

Middlesbrough Application for a minor variation to a premises or club certificate Licensing Act 2003

For help contact

<u>Licensing@middlesbrough.gov.uk</u> Telephone: 01642 728011

* required information

Section 1 of 9		
You can save the form at any	time and resume it later. You do not need to $% \left\{ 1,2,\ldots ,n\right\}$	be logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on b	ehalf of the applicant?	Put "no" if you are applying on your own
• Yes	No	behalf or on behalf of a business you own or work for.
Applicant Details		
* First name	Aldi Stores Limited	
* Family name	Aldi Stores Limited	
* E-mail	lisa.gilligan@freeths.co.uk	
Main telephone number	01162481145	Include country code.
Other telephone number		
☐ Indicate here if the app	plicant would prefer not to be contacted by te	lephone
Is the applicant:		
Applying as a business	or organisation, including as a sole trader	A sole trader is a business owned by one
 Applying as an individual 	ual	person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.
Applicant Business		
Is the applicant's business registered in the UK with Companies House?	• Yes No	Note: completing the Applicant Business section is optional in this form.
Registration number	2321869	
Business name	Aldi Stores Limited	If the applicant's business is registered, use its registered name.
VAT number -		Put "none" if the applicant is not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page			
Applicant's position in the business			
Home country	United Kingdom	The country where the applicant's headquarters are.	
Registered Address		Address registered with Companies House.	
Building number or name			
Street	Holly Lane		
District			
City or town	Atherstone		
County or administrative area	Warwickshire		
Postcode	CV9 2SQ		
Country	United Kingdom		
Agent Details			
* First name	Lisa		
* Family name	Gilligan		
* E-mail	lisa.gilligan@freeths.co.uk		
Main telephone number	01162481145	Include country code.	
Other telephone number			
☐ Indicate here if you wou	ld prefer not to be contacted by telephone		
Are you:			
An agent that is a busine	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.	
 A private individual actir 	ng as an agent	,	
Agent Business			
Is your business registered in the UK with Companies House?	Yes No	Note: completing the Applicant Business section is optional in this form.	
Registration number	OC304688		
Business name	Freeths LLP	If your business is registered, use its registered name.	
VAT number -		Put "none" if you are not registered for VAT.	
Legal status	Limited Liability Partnership		

Continued from previous page			
Your position in the business	Member		
Home country	United Kingdom	The country where the headquarters of your business is located.	
Agent Registered Address	-	Address registered with Companies House.	
Building number or name	Two		
Street	Colton Square		
District			
City or town	Leicester		
County or administrative area			
Postcode	LE1 1QH	•	
Country	United Kingdom		
Section 2 of 9			
PREMISES DETAILS			
Refer to the guidance notes w	hile completing this form.		
Premises licence number/club	MDDO /DD0400 /040340	1	
premises certificate number	MBRO/PR0198/019348		
* Name of premises	Aldi Store		
Premises Location			
* Are you able to provide a pos	stal address, OS map reference or description o	f the premises?	
AddressOS maj	p reference O Description		
* Building number or name	Aldi		
* Street	Marton Road		
District			
* City or town	Middlesbrough		
County or administrative area			
Postcode	TS4 2PB		
* Country	United Kingdom		
Premises Contact Details			
E-mail			
Telephone number	01827710800		
Other telephone number			

Continued from previous page				
* Brief description of premises	(See Guidance Note 2)			
Supermarket				
Section 3 of 9				
APPLICANT DETAILS				
* Are you the premises licence	holder/club premises certificate holder?			
Yes	○ No			
Are the applicants address and address and contact details give	d contact details the same as the premises ven in section 2?			
○ Yes	No			
Applicant Address				
Is the address the same as (or s	similar to) the address given in section one?	If "Yes" is selected you can re-use the details from section one, or amend them as		
Yes	○ No	required. Select "No" to enter a completely		
Duilding number or name		new set of details.		
Building number or name				
Street	Holly Lane			
District				
City or town	Atherstone			
County or administrative area Warwickshire				
Postcode	CV9 2SQ			
Country	United Kingdom			
Applicant Contact Details				
Are the contact details the san	Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details			
Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.		
E-mail	lisa.gilligan@freeths.co.uk			
Telephone number	01162481145			
Other telephone number				
Section 4 of 9				
PROPOSED VARIATION				
Would you like the variation to	take effect from as soon as possible?			
Yes	○ No			

Contin	ued from previous page				
	u want the proposed va luction of the late night		to have effect in rela	ation to the	
\bigcirc Ye	es	\odot	No		See guidance note 3.
advers	se effect on the promoti	on of a	ny of the licensing o	bjectives. (See Guida	you consider that they could not have an nce Note 1) This should include whether new ors (indoors may include a tent).
Detail	s of proposed variation(s) (See	Guidance Note 4)		
Amer	ndment to the current ap	oprove	d plan to show a rec	onfiguration to the til	ls.
Section	on 5 of 9				
OPER	ATING SCHEDULE				
See gu	uidance on regulated en	itertair	ment		
	those parts of the Oper all that apply)	ating S	schedule which woul	d be subject to chang	ge if this application to vary were successful
Provi	sion of regulated enter	rtainm	ent		
	a. plays				
	b. films				
	c. indoor sporting event	S			
	d. boxing or wrestling ei	ntertai	nments		
	e. live music				
	f. recorded music				
	g. performance of dance)			
	h. anything of a similar c	descrip	tion to that falling w	ithin (e), (f) or (g)	
Provi	sion of late night refre	shmer	t and alcohol		
i	i. late night refreshment				
	j. sale by retail of alcoho	I			This can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm.
Sectio	on 6 of 9				
ADDIT	TIONAL INFORMATION				
•	ou able to submit the proint part)?	emises	licence/club premise	es certificate (or	
Ye	es	\bigcirc N	0		
Are you able to submit a copy of the plan?					
Ye	es	○ N	0		This is necessary if the proposed variation will affect the layout.

Continued from previous page
Any further information to support your application. You should use this box to provide any additional evidence to support your claim that the proposed variation is `minor' and could not have an adverse impact on the promotion of the licensing objectives.
N/A
Section 7 of 9
NOTES FOR GUIDANCE

1. <u>General Note</u>: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) of the Licensing Act 2003 in a premises licence.
- 2. <u>Description of premises</u>: For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with 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 etc.
- 3. 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 to the late night levy.
- 4. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a `minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. (However, there is a box at the end of the form for `further information', and this should be used for any relevant background information not directly related to the variation.) Relevant information includes:
- a) **Variations to licensable activities/licensing hours** (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such as:
 - Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
 - Relevant further details, for example whether music will be amplified or unamplified;
 - Standard days and timing when the activity will take place, including start and finish times;
 - Any seasonal variations in timings, e.g. additional days during the summer; and
 - Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

- b) **Variations to premises/club layout**: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:
 - increase capacity for drinking on the premises;
 - affect access between the public part of the premises and the rest of the premises or the street or public way, e. g. block emergency exits or routes to emergency exits; or
 - impede the effective operation of a noise reduction measure.
- c) **Revisions**, **removals** and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).
- d) Variations to opening hours: Details of any changes to hours when the premises or club is open to the public.
- 5. <u>Further information</u>: You should use this box to provide any additional evidence to support your claim that the proposed variation is `minor' and could not have an adverse impact on the promotion of the licensing objectives.
- 6. Signatures: The application form must be signed.
- 7. <u>Authorised agent</u>: An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.
- 8. <u>2nd Applicant</u>: Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- 9. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.

Section 8 of 9

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 9 of 9

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £89

DECLARATION

I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Lisa Gilligan Freeths LLP

* Capacity

Solicitors for the applicant

* Date

O7 / 05 / 2024

dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to https://www.gov.uk/apply-for-a-licence/premises-licence/middlesbrough/change-8 to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY		
Applicant reference number		
Fee paid		
Payment provider reference		
ELMS Payment Reference		
Payment status		
Payment authorisation code		
Payment authorisation date		
Date and time submitted		
Approval deadline		
Error message		
Is Digitally signed		
1 <u>2</u> <u>3</u> <u>4</u>	<u>5</u> <u>6</u> <u>7</u> <u>8</u> <u>9</u> Next >	