



F. McArdle
Chief Executive

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Date: 27th February 2015

Dear Councillor,

Licensing and Appeals Sub-Committee

Further to recent correspondence, 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 **Monday, 09 March 2015**, 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**
Councillors Stanton (Chairman) and Harrison.

Labour Group
Councillor Frost.



AGENDA

Open to Public and Press

- 1 Apologies
- 2 To note any declarations of interest arising from any items on the Agenda
- 3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003: 'NEWHALL OFF LICENCE', 17 UNION ROAD, SWADLINCOTE, DERBYSHIRE. DE11 0QF **3 - 30**

Exclusion of the Public and Press:

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

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item **3** **Hearing Date:** **9th March 2015**

Contact Officer: Lisa Kinsey – 01283 595890

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

Applicants Name	Makhan Singh Ranu
Premises Name	Off licence
Address	17 Union Road, Newhall, Swadlincote

1. PURPOSE

- 1.1 To determine an application for a premises licence received by this Authority on the 28th January 2015 from Makhan Singh Ranu. Application is attached at **(Appendix 1)**.

2. BACKGROUND

- 2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol off the premises. The full details are indicated below 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 only	Monday to Sunday	07:00 to 23:00hrs
Hours premises to remain open to members of the public	Monday to Sunday	07:00 to 23:00hrs

- 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 Responsible Authorities

Derbyshire Trading Standards Representation received during the 28 day consultation period. Full details can be found in **(Appendix 2)**.

Derbyshire Constabulary

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

No other representations have been received.

5. AGREEMENT BETWEEN PARTIES

- 5.1 The applicant has offered additional conditions and agreed to have conditions requested by Derbyshire Constabulary added to their application **(Appendix 4)**.
- 5.2 Derbyshire Constabulary have subsequently withdrawn their representations 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 actually 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 Trading Standards
3. Representation from Derbyshire Constabulary
4. Agreed conditions to be added to the Operating Schedule
5. Withdrawal of representation from Derbyshire Constabulary

**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 in side 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 Makhan Singh Ranu

(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			
17 Union Road Newhall Swadlincote Derbyshire			
Post town	Swadlincote	Post code	DE11 0QF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£4,500.00

Part 2 - Applicant Details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity 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)
- g a) 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 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:

Please tick yes

- 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)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
2	4	0	2	2	0
				1	5

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

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)

General off licence

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

<u>Provision of regulated entertainment</u>		Please tick yes
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	<input type="checkbox"/>
c)	indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e)	live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g)	performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)		<input type="checkbox"/>
<u>Supply of alcohol</u> (if ticking yes, fill in box J)		<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M [Page 9 of 30](#)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
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 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)			
Wed						
Thur			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 5)			
Fri						
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 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00			
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			
			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 5)		

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

Name Makhan Singh Ranu	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

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 8)

None.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00	<p>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 (please read guidance note 5)</p>
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The licensing objectives have been carefully considered taking account of the premises and their location.
The proposed premises will promote the licensing objectives in accordance with the Section 182 Guidance.
The premises will operate in accordance with all relevant legislation.
Details of any measures considered necessary to promote the licensing objectives are contained under the relevant objective below.

b) The prevention of crime and disorder

The crime and disorder objective has been considered in the light of the proposed premises.
The proposed premises will not have an adverse effect on the crime and disorder objective.
The proposed premises will promote the crime and disorder objective in accordance with the Section 182 Guidance.
The premises will operate in accordance with all relevant legislation which promotes the crime and disorder objective.
The premises will liaise and co-operate with the responsible authorities.
A proof of age policy will operate in relation to relevant licensable activities.
Any drinks promotions will not adversely affect the promotion of responsible drinking.
Staff will be trained to observe the measures necessary to promote the crime and disorder objective.

c) Public safety

The public safety objective has been considered in the light of the proposed premises.
The proposed premises will not have an adverse affect on the public safety objective.
The proposed premises will promote the public safety objective in accordance with the Section 182 Guidance.
The premises will operate in accordance with all relevant legislation which promotes the public safety objective.
The premises will liaise and co-operate with the Responsible Authorities.
Any drinks promotions will not adversely affect the promotion of responsible drinking.
Staff will be trained to observe the measures necessary to promote the public safety objective.
The necessary fire safety precautions will be installed and maintained.

d) The prevention of public nuisance

The public nuisance objective has been considered in the light of the proposed premises.
The proposed premises will not have an adverse effect on the public nuisance objective.
The proposed premises will promote the public nuisance objective in accordance with the Section 182 Guidance.
The premises will operate in accordance with all relevant legislation which promotes the public nuisance objective.
The premises will liaise and co-operate with the Responsible Authorities.
Any drinks promotions will not adversely affect the promotion of responsible drinking.
Staff will be trained to observe the measures necessary to promote the public nuisance objective.
Arrangements will be made for the storage and disposal of refuse which do not cause a nuisance.
Any noise from the licensable activities provided will be monitored in order to prevent nuisance.

e) The protection of children from harm

The protection of children objective has been considered in the light of the proposed premises.
 The proposed premises will not have and adverse effect on the protection of children objective.
 The proposed premises will promote the protection of children objective in accordance with the Section 182 Guidance.
 The premises will operate in accordance will all relevant legislation which promotes the protection of children objective.
 The premises will liaise and co-operate with the Responsible Authorities.
 A proof of age policy will operate in relation to the relevant licensable activities.
 Staff will be trained to observe the measures necessary to promote the protection of children objective.
 Non-alcoholic drinks will be available.

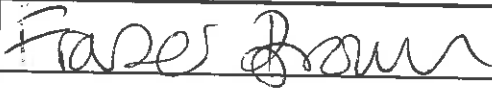
Please tick yes

- 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 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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	23 January 2015
Capacity	Applicant's solicitor

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **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 13)			
Licensing Department Fraser Brown 84 Friar Lane Nottingham			
Post town	Nottingham	Post code	NG1 6ED
Telephone number (if any)	0115 9888763		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) wrathore@fraserbrown.com			

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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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	Clair Dathan
Job Title	Trading Standards Officer
Postal and email address	Derbyshire County Council Trading Standards Chatsworth Hall Chesterfield Road Matlock Derbyshire DE4 3FW
Contact telephone number	01629 539848

Name of the premises you are making a representation about	Unnamed Shop
Address of the premises you are making a representation about	17 Union Road Newhall Swadlincote Derbyshire DE11 0QF

<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	No	
To prevent public nuisance	No	
To protect children from harm	Yes	At present - whilst we appreciate the general comments made in relation to all licensing objectives – we oppose the application as it currently stands on the basis that the steps described in the Operating Schedule of the application are not sufficiently precise and clear about the measures the proposed premises licence holder intends to adopt, particularly to protect children from harm. In particular, there appears to be no indication of how the applicant proposes to train staff, record that training, what proof of age policy will be operated or how the applicant will monitor whether their people act as intended following the training provided.

Suggested conditions that could be added to the licence to remedy your representation or	1. Full training is provided to staff on commencement of employment on the law relating to all age-restricted products sold and any system or procedures they are
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other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

expected to follow in the course of dealing with these goods. Refresher training should be provided at regular intervals (at least 6-monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

2. The age verification policy applying to the premises is 'Challenge 25'; that means anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years will be asked to prove their age. Acceptable forms of identification will be a PASS-accredited proof of age card, photo driving licence or passport. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- all entry points to the premises,
- adjacent to the products, where displayed, and
- all points of sale.

3. A system of recording sales refused under the age verification policy will be operated at all times.

At least weekly, the Designated Premises Supervisor (or deputy, authorised in writing) will:

- examine the record and compare it against the normal operating pattern for the premises
- indicate any action required following that examination
- sign off/endorse the record to indicate the above points have been carried out

The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

B. Dathan

Signed:

Date: 29.1.14

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

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	Kelvin Hannah
Job Title	Police Officer (Licensing)
Postal and email address	St Mary's Wharf Police Station. Wyatts Way, Derby.
Contact telephone number	0300 122 5643

Name of the premises you are making a representation about	Off Licence
Address of the premises you are making a representation about	17 Union Road, Newhall.

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	x	
Public safety	x	
To prevent public nuisance	x	
To protect children from harm	x	

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.	Conditions have been agreed with Applicants legal team at Fraser Brown. Providing these are implemented in full then there will be no objections from the Police. I have forwarded these conditions to SDDC Licensing already.
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Signed:

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

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

To: Licensing Authority Office

Date: 27th February 2015

Dear Sir/Madam

I write in my capacity as the applicant in relation to the above matter. Discussions have taken place with Derbyshire Constabulary in relation to the promotion of the licensing objectives.

I would like to add the following conditions to my application:

1. A CCTV system with recording equipment shall be maintained at the premises and operated with cameras when the premises are open for licensable activities. All recordings used in conjunction with CCTV shall:-

- Be of evidential quality.
- Indicate the time and date.
- Be retained for a minimum of 14 days unless negotiated otherwise.
- Staff will be trained to use the system.
- Recorded images shall be made available for inspection and downloading immediately upon request of an authorised officer under the Licensing Act 2003.

2. A Challenge 25 Scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be served alcohol unless they produce an acceptable form of identification (passport or driving licence or PASS accredited card). Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- All entry points to the premises
- Adjacent to the products where displayed, and
- All points of sale

3. A bound and sequentially paginated refusals book shall be kept at the premises to record all instances where admission or service is refused. Details to show:-

- The basis for the refusal.
- The person making the decision to refuse.
- The date and time of the refusal.

4. Such records included within the refusals book are to be retained at the premises for at least 12 months and shall be made available for inspection and copying by an authorised officer under the Licensing Act 2003.

5. Full training shall be provided to all staff on commencement of employment relating to age restricted products sold and any system or procedures they are expected to apply. Refresher training shall take place at regular intervals – at least every six months

6. A bound and sequentially paginated training book shall be kept to record staff training. This book to be made available for inspection and copying by an authorised officer under the Licensing Act 2003 and also such books to be retained at the premises for at least 12 months.

Please accept this notice as formal request to amend my application/operating schedule in accordance with the above and note that I agree to these conditions being attached to the premises licence. Furthermore, I confirm that I do not consider a hearing to be necessary.

Signed: James Brown Name in block For and on behalf
 Date: 27/2/2015 of the Applicant

Licensing Act 2003
Premises Licence Application – Off Licence, 17 Union Road,
Newhall
Notification to Local Authority of agreement regarding
Representations

To: Licensing Authority Office

Date: 27th February 2015

Dear Sir/Madam

I write in my capacity as the police Licensing Enforcement Officer for South Derbyshire

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. A CCTV system with recording equipment shall be maintained at the premises and operated with cameras when the premises are open for licensable activities. All recordings used in conjunction with CCTV shall:-

- Be of evidential quality.
- Indicate the time and date.
- Be retained for a minimum of 14 days unless negotiated otherwise.
- Staff will be trained to use the system.
- Recorded images shall be made available for inspection and downloading immediately upon request of an authorised officer under the Licensing Act 2003.

2. A Challenge 25 Scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be served alcohol unless they produce an acceptable form of identification (passport or driving licence or PASS accredited card). Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

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- The basis for the refusal.
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- The date and time of the refusal.

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5. Full training shall be provided to all staff on commencement of employment relating to age restricted products sold and any system or procedures they are expected to apply. Refresher training shall take place at regular intervals – at least every six months

6. A bound and sequentially paginated training book shall be kept to record staff training. This book to be made available for inspection and copying by an authorised officer under the Licensing Act 2003 and also such books to be retained at the premises for at least 12 months.

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 *Hannah* Name in block HANNAH
Date 27/2/15