



**South  
Derbyshire  
District Council**

**Chief Executive**

Civic Offices, Civic Way,  
Swadlincote, Derbyshire DE11 0AH

[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

**Please ask for: Debra Townsend**

Phone: (01283) 595848

Typetalk: (0870) 2409598

DX 23912 Swadlincote

E-mail: [debra.townsend@south-derbys.gov.uk](mailto:debra.townsend@south-derbys.gov.uk)

Our ref: DT/CL

Your ref:

Date: 4<sup>th</sup> April 2013

Dear Councillor,

**LICENSING AND APPEALS SUB-COMMITTEE – 10.00 A.M. MONDAY 15<sup>TH</sup> APRIL 2013**

**APPLICATION FOR A PREMISES LICENCE;  
NISA LOCAL, 55 STATION ROAD, HATTON, DE65 5EL.**

Please find enclosed agenda and supporting information for the determination of the above Licensing Application.

The Sub-Committee will meet on Monday 15<sup>th</sup> April 2013 in the Council Chamber at the Civic Offices, Civic Way, Swadlincote. I should be obliged if you could attend a pre-meeting at 9.30 a.m. in the Chairman's Suite, in order to discuss the determination procedure.

If you require any further information, please contact Debra Townsend on the number shown above.

Yours faithfully,

*Frank McArdle*

**F.B. McArdle  
Chief Executive**

To: **Conservative Group**  
Councillors Stanton (Chairman) and Mrs. Hood.

**Labour Group**  
Councillor Rhind.



## AGENDA

1. Apologies.
2. To note any declarations of interest arising from any items on the Agenda.

### OPEN REPORTS

3. DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE – NISA LOCAL, 55 STATION ROAD, HATTON. DE65 5EL

### EXEMPT REPORTS

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: 15<sup>th</sup> April 2013

Contact Officer: Ruth Boam – 01283 595716

### DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

<b>Applicants Name</b>	Saranpal Gill and Ranjit Gill
<b>Premises Name</b>	Nisa Local
<b>Address</b>	55 Station Road, Hatton, DE65 5EL

#### 1. PURPOSE

To determine an application for a premise licence received by this Authority on the 21<sup>st</sup> February 2013 from Saranpal Gill and Ranjit Gill. (**application attached at Appendix 1**).

#### 2. BACKGROUND

2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol. 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 Saturday Sunday	07:00hrs to 22:00hrs 08:00hrs to 21:00hrs
Hours premises to remain open to members of the public	Monday to Thursday Friday and Saturday Sunday	07:00hrs to 22:00hrs 08:00hrs to 21:00hrs

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at page 7 and 8 of the application form.

#### 4. CONSULTATION RESPONSES

Derbyshire Constabulary - Representation received during the 28 day consultation period. Full details can be found in **Appendix 2**.

No other representations have been received.

#### 5. AGREEMENT BETWEEN PARTIES

5.1 The applicant has agreed to have the conditions requested by Derbyshire Police (**Appendix 3**) added to their licence.

5.2 All parties have agreed to dispense with the need to hold a hearing.

## **6. DETERMINATION**

6.1 The Licensing Act's scheme of delegation does not permit Officers to determine an application that has received a representation, even when all parties agree to dispense with the need to hold a hearing. The power to grant licences in these circumstances remains with the Licensing and Appeals Sub-Committee.

6.2 As all parties have agreed to dispense with a hearing, there is no requirement to hear evidence, and Members are asked to grant the licence subject to such conditions contained in the operating schedule, appendix 3 to this report, and any mandatory conditions required under the Licensing Act 2003.

## **7. RIGHT OF APPEAL**

7.1 The applicant or persons making representation have a right of appeal against the decision of the Licensing Authority.

## **APPENDICES**

1. Application for a premises licence to be granted under the Licensing Act 2003
2. Derbyshire Constabulary representation regarding application.
3. Agreed conditions to be added to the operating schedule.

South Derbyshire  
District Council

21 FEB 2013

Environmental Health

[Insert name and address of relevant licensing authority and its reference number (optional)]

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.

At We SARANPAL GILL & RANJIT GILL

(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 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			
N.S.A LOCAL HATTON 55 STATION ROAD HATTON DEES SEL			
Post town	SOUTH DERBYSHIRE	Postcode	DEES SEL
Telephone number at premises (if any)		07966467164	
Non-domestic rateable value of premises		£ 31,000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate.

- 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)
- 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:

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 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)					

4.

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	SARANPAL GILL & RANJIT GILL
Address	66 ROUESTON ROAD HORNVALD KILTON ON TRENT DE13 0JZ
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	PARTNERSHIP
Telephone number (if any)	
E-mail address (optional)	nisa@localstore@hotmail.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?  
 SECOND APPOINTED DAY

DD	MM	YYYY

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)

NEW 3,000 SQ FT RETAIL CONVENIENCE STORE, LAYOUT ATTACHED IN ANNEX 4 (PLANS).  
 THE STORE IS LOCATED FRONTING A MAJOR BUSY HIGHWAY ROAD (A511) WITHIN A MIXED RESIDENTIAL / COMMERCIAL AREA WITH 5 LOCAL VILLAGE SHOPS IN THE VICINITY.

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

N/A
-----

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)

Provision of regulated entertainment

Please tick any that apply

- 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)



J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	7 Am	10 Pm	State any seasonal variations for the supply of alcohol (please read guidance note 4)  NONE ON BANK HOLIDAY  CHRISTMAS DAY 12pm - 3pm		
Tue	7 Am	10 Pm			
Wed	7 Am	10 Pm			
Thur	7 Am	10 Pm	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)		
Fri	7 Am	10 Pm	NONE		
Sat	7 Am	10 Pm			
Sun	8 Am	9 Pm			

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

Name	Kevin Friel		
Address	3 Nene Close Stretton Burton on Trent Staffordshire		FTU 28/2/13
Postcode	DE13 0YA		
Personal licence number (if known)	PA 0098		
Issuing licensing authority (if known)	EAST STAFFS BOROUGH COUNCIL		

4.

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	7 AM	10 PM	<p>NONE ON BANK HOLIDAYS</p> <p>CHRISTMAS DAY 12 PM TO 3 PM</p>
Tue	7 AM	10 PM	
Wed	7 AM	10 PM	
Thur	7 AM	10 PM	
Fri	7 AM	10 PM	
Sat	7 AM	10 PM	
Sun	8 AM	9 PM	
			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)
			NONE

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

a) General

It is advised that it is good practice to have a total of three people in store trained to BIAB standard – Two to be holders of a personal licence, one being the DPS and a second to be able to replace the nominated DPS at short notice should an immediate problem occur and a further person trained to that level, being able to apply for a personal licence again at short notice.

Challenge 25 badges to be worn by Staff and Clear signage displayed around the store and in the windows that the store has this policy in place.

CCTV signage to be displayed around the store and also in the alcohol section on shelf edges, Point of Sale logos with Challenge 25 in the alcohol section to be clearly visible.

Manager will review Monthly Staff Refusals which is a report available from our EPOS system and identify any additional Training requirements members of Staff may require which is available from the Nisa Head Office Licencing department on-line.

b) The prevention of crime and disorder –

In order to prevent Crime and disorder we will ensure the premises is well lit externally with appropriate Car park Lighting and the Store Entrance and side 2 windows will be kept open and clear of any obstructions to ensure clear visibility into and outside the store at all times. A Computer PC Based 32 Channel CCTV operating system will be installed to the retail premises, consisting of 3 external PTZ multi-dome cameras for the car park and 29 cameras to be located within the Retail Store (18) and Back Office Warehouse (11). The CCTV System will be digital recording and have a minimum of 31 days recording facilities which will be stored onsite. The CCTV system will also have the ability to be monitored remotely through the Internet and in circumstances when the Manager is not on site if required can review CCTV footage live of the store from a remote location.

c) Public Safety

Fire Exits to the site (Per the Plan – Annex 4) will be illuminated

Fire Alarm to per building regulations will be installed on the premises

Fire extinguishers will be located in 3 sections on the premises, 2 in the Retail Premises and 1 set in the Warehouse

An Alarm system set with Panic Buttons at the till point will also be fitted to ensure that Cashiers have the confidence to press this button in circumstances where they may feel at threat from members of the Public with a direct link to the Police Station.

Clear Signage displayed that no Alcohol will be served to any member of the Public who appears to be Drunk or under the influence of Drugs

Premises Licence to be displayed in a location where it is visible to members of the Public clearly displaying the trading hours where alcohol can be served.

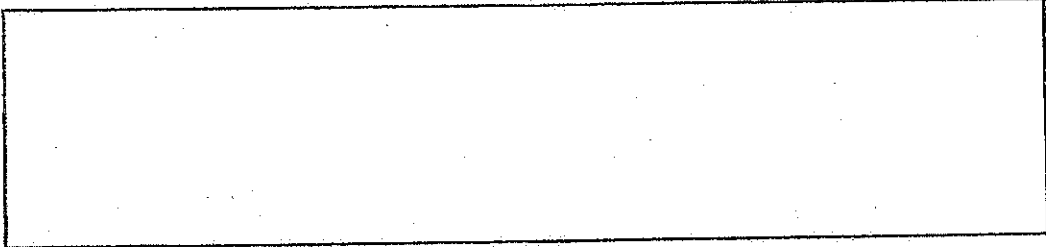
d) **The Prevention of Public Nuisance**

As mentioned above Full CCTV system will be in place in the store with 2 or 3 screens visible to the Public to make them aware that we have full CCTV recording in place and that any Public Nuisance will be recorded

All Cashiers are trained and advised to refuse members of Public the Purchase of Alcohol if they appear to be Drunk or disorderly and if they are suspicious that they may be purchasing the Alcohol on behalf of someone under the age of 18. External CCTV Cameras will be in place and visible to Staff members on 32 inch TV Monitors so they can assess the situation outside of the Retail Premises to see if members of the Public are being requested to Purchase Alcohol illegally. Cashiers are always advised if in doubt, request that a Supervisor/Manager is called to the till point or in the case where they are not available to refuse the sale. The EPOS system has a camera on the till point and can record a photo of the member of Public in circumstances where they may become offensive and abusive towards them. Audio recording will also be located at the till points to use as evidence in the case where the Police may require a record of the situation where the refusal has taken place.

e) **The Protection of Children from Harm**

A Challenge 25 Policy would be adopted in store which we are already familiar with as this policy is in place in our existing Nisa Store, 51-52 Horninglow Road North, Burton on Trent. DE13 0SW. This store has been successful in Test Purchases carried out by a Private 3<sup>rd</sup> Party organization organized by Nisa and in addition we have had a number of Test Purchases carried out by East Staffordshire Borough Council which have all been successful. All Cashiers have to Sign that they have received Training to Challenge 25 Standards prior to being able to commence work on the shop floor and sign a Personal Licence sheet. All Staff receive regular 3 monthly Training and records kept in their Training books and we have also set up our EPOS system to prompt the Cashier to ask the Customer for i.d if they look under 25 when Alcohol products are scanned at the till point. In circumstances where the member of Public does not look over 25 the staff member will be prompted to request i.d and confirm in the system the type of i.d shown and the EPOS system then allows the details of the i.d verification to be entered into the system, i.e. Driving Licence, PASS logo i.d or Passport with details of Date of Birth, description etc. In circumstances where the correct form of i.d is not provided the Cashier has to void the sale and enter reason for refusal i.e. no i.d or inappropriate i.d or if the member of public is drunk, disorderly or if they believe they are purchasing on behalf of someone under 18.



Checklist:

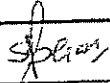
Please tick to indicate agreement

- 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.

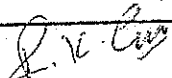
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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	 SAKAMAL SINGH GILL
Date	10/2/2013
Capacity	PARTNER

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

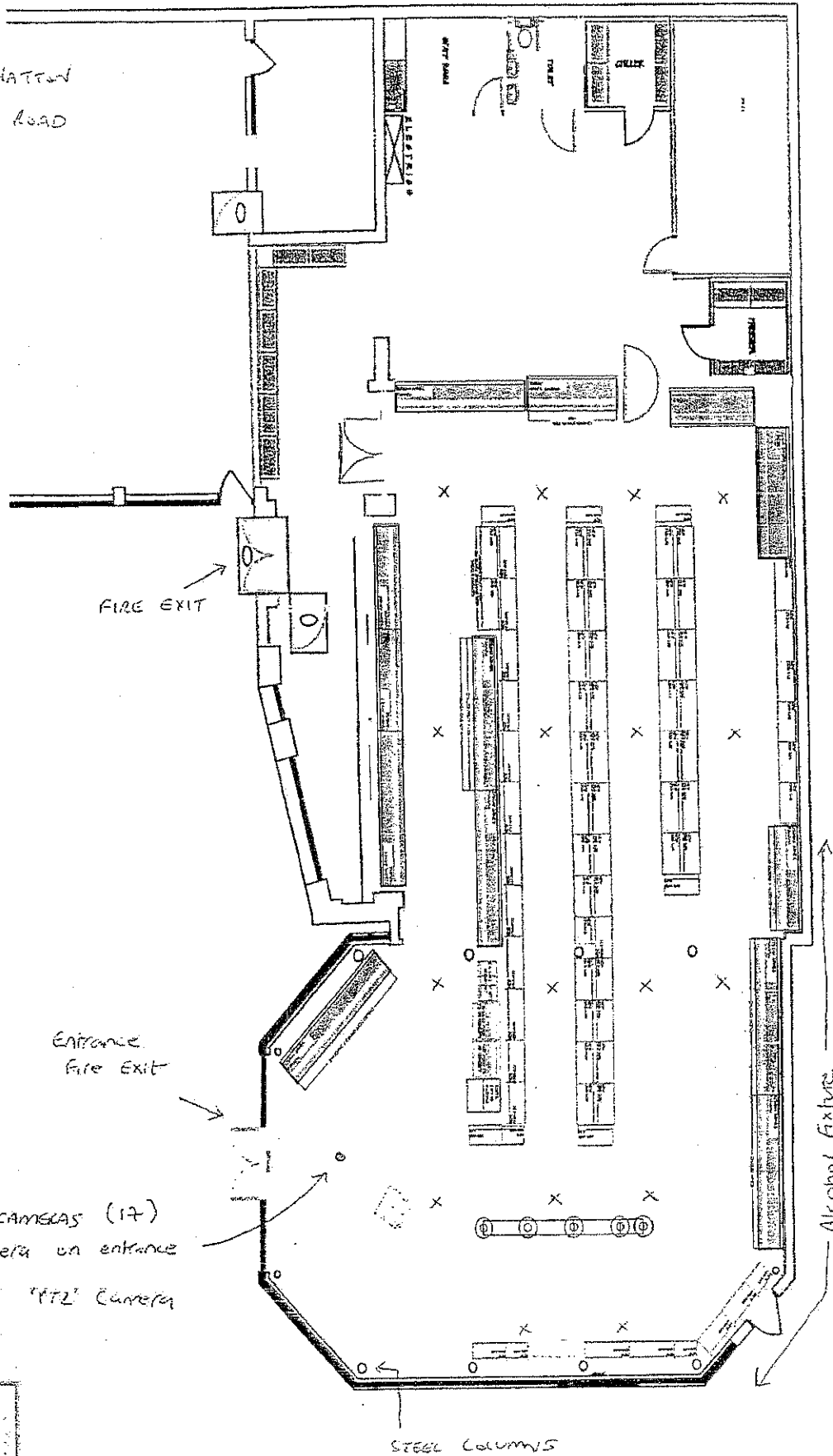
Signature	 RAJIT KAUR GILL
Date	10/2/2013
Capacity	PARTNER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
MEL S GILL 66 COLLETT ROAD HARRINGTON			
Post town	HARRINGTON	Postcode	DD13 0NZ
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
sukhjinder_gill@hotmail.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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application

NISA LOCAL HATTON  
 55 STATION ROAD  
 HATTON  
 DEGS SEL



External  
PTZ Camera

FIRE EXIT

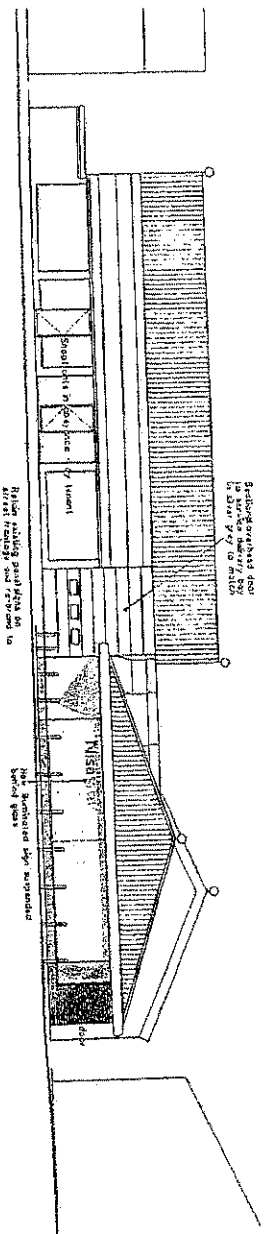
Entrance  
Fire Exit

Alcohol Fixture

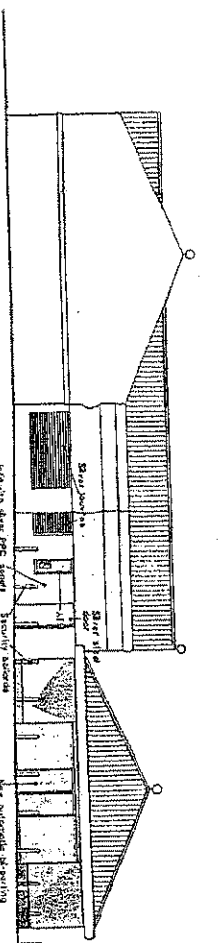
STEEL COLUMNS

- X - CCTV CAMERAS (17)
- o - HD Camera on entrance
- - External 'PTZ' Camera

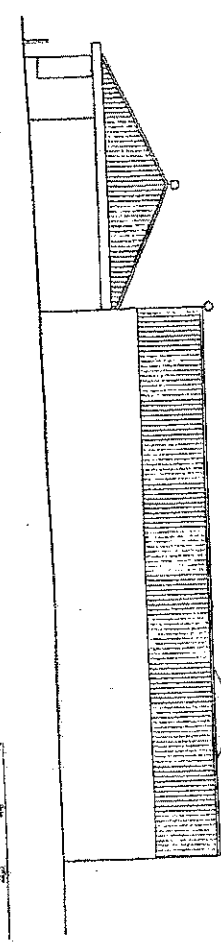
NISA	
SEARCHED	INDEXED
SERIALIZED	FILED
MAY 19 2004	
FBI - HATTON	



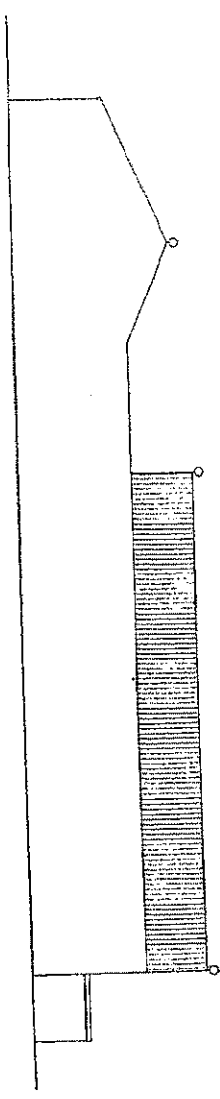
Front Elevation



Courtyard Side Elevation



Side Elevation



Rear Elevation

The O&A prepared for this project is based on the information provided by the client. It is the client's responsibility to provide accurate and complete information. The O&A is not a contract and does not constitute an offer. It is subject to change without notice. The O&A is the property of the architect and shall remain confidential. No part of this O&A may be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.

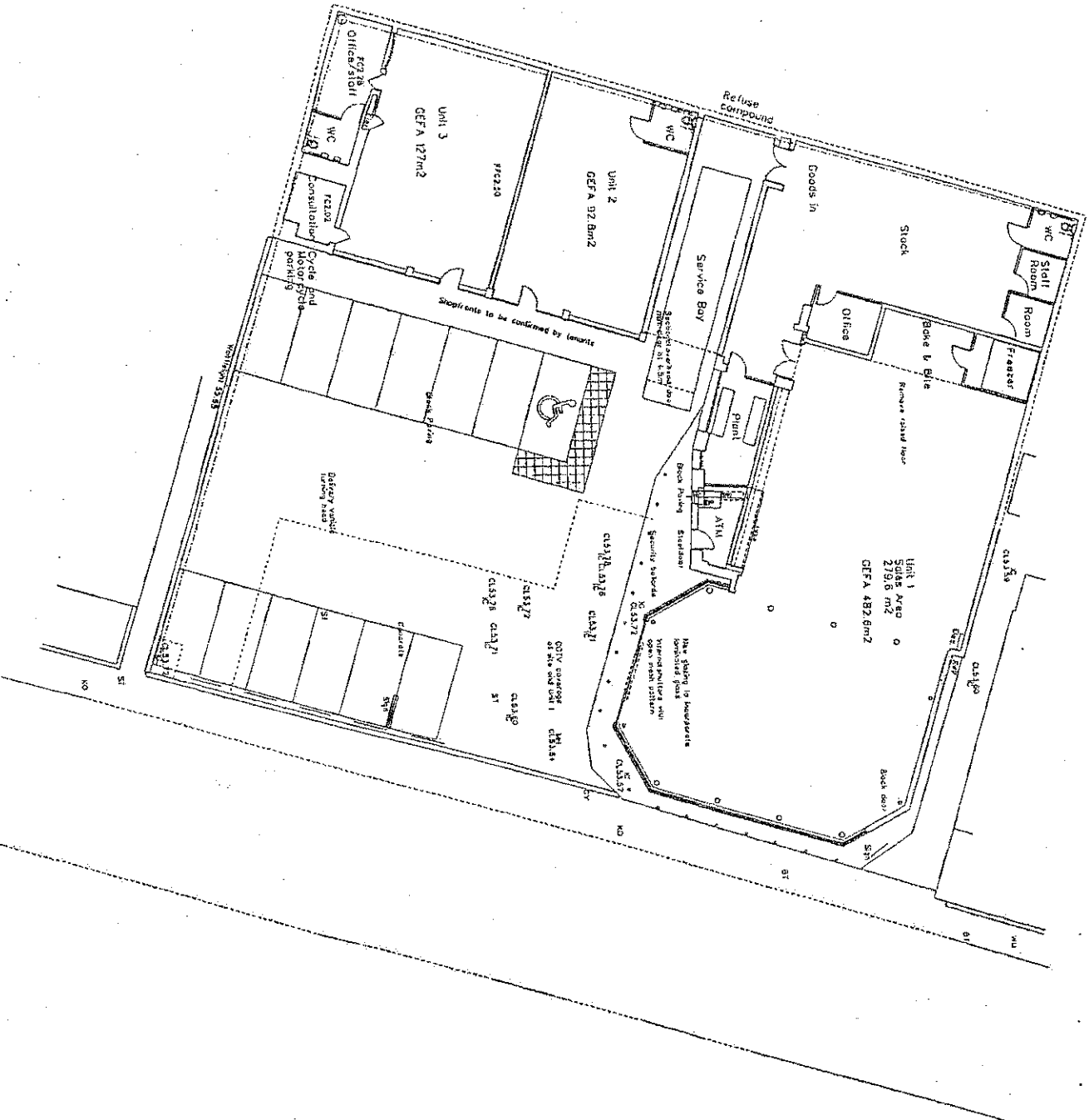
NO.	REVISION	DATE
1	Initial design	06/11/12
2	Final design	06/11/12
3	Final design	06/11/12
4	Final design	06/11/12

**MOHLE**  
 Architects  
 CNO Consultants  
 1 Highland Road West Bridgford  
 Nottingham NG2 6BN 02030 666 887  
 marketing@moehle.com  
 marketing@moehle.com

Client Properties  
 Proposed re-development  
 55 Station Rd Helston  
 Proposed elevations  
 1200  
 1200  
 1200







The title, copyright and content of this plan is the property of the architect and shall remain his property. No part of this plan may be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system without the prior written permission of the architect. The architect is not responsible for any errors or omissions in this plan or for any consequences arising therefrom. The architect is not responsible for any errors or omissions in this plan or for any consequences arising therefrom.

NO	REVISION	DATE	BY	DESCRIPTION
1	WALLS	18/01/12	MS	Unit 1 layout revised
2	WALLS	25/01/12	MS	Unit 1 layout revised
3	SWIMMING POOL	15/02/12	MS	Swimming pool covered
4	WALLS	15/02/12	MS	Walls revised
5	WALLS	15/02/12	MS	Walls revised
6	WALLS	15/02/12	MS	Walls revised
7	WALLS	15/02/12	MS	Walls revised
8	WALLS	15/02/12	MS	Walls revised
9	WALLS	15/02/12	MS	Walls revised
10	WALLS	15/02/12	MS	Walls revised
11	WALLS	15/02/12	MS	Walls revised
12	WALLS	15/02/12	MS	Walls revised
13	WALLS	15/02/12	MS	Walls revised
14	WALLS	15/02/12	MS	Walls revised
15	WALLS	15/02/12	MS	Walls revised
16	WALLS	15/02/12	MS	Walls revised
17	WALLS	15/02/12	MS	Walls revised
18	WALLS	15/02/12	MS	Walls revised
19	WALLS	15/02/12	MS	Walls revised
20	WALLS	15/02/12	MS	Walls revised

**MCAH**  
 Architects CAD Consultants  
 11 Highfield Road, Waiwaka District  
 Auckland 1013  
 Tel: 09 425 1111  
 Fax: 09 425 1112  
 Email: mcah@auckland.ac.nz

Proposed redevelopment  
 35 Stobson Rd Hallatū  
 Proposed ground floor



Contact: PC 2766  
 MORLEY  
 Direct Tel: 01332 613036  
 Ext: 760 3036  
 Fax:  
 Our ref: PID / 7536  
 Your ref: NISA Local

The Licensing Manager  
 South Derbyshire Council,  
 Civic Offices,  
 Civic Way,  
 Swadlincote,  
 Derbyshire,  
 DE11 0AH

Thursday, 28 March  
 2013

BY E-MAIL & POST

Dear Madam,

**LICENSING ACT 2003 APPLICATION:**

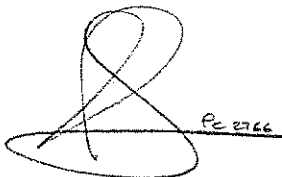
**Application for Premises Licence –  
 NISA Local, 55 Station Road, Hatton, South Derbyshire, DE65 5EL**

With reference to the above application, please take this letter as formal notification that it is the intention of the Police to make representation against this application on the grounds that in its current form it undermines the Licensing objectives as indicated below:

- |    |                                      |   |
|----|--------------------------------------|---|
| 1. | The Prevention of Crime & Disorder   | X |
| 2. | Public Safety                        |   |
| 3. | The prevention of Public Nuisance    | X |
| 4. | The protection of children from harm | X |

Further explanation is given at appendix A attached.

Yours faithfully,



PC 2766 MORLEY  
 'D' Division Licensing Department  
 St. Mary's Wharf Police Station  
 DERBY  
 01332 613036 (760 3036)  
 Richard.morley.2766@derbyshire.pnn.police.uk

**PLEASE NOTE:**

THE INFORMATION CONTAINED IN **APPENDIX A** IS FOR THE ATTENTION OF THE LICENSING AUTHORITY / POLICE AND APPLICANT ONLY AT THIS STAGE.

DISCLOSURE TO OTHER PARTIES PRIOR TO HEARING MAY PREJUDICE ANY ALTERNATIVE DISPUTE RESOLUTION PROCESS AND ANY SUBSEQUENT COMMITTEE HEARING / COURT

**APPENDIX 'A'****RE: Nisa Local, 55 Station Street.**

The applicant is applying for a Premises Licence for an off-licensed establishment with the opening hours of the premise being 0700hrs to 2200hrs Monday to Saturday and 0800hrs to 2100hrs on Sunday. The off-licence sales of alcohol would aim to replicate the opening hours of the store.

The purpose of the premises is to be a general convenience store selling day to day household items. Incorporated into this is the facility to sell alcohol by retail off the premises. The application for a Premises Licence would apparently be based on necessity of the overall offering with a view that the sale of alcohol would increase footfall, sales and revenue at the premise, whilst providing a full offering to both passing trade and residential customers.

The premise is located on a main road that acts as a route between Burton and Hatton and was the TVR showroom owned by Peter Smith TVR, this premises is to cover 3,000 sq ft of retail space and is to cover general day to day supplies. It is located close to a junction that services a small multi purpose commercial unit that has the benefit of a co-operative store with the immediate area are a local post office and an iron mongers / DIY store. On both sides of the main road are a mixture of residential terraced and semi detached houses that are serviced by a local bus stop on either side of the road. This is only a short walk from a large a Public House that offers food and to the other end of the road towards the 'salt box café' is another public house.

It is believed that the premises would be frequented by the local community, those visiting the local area and those working within the area. The premise is also situated very close to late night bus stops that provide a link with the customers that will visit the Night Time Economy, both in Burton and Derby.

The behaviour of certain individuals when under the influence of alcohol is widely recognised and documented as being one of the main factors encouraging their anti-social behaviour and violence through the level of intoxication. My concern is that Adults and Children residing within the local area or attending the local educational establishments would be needlessly subjected to this unacceptable behaviour.

It is noted and accepted that other retail outlets within the area have not suffered or contributed to ASB or crime within the area, however I feel I should point out that the reasoning behind the Licensing Objectives predominantly falls within that of 'Prevention' rather than cure. It is with this thought process in mind that we seek to support and promote the licensing objectives and the premises with the assistance of equally supportive and proportionate conditions.

The premise would allow and through its offering, encourage more persons attend the area and this should be monitored stringently. Likewise the increase in transient custom will inevitably place a higher burden on the tidy up process within the immediate vicinity through the disposal of fast food wrappings. This in itself is a 'Public Nuisance' and could give rise to the decline in the image of a local convenience shopping area.

By applying for this licence I believe that it could lead to an increase in; litter, persons loitering and congregating and an increase in alcohol consumption within this residential and business area thereby giving cause for concern with regards to the support of the four Licensing Objectives;

Public nuisance  
 Public safety  
 Protection of children from harm  
 Crime and Disorder

It is my opinion that without being correctly supported with necessary, proportionate and appropriate conditions within the premises licence, there is the likelihood of the potential for Anti-social Behaviour and other crime that could be attributed to alcohol consumption, therefore undermining all of the licensing objectives.

---

***Derbyshire Constabulary Licensing Department have been liaising with the applicant regarding the wording of suitable conditions to which they have agreed and believe that they are both supportive to the Licensing Act 2003 and the Licensing Objectives, whilst not being restrictive to the business operation. With this in mind should the application receive no other representations and be granted with the attached conditions the Chief Officer of Police would have no objections regarding the application?***

---



**Proposed Premises Licence Conditions for;****Nisa Local, 55 Station Road, Hatton.**

1. Full training is to be provided by the Designated Premises Supervisor to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.
2. Refresher training should be provided at regular intervals and that this shall take place at least every 6 months.
3. Records detailing the training provided will be kept on the premises for production, and be made available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
4. All training records shall be retained on the premises for a minimum of 12 months.
5. All staff involved in the sale of alcohol shall undertake training in relation to such sales. The training shall be to the standard of the BIAB Level 1 Award in Responsible Alcohol Retailing or equivalent qualification as a minimum.
6. Until such times as a member of staff has been confirmed as having undertaken such training, that member of staff shall not be authorised to sell alcohol on behalf of a personal licence holder or as authorised by the premises licence.
7. A challenge 25 Proof of age scheme will be operated at all times the premises are open for the sale and supply of alcohol 'off the premises'.

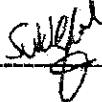
8. Anyone attempting to purchase alcohol (or any other age restricted product) that appears under the age of 25 years will be asked to produce a proof of age. The only acceptable forms of identification will be:
  - PASS – accreditation proof of age card.
  - Photo Driving Licence.
  - Current passport or
  - Ministry of Defence identity card.
  
8. Clear, prominent and unobstructed signage information customers of the proof of age scheme in operation, along with the age restrictions on products will be displayed throughout the premises, this shall include where displayed.
  
9. A system of recording sales refused under the proof of age scheme will be operated at all times.
  
10. At least once a month, the Designated Premises Supervisor or authorised person will:
  - Examine the record and compare it against the normal operating pattern for the premises.
  - Indicate in writing any action taken in relation to the examination.
  - Sign off / endorse the record to indicate that the above points have been undertaken.
  
11. The record of refusal will be kept on the premises for production and will be made available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
  
12. The records relating to the refusal recording system (EPOS or other) shall be retained on the premises for a minimum of 12 months.

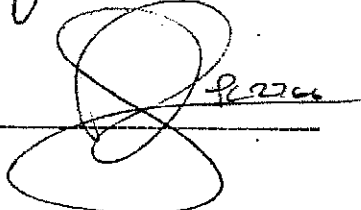


13. A record of staff employed at the premises shall be retained within the office, the details will include; full names, home address, and contact numbers. The record will also include details of any documentation or identification that has been utilised to verify the identity of staff member upon the commencement of their employment. These records will be made available upon a request by a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
14. A 'digital' CCTV system shall be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible.
15. The 'digital' CCTV recording system must be operating at all times when the premises are open for licensable activities.
16. The system installed shall also be capable of enabling the premises' personnel to monitor the premises, both internally and externally by way of a monitor strategically positioned inside the premises.
17. All 'digital' CCTV recordings must be retained for a minimum of <sup>21</sup>~~31~~ days. These images must be available for viewing at any reasonable time upon request of a Police Officer or another authorised person as detailed within Section 13 of the Licensing Act 2003.
18. The DPS and / or designated members of staff must be able to retrieve and copy any recording / images at the time of asking or within 48 hours if so required.
19. The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.

20. Installed CCTV cameras / monitors are to be positioned so as to ensure all areas to which the public have access are covered.
21. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose (for the avoidance of doubt, the images must be clear and in focus). The system must be able to export recorded images to a removable means such as a CD / DVD and have its own software that shall enable playback / review on site.
22. A nationally approved monitored alarm system covering the premises with panic button facility shall be installed, maintained and working at all times the premises are open.

**Conditions agreed by;**

Signed  Date 14/3/13

Licensing Officer  Date 14/03/2013