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Contact: PC 2766  
MORLEY  
Direct Tel: 0300 122 5409  
Ext:  
Fax:  
Our ref: PID / 7650  
Your ref: Amalfi Whites

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

Monday, 22 July 2013

BY E-MAIL & POST

Dear Madam,

**LICENSING ACT 2003 APPLICATION:**

**Application for Premises Licence –**

**Amalfi Whites, 50 Derby Road, Melbourne, Derby, DE73 8FE**

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                        | X |
| 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,

**South Derbyshire  
District Council**

25 JUL 2013

**Corporate Services**

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



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**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: AMALFI WHITES.**

The applicant is applying for a Premises Licence for both on and off sales from within the establishment which is the site of the former Melbourne Liberal Club, with the opening hours of the premise being 0800hrs to 0030hrs Monday to Sunday. The supply of alcohol does differ from the hours the premises are open to the public and is indicated within the application as being 1030hrs to 0000hrs Monday to Sunday.

It is also noted that the supply of alcohol is proposed to be subject to 'non standard timings' and it is clearly outlined that between the hours of 0800hrs to 1030hrs alcohol may be served to guests that have 'pre booked' the venue for a champagne breakfast. Further non standard timings have been proposed by the applicant whereby an additional thirty minutes (0030hrs terminal hour) for the supply of alcohol has been requested for both the White Ballroom (first floor) and White Bar (ground floor). This addition is limited to a total of twenty four times per year and only with prior notification to both the Council and Police Licensing departments.

The intention of the applicant is to alter the purpose and dynamic of the premises which is a historic landmark of Melbourne, from a members club to a family friendly bar and restaurant offering Italian inspired menus from breakfast to evening meals. From speaking with the applicants on several occasions it has been made clear that the image of the venue is to attract younger members of the community for light refreshment by offering pizza, sandwiches and soft drinks through to the professional adult customer with the offering of business lunches, and evening menu's with the availability of alcoholic beverages.

The application for a Premises Licence would also be complemented by the retention of the original first floor public hall (White Ballroom) that is available for hire. The application has outlined that this first floor facility is to be used for events such as; Weddings, parties, dance lessons and choir practice which is not to be used as a full time area, however is available for bookings. Due to the nature and location of the premises measures have been offered with a view to supporting the immediate location and wider community with the view that the offering would increase footfall within Melbourne.

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The premise is located on Derby Road, a single lane carriageway with residential properties on both sides and opposite. The premises is located close to the public footpath with the availability of a small courtyard to the front. Within 200m of the premises is a small restaurant, two convenience stores (Budgens and Spar), two public houses (The Alma Inn) that is diagonally opposite and Harpur's that is within a more centralised location of Melbourne and within the terraced houses that are on both sides of Derby Road are a scattering of day time coffee shops an antiques shop and other smaller retail outlets. This is only a short walk from a large residential area and two public car parks.

The premise would be frequented by the local community, those visiting the local area and those working within the area. The premise is also situated within a short walk to a night bus stop that provides a link with the customers that will presumably both visit and return from the Night Time Economy 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.

The premise would allow and through its offering, encourage more persons to 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 customer refuse. This in itself is a 'Public Nuisance' and could give rise to the decline in the image of a local area.

By applying for this licence I believe that it would 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.

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***Derbyshire Constabulary Licensing Department have been liaising with the applicant regarding the wording of suitable conditions to which they have agreed, barring a couple of amendments 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?***

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# **POLICE LICENSING CONDITIONS**

**Amalfi White,**  
50 Derby Road, Melbourne.

Proposed premises licence conditions.

- 1) Training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.
- 2) Refresher training shall be provided to staff concerned with the supply of age restricted goods at regular intervals – at least every 6 months.
- 3) Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
- 4) A challenge '25' Proof of age scheme shall be operated throughout the premises at all times. This is to include private functions.
- 5) Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.
- 6) The only acceptable forms of identification shall be:
  - Photo Driving Licence
  - Current Passport.
  - Pass approved identification card
  - Ministry of defence identity card
- 7) Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, shall be displayed at:
  - All entry points
  - Points of sale.
- 8) A system of recording sales refused under the proof of age scheme shall be operated at all times.
- 9) The refusal book/log shall be kept on the premises and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
- 10) The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.
- 11) The DPS shall ensure that a written incident log is maintained within the premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 1 year and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
- 12) Suitable and sufficient written risk assessments and operating policies shall be kept up to date and shall be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.

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13) The DPS shall ensure that clear, prominent and legible notices must be displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises quietly and in an orderly manner respecting the needs of local residents.

14) The DPS shall be an active member of a local "Pub Watch" scheme (so long as one exists) and adhere to the scheme's Governing Rules.

15) No children under the age of 16 years shall be allowed access to the licensed area of the premises unless accompanied by a responsible adult over the age of 18 years old.

16) No person under the age of 18 years old will be allowed on the premise after 20:00 when the premise are being exclusively or primarily used for the supply of alcohol for the consumption on the premise, the only exceptions being family orientated events, pre arranged private functions and staff for the purpose of work.

17) A 24hr CCTV system shall be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible.

18) All CCTV recordings must be retained for a minimum of 21 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.

19) The DPS and 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.

20) The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.

21) Installed CCTV camera's/monitors are to be positioned to cover all areas to which the public have access, this is to cover internal and external area's.

22) All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose of prevention and detection of Crime. For the avoidance of doubt, images shall be clear and in focus.

23) The use of glass bottles and other glass receptacles is to be risk assessed by the management when used outside. This excludes hot drinks served in mugs or tea/coffee cups.

24) For a private of pre – booked function, the premise licence holder or nominated deputy shall notify the licensing departments of South Derbyshire District Council and Derbyshire Constabulary at least five days prior to the start date of any event relying upon the extension of hours as defined within the 'Non standard timings' for licensable activities.

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MORLEY  
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Ext:  
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Your ref: Amalfi Whites

Thursday, 25 July 2013

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21) The use of glass bottles and other glass receptacles is to be risk assessed by the management when used outside. This excludes hot drinks served in mugs or tea/coffee cups.

22) The premises licence holder or nominated deputy will be permitted, upon service of notice to the Police Licensing and South Derbyshire District Council Licensing, to extend all licensable activities for which the premises are ordinarily licensed until the terminal hour of 00:30 and that these occasions be limited in number to 24 per year. The service of the notice shall take place no less than 5 days before the proposed extension.

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