

**Please ask for Democratic Services**

Phone (01283) 595722 / 595848

Typetalk 18001

DX 23912 Swadlincote

democraticservices@southderbyshire.gov.uk

Our Ref: DS

Your Ref:

Date: 29<sup>th</sup> July 2019

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 **Tuesday, 06 August 2019**, 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 Mrs. Patten (Chairman) and Councillor Angliss

**Labour Group**  
Councillor Dunn

## **AGENDA**

### **Open to Public and Press**

- 1 Apologies.
- 2 To note any declarations of interest arising from any items on the Agenda
- 3 HEARING FOR AN APPLICATION FOR A PREMISES LICENCE **3 - 35**  
TO BE GRANTED UNDER THE LICENSING ACT 2003–  
VALENTINE AND WILLS

### **Exclusion of the Public and Press:**

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

## **REPORT TO LICENSING & APPEALS SUB-COMMITTEE**

**Agenda Item: 3**

**Hearing Date: 6<sup>th</sup> August 2019**

**Contact Officer:** Faye Norman

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

<b>Applicant's Name</b>	Valentine and Wills Limited
<b>Premises Name</b>	Valentine and Wills
<b>Address</b>	2 Blanch Croft Melbourne Derbyshire DE73 8GG

#### **1. PURPOSE**

- 1.1 To determine an application to grant a premises licence received by this Authority on the 14<sup>th</sup> June 2019 from Valentine and Wills Limited. 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 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 (Indoors)	Thursday - Saturday	19.00hrs – 22.00hrs
Recorded music (Indoors)	Monday – Friday Saturday Sunday	17.00hrs – 23.00hrs 12.00hrs – 23.00hrs 12.00hrs – 18.00hrs
Sale by retail of alcohol for consumption on the premises	Monday – Friday Saturday Sunday	17.00hrs – 23.00hrs 12.00hrs – 23.00hrs 12.00hrs – 18.00hrs
Opening hours of premises	Monday – Friday Saturday Sunday	17.00hrs – 23.00hrs 12.00hrs – 23.00hrs 12.00hrs – 18.00hrs

- 3.2 Please be advised that live and recorded music are exempt from requiring a licence between the hours of 08.00hrs – 23.00hrs for less than 500 persons.
- 3.3 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 One representation was received from the Responsible Authorities.

Environmental Health

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

- 4.2 One representation was received from other persons.

Daniel Knappett

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

## **5. AGREEMENT BETWEEN PARTIES**

- 5.1 Environmental Health have now withdrawn their representation following discussions with the applicant as attached at **Appendix 4**.

## **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 necessary for the promotion of the licensing objectives:
1. Grant the licence in accordance with the application.
  2. Modify the conditions of the operating schedule by altering or omitting or adding to them.
  3. Exclude or restrict from the scope of the licence any of the licensable activities to which the application relates.
  4. Reject the whole of the application.
- 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 form from Valentine and Wills Limited
2. Representation received from Environmental Health
3. Representation received from Daniel Knappett
4. Representation withdrawn by Environmental Health

**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 VALENTINE & WILLS LIMITED  
(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			
2 BLANCH CROFT MELBOURNE DERBYSHIRE			
Post town	MELBOURNE	Postcode	DE73 8GG
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 5,800	

**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 *               | <input checked="" type="checkbox"/> please complete section (B) |
| 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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 residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**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		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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	VALENTINE + WILLS LTD
Address	THE MANSE 3 GEORGE STREET MELBOURNE DERBYSHIRE DE73 8FS
Registered number (where applicable)	12030974
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY



Telephone number (if any)

E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

THE GROUND FLOOR PREMISES AT 2, BLANCH CROFT, MELBOURNE DE73PCG - CONSISTING OF A FRONT TRADE AREA MAIN ROOM, KITCHEN, 2 TOILETS + A HALLWAY - DELINEATED RED ON THE ATTACHED PLAN. BELIEVED TO HAVE BEEN CONSTRUCTED IN 1810, IT RETAINS A NUMBER OF ORIGINAL FEATURES. IT IS LOCATED ON THE MAIN COMMERCIAL STREET IN MELBOURNE. IT WAS PREVIOUSLY A LICENSED PREMISES FROM 2007-2017 FORMERLY THE "MILEBURN RESTAURANT"

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

- 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

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

# B

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

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			
Fri			<b><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></b> (please read guidance note 6)
Sat			
Sun			

**D**

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

E

<b>Live music</b> 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 checked="" 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) A VOCAL SINGER, TOGETHER WITH ONE INSTRUMENT (A GUITAR OR SIMILAR) WHICH WILL BE TYPICALLY AMPLIFIED.			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) N/A			
Thur						
	19.00	22.00				
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) N/A			
	19.00	22.00				
Sat						
	19.00	22.00				
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	17.00	23.00	<u>Please give further details here (please read guidance note 4)</u> <b>RECORDED MUSIC PLAYED THROUGH SPEAKERS IN THE MAIN PUBLIC AREA.</b>		
Tue	17.00	23.00			
Wed	17.00	23.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	17.00	23.00			
Fri	17.00	23.00	<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 (please read guidance note 6)</u>		
Sat	12.00	23.00			
Sun	12.00	18.00			



**G**

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

# H

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	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					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur					
			<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)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption</b> = <u>please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	17.00	23.00			
Tue	17.00	23.00			
Wed	17.00	23.00			
Thur	17.00	23.00			
Fri	17.00	23.00			
			<b>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</b> (please read guidance note 6)		
Sat	12.00	23.00			
Sun	12.00	18.00			

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	PAUL DAVID WILLMOORE		
Date of birth	9.10.65		
Address	THE MANSE, 3 GEORGE STREET, MELBOURNE DERBYSHIRE		
Postcode	DE73 8FS		
Personal licence number (if known)	LAPER/1268		
Issuing licensing authority (if known)	SOUTH DERBYSHIRE DISTRICT COUNCIL		

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

<b>Hours premises are open to the public</b> <b>Standard days and timings (please read guidance note 7)</b>			<b>State any seasonal variations (please read guidance note 5)</b>  N/A
Day	Start	Finish	<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 (please read guidance note 6)</u>  N/A
Mon	17.00	23.00	
Tue	17.00	23.00	
Wed	17.00	23.00	
Thur	17.00	23.00	
Fri	17.00	23.00	
Sat	12.00	23.00	
Sun	12.00	18.00	

**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)**

1. We shall ensure that an age verification policy is in place in respect of the sale and supply of alcohol.
2. We shall ensure that the sale and supply of alcohol is carried on in accordance with the age verification policy.
3. We shall ensure that the sale and supply of alcohol is not sold for a price that is less than the price permitted by law.
4. We shall ensure that he and any staff do not engage in any type of irresponsible promotion or advertisement in relation to the supply or consumption of alcohol.
5. We shall ensure that free potable water is provided to any customer upon request.
6. We shall ensure that the measures used for the supply of alcohol are displayed in a menu/price list, and which is available to customers on the premises.

**b) The prevention of crime and disorder**

1. No sale of alcohol shall be made unless an authorised person of the DPS is present at the premises.
2. No sale of alcohol shall be made unless an authorised person of the DPS has in their possession a fully operating and working mobile telephone.
3. There shall be no public entry or re-entry (except for staff members) after 10:30pm, save where a customer has left the premises for a cigarette.
4. No admission will be allowed to customers bringing their own alcohol on to the premises.
5. No customer shall be permitted to exit the premises (as denoted in red on the attached plan) with any opened bottles or other vessels, or any glasses.
6. We shall ensure that a sign is displayed on the premises indicating the times during which licensable activities are permitted to take place.
7. Drugs shall not be permitted at the premises. Any customer found with drugs on their person shall be removed from the premises.

**c) Public safety**

1. There shall be a maximum capacity of 50 persons at the premises at any one time.

**d) The prevention of public nuisance**

1. A sign shall be displayed on the premises requesting that customers consider their noise when exiting the premises.

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

1. No child under the age of 18 years, unaccompanied by an adult, shall be allowed in the premises.
2. We shall ensure that an age verification policy is in place in respect of the sale and supply of alcohol.
3. We shall ensure that the sale and supply of alcohol is carried on in accordance with the age verification policy.

**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.**

**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 or my share code issued by the Home Office online right to work checking service (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.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [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).</li><li>• 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</li></ul>
--------------------	---



	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>PD Williams</i>
Date	12.6.19
Capacity	DIRECTOR OF VALENTINE + WILLS LTD

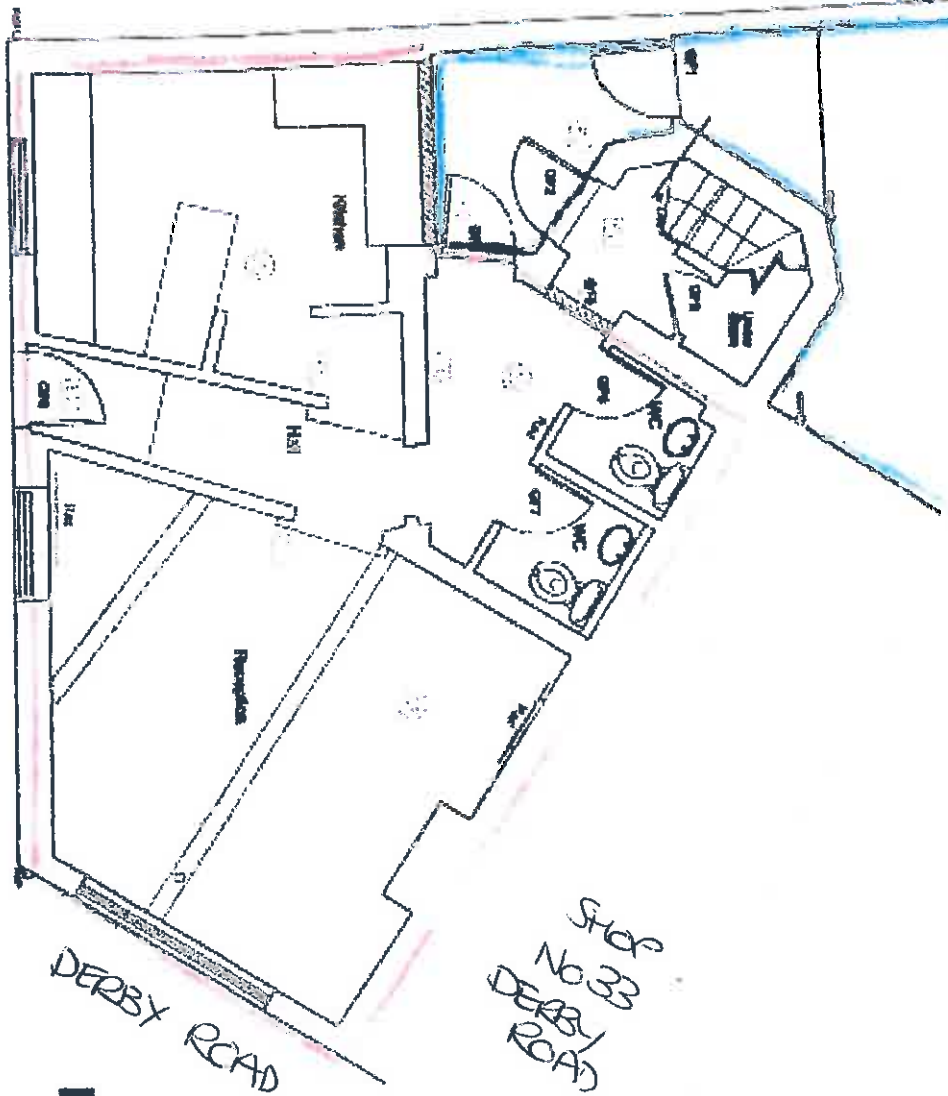
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
PAUL WILLMOKE THE MANSE, 3 GEORGE STREET, MELBOURNE, DERBYSHIRE			
Post town	MELBOURNE	Postcode	DE73 8FS
Telephone number (if any)	07812 391072		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

BLANCH CROFT.

GROUND FLOOR PLAN



PLANS @ 1:50 (A1), 1:100 (A3)



**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

<b>Name</b>	JOHN MILLS
<b>Job Title</b>	SENIOR ENVIRONMENTAL HEALTH OFFICER
<b>Postal and email address</b>	CIVIC OFFICES, CIVIC WAY, SWADLINCOTE
<b>Contact telephone number</b>	01283 595903

<b>Name of the premises you are making a representation about</b>	2 Blanch Croft
<b>Address of the premises you are making a representation about</b>	As above

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>Yes Or No</b>	<b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>
<b>To prevent crime and disorder</b>		
<b>Public safety</b>		
<b>To prevent public nuisance</b>	YES	I have concerns regarding the provision of live and recorded music. There is no supporting information detailing how noise breakout will be controlled.
<b>To protect children from harm</b>		

<b>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.</b>	<b>A scheme of noise control should be submitted and agreed with the Licensing Authority. To satisfy my requirements such a scheme may require the provision of additional insulation measures, and a noise limiter. Certain types of amplified live music may not be suited to this venue, and a noise limiter is likely to restrict the provision of such.</b>
---	--

Signed:



Date: 18/9/2019

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](mailto: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 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 Licensing Authority to consider withholding their details is advised to contact the Licensing Department prior to submitting this form.

Your personal details will be redacted in the Licensing and Appeals Sub-Committee report.

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 10 working days for minor variations 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 Licensing Authority by the Magistrates Court, starting on the day after the day the notice was received.

Please enter your contact details below: -

Name:	DANIEL KNAPPETT
Address:	49 DERBY RD MELBOURNE
Postcode:	DE 73 8FE
Tel:	07584 959667
E-mail:	dan.knappe@qmail.com

Please confirm the name and address of person, represented person or business affected, if different from the address given above i.e. this could be a shop premises 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:	VALENTINE & WILL LMT
Address of Premises	2 BLANCH CROFT
Application Details:	SUPPLY OF ALCOHOL

Please give details of your representation and evidence supporting your representation in the box below. Indicate which of the licensing objectives your representation refers to by ticking the relevant box/es:

Four years ago, Derby Road was a quiet place in the evening. There would be the occasional reveller walking home after 11pm, but that was the exception not the rule.

Since the District Council has extended licences to premises on Derby Rd, it has become an unpleasant place to live.

From Thursday to Sunday nights there are drunken revellers wandering up & down the road from 11pm till 2am. It is not uncommon on a weekend ~~even~~ morning to find half-finished drinks, smashed glasses, urine stains and even vomit in the street.

Serving gin until 11pm will further exacerbate the problem.

If the application is approved, will the preservation ~~ad~~ order be relaxed to allow the installation of UPVC ~~star~~ double glazing so that my children can sleep at night?

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

☐  
☐  
☒  
☐



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

In order to reduce public nuisance

grant a licence until 10pm to limit how drunk people get & how much noise there is in unsociable hours.

Reduce the maximum occupancy <sup>to 25</sup> to reduce the number of people standing out on the street smoking & chatting loudly while inebriated.

Once the Licensing Section has received this form you will receive a written acknowledgement. Your representation will be forwarded to the applicant and/or their representative who may contact you in order to discuss your representations.

This form must be received by the Licensing Authority within the statutory representation period.

Signed: D. Knappett

PRINT NAME: D. KNAPPETT

Date: 1/7/19

Please return this form to the following address:

South Derbyshire District Council  
Licensing Section  
Civic Offices  
Civic Way  
SWADLINCOTE  
DE11 0AH

Or by email [licensing@south-derbys.gov.uk](mailto:licensing@south-derbys.gov.uk)

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

To: Licensing Authority Office

Date: 05/07/19

Dear Sir/Madam

I write in my capacity as the Senior Environmental Health Officer for the South Derbyshire District 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:

The applicant has satisfied me that the nature of the live amplified entertainment and the frequency with which it will occur is unlikely to cause nuisance to the general public, providing it is properly managed.

In the event that problems arise, Environmental Health has powers available under the Environmental Protection Act 1990 s80 to serve a noise abatement notice, and/or to call for the licence to be reviewed and conditions imposed restricting licenced entertainment.

**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 **JOHN MILLS**

Date 05/07/19