



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

www.southderbyshire.gov.uk

@SDDC on Twitter

@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: 25 August 2022

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 **Committee Room**, Civic Way, Swadlincote on **Thursday, 08 September 2022** 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,

Chief Executive

To:- **Labour Group**
Councillor Gee and Councillor Dunn

Conservative Group
Councillor Haines



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 AN APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 **3 - 47**

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: 8 September 2022

Contact Officer: Emma McHugh

HEARING FOR AN APPLICATION FOR A PREMISES LICENCE TO BE VARIED UNDER THE LICENSING ACT 2003

Applicant's Name	Melbourne Community Centre Limited
Premises Name	Melbourne Assembly Rooms
Address	High Street Melbourne DE73 8DS

1. PURPOSE

- 1.1 To determine an application to vary a premises licence received by this Authority on 19th July 2022 from Melbourne Community Centre Limited. The application is attached at **(Appendix 1)**.

2. BACKGROUND

- 2.1 The applicant is seeking to vary the current premises licence to amend the plan to include the walled outdoor area as well as add the provision of plays, films, recorded music, performances of dance, and live music outdoors for the times listed in paragraph 3.1 below. The application also requests the removal of some conditions from the current premises licence. A copy of the current premises licence is attached at **(Appendix 2)**.

3. APPLICATION DETAILS

- 3.1 The applicant requests the Licensing Authority to permit the following outdoors only. The current hours permitted indoors will remain the same:

Activity	Days	Times
Plays	Monday Sunday	to 9am to 10.30pm
Films	Monday Sunday	to 9am to 10.30pm
Live music	Monday Sunday	to 9am to 10.30pm
Recorded music	Monday Sunday	to 9am to 10.30pm
Performance of dance	Monday Sunday	to 9am to 10.30pm

- 3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at section M of the application form.

4. CONSULTATION RESPONSES

- 4.1 No representations were received from any of the Responsible Authorities during the 28-day representation period.

4.2 Two representations were received from other persons.

Resident 1 Representation received during the 28 day consultation period. Full details can be found at **(Appendix 3)**.

Resident 2 Representation received during the 28 day consultation period. Full details can be found at **(Appendix 4)**.

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 The Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

1. Grant the licence in accordance with the application.
2. Modify the conditions of the operating schedule by altering or omitting or adding to them.
3. Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.
4. Reject the whole of the application.

6.2 The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises.

6.3 Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives and any such step must relate to any outstanding representation made.

6.4 If Members grant the application, the details of the operating schedule will be incorporated into the licence as conditions. The licence will also be subject to certain mandatory conditions.

7. RIGHT OF APPEAL

- 7.1 Members should note that the applicant or persons making representations have the right of appeal against any decision made by the Sub-Committee.

8. APPENDICES

1. Application form to vary the premises licence
2. Current premises licence
3. Representation from Resident 1
4. Representation from Resident 2

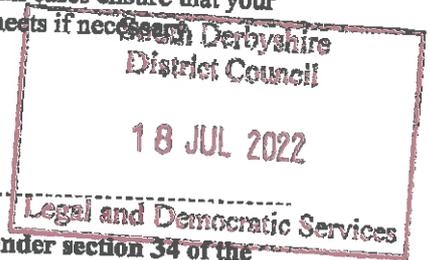
£100 paid by Cg - FTU

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 Melbourne Assembly Rooms
(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 SDDC 0014001 LAPRE/0105
--

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description High Street			
Post town	Melbourne	Postcode	DE73 8GF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	ZERO

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 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

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)

We wish to include our new walled outdoor area connecting to the main building via the Lounge, this is for taking drinks into the area and also for some licensed activities – cinema, music and plays. Note the supply of alcohol will still take place in the current licensed area.

Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.

All the timings notified on this form relate to the new outside area only, we wish to continue our current licence and times for all licensed activities taking place in our building

We also wish to remove the following conditions that are on our current licence

5. Access to the premises is restricted to members and their guests.
6. A visitors signing in log book shall be maintained on site; this log shall be inspected and signed off by the Designated Premises Supervisor or nominated representative at least once a week.

We are not a members only facility, we are a community venue open to all

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) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2230		Both	<input checked="" type="checkbox"/>
Tue	0900	2230			
			<u>Please give further details here</u> (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.		
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
			<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)		

edg
19/07/22

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	0900	2230		Please give further details here (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.	
Tue	0900	2230			
Wed	0900	2230	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	0900	2230			
Fri	0900	2230	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 7)		
Sat	0900	2230			
Sun	0900	2230			

60A
14/07/22

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Start	Finish
Mon	0900	2230		Outdoors	<input type="checkbox"/>
Tue	0900	2230		Both	<input checked="" type="checkbox"/>
			<u>Please give further details here</u> (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.		
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
			<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)		

19/07/22

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	0900	2230	Please give further details here (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.		
Tue	0900	2230			
Wed	0900	2230	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	0900	2230			
Fri	0900	2230	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 7)		
Sat	0900	2230			
Sun	0900	2230			

2/10/22
19/10/22

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2230	Please give further details here (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.	Both	<input checked="" type="checkbox"/>
Tue	0900	2230			
Wed	0900	2230	State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur	0900	2230			
Fri	0900	2230	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 7)		
Sat	0900	2230			
Sun	0900	2230			

CAA
19/10/22

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>		
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	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur					
Fri			<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>		
Sat					
Sun					
			<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>		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5) Wishing to be good neighbours, we would want all activities taking place in the new outside area to cease at 22.30.	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

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 type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			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 7)		

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>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	0900	2330	<p><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)</p>
Tue	0900	2330	
Wed	0900	2330	
Thur	0900	2330	
Fri	0900	2400	
Sat	0900	2400	
Sun	0900	22.30	

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.

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.

Could you please note, after consultation with the Police and their licensing officers, Stephen Phillips I have also attached their proposed conditions which we are happy to adhere to

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Personal Licence holder on the premises at all times, Designated Premises Supervisor nominated; sufficient number of staff on the premises to cover longer hours & busy times when entertainment is provided; regular training of staff.

Could you please note, after consultation with the Police and their licensing officer, Stephen Phillips I have also attached their proposed conditions which we are happy to adhere to

b) The prevention of crime and disorder

Sufficient number of door supervisors (If required); plastic cups & bottles used externally; regular glass collections; request photographic identification to control underage drinking; garden furniture secured to a fixed object; taxi booking service provided; CCTV in place; car park patrol.

c) Public safety

Annual gas safety check up to date health & safety policy & risk assessments; asbestos survey of premises; employers & public liability insurance in place; sufficient lighting internally & externally; regular fire checks & servicing of fire detection & extinguishing equipment; emergency procedures in place; designated smoking/non-smoking areas; good housekeeping procedures in place; use lobbied entrances if available.

d) The prevention of public nuisance

signage in place asking people to leave quietly, make regular sound checks inside & outside of the premises, position speakers away from external walls, ensure the entertainers are aware of any noise restrictions placed on them prior to commencement.

e) The protection of children from harm

Restrict areas where children allowed, no children to go into the bar area, restrict hours when children are allowed on the premises, provide play areas and children's rooms with entertainment where practical

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or x
- 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. x
- I understand that I must now advertise my application. x
- I have enclosed the premises licence or relevant part of it or explanation. x
- I understand that if I do not comply with the above requirements my application will be rejected. x

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	
Date	July 12 th 2022
Capacity	

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 14). 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 15)			
A C HEAFIELD, MELBOURNE ASSEMBLY ROOMS, HIGH STREET			
Post town	MELBOURNE	Post code	DE73 8GF
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

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. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. 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.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. 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 or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Proposed Annex 2 conditions

MELBOURNE ASSEMBLY ROOMS, HIGH STREET, MELBOURNE DERBYSHIRE.

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.

Prominent, clear and legible notices will be displayed outside licensed areas, encouraging customers to respect 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.

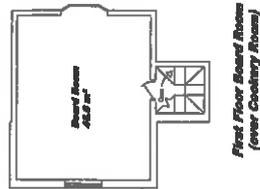
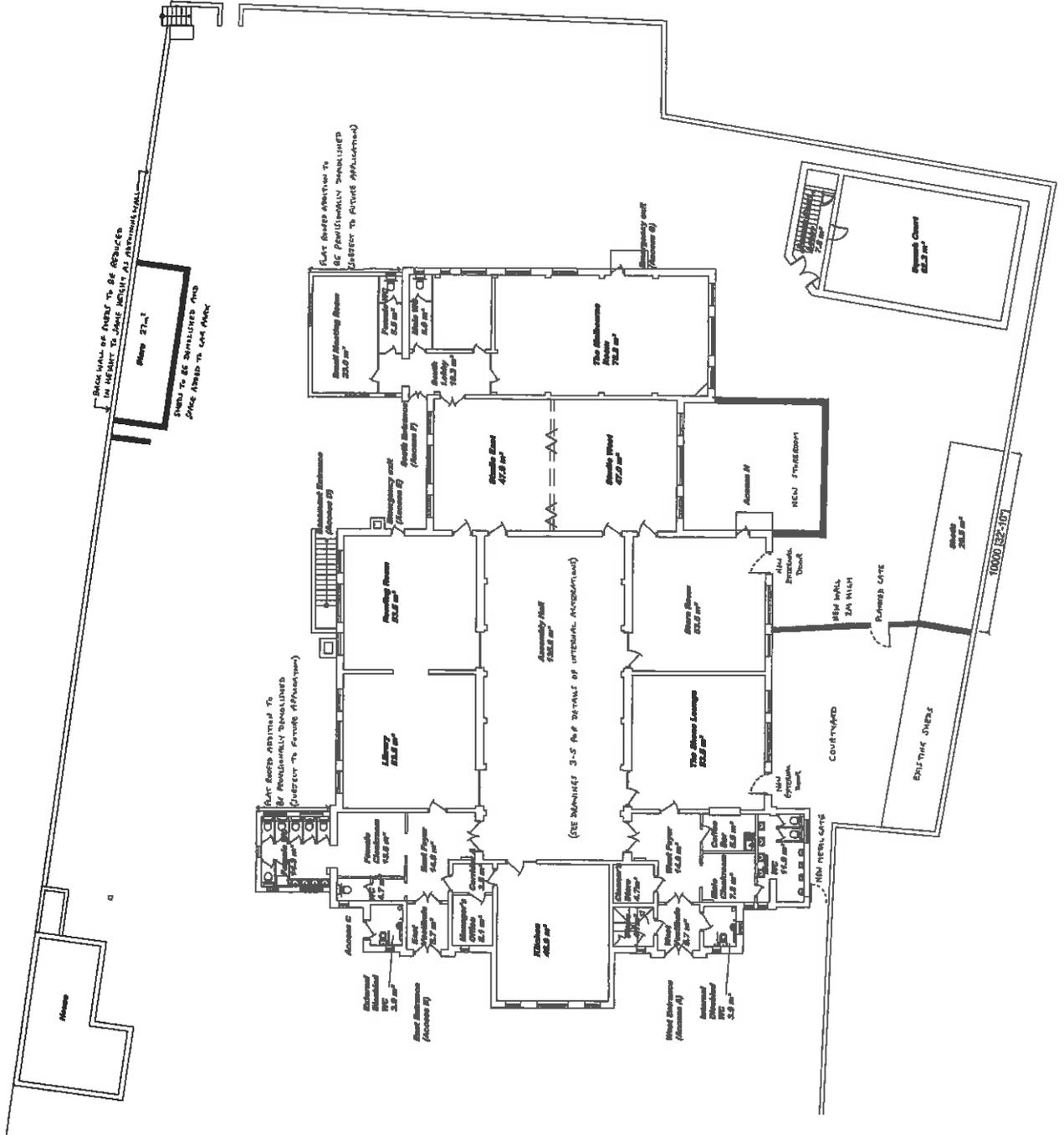
8) There shall be no persons under the age of 18 on the premises after 2100 hours unless attending a pre-arranged function.

a. Prior to this time each person aged 16/17 will be supervised by a responsible adult if on the premises after 2000 hours.

b. Any person under the age of 16 will be supervised at all times by a responsible adult when the premises is primarily being used for the sale of alcohol.

9) The premises supervisor will ensure an active participation in a 'Pubwatch' scheme where such a scheme exists.

ALL DIMENSIONS IN MM



PROPOSED ALTERATIONS AND IMPROVEMENTS AT MELBOURNE ASSEMBLY ROOMS AND LIBRARY
(formerly the Bill Shone Leisure Centre and Library)

DRAWING NO. 2. PROPOSED SITE PLAN

Scale 1:100 @ A1

Elements of new build and demolition are filled in black.

Date Issued: 12/10/2005
Date Last Amended: 17/01/2013

Licensing Act 2003 Premise Licence

Premise Licence Number **SDDC/ 001401**

Part 1 – Premise Details

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

**Melbourne Assembly Rooms
High Street
Melbourne
Derbyshire
DE73 8GF**

Telephone Number **01332 863522**

Where the Licence is time limited the dates **Not Applicable**

Licensable Activities authorised by the licence

Plays – Indoors	Live Music – Indoors
Exhibition of Films – Indoors	Recorded Music – Indoors
Indoor Sporting Events	Activities similar to Live Music, Recorded Music, or the Performance of Dance – Indoors
Late Night Refreshment – Indoors	Provision of facilities for Making Music – Indoors
Supply of Alcohol – On Sales	

The times the licence authorises the carrying out of licensable activities

<u>Plays</u>	Mon – Thurs	09.00hrs – 11.30hrs
	Friday & Saturday	09.00hrs – 12.00hrs
	Sunday	09.00hrs – 11.00hrs

<u>Films</u>	Mon – Thurs	09.00hrs – 11.30hrs
---------------------	--------------------	----------------------------

<u>Indoor Sporting Events</u>	Mon – Friday	16.00hrs – 22.00hrs
	Saturday	09.00hrs – 17.00hrs
	Sunday	09.00hrs – 22.00hrs

**Live Music, Performance of Dance, Facilities for Making Music, and activities similar to Live Music,
Recorded Music, and the Performance of Dance**

	Mon – Thurs	17.00hrs – 23.00hrs
	Friday	17.00hrs – 24.00hrs
	Saturday	12.00hrs – 24.00hrs
	Sunday	12.00hrs – 22.30hrs

<u>Recorded Music</u>	Mon – Thurs	17.00hrs – 22.00hrs
	Friday	17.00hrs – 24.00hrs
	Saturday	12.00hrs – 24.00hrs
	Sunday	12.00hrs – 22.30hrs

Cont...

<u>Performances of Dance</u>	Mon – Thurs	17.00hrs – 23.00hrs
	Friday	17.00hrs – 24.00hrs
	Saturday	12.00hrs – 24.00hrs
	Sunday	12.00hrs – 22.30hrs

<u>Dancing</u>	Mon – Thurs	12.00hrs – 22.00hrs
	Friday & Saturday	12.00hrs – 24.00hrs
	Sunday	12.00hrs – 22.30hrs

Facilities for entertainment similar to Making Music and Dancing, Supply of Alcohol

	Mon – Thurs	12.00hrs – 23.00hrs
	Friday & Saturday	12.00hrs – 24.00hrs
	Sunday	12.00hrs – 22.30hrs

<u>Late Night Refreshment</u>	Friday & Saturday	23.00hrs – 24.00hrs
--------------------------------------	------------------------------	----------------------------

Seasonal Variations

The terminal hour will be extended until midnight on all Bank Holidays, Christmas Eve, and New Years Eve

The opening hours of the premises

Monday – Thursday	09.00hrs – 23.00hrs
Friday & Saturday	09.00hrs – 24.00hrs
Sunday	09.00hrs – 22.30hrs

Seasonal Variations

The terminal hour will be extended until midnight on all Bank Holidays, Christmas Eve, and New Years Eve

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

Sale by Retail of Alcohol for consumption on the premises

Part 2

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

Melbourne Community Centre Limited
High Street
Melbourne
Derbyshire
DE73 8GF

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

7552481

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

Andrew Heafield
72 Queens Way
Melbourne
Derbyshire
DE73 8GF

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

Reference: **SDDC/21978**

Issued by: **South Derbyshire District Council**

Annex 1 - Mandatory Conditions

Sale of Alcohol

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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible drink promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible drink 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 in a manner which carries a significant risk of leading or contributing to crime & disorder, prejudice to public safety, public nuisance, or harm to children.
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act.
 - (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.
 - (d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can be reasonably be considered to

condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reasonable disability)

5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

6. a. The premise licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premise in relation to the sale or supply of alcohol.

b. 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 a holographic mark.

7. The responsible person shall ensure that –

a. where any of the following alcoholic drinks 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 –

- (1) beer or cider: ½ pint;
- (2) gin, rum, vodka or whisky: 25ml or 35 ml; and
- (3) still wine in a glass: 125 ml; and

b. customers are made aware of the availability of these measures

Exhibition of Films

1. Where a premise licence authorises the exhibition of films, then the admission of children to the exhibition should be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

3. Where:-

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by the licensing authority.

4. Children is defined as persons aged under 18; and film classification body means the person or persons designated as the authority under Section 4 of the Video

Recordings Act 1984 (C.39)(authority to determine suitability of video works for classification)

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.
2. A Challenge '25' proof of age scheme shall be operated at all times the sale of alcohol is ongoing.
3. The only acceptable forms of identification shall be:
 - Photo Driving Licence
 - Current British/UK Passport
4. A system of recording sales refused under the proof of age scheme shall be operated at all times.
5. Access to the premises is restricted to members and their guests.
6. A visitors signing in log book shall be maintained on site; this log shall be inspected and signed off by the Designated Premises Supervisor or nominated representative at least once a week.

Embedded Restrictions – Public Entertainment Licence

The licence is subject to South Derbyshire District Council's Standard Conditions for Places of Public Entertainment, which is attached for your guidance.

The maximum permitted number(s) of persons allowed when regulated entertainment is taking place is (are) as follows:

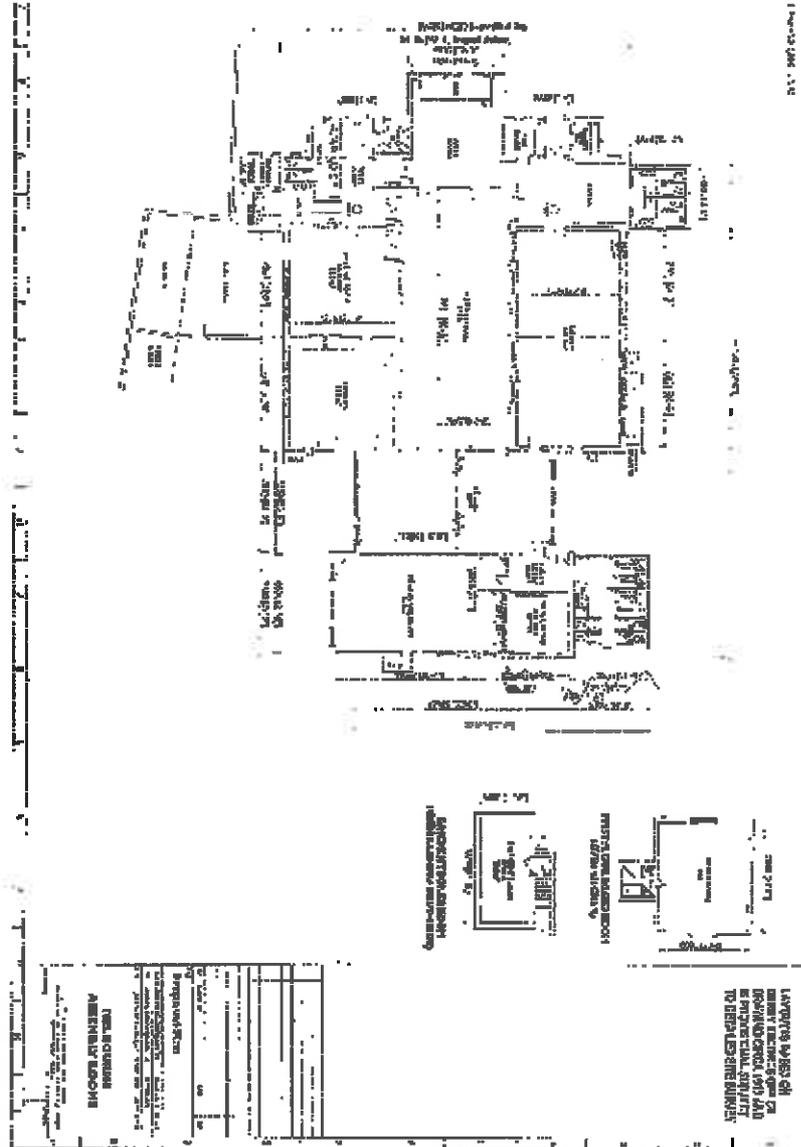
Main Hall	- 250
Double Room	- 50

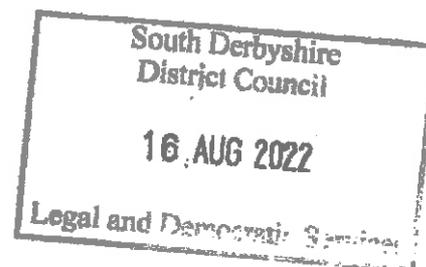
The occupancy to include ALL persons employed within the premises and ALL persons resorting to the premises.

Annex 3 – Conditions attached after Hearing

None

Annex 4 – Plans



Resident 1

SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003

Representation by an "Other Person" as defined by the above Act.

Note: Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

You may request that the Licensing Authority withholds some or all of your details, however, the withholding of details will only be considered in exceptional circumstances where the Licensing Authority believes there to be a genuine and well-founded fear of intimidation. Any person who wishes the Authority to consider withholding their details is advised to contact the Licensing Department prior to submitting this form.

An "other person" can make representations against a relevant licence application. Representations may be made on behalf of the above by a representative e.g. MP, solicitor, or a friend.

Please indicate in which capacity you are making this representation by ticking a box below:

- An individual person
- A body representing a person e.g. Solicitor
- A person involved in a business
- A body representing a business

Representations are only relevant to an application if they relate to at least one of the four **Licensing Objectives** listed below:

1. **The Prevention of Crime and Disorder**
2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority. This period is reduced to the expiry of the 9th working day after the application was given for minor variation applications.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	[REDACTED]
Address:	[REDACTED]
Postcode:	[REDACTED]
Tel:	[REDACTED]
E-mail:	[REDACTED]

Please confirm name and address of person, represented person or business affected, if different from the address given above: i.e. this could be a shop premise in the vicinity but you do not live at the shop premises.

Name:	MELBOURNE COMMUNITY CENTRE CO
Address:	MELBOURNE ADDITIONAL ROOMS HIGH ST, MELBOURNE, DERBYSHIRE. DE73 8DQ
Postcode:	DE73 8DQ

Address of premises in application causing concern, which you wish to make a representation about

Name of Applicant:	[REDACTED]
Address of Premises:	[REDACTED]
Application Details:	OUTDOOR LICENSING ACTIVITIES, PROPOSED BEER GARDEN.

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box/es:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

<input checked="" type="checkbox"/>

Details of representation.....

MARCH 2021: WORK to increase parking spaces in Melbourne Assembly Rooms CARRAGE WAS completed to create more spaces.

Fast forward to August²⁰²² and I WAS shocked to see the spaces made are going to be turned into a 'BEER GARDEN' at the back of the carriage.

This area of the carriage was once used, regularly, by young teenagers to smoke drugs, we had to contact the police on a number of occasions because of public disorders. In the wake of the announcement to erect a Beer garden public disorders and general noise from this area will seemingly cause disruption to an area that is seen as private, but the area is next door to our house.

We have also seen bottles thrown over the wall, smashing one of our door windows, and whilst there might not be young people drinking on the premises, the likelihood of boisterous behaviour is inevitable.

It is also very baffling why a beer garden is needed when across the road the Melbourne Inn had had a beer garden for many years?

The general disruption the Thursday market causes to the nearby quiet carriage is bad enough, why add this extra obstacle to this tranquil area.

If possible please suggest alterations to the application/licence that would resolve the problem mentioned above, again paying attention to the licensing objectives

We all the already established Brewery in
the village and leave the current as it is.

Once the Licensing Section has received this form you will receive a written acknowledgement and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

If referred to a sub committee hearing:

Please tick this box if you do not intend to be present

Please tick this box if you do not intend to be represented

Please tick this box if you would like to remain anonymous

If you wish to withdraw your representation you may do so by confirming this in writing before the end of the last day of the 28 day consultation period.

Signed: ... 

PRINT NAME: ... 

Date: 14.8.22

Please return this form to the following address:

South Derbyshire District Council
PO Box 6927
Civic Offices
SWADLINCOTE
DE11 0AH

Or e-mail the completed form to licensing@southderbyshire.gov.uk

South Derbyshire
District Council

16 AUG 2022

Legal and Democratic Services



SOUTH DERBYSHIRE DISTRICT COUNCIL

Licensing Act 2003Representation by an "Other Person" as defined by the above Act.

Note: Please be aware that this form may be viewed by the Applicant or by a representative of the Applicant. It may also be read out in public at the sub-committee hearing.

You may request that the Licensing Authority withholds some or all of your details, however, the withholding of details will only be considered in exceptional circumstances where the Licensing Authority believes there to be a genuine and well-founded fear of intimidation. Any person who wishes the Authority to consider withholding their details is advised to contact the Licensing Department prior to submitting this form.

An "other person" can make representations against a relevant licence application. Representations may be made on behalf of the above by a representative e.g. MP, solicitor, or a friend.

Please indicate in which capacity you are making this representation by ticking a box below:

- An individual person
- A body representing a person e.g. Solicitor
- A person involved in a business
- A body representing a business

Representations are only relevant to an application if they relate to at least one of the four Licensing Objectives listed below:

1. The Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. The Protection of Children from Harm

Representations may be made at any time during a period of 28 consecutive days starting on the day after the application was given to the Licensing Authority. This period is reduced to the expiry of the 9th working day after the application was given for minor variation applications.

In the case of a closure order issued by the Police, representations may be made during the seven days that follow relevant notice being given to the Local Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	[REDACTED]
Address:	[REDACTED]
Postcode:	
Tel:	[REDACTED]
E-mail:	

Please confirm name and address of person, represented person or business affected, if different from the address given above: i.e. this could be a shop premise in the vicinity but you do not live at the shop premises.

Name:	Melbourne Community Centre Ltd
Address:	Melbourne Assembly Rooms High St Melbourne Derbys DE738DS
Postcode:	DE73 8DS

Address of premises in application causing concern, which you wish to make a representation about

Name of Applicant:	[REDACTED]
Address of Premises	[REDACTED]
Application Details:	Outdoor licensable activities - Proposed beer garden - seating area

Please give details of your representation in the box below. Indicate which of the Licensing Objectives your representation refers to by ticking the relevant box/es:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

<input checked="" type="checkbox"/>

Details of representation.....

Dear Members of the Licensing Authority I wish to object to the application of a beer garden/seating area, and licensable activities at the Assembly Rooms High Street Melbourne.

The reasons for my objections are as follows:

- 1 . Our four bedroom windows are directly above the proposed seating area.
- 2 . We already have to put up with foul language when events are held.
- 3 . Groups of party goers congregate outside the doors, our family are unable to sit in our seating area due to noise and very bad language.
- 4 . Children are in bed by 7:30 - 8:00pm with bedroom windows open for fresh air.

It goes without saying when people attend wedding parties etc, they get tanked up. With loud laughter, sometimes aggressive and argumentative behaviour, we already experience these side effects.

Over the past decade there has never been any door staff or requests for persons to leave the parties quietly.

It is with great sadness that I have to object as the application displays total disregard of our family dwelling and all who live here.

The bad language that we already hear is simply not fit for our young children, please do not allow this thoughtless, selfish and hair-brained idea to go forward.

If this application was unanimously agreed by the Assembly Rooms committee, shame on them. Please do not let them do it.

Someone needs to be a stabilising influence upon them.

Please help.



If possible please suggest alterations to the application/licence that would resolve the problem mentioned above, again paying attention to the licensing objectives



Once the Licensing Section has received this form you will receive a written acknowledgement and you may be contacted to discuss the issue prior to any referral to a sub-committee hearing.

If referred to a sub committee hearing:

Please tick this box if you do not intend to be present

Please tick this box if you do not intend to be represented

Please tick this box if you would like to remain anonymous

If you wish to withdraw your representation you may do so by confirming this in writing before the end of the last day of the 28 day consultation period.

Signed: 

PRINT NAME 

Date: 15 - 8 - 22

Please return this form to the following address:

South Derbyshire District Council
PO Box 6927
Civic Offices
SWADLINCOTE
DE11 0AH

Or e-mail the completed form to licensing@southderbyshire.gov.uk