to use the system, as a recorded image must be available for inspection and downloading immediately upon reasonable request to officers of Responsible Authorities.

All images downloaded from the CCTV system must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

SIA Security Staff

The requirement for SIA security personnel will be determined by individual risk assessments specific to each event.

The Licensee shall ensure that when door supervisors are engaged for duty at the premises, their details (names and licence numbers) are recorded in an appropriate book kept at the premises.

The SIA log must be available for inspection by the Police or Authorised Officer at all times when the premises are open.

Alcohol Sales for Consumption Off the Premises

All sales of alcohol for consumption off the premises must be provided in sealed containers.

No open vessels containing alcoholic drinks may be taken from the premises other than for consumption in the outside area.

Written Delegated Authority

Where alcohol sales are made under a Personal Licence Holder's delegated authority, a written record of the delegation of authority must be maintained on the premises and available for inspection.

The record must include:

- a. The name of the personal licence holder delegating their authority.
- b. The personal licence number and issuing authority
- c. The name(s) of the person duly authorised
- d. The date the delegated person received training on their responsibilities under the Licensing Act 2003
- e. The signatures of both persons

b) The prevention of crime and disorder**Refusal Log**

There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.

Details to be recorded shall include the date, time, name (if known), physical description of the person, the reason for the refusal, names of staff involved, and whether the refusal was captured on CCTV.

Any identification document coming into the possession of a member of staff, including security staff, shall be recorded in the register, including the name of the person/name on the identification document.

The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

Incident Log

An incident log must be kept at the premises and must be retained for a period of 12 months from the date an incident occurred. The log must be made immediately available on request to Police or an 'officer of a responsible authority', and must record the following:

- a. all crimes reported to the premises (where relevant to the licensing objectives)
- b. all ejections of patrons
- c. any complaints received (where relevant to the licensing objectives)
- d. any incidents of disorder
- e. any illicit drugs or weapons seized or found on the premises, and
- f. any visit by a relevant authority or emergency services, noting time, date & purpose and those officials by name.

Toilet Checks

Regular toilet checks will be conducted by vigilant staff for the purpose of detecting and removing any items associated with illegal drug use.

c) Public safety

A current Fire Risk Assessment will be completed, maintained on the premises, and made available for inspection by any officer of a Responsible Authority on request.

d) The prevention of public nuisance

The premises licence holder will operate the business with general consideration in respect of the surrounding areas, neighbours and businesses.

Appropriate signs, requesting patrons leave quietly and with consideration for neighbours in the vicinity, will be displayed clearly and prominently at exits.

During events involving the provision of live or recorded music, the DPS or other responsible person will monitor music volumes and ensure they are maintained at a reasonable level to prevent causing noise nuisance.

Any entertainment provided in the outdoor area will end by 22:30hrs.

All doors and windows will be closed from 22:30hrs when regulated entertainment is being provided inside the premises.

The removal of waste or bottles into external bins will not take place between 23:00hrs and 07:30hrs on any day.

The outside area will be closed from 23:00hrs, with the exception of patrons wishing to smoke.

e) The protection of children from harm

Age Verification Scheme – Challenge 25

A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age.

Staff must require individuals who appear to the responsible person to be under 25 years of age 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.

Acceptable Proof of age/ID documents shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.

Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.

Child Restriction

No children under 18 will be permitted on the premises after 23:00hrs, with the exception of the children of guests residing in the hotel.

Adult entertainment, services, or activities are prohibited from taking place at the premises. (Adult Entertainment includes, but is not restricted to, such entertainment or services, which would generally include topless bar staff, striptease, lap-table, or pole dancing, performances involving feigned violence, sexual acts or fetishism, or entertainment involving strong or offensive language).

Checklist:

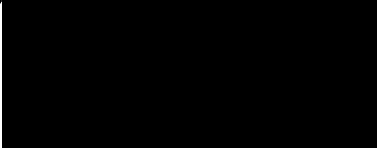
Please tick to indicate agreement

- 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 (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	 Reba Danson for TL Guys Ltd
Date	26 September 2024
Capacity	Licensing Consultant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

The Licensing Guys,
Rural Enterprise Centre
Vincent Carey Road
Rotherwas Business Park

Post town	HEREFORD	Postcode	HR2 6FE
Telephone number (if any)	07983 922180		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
reba@thelicensingguys.com			