



F B McArdle
Chief Executive
South Derbyshire District Council,
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH.

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@southderbyshiredc on Facebook

Please ask for Democratic Services
Phone (01283) 595722/ 595848
Typetalk 18001
DX 23912 Swadlincote
Democratic.services@southderbyshire.gov.uk

Our Ref
Your Ref

Date: 06 February 2023

Dear Councillor,

Licensing and Appeals Sub-Committee

Please find enclosed the agenda and supporting information for the Licensing and Appeals Sub-Committee meeting.

A Meeting of the **Licensing and Appeals Sub-Committee** will be held at **Council Chamber**, Civic Way, Swadlincote on **Monday, 13 February 2023** at **10:00**. You are requested to attend.

If you require any further information, please contact Democratic Services on the number shown above.

Yours faithfully,

A handwritten signature in black ink that reads "Frank McArdle".

Chief Executive

To: **Labour Group**
Councillor Gee (Chair)
Councillor Richards

Conservative Group
Councillor Watson



AGENDA

Open to Public and Press

- 1** Apologies
- 2** To note any declarations of interest arising from any items on the Agenda
- 3** HEARING FOR THE CONSIDERATION OF AN OBJECTION NOTICE TO A TEMPORARY EVENT NOTICE **3 - 25**

Exclusion of the Public and Press:

- 4** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item: 3

Hearing Date: 13 February 2023

Contact Officer: Emma McHugh

HEARING FOR THE CONSIDERATION OF AN OBJECTION NOTICE TO A TEMPORARY EVENT NOTICE

Premises User	Barrie Stevenson
Premises Name	Forester's Arms
Address	67 High Street Swadlincote Derbyshire DE11 8JA

1. PURPOSE

- 1.1 To consider an objection notice made by the Chief Officer of Police in response to a temporary event notice (TEN) made by Barrie Stevenson at the Forester's Arms in Swadlincote on 2nd February 2023. A copy of the TEN is attached at **Appendix 1**.

2. BACKGROUND

- 2.1 The premises user submitted a TEN on 2nd February 2023 regarding the intended use of the premises for licensable activities at the above premises. The nature of the event for which the notification has been received is 'St Patrick's Weekend'.

3. APPLICATION DETAILS

- 3.1 The TEN notifies the Licensing Authority that the above licensable activities will take place at the following days and times:

Activity	Days	Times
Sale by retail of alcohol for consumption on and off the premises, regulated entertainment and late-night refreshment	18 th and 19 th March 2023	00:00 to 01:00 on both dates

- 3.2 A permitted temporary activity is a licensable activity that is carried on in accordance with a temporary event notice under section 100 and in compliance with the provisions of Part 5 of the Licensing Act 2003.
- 3.3 A TEN is subject to various restrictions and limits. Where the requirements for obtaining a TEN cannot be met, the licensable activity can only be authorised by way of a premises licence.
- 3.4 Officers are satisfied that this TEN has been properly served and the criteria in respect of TENs have been met.

4. CONSULTATION RESPONSES

- 4.1 In respect of a TEN, if the Chief Officer of Police or Environmental Health is satisfied that allowing the premises to be used in accordance with the notice would undermine any of the licensing objectives, he must give a notice to the Licensing Authority and premises licence user detailing the reasons for the objection.
- 4.2 An objection notice has been received from the Chief Officer of Police on 3rd February 2023 on the grounds of prevention of crime and disorder. The Police request that the conditions from the premises licence are attached to the TEN as this would alleviate their concerns about the undermining of the licensing objectives. A copy of the objection notice is attached at **Appendix 2**.
- 4.3 It is only the Licensing Authority who is permitted to attach premises licence conditions to a TEN. Please note that the premises user has agreed to attaching their premises licence conditions to the TEN.

5. OTHER RELEVANT CONSIDERATIONS

- 5.1 The Authority should consider its responsibilities under the Crime and Disorder Act 1998, and the Human Rights Act 1998 when considering the fair balance between the interests of the applicant and the rights of local residents.
- 5.2 Any decision taken by the Sub-Committee must be appropriate and proportionate to the objective being pursued.
- 5.3 Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
- 5.4 When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance to the application of each representation.
- 5.5 In making its decision, Members must also have regard to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy. If Members depart from either, they must specify their reasons for doing so.

6. DETERMINATION

- 6.1 If having regard to the objection notice, the Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:
1. Allow the licensable activities to take place as stated in the TEN;
 2. Impose one or more of the existing licence conditions from the premises licence on the TEN (insofar as such conditions are not inconsistent with the event. A copy of the premises licence is attached at **Appendix 3**).
 3. Issue a counter notice under section 105 of the Licensing Act 2003 meaning that the event cannot take place.

8. RIGHT OF APPEAL

- 8.1 Members should note that the premises user or persons making representations have the right of appeal against any decision made by the Sub-

Committee. However, no appeal may be brought later than 5 working days before the day on which the TEN begins.

9. APPENDICES

1. Temporary Event Notice
2. Objection Notice from the Chief Officer of Police
3. Forester's Arms Premises Licence



**South Derbyshire
Temporary Event Notice
Licensing Act 2003**

For help contact
licensing@southderbyshire.gov.uk
Telephone: 01283 221000

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to 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

LW001096

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 behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Barrie

* Family name

Stevenson

* E-mail

Gareth.Cotton@stonegategroup.co.uk

Main telephone number

07716826294

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or 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 required. Select "No" to enter a completely new set of details.

- Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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 from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

No

E-mail

lucy.whitehouse@stonegategroup.co.uk

Telephone number

0774 1375216

Other telephone number

0121 817 7020

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

Yes

No

Address

Is the address the same as (or 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 required. Select "No" to enter a completely new set of details.

Yes

No

* Building number or name

Foresters Arms

* Street

67 High Street

District

* City or town

Swadlincote

County or administrative area

Derbyshire

* Postcode

DE11 8JA

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither

Premises licence

Club premises certificate

* Premises licence number

LAPRE/0051

Location Details

* Provide further details about the location of the event

Within the usual demise of the premises.

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Public House

Describe the nature of the event below (see also guidance on completing the form, note 5)

Extension of trading hours for St Patricks weekend.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

00:00 hrs to 01:00 hrs on both mornings.

(see also guidance on completing the form, note 10)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

220

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 11)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 12):

- On the premises only
 Off the premises only
 Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

n/a

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence?

- Yes No

Provide the details of your personal licence below.

Issuing licensing authority

North West Leicestershire Council

Licence number

NWL11479

Date of issue

/ /

dd mm yyyy

Any further relevant details

Page 10 of 25

Continued from previous page...

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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 £21

DECLARATION (See also guidance on completing the form, note 19)

* The information contained in this form is correct to the best of my knowledge and belief

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

Lucy Whitehouse on behalf of Barrie Stevenson

* Capacity

Licensing Coordinator on behalf of the applicant

* Date

01 / 02 / 2023
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/temporary-event-notice/south-derbyshire/apply-1> to upload this file and continue with your application.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="LW001096"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Police / Fire / Environmental Protection / Health and Safety / Child Protection / Trading
Standards/ Planning Authority/ Licensing Authority / Health Authority

Your Name	Stephen Phillips
Job Title	Pc 2815 Phillips Licensing Officer
Postal and email address	St Marys Wharf Police Station Chester Green Derby DE1 3AB.
Contact telephone number	07860825277

Name of the premises you are making a representation about	Foresters Arms
Address of the premises you are making a representation about	Swadlincote, Derbyshire.

Which of the four licensing objectives does your representation relate to?	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	Yes	<p>This is an application for Temporary Event Notice at the Foresters Arms on St Patricks Day weekend the 18th and 19th of March 2023 requesting an extra hour on the end of each day from 12 midnight to 01.00 hrs.</p> <p>This is a busy premises central to the Swadlincote night-time economy and over the last three months there have been incidents of a violent nature at the premises reported to police. One of these investigations is still ongoing.</p> <p>Without the premises licence conditions being transferred across onto the Temporary Event Notice there is a likelihood that the Licensing Objectives may be undermined.</p> <p>This would place the applicant in a precarious position in attempting to comply with and adhere to them whilst undermining the licensing objectives and the applicant's business.</p>
Public safety	Yes	As above
To prevent public nuisance	Yes	As above
To protect children from harm	Yes	As above

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing and Appeals Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

- 1. Full training shall be provided to all staff on commencement of employment relating to all age restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.**
 - a. Refresher training shall be provided at regular intervals – at least every 6 months.**
 - b. Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or other authorised person.**
 - c. All records must be written and shall be retained on the premise for a minimum of 12 months.**
- 2. A challenge 25 Proof of age scheme shall be operated at all times.**
 - a. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.**
 - b. The only acceptable forms of identification shall be:
 - PASS – accreditation proof of age card.
 - Photo Driving Licence.
 - Current Passport.**
 - c. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed within the premises.**
 - d. A system of recording sales refused under the proof of age scheme shall be operated at all times.**
 - e. The refusal book/log shall be kept on the premises for production upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
 - f. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.**
- 3. The DPS shall ensure that a written incident log is maintained within the premises and details of all incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.**
- 4. The DPS shall ensure that a written Refusals log is maintained within the premises and details of all challenges and refusals are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.**

- 5. The Premises Licence Holder or nominated person shall ensure that clear, prominent and legible notices are displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises, quietly and in an orderly manner respecting the needs of local residents.**
- 6. A CCTV system shall be always installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).**
- a. The CCTV recording system must be operating at all times when the premises are open for licensable activities.**
- b. All CCTV recordings must be retained for a minimum of 28 days. These images must be available for viewing at any reasonable time upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.**
- c. The Premises License Holder, Designated Premises Supervisor or person in charge of the premises must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).**
- d. The CCTV recording unit is to be kept secure, to be opened only by the Premises Licence holder, Designated Premises Supervisor, or authorised, designated member of staff.**
- e. Installed CCTV cameras are to be positioned so as to ensure that all parts of the premises to which the public has access are sufficiently covered (save for any toilet areas).**
- f. All cameras installed will be of a standard that will offer optimum image quality in low light.**
- g. All digital recordings to be made in real time (time lapse not to be used).**
- 7. No customer shall be allowed to remove any alcoholic or other drinks from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption indicated on a plan.**
- 8. Anyone under the age of 16 must be off the Premises by 20.00hrs. Unless at a pre-arranged function.**

Please return this form along with any additional sheets to the Licensing Section, South Derbyshire District Council, Council Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH or email to licensing@southderbyshire.gov.uk. This form must be returned within the Statutory Period. For more details please check with the Licensing Office on 01283 595 716/724/890

Premises Licence

Part A

Premises Licence Number **LAPRE/0051**

Part 1 – Premises Details

Postal Address of premises, or if none Ordnance Survey map reference or description

**The Foresters Arms
67 High Street
Swadlincote
Derbyshire
DE11 8JA**

Telephone Number

Where the licence is time limited the dates

Licensable Activities authorised by the licence

Sale by retail of alcohol for consumption on and off the premises

The times the licence authorises the carrying out of licensable activities

Sunday – Thursday: 10.00hrs – 23.00hrs

Friday & Saturday: 10.00hrs – 00.00hrs

**Christmas Day: 12.00hrs – 15.00hrs
19.00hrs – 22.30hrs**

From the end of permitted hours on New Year's Eve to the start of permitted hours New Year's Day.

The opening hours of the premises

Sunday – Thursday: 10.00hrs – 23.30hrs

Friday & Saturday: 10.00hrs – 00.30hrs

**Christmas Day: 12.00hrs – 15.20hrs
19.00hrs – 22.50hrs**

From the end of permitted hours on New Year's Eve to the start of permitted hours New Year's Day.

Where the licence authorises supplies of alcohol whether there are on and or off supplies

Sale by retail of alcohol for consumption on and off the premises

Date Issued: 13/10/2005

Date Last Amended: 08/08/2022

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

**The Craft Union Pub Company Limited
3 Monkspath Hall Road
Solihull
West Midlands
B90 4SJ**

Registered number of holder, for example company number, charity number (where applicable)

09429990

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Barrie Stevenson
Foresters Arms
67 High Street
Swadlincote
Derbyshire
DE11 8JA**

Personal licence number and Issuing Authority of personal licence held by designated premises supervisor where the premises authorises for the supply of alcohol

Reference: **NWL11479** Issued by: **North West Leicestershire Council**

Annex 1 – Mandatory Conditions

1. No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence or

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) Drink as much alcohol as possible (whether within a time limit or otherwise);

(b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) A holographic mark, or.

(b) An ultraviolet feature.

6. The responsible person must ensure that—

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) Beer or cider: ½ pint;.

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and.

(iii) Still wine in a glass: 125 ml;.

(b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and.

(c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8. For the purposes of the condition set out in paragraph 1—

(a) “Duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) “Permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$

Where—

(i) P is the permitted price,

(i) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "Relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) The holder of the premises licence,

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "Relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "Value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

9. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Annex 2 – Conditions consistent with operating schedule

1. Full training shall be provided to all staff on commencement of employment relating to all age restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

a. Refresher training shall be provided at regular intervals – at least every 6 months.

b. Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or other authorised person.

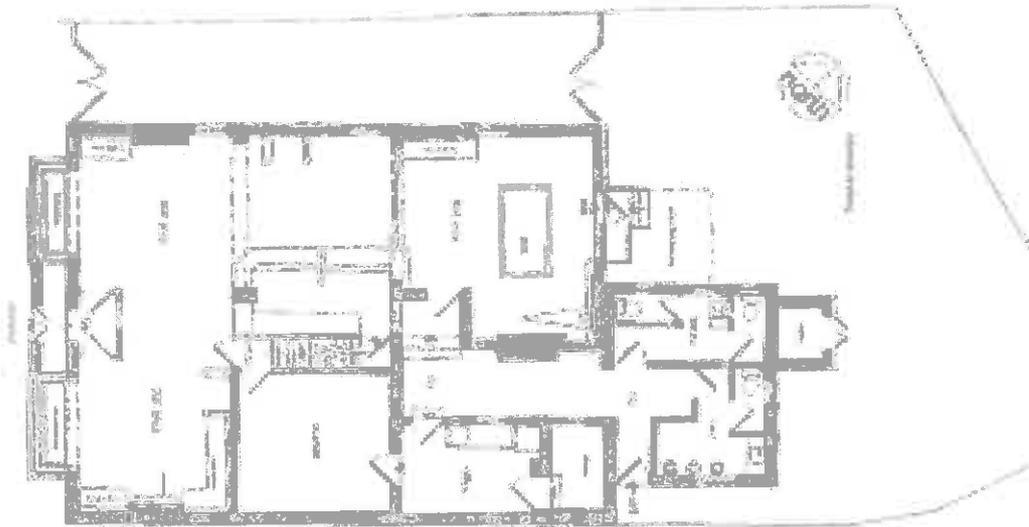
- c. All records must be written and shall be retained on the premise for a minimum of 12 months.
2. A challenge 25 Proof of age scheme shall be operated at all times.
 - a. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.
 - b. The only acceptable forms of identification shall be:
 - PASS – accreditation proof of age card.
 - Photo Driving Licence.
 - Current Passport.
 - c. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed within the premises.
 - d. A system of recording sales refused under the proof of age scheme shall be operated at all times.
 - e. The refusal book/log shall be kept on the premises for production upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.
 - f. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.
3. The DPS shall ensure that a written incident log is maintained within the premises and details of all incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.
4. The DPS shall ensure that a written Refusals log is maintained within the premises and details of all challenges and refusals are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or other authorised person.
5. The Premises Licence Holder or nominated person shall ensure that clear, prominent and legible notices are displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises, quietly and in an orderly manner respecting the needs of local residents.
6. A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
 - a. The CCTV recording system must be operating at all times when the premises are open for licensable activities.

- b. All CCTV recordings must be retained for a minimum of 28 days. These images must be available for viewing at any reasonable time upon request of a Police Officer or other authorised person as detailed within Section 13 of the Licensing Act 2003.
 - c. The Premises License Holder, Designated Premises Supervisor or person in charge of the premises must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).
 - d. The CCTV recording unit is to be kept secure, to be opened only by the Premises Licence holder, Designated Premises Supervisor, or authorised, designated member of staff.
 - e. Installed CCTV cameras are to be positioned so as to ensure that all parts of the premises to which the public has access are sufficiently covered (save for any toilet areas).
 - f. All cameras installed will be of a standard that will offer optimum image quality in low light.
 - g. All digital recordings to be made in real time (time lapse not to be used).
7. No customer shall be allowed to remove any alcoholic or other drinks from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption indicated on a plan.
8. Anyone under the age of 16 must be off the Premises by 20.00hrs. Unless at a pre-arranged function.

Annex 3 – Conditions attached after Hearing

Annex 4 – Plans

the foresters arms @ swadlincote



Proposed ground floor layout

4.1.1.1 79 sqm

Architectural drawing showing the proposed ground floor layout for the development. The drawing includes room labels and dimensions.

<p>DRD ARCHITECTURAL DRAWINGS</p>	
<p>Project Name: [illegible] Drawing No: [illegible] Date: [illegible]</p>	<p>Client: [illegible] Location: [illegible]</p>
<p>Scale: 1:50 Date: 15/11/18</p>	<p>Author: [illegible] Checker: [illegible] Approver: [illegible]</p>