

21st May 2018

Dear Councillor,

Licensing and Appeals Sub-Committee

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

The **Licensing and Appeals Sub-Committee** will meet on **Wednesday, 30 May 2018**, in the **Council Chamber** at the Civic Offices, Civic Way, Swadlincote. The meeting will commence at **10:00**.

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

Yours faithfully,



F.B. McArdle
Chief Executive

To:- **Conservative Group**
Councillor Muller

Labour Group
Councillor Rhind

Independent / Non-Grouped Member
Councillor Tipping

AGENDA

Open to Public and Press

- 1** Appointment of Chairman.
- 2** Apologies.
- 3** To note any declarations of interest arising from any items on the Agenda.
- 4** HEARING FOR AN APPLICATION FOR A PREMISES LICENCE **3 - 57**
TO BE GRANTED UNDER THE LICENSING ACT 2003 -
NATIONAL FOREST SPRING WATER LTD
- 5** HEARING FOR AN APPLICATION FOR A PREMISES LICENCE **58 - 93**
TO BE GRANTED UNDER THE LICENSING ACT 2003 - SUMMER
GATHERING FESTIVAL LTD

Exclusion of the Public and Press:

- 6** 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: 4

Hearing Date: 30th May 2018

Contact Officer: Faye Tucker – 01283 595724

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

Applicants Name	The National Forest Spring Water Ltd
Premises Name	Highfields
Address	Cockshut Lane Melbourne Derbyshire DE73 8DG

1. PURPOSE

- 1.1 To determine an application to grant a premises licence received by this Authority on the 5th April 2018 from The National Forest Spring Water Ltd. The application is attached at **(Appendix 1)**.

2. BACKGROUND

- 2.1 The applicant is seeking to be granted a premises licence for the sale by retail of alcohol for the times stated in paragraph 3.

3. APPLICATION DETAILS

- 3.1 The applicant requests the Licensing Authority to permit the following:

Activity	Days	Times
Sale by retail of alcohol for consumption off the premises	Monday - Sunday	00.00hrs – 24.00hrs
Opening hours of the premises	Monday - Sunday	00.00hrs – 24.00hrs

- 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 Representations were received from the Responsible Authorities.

Derbyshire County Council Trading Standards

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

South Derbyshire District Council Licensing Department

Page 3 of 93

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

4.2 3 representations were received from other persons.

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

Ms A Hackett Representation received during the 28 day consultation period. Full details can be found at **(Appendix 5)**.

Mrs P Brown Representation received during the 28 day consultation period. Full details can be found at **(Appendix 6)**.

5. AGREEMENT BETWEEN PARTIES

5.1 Derbyshire County Council Trading Standards & South Derbyshire District Council Licensing Department have now agreed conditions with the applicant and have subsequently withdrawn their representations as shown at **(Appendix 7)** and **(Appendix 8)**.

6. OTHER RELEVANT CONSIDERATIONS

6.1 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.

6.2 Any decision taken by the Sub-Committee must be appropriate and proportionate to the objective being pursued.

6.3 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.

6.4 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.

6.5 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.

7. DETERMINATION

7.1 The Sub-Committee must take such of the following steps as it considers appropriate 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.

- 7.2 The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises.
- 7.3 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.
- 7.4 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.

8. RIGHT OF APPEAL

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

9. APPENDICES

1. Application for a premises licence to be granted under the Licensing Act 2003
2. Representation from Derbyshire County Council Trading Standards
3. Representation from South Derbyshire District Council Licensing Department
4. Representation from Mrs Iliffe
5. Representation from Mrs Hackett
6. Representation from Mrs P Brown
7. Withdrawal of representation from Derbyshire County Council Trading Standards
8. Withdrawal of representation from South Derbyshire District Council Licensing Department

**Application for a premises licence to be granted
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 DAVID WILLIAM SMITH
(insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>HIGHWAYS</u> <u>COCKSHUT LANE</u> <u>MENBORNE DREBT</u>			
Post town		Postcode	<u>DE13 8 DS</u>
Telephone number at premises (if any)		<u>01332 862699</u>	
Non-domestic rateable value of premises		<u>£13250</u> <u>£190.00</u>	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	THE NATIONAL FOREST SPRING WATER CO LTD
Address	HIGHFIELD COCKSHUT LANE MENBOURNE DESBY DE73 8DG
Registered number (where applicable)	4426417
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY
Telephone number (if any)	01332 862699
E-mail address (optional)	SALES@NATIONALFORESTSPRINGWATER.CO.LTD

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
31	05	2018

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

NATIONAL FOUR SPRING WATER SELLING
A SMALL SELECTION OF GIN AND VODKA
FLAVOURED SPIRITS. OFF THE PREMISES ONLY
PURCHASES TO MADE VIA INTERNET AND
PHONE PRIMARLY.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- N/A
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5) N/A		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5) <div style="text-align: center; font-size: 2em;">N/A</div>		
Thur					
Fri			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 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
			N/A
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 4)	
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur			N/A		
Fri			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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur			N/A		
Fri			<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 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 4)	
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur			N/A		
Fri			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 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5) N/A		
Thur					
Fri			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 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p> <p style="text-align: center; font-size: 2em;">N/A</p>	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Sat			<p>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 (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

N/A

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	000	2400						
Tue	000	2400	NONE					
Wed	000	2400						
Thur	000	2400						
Fri	000	2400						
Sat	000	2400						
Sun	000	2400						
						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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	DAVID WILLIAM SMITH	
Date of birth	15/5/1952	
Address	HIGHFIELD BAEN COCKSHU: KANE MELBOURNE DR251	
Postcode	DE73 8DS	
Personal licence number (if known)		
Issuing licensing authority (if known)	SOUTH DORSETSHIRE	

□□□□

K

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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	000	2400	<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 6)
Tue	000	2400	
Wed	000	2400	
Thur	000	2400	
Fri	000	2400	
Sat	000	2400	
Sun	000	2400	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

AS PER ATTACHED CONDITIONS AGREED
WITH DFBOT CONSTABULARY

b) The prevention of crime and disorder

SECURE BUILDING

c) Public safety

NO SALES TO BE CONSUMED ON
SITE

d) The prevention of public nuisance

NOT SELLING FOR CONSUMPTION ON SITE

e) The protection of children from harm

NOT OPEN TO CHILDREN

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	4/4/18
Capacity	M/O

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

David Smith

From: David Smith <sales@nationalforestspringwater.co.uk>
Sent: Thursday, January 11, 2018 12:28 PM
To: 'Paternoster, Mark, 14100'
Subject: RE: Licence Conditions

Thanks Mark

Kind Regards

David Smith
The National Forest Spring Water Co
Highfields
Cockshut Lane
Melbourne
Derbys
DE73 8DG
Tel 01332 862699 Mob 07855 436178

From: Paternoster, Mark, 14100 [mailto:Mark.Paternoster.14100@Derbyshire.PNN.Police.UK]
Sent: Thursday, January 11, 2018 12:10 PM
To: sales@nationalforestspringwater.co.uk
Subject: Licence Conditions

Afternoon,

As per our conversation yesterday, in the event of applying for a license I would ask for the following conditions to be included on the application:

1. Alcohol shall only be sold directly to customers visiting the premise where the customer has pre-ordered the alcohol and is merely collecting the alcohol on an appointment basis. Any other sale of alcohol shall be made solely in order to appropriate that alcohol to an order or contract previously agreed and effect the onward delivery (i.e. Internet/mail order).
2. The Premise licence holder or DPS shall ensure that there is a system in place to verify the age of the person to whom any alcohol is sold, to prevent the sale to a person under the age of 18.
3. All deliveries will be made using a reputable courier who must have a policy in place for age verification, on delivery.
4. The premise licence holder or DPS shall ensure that where alcohol is stored at the premise, the alcohol is stored in such a way that only authorised members of staff who are over the age of 18 have access to the store.
5. Any person employed with regards to the sale of alcohol shall be trained in all procedures and aware of the premise licence conditions and age verification policy.
6. A 'Challenge 25' age verification policy will be operated at the premises with regards to the sale of alcohol.
7. Where an order is received over the telephone, the customer will be informed that the alcohol will only be delivered to a person aged 18 or over and that the 'Challenge 25' policy will be used.
8. Where orders are placed online, the customer will be required to confirm that they are aged 18 or over and informed that the alcohol will only be delivered to a person aged 18 or over.

9. A system of recording refused sales shall be operated at all times. This shall include sales refused at the point of order and at the point of delivery.
10. Full training is to be provided by the Designated Premises Supervisor or a nominated person 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.
11. Refresher training will be provided at regular intervals (at least every six months). Records detailing all training 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 as defined in the Licensing Act 2003.
12. Should a CCTV system be installed, all CCTV recordings must be retained for a period of no less than 28 days. These images must be available for viewing at a reasonable time upon request of a Police Officer or other authorised person as defined in the Licensing Act 2003.
13. Should a CCTV system be installed, the Premises Licence Holder, Designated Premises Supervisor or other nominated person must be able to retrieve and copy relevant recordings/images at the time of asking or within 48 hours if so required.
14. Should a CCTV system be installed, the CCTV recording unit is to be kept secure, to be opened only by the Premises Licence Holder, Designated Premises Supervisor or other nominated person.
15. All cameras installed will be of a standard that will offer an optimum image quality in low light.
16. All digital recordings are to be made in real time (time lapse is not to be used).

Due to the limited retail sales, I am not going to insist CCTV is fitted however, as discussed, should you decide to install CCTV I would insist that the system complies with the above conditions.

If you feel for whatever reason that you were not able to comply with the above conditions or wish to alter or amend them, please let me know so we can have a discussion and update them.

Kind regards,

Mark

PC 14100 M Paternoster
Derbyshire Constabulary
Licensing Enforcement Officer
St Marys Wharf Police Station
Prime Parkway
Chester Green
Derby
DE1 3AB

Tel. 101
Office. 0300 122 6067
Mobile. 07860 826 205

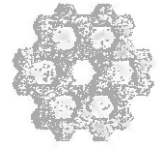
Integrity Performance Responsibility Innovation



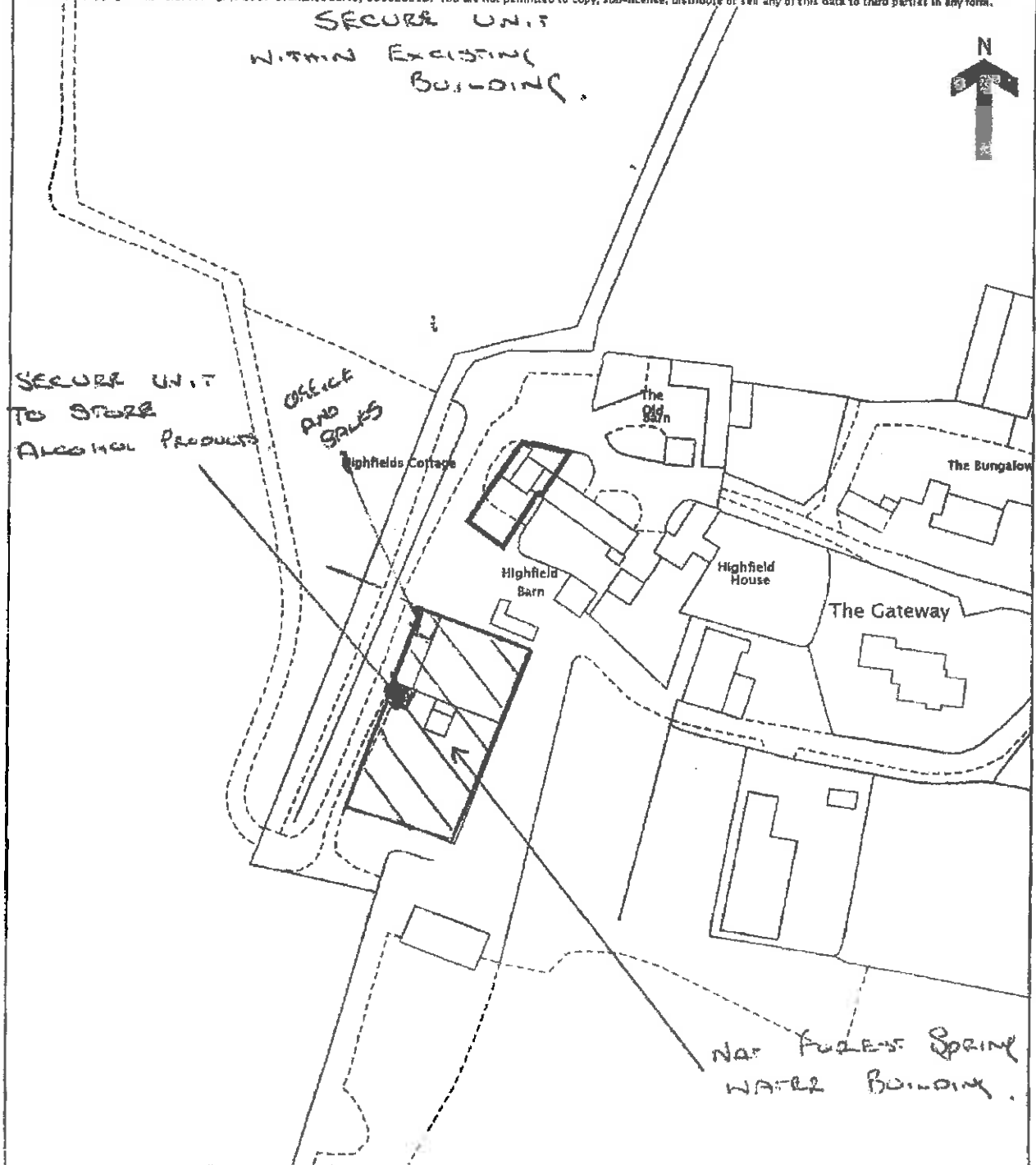
Police Link Officers for Deaf people (PLOD)

HM Land Registry
Official copy of
title plan

Title number DY512768
Ordnance Survey map reference SK3725SW
Scale 1:1250 enlarged from 1:2500
Administrative area Derbyshire : South
Derbyshire



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HIGHFIELDS
COCKSHUT LANE
NEWBOLTON
DARBY DE73 8DG

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[Handwritten signature]
11/1/18

SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable): Trading Standards

Name	Clair Dathan
Job Title	Trading Standards Officer
Postal and email address	Derbyshire County Council Trading Standards Chatsworth Hall, Chesterfield Road, Matlock, Derbyshire DE4 3FW Clair.dathan@derbyshire.gov.uk
Contact telephone number	01629 539848

Name of the premises you are making a representation about	The National Forest Spring Water Co Ltd
Address of the premises you are making a representation about	Highfields, Cockshut Lane, Melbourne, Derby DE73 8DG

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	No	
Public safety	No	
To prevent public nuisance	No	
To protect children from harm	Yes	I note from the application that conditions have been agreed with Derbyshire Constabulary for the retail outlet. However, the application indicates that the intention is to sell alcohol predominantly over the phone or website but no steps have been included to prevent the sale of alcohol to under 18's where the products are delivered.

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	All deliveries will be carried out by an operator who undertakes to operate the Challenge 25 verification policy. There will be a statement on the website that the alcohol will not be delivered to a person aged under 18 and that Challenge 25 will be operated. The same statement will be made to any person who orders alcohol by telephone. Records shall be kept of refusals made. These records shall be kept for a minimum of 2 years and made available to authorised officers. The DPS shall inspect the refusal records at least weekly, take any necessary action, note what action was taken and sign and date the records.
---	---

Beckett

Signed:

Date: 18.4.18

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@south-derbys.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Office on 01283 595 716/890/724

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

Name	Mark Lomas
Job Title	Licensing Officer
Postal and email address	Licensing Authority, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH. mark.lomas@south-derbys.gov.uk
Contact telephone number	01283 595890

Name of the premises you are making a representation about	The National Forest Spring Water Co.Ltd
Address of the premises you are making a representation about	'Highfields', Cockshut Lane, Melbourne, Derbyshire, DE73 8DG

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	Planning permission was granted to the company and premises in 2002 subject to certain conditions being complied with, namely hours of delivery to and from the premises. As 'agent of change' it would be remiss not to ensure that the premises licence conditions mirror the planning permission conditions.
Public safety	Yes	The access to the premises is via a single track unlit carriageway bordered by grass verges and adjacent to a number of residential dwellings. Vehicular traffic including Heavy/Light goods vehicles travelling outside of normal business & daylight hours coupled with any vehicle having to pull over to allow the passing manoeuvre along this access route would lead to public safety issues for all involved.
To prevent public nuisance	Yes	Extra vehicular traffic including Heavy/Light goods vehicles travelling along this route and in particular outside of daylight hours would lead to an increase in traffic thereby leading to the prejudice of the enjoyment of the occupiers private dwellings.
To protect children from harm	No	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ol style="list-style-type: none"> Members of the public shall only be allowed access to the premises Monday to Friday 0900hrs to 1700hrs and Saturday 0900hrs to 1200hrs. Members of the public shall not be allowed access to the premises on Sundays, Bank Holidays and Public Holidays. No deliveries shall be taken at or despatched from the premises outside of the following times; Monday to Friday 0800hrs to 1800hrs Saturday 0800hrs to 1300hrs. <p align="center">Page 84 of 93</p>
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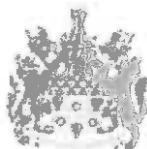
	premises on Sundays, Bank Holidays and Public Holidays.
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Signed:



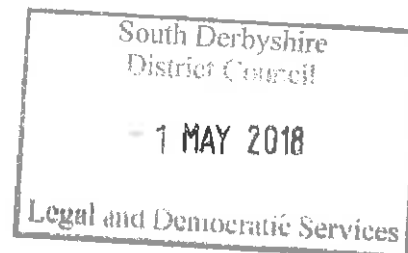
Date: 1st May 2018

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@south-derbys.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Office on 01283 595 716/890/724



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:	MRS L K. IUFFE
Address:	

Postcode:	
Tel:	
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:	
Address:	
Postcode:	

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

Name of Applicant:	NATIONAL FOREST SPRINGWATER CO.
Address of Premises	HIGHFIELDS, COCKSHUT LANE MELBOURNE DERBYSHIRE DE73 8AQ
Application Details:	

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

Details of representation..... Increase in Traffic Danger to local children and people walking along the drive. Prevention of noise and the nuisance of endless lorries going up, down	The traffic has increased recently and will increase more so, as some one would have to pick up the water to be treated then it has to come back to be re-sold, our lane, has the public walking along as the holiday let, encouraging more people, we have recently had a lorry back down our private drive smashing down our walnut tree this has happened twice we have photos to prove it, also a large lorry reversed out onto Cockshut lane, opposite a sports centre, very dangerous, as young children are walking up to the centre to play football tennis etc. I also have photos of all the cars parked on the road at the end of our road, which is so dangerous when the large lorries pull out, we have small children living opposite to us, they will eventually have to walk to get on the school bus and the increase in traffic will put them in danger, The road down to the National Forest springwater co, is a single lane making it difficult when lorries are coming down, as there is no passing point,
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and these vehicles are travelling up and down constantly at unsociable hours i.e. before 7am and up to 7pm onwards and this is a small hamlet and residential area.

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

I really think someone should come to see the proposed area for the licence application, and I feel sure it will make you realize our concern.

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: MRS LINDA KATHLEEN TUFFE.....

Date: 28.4.2018.....

Please return this form to the following address:

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

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 22100

Office of the
Traffic Commissioner

David Beaton
Caseworker
Licensing Team 1
Office of the Traffic Commissioner
North Western Traffic Area Office
Hillcrest House
386 Harehills Lane
Leeds
LS9 6NF
DIRECT LINE: 0113 254 3285
FAX: 0113 248 9814
GTN CODE:
E-MAIL: david.beaton@vosa.gov.uk

Our Ref: OC1057855

26/09/2007

THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995
APPLICANT: MAESTRO INTERNATIONAL LTD
OPERATING CENTRE: Highfields, Cockshut Lane, Melbourne, Derbyshire, DE73 8DG

I refer to previous correspondence regarding your representation against the above application.

I can now advise you that after careful consideration of correspondence from all parties, and the findings of a Traffic Examiner's report concerning the operating centre, this application has been granted with the following four conditions under Sections 21 & 23(2)(c) of the above Act, and one undertaking under Section 34:

- 1) There shall be no operation, movement, loading or unloading of authorised vehicles before 08.00 hours and after 18.00 hours Mondays to Fridays. There shall be no operation, movement, loading or unloading of authorised vehicles on Saturdays, Sundays & Bank Holidays.
- 2) There shall be no maintenance of authorised vehicles carried out at the operating centre.
- 3) Authorised vehicles shall make no more than one journey out of the operating centre, and one journey into the operating centre, each day.
- 4) Authorised vehicles shall be rigid in type.
- 5) Any operations outside of the licence conditions must be reported to the Traffic Commissioner within 14 days of their occurrence, with an explanation as to the exceptional circumstances requiring such movements.

In making her decision, the Traffic Commissioner noted that the applicant is seeking to operate two rigid vehicles, which will be replacing a number of smaller vehicles which the company is currently using outside the terms of operator licensing. Whereas these vehicles are presently making two return trips to Highfields each day, the two authorised vehicles will be making only one.

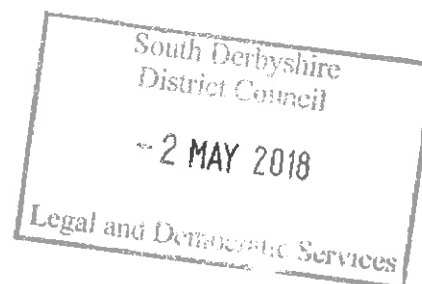


A Traffic Examiner visited the site in order to assess the technical suitability, and found that it was suitable to be used as an operating centre for the authorisation which has been applied for, albeit for rigid vehicles only. The Traffic Commissioner was also aware that Highfields is currently specified as an operating centre on a valid Operator's Licence.

The Traffic Commissioner proposed the above conditions to the operator, who has agreed to abide by each one. These conditions will ensure that the vehicles will only enter and leave the site once per weekday, and during sociable hours. There will be no operation at weekends and Bank Holidays, and no maintenance of the vehicles will be carried out at Highfields.

Thank you for the interest you have shown in this matter.

Yours sincerely



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.

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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:	Alison Hackett
Address:	
Postcode:	
Tel:	
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:	
Address:	
Postcode:	

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

Name of Applicant:	David Smith
Address of Premises	National forest Spring water, Highfields, Cockshot Lane, Melbourne
Application Details:	Sale of alcohol from Premises above

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

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

The National forest Springwater should have a restriction on the type of lorries allowed down the drive. Arctic lorries should be prevented, which was the original intent of the planning application. Transport limit to 7.5 Tonne vans.

The 400m private drive off Lockshot Lane - the mouth/opening onto Lockshot Lane should be made 2 way and therefore out going and incoming traffic can pass safely. This will prevent lorries backing up on Lockshot lane causing a hazard to oncoming traffic.

The drive could be made 2 way entirely or passing places should be present allowing cars / lorries / vans to pass.

The pedestrian footpath could be made a long side of the road to allow residents, children and the public to walk safely. The drive also provides access to walks within the national forest and therefore the public will be using the driveways to access the ~~the~~ public footpaths at the bottom of the drive, which is next to the national forest Springwater premises.

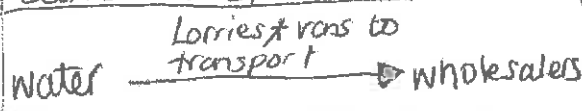
The alcohol could be made and distributed off site and therefore reducing the traffic to national Springwater

We do not have any issues in selling on line from the premises. The issue arises with the traffic / Arctic lorries involved in the alcohol distribution. It is this that poses a danger to the public and children. Do you want a fatality before this is considered?

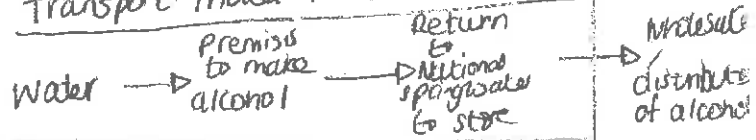
Details of representation.....

We are objecting to the permit to sell alcohol on the premises of National Springwater due to the significant additional traffic it will bring down a single track residential drive. Currently the distribution of water gives rise to huge Arctic Lorries travelling up and down a single track drive with no passing places. The drive is around 400m in length and is narrow with grass verges. Currently lorries are forced to reverse when other traffic is oncoming which is dangerous and destructive. The mouth to the private drive opens onto Cockshot Lane. Again this is single access with a dangerous hidden bend. Although speed limit is 40mph, cars race down at 60mph +. There have been accidents on this road and our neighbour wrote her car off coming out of the drive onto Cockshot Lane, proving how dangerous this is. There is the high school bus stop on the opposite side and Melbourne Sporting Partnership with children using the path/access routes. Increasing the traffic, particularly Arctic lorries will only increase the danger on this road to children. I have 2 children and they use the access route for walking and riding bikes. There is no footpath, walkway down the drive and therefore they have to walk on the road where the lorries / vans drive. We also have had 2 cats killed by traffic on the private drive, near our house. The Arctic lorries are driving past our house as early as 6am and even on Saturday mornings, which I am sure contravenes the original permission of access. Our neighbours have photos of lorries trying to turn round and using their own driveway. Domestic driveways are not tarmaced to take the weight of large Arctic lorries.

Current transport model



Transport model if allowed to sell alcohol



This shows the traffic of vans and lorries to treble

Licensing Section,

Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH

01283 221000

Page 47 of 93

The Arctic lorries are 6 metres and around 10m in length which is too big for the single track lane to National Springwater

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.

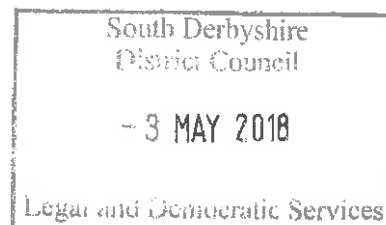
Signed:

PRINT NAME:..... Alison Hackett

Date: 1st may 2018.

Please return this form to the following address:

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



SOUTH DERBYSHIRE DISTRICT COUNCIL

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

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

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2. **Public Safety**
3. **Prevention of Public Nuisance**
4. **The Protection of Children from Harm**

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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:	MRS. P. M. BROWN
Address:	

Postcode:
Tel:
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:
Address:
Postcode:

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

Name of Applicant:	NATIONAL FOREST SPRING WATER CO.
Address of Premises	HIGHFIELDS, COCKSHUT LAKE MELBOURNE DE 73 8DG.
Application Details:	LICENSING

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

Details of representation.....	
<u>ACCESS</u>	Highfields Drive is single lane traffic so making it difficult to enter if a vehicle is exiting, & vice versa.
<u>National Forest walking area.</u>	We have the public walking here
<u>Sports centre</u>	We have the sports centre approx 100 yds up the road on a blind bend there is a 40mph limit which is very often not adhered to. Last year my Volvo 7 seater 850 estate was written off by a car coming from Robinsons Hill, on CCTV the brake lights never came on. I have been driving for 59 yrs & had no points on my licence or accidents on the public highway.
<u>Increase in Traffic</u>	The amount of traffic will triple in 10 years as we have water treated

Safety

Council involvement

down here who will be walking up the drive to catch the school bus & back again in the future

A site visit to see the drive & access from the main road is a real necessity.

There are conditions already applying to the water business (see enclosed copy of letter from North Western Traffic Area office) Will these still be applied?

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

management 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: PATRICIA BROWN

Date: 28/4/18

Please return this form to the following address:

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

Licensing Section,
Civic Offices, Civic Way, Swadlincote Derbyshire DE11 0AH
01283 22100

Office of the
Traffic Commissioner

MRS P M BROWN
THE PINES
HIGHFIELDS
COCKSHUT LANE
MELBOURNE
DERBYSHIRE
DE73 8DG

David Beaton
Caseworker
Licensing Team 1
Office of the Traffic Commissioner
North Western Traffic Area Office
Hillcrest House
386 Harehills Lane
Leeds
LS9 6NF
DIRECT LINE: 0113 254 3285
FAX: 0113 248 9814
GIN CODE:
E-MAIL: david.beaton@vosa.gov.uk

Our Ref: OC1057855

26/09/2007

Dear Mrs Brown

THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995
APPLICANT: MAESTRO INTERNATIONAL LTD
OPERATING CENTRE: Highfields, Cockshut Lane, Melbourne, Derbyshire, DE73 8DG

I refer to previous correspondence regarding your representation against the above application.

I can now advise you that after careful consideration of correspondence from all parties, and the findings of a Traffic Examiner's report concerning the operating centre, this application has been granted with the following four conditions under Sections 21 & 23(2)(c) of the above Act, and one undertaking under Section 34:

- 1) There shall be no operation, movement, loading or unloading of authorised vehicles before 08.00 hours and after 18.00 hours Mondays to Fridays. There shall be no operation, movement, loading or unloading of authorised vehicles on Saturdays, Sundays & Bank Holidays.
- 2) There shall be no maintenance of authorised vehicles carried out at the operating centre.
- 3) Authorised vehicles shall make no more than one journey out of the operating centre, and one journey into the operating centre, each day.
- 4) Authorised vehicles shall be rigid in type.
- 5) Any operations outside of the licence conditions must be reported to the Traffic Commissioner within 14 days of their occurrence, with an explanation as to the exceptional circumstances requiring such movements.

In making her decision, the Traffic Commissioner noted that the applicant is seeking to operate two rigid vehicles, which will be replacing a number of smaller vehicles which the company is currently using outside the terms of operator licensing. Whereas these vehicles are presently making two return trips to Highfields each day, the two authorised vehicles will be making only one.



A Traffic Examiner visited the site in order to assess the technical suitability, and found that it was suitable to be used as an operating centre for the authorisation which has been applied for, albeit for rigid vehicles only. The Traffic Commissioner was also aware that Highfields is currently specified as an operating centre on a valid Operator's Licence.

The Traffic Commissioner proposed the above conditions to the operator, who has agreed to abide by each one. These conditions will ensure that the vehicles will only enter and leave the site once per weekday, and during sociable hours. There will be no operation at weekends and Bank Holidays, and no maintenance of the vehicles will be carried out at Highfields.

Thank you for the interest you have shown in this matter.

Yours sincerely

David Beaton

**Licensing Act 2003
Premises Licence Application – #
Notification to Local Authority of agreement regarding
Representations**

To: Licensing Authority Office

Date: 26.4.18

Dear Sir/Madam

I write in my capacity as the Trading Standards Officer for Derbyshire County Council

Discussions have taken place with the application in relation to the promotion of the licensing objectives.

I understand that the applicant has formally amended their application to include the following conditions:

All deliveries will be carried out by an operator who undertakes to operate the Challenge 25 verification policy.
There will be a statement on the website that the alcohol will not be delivered to a person aged under 18 and that Challenge 25 will be operated.
The same statement will be made to any person who orders alcohol by telephone.
Records shall be kept of refusals made. These records shall be kept for a minimum of 2 years and made available to authorised officers.
The DPS shall inspect the refusal records at least weekly, take any necessary action, note what action was taken and sign and date the records.

On this basis, please accept this notice as formal notification to withdraw my representation to the above premises licence application. Furthermore, I confirm that I do not consider a hearing to be necessary.



Signed...

...Name in block CLAIR DATHAN.....

Date.....26.4.18.....

**Licensing Act 2003
Premises Licence Application – Notification to Local Authority of
agreement regarding Representations**

To: Licensing Authority Office

Date: 2nd May 2018

Dear Madam

I write in my capacity as the Licensing Officer for South Derbyshire District Council Licensing Authority.

Discussions have taken place with the application in relation to the promotion of the licensing objectives.

I understand that the applicant has formally amended their application to include the following conditions:

- 1. Members of the public shall only be allowed access to the premises between the following days and hours;**

Monday to Friday - 0900hrs to 1700hrs

Saturday -0900hrs to 1200hrs

Members of the public shall not be allowed access to the premises on Sundays, Bank Holidays or Public Holidays.

- 2. No deliveries shall be taken at or despatched from the premises outside of the following days and hours;**

Monday to Friday – 0800hrs to 1800hrs.

Saturday – 0800hrs to 1300hrs.

No deliveries shall be taken or despatched from the premises on Sundays, Bank Holidays or Public Holidays.

On this basis, please accept this notice as formal notification to withdraw my representation to the above premises licence application. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed : 

Name in block capitals : MARK LOMAS

Date : 25/2018

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item: 5

Hearing Date: 30th May 2018

Contact Officer: Faye Tucker – 01283 595724

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

Applicants Name	Summer Gathering Festival Limited
Premises Name	Summer Gathering Festival & Madchester
Address	Elvaston Castle Country Park Showground Borrowash Road Elvaston Derby DE72 3EP

1. PURPOSE

- 1.1 To determine an application to grant a premises licence received by this Authority on the 6th April 2018 from Summer Gathering Festival Ltd. The application is attached at **(Appendix 1)**.

2. BACKGROUND

- 2.1 The applicant is seeking to be granted a premises licence for live music, recorded music, performances of dance, anything similar to live music, recorded music & performance of dance, late night refreshment and the sale by retail of alcohol for the times stated in paragraph 3.

3. APPLICATION DETAILS

- 3.1 The applicant requests the Licensing Authority to permit the following:

Activity	Days	Times
Live music, recorded music, performance of dance and anything similar to live music, recorded music & performance of dance (Indoors & outdoors)	Saturday 18 th August 2018	12.00hrs – 01.00hrs
	Sunday 19 th August 2018	11.00hrs – 00.00hrs
Late night refreshment (Indoors & outdoors)	Saturday 18 th August 2018	23.00hrs – 00.30hrs
Sale by retail of alcohol for consumption on the premises	Saturday 18 th August 2018	12.30hrs – 00.30hrs
	Sunday 19 th August 2018	11.30hrs – 23.30hrs
Opening hours of the premises	Saturday 18 th August 2018	11.00hrs – 02.00hrs
	Sunday 19 th August 2018	10.00hrs – 01.00hrs

- 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 Three representations were received from the Responsible Authorities.

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

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

Health & Safety Enforcement Representation received during the 28 day consultation period. Full details can be found at **(Appendix 4)**.

5. AGREEMENT BETWEEN PARTIES

5.1 The Environmental Health Department has now agreed conditions with the applicant and have subsequently withdrawn their representation as shown at **(Appendix 5)**.

6. OTHER RELEVANT CONSIDERATIONS

6.1 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.

6.2 Any decision taken by the Sub-Committee must be appropriate and proportionate to the objective being pursued.

6.3 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.

6.4 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.

6.5 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.

7. DETERMINATION

7.1 The Sub-Committee must take such of the following steps as it considers appropriate 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.

- 7.2 The Sub-Committee may also grant the licence subject to different conditions for different parts of the premises.
- 7.3 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.
- 7.4 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.

8. RIGHT OF APPEAL

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

9. APPENDICES

1. Application for a premises licence to be granted under the Licensing Act 2003
2. Representation from Environmental Health
3. Representation from Derbyshire Constabulary
4. Representation from Health & Safety Enforcement
5. Withdrawal of representation from Environmental Health



**South Derbyshire
Application for a premises licence
Licensing Act 2003**

For help contact
licensing@south-derbys.gov.uk
Telephone: 01283 221000

* required information

Section 1 of 21

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 This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on 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

* Family name

* E-mail

Main telephone number 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.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name: 35 Colworth House
Street: Colworth Park
District: Sharnbrook
City or town: Bedford
County or administrative area:
Postcode: MK44 1LQ
Country: United Kingdom

Contact Details

E-mail: mark@summergatheringfestival.com
Telephone number: +447901777053
Other telephone number:
* Date of birth: 11 / 03 / 1973
 dd mm yyyy
* Nationality: British

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 18 / 08 / 2018
 dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end 20 / 08 / 2018
 dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Elvaston Castle is a stately home in Elvaston, Derbyshire, England. The Gothic Revival castle and surrounding parkland is run and owned by Derbyshire County Council as a country park known as, Elvaston Castle Country Park. The park spans over 200 acres of varied landscape, including beautiful woodland, gardens and open parkland. It offers a wide variety of facilities, from a riding centre and showground to caravan and camp sites. A permanent nature trail has been made there and part of the park.

Continued from previous page...

The park now regularly hosts large events on its showground such as the County Show and steam rallies.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Amplified live music using short throw directional pa systems

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

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.

Amplified recorded music using short throw directional pa systems.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Musical performances may be accompanied by performances of dance.

Amplified recorded music using short throw directional pa systems.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Continued from previous page...

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Continued from previous page...

MC, host, compere and the like.

Amplified recorded music using short throw directional pa systems.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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.

Continued from previous page...

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Provision to sell refreshments to event customers from designated licensed areas including catering trailers and marquees.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

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Start

End

FRIDAY

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End

SATURDAY

Start

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End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Mark Paul

Family name

Lambert

Date of birth

11 / 03 / 1973

dd mm yyyy

Enter the contact's address

Building number or name

78

Street

Bennetthorpe

District

City or town

Doncaster

County or administrative area

Postcode

DN2 6AD

Country

United Kingdom

Personal Licence number
(if known)

LN/201301012

Issuing licensing authority
(if known)

Doncaster Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

5G2018-DS

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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End

FRIDAY

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SATURDAY

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SUNDAY

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End

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The proposed events are as follows:

Saturday 18th August 2018 Summer Gathering dance music festival over 18's only.

Sunday 19th August 2018 Madchester family tribute music event.

The event will be ticketed. Security staff and stewards will be present on site to ensure the safety of persons present and to help prevent crime and disorder. All structures and stage areas will be erected and maintained by professional contractors who will ensure that all structures are in accordance with the relevant British Safety Standards. Alcohol will only be served on site to adults - Challenge 25 policy will be implemented. Security staff and bar staff will monitor alcohol consumption to prevent drunken behaviour.

b) The prevention of crime and disorder

A reputable and experienced SIA-accredited security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder. Alcohol sales will be approved by the Designated Premises Supervisor. A Challenge 25 policy will be implemented. All alcohol consumption will be monitored by bar staff and SIA security staff. Safe maximum numbers of attendees (as prescribed by the H&S officer and agreed with the Fire Officer) will not be exceeded.

c) Public safety

The event site will fully accord with HSE guidance and public safety is paramount. The event site will also accord with Fire Safety measures. Security and stewards will ensure that emergency vehicle access to the site is maintained at all times. Security and stewards will also ensure that emergency exits from the site are kept clear at all times. The Health and Safety Officer will have absolute power of veto where they are not satisfied with any measures proposed to ensure public safety.

d) The prevention of public nuisance

The proposed live and recorded music will operate between the hours of Saturday 18th August 12:00 – 01:00 and Sunday 19th August 11:00 - 24:00. A qualified and suitably experienced Noise Management Consultancy will be appointed to produce a Noise Management Plan and provide a representative on site during sound checks and throughout the festival. Local residents will receive prior notification of the event including details of the event timings. A noise "hot line" number will also be included to allow residents to contact an event representative should they need to make a complaint. The appointed security company will provide and implement a Crowd Dispersal Policy to prevent public nuisance as attendees

Continued from previous page...

leave the event.

e) **The protection of children from harm**

The event is a ticketed, 18+ music festival on Saturday 18th August and no age limit family tribute band event on Sunday 19th August 2018. All minors to be accompanied by a suitable adult on Sunday 19th August. A Challenge 25 policy will be in force on all bars on both 18th and 19th August events. There will be no adult or other unsuitable activity taking place during the festival that would be visible to children passing the event.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an Immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

- 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.

Section 21 of 21

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.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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
* Capacity
* Date / /
 dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
 2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/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.

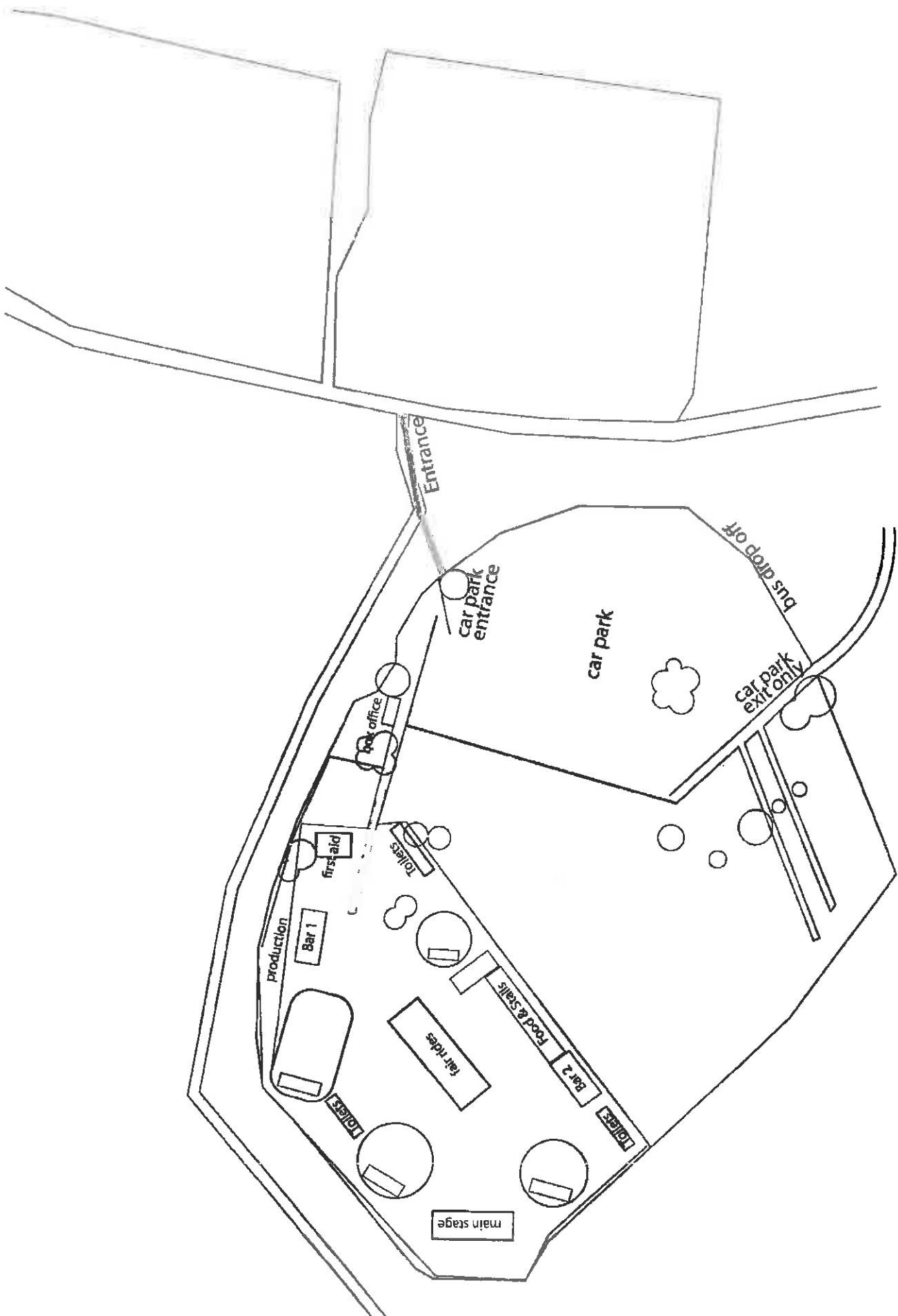
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	SG2018
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >



REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):
 Environmental Health Department

Name	John Mills
Job Title	Senior Environmental Health Officer
Postal and email address	Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH John.mills@south-derbys.gov.uk
Contact telephone number	01283 595903

Name of the premises you are making a representation about	Elvaston Castle Summer Gathering Festival & Madchester
Address of the premises you are making a representation about	Elvaston Castle Country Park Showground, Borrowwash Road, Elvaston

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	No	
Public safety	No	
To prevent public nuisance	Yes	There is insufficient information submitted with the application to detail how the applicant will ensure that public nuisance from noise will be prevented.
To protect children from harm	No	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ol style="list-style-type: none"> 1. <i>At least 28 days before the commencement of licensed activities, a Noise Management Plan will be submitted and agreed with South Derbyshire District Council Environmental Health, which will describe the noise controls which will be taken to ensure that the noise conditions in this licence are complied with.</i> 2. <i>The event organisers must employ a competent person to monitor and assess noise from the event. Those person(s) responsible for noise control must be on site and operational during all hours when music noise from licensed activities is occurring. Outside of these hours, members of staff nominated to the Licensing Authority must be available to be contacted in the event of noise complaints being received outside these hours. Their details and direct contact number must be made available to the Environmental</i>
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Health Department.

- 3. Between 10:00hrs to 23:00hrs, the Music Noise Level (MNL) expressed as a 15 minute LAeq shall not exceed 65dBA taken as a free field measurement at locations agreed in the noise management plan.**
- 4. Between 23:00hrs to 01:00hrs, the Music Noise Level (MNL) expressed as a 5 minute LAeq shall not exceed 42dBA taken as a free field measurement at locations agreed in the noise management plan.**
- 5. During the event, the organiser shall operate an attended noise complaint telephone line through which contact can be made regarding noise concerns. This phone number shall be publicised to the surrounding communities in a manner to be agreed with the Licensing Authority and provided to the Environmental Health teams at both South Derbyshire District Council and Derby City Council for contact to be made should noise levels be considered unacceptable during the event.**



Signed:
30.04.2018

Date:

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@south-derbys.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Office on 01283 595 716/890/724

Tel: 101
Text Relay: 18001 101
www.derbyshire.police.uk

Contact: PC 14100
M Patmoester
Direct Tel: 0300 122 6067
Our ref: PID 7443
Your ref: Licence
Application

Friday 4th May 2018

The Licensing Authority
South Derbyshire District Council
Civic Officers
Civic Way
DE11 0AH

Dear Sirs,

RE: Licence Application, Summer Gathering Festival, Elvaston Castle Country Park Show Ground, Borrowwash Road, Elvaston, Derby, DE72 3EP

Please accept this correspondence as notification that it is the intention of the Chief Officer of Police to object to the above licence application for the Summer Gathering Festival, Elvaston Castle Country Park Show Ground, Borrowwash Road, Elvaston, Derby, DE72 3EP.

The Chief Officer of Police received the above application on the 6th April 2018. The application is for an event from the 18th of August 2018 until 20th August 2018. The event on the 18th August 2018 has been described as an over 18's dance and music festival. The event on the 19th August 2018 has been described as a family music event and the application has been submitted by Mark LAMBERT.

The licence proposes being open to the public on the Saturday 18th August 2018 from 11:00 hrs to 02:00 hrs on Sunday 19th August 2018 and then again from 10:00 hrs on the Sunday 19th August 2018 until 01:00 hrs on Monday 20th August 2018. The notice has been submitted for the provision of live music, recorded music, dance, late night refreshment and alcohol.

Specifically, in relation to the alcohol sales, it is proposed that the sale of alcohol will take place on Saturday 18th August 2018 from 12:30 hrs and 00:30 hrs on Sunday 19th August 2018 and then again from 11:30 hrs to 23:30 hrs on Sunday 19th August 2018.



Tel: 101
Text Relay: 18001 101
www.derbyshire.police.uk

The Police have examined the proposed operating schedule included in the application and have contrasted the requested licensable activities and proposed hours with the steps to be taken at Section "M" of the schedule.

The Chief Officer has concerns that the information provided in the application does not give sufficient information to set out how the four licensing objectives are going to be upheld or how the event is going to be managed.

It can reasonably be expected that with alcohol being available for twelve hours on both days that there will be a proportion of people who become drunk which causes an elevated issue in relation to crime and disorder.

The steps proposed in the application do not appear to extend further than those required by law or regulation and do not provide the Police with any confidence that proper regard has been taken at this time to the promotion of the four licensing objectives. There are far too many questions unanswered particularly for a "one off" festival of this size at this location.

It is the opinion of the Chief of Police that this application should not be granted in light of the above information and the lack of an agreed event management plan.

Yours faithfully,



PC 14100 M Paternoster
Derbyshire Constabulary
Licensing Enforcement Officer
St Marys Wharf Police Station
Prime Parkway
Chester Green
Derby
DE1 3AB

Tel. 101
Office. 0300 122 6067
Mobile. 07860 826 205

Integrity    Responsibility Innovation



Police Link Officers for Deaf people (POLLO)



SOUTH DERBYSHIRE DISTRICT COUNCIL
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority (please delete as applicable):

Health and Safety Ref 6447

Name	Mark Toplass
Job Title	Food and Health & Safety Officer
Postal and email address	Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH Mark.toplass@south-derbys.gov.uk
Contact telephone number	01283 595786

Name of the premises you are making a representation about	Elvaston Castle Summer Gathering Festival & Madchester
Address of the premises you are making a representation about	Elvaston Castle Country Park Showground, Borrowwash Road, Elvaston

<i>Which of the four licensing objectives does your representation relate to?</i>	<i>Yes Or No</i>	<i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	No	
Public safety	Yes	There is insufficient information submitted with the application to detail how the applicant will ensure public safety
To prevent public nuisance	No	
To protect children from harm	No	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<ol style="list-style-type: none"> 1. Undertake an adequate and suitable risk assessment specific to the event and proposed activities at Elvaston Castle Summer Gathering Festival & Madchester on 18-20th August 2018. 2. At least 28 days before the commencement of licensed activities an Event Management Plan, devised from the event risk assessment, will be submitted and agreed with South Derbyshire District Council Environmental Health.
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Signed: 

Date: 4th May 2018

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@south-derbys.gov.uk This form must be returned within the statutory period. For more details please check with the Licensing Office on 01283 595 716/890/72

Licensing Act 2003
Premises Licence Application – Summer Gathering Festival &
Madchester
Notification to Local Authority of agreement regarding Representations

To: Licensing Authority Office

Date: 30.04.2018

Dear Sir/Madam

I write in my capacity as the Senior Environmental Health Officer for the Environmental Health Department.

Discussions have taken place with the application in relation to the promotion of the licensing objectives.

I understand that the applicant has formally amended their application to include the following conditions:

1. At least 28 days before the commencement of licensed activities, a Noise Management Plan will be submitted and agreed with South Derbyshire District Council Environmental Health, which will describe the noise controls which will be taken to ensure that the noise conditions in this licence are complied with.
2. The event organisers must employ a competent person to monitor and assess noise from the event. Those person(s) responsible for noise control must be on site and operational during all hours when music noise from licensed activities is occurring. Outside of these hours, members of staff nominated to the Licensing Authority must be available to be contacted in the event of noise complaints being received outside these hours. Their details and direct contact number must be made available to the Environmental Health Department.
3. Between 10:00hrs to 23:00hrs, the Music Noise Level (MNL) expressed as a 15 minute LAeq shall not exceed 65dBA taken as a free field measurement at locations agreed in the noise management plan.
4. Between 23:00hrs to 01:00hrs, the Music Noise Level (MNL) expressed as a 5 minute LAeq shall not exceed 42dBA taken as a free field measurement at locations agreed in the noise management plan.
5. During the event, the organiser shall operate an attended noise complaint telephone line through which contact can be made regarding noise concerns. This phone number shall be publicised to the surrounding communities in a manner to be agreed with the Licensing Authority and provided to the Environmental Health teams at both South Derbyshire District Council and Derby City Council for contact to be made should noise levels be considered unacceptable during the event.

On this basis, please accept this notice as formal notification to withdraw my representation to the above premises licence application. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed... 
Date.....04/05/2018

Name in blockJohn Mills