



**F. McArdle**  
**Chief Executive**

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

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

**Please ask for:** Lisa Kinsey  
Phone: (01283) 595722  
Minicom: (01283) 595849  
DX 23912 Swadlincote

Our ref: LK/CL  
Your ref:

Date: 21 February 2014

Dear Councillor,

### **Licensing and Appeals Sub-Committee**

A Meeting of the **Licensing and Appeals Sub-Committee** will be held in the **Council Chamber**, on **Monday, 03 March 2014 at 11:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**  
Councillors Watson and Mrs. Patten

**Labour Group**  
Councillor Frost



## **AGENDA**

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

- 1** Appointment of Chairman
- 2** Apologies
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** Application for Premises Licence - Midlands Co-Operative Society, Repton Road, Willington, DE65 6BX **3 - 24**
- 5** Application for Premises Licence - Spring Promotions Ltd, Catton Hall, Walton On Trent, DE12 8LN **25 - 46**

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

- 6** 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: 3<sup>rd</sup> March 2014

Contact Officer: Emma McHugh – 01283 595716

### DETERMINATION OF AN APPLICATION FOR GRANT OF A PREMISES LICENCE

<b>Applicant's Name</b>	Midlands Co-operative Society Limited
<b>Premises Name</b>	Midlands Co-operative Society Limited
<b>Address</b>	4 Repton Road, Willington, Derbyshire, DE65 6BX

#### 1. PURPOSE

To determine an application for the grant of a premise licence received by this Authority on the 16<sup>th</sup> January 2014 from Midlands Co-operative Society Limited. A copy of the application is attached as **Appendix 1**.

#### 2. BACKGROUND

2.1 The applicant is seeking a new premises licence to permit the sale by retail of alcohol for consumption off the premises.

#### 3. APPLICATION DETAILS

3.1 The applicant requests the Authority to permit the following:

Activity	Days	Times
Sale by retail of alcohol for consumption off the premises	Monday to Sunday	06.00 – 24.00
Hours premises to remain open to members of the public	Monday to Sunday	06.00 – 24.00

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at page 11 and 12 of the application form.

#### 4. CONSULTATION RESPONSES

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 agreed to have the conditions requested by Trading Standards (**Appendix 4**) and Derbyshire Constabulary (**Appendix 5**) 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 and 4 to this report, and any mandatory conditions required under the Licensing Act 2003.

## **7. RIGHT OF APPEAL**

- 7.1 The applicant or persons making representations 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. Trading Standards representation.
3. Derbyshire Constabulary representation.
4. Trading Standards agreed conditions to be added to the operating schedule.
5. Derbyshire Constabulary agreed conditions to be added to the operating schedule.

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

South Derbyshire District Council  
Civic Offices  
Civic Way  
Swadlincote  
Derbyshire  
DE11 0AH

310

**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.

**XWe** Midlands Co-operative Society 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 **Xwe** 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 Midlands Co-operative Society Limited 4 Repton Road Willington	
Post town Derbyshire	Post code DE65 6BX
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 12,000.00

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals*                  | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual*             |                                     |                             |
| i as a limited company                            | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership                               | <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 | <input type="checkbox"/>            | 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			Post code	
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			Post code	
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 Midlands Co-Operative Society Limited
Address Central House Hermes Road Lichfield Staffordshire WS13 6RH
Registered number (where applicable) 10143R
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01543 414140
E-mail address (optional)

### Part 3 - Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	4	0	2	2	0	1	4

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

DD		MM		YYYY			

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

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

The premises will operate as a convenience store selling alcohol for consumption off the premises.

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)

Please tick any that apply

**Provision of regulated entertainment**

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


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

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

In all cases complete boxes K, L and M

## A

Plays Standard days and timings (please read guidance note 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 4)	
Thur					
Fri					
Sat				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)	
Sun					

## B

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

**C**

<b>Indoor sporting events</b> 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**

<b>Boxing or wrestling entertainments</b> 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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>Please give further details here</u> (please read guidance note 3)	
Thur				
Fri				
Sat			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Sun				
			<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)	

**E**

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

**F**

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

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
Thur				
Fri			<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> (please read guidance note 5)	
Sat				
Sun				

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<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)	
Fri				
Sat			<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)	
Sun				

I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption - please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day				Start	Finish
Mon				06:00	24:00
Tue			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

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

Name Matthew George Garton	
Address	
Post code	
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).**

**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	06:00	24:00	<b>Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Tue	06:00	24:00	
Wed	06:00	24:00	
Thur	06:00	24:00	
Fri	06:00	24:00	
Sat	06:00	24:00	
Sun	06:00	24:00	

**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 9)

The Applicants operate over 160 licensed sites and carry out all appropriate training to ensure that, as far as is possible, no problems are caused by the granting of a Licence.

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

The Midlands Co-operative Society Limited operates approximately 160 stores with licensed facilities and they have a good record in their relationship with the Police and other enforcement agencies.

For managerial purposes, as well as this objective, the premises are covered by CCTV.

**c) Public safety**

All appropriate steps are taken to ensure public safety and risk assessments are carried out to approved statutory authority standard.

**d) The prevention of public nuisance**

It is not envisaged that there will be any public nuisance arising from the operation of the premises. However, if any issues are raised during the operation of the premises, then the premises licence holder would work with all appropriate authorities to resolve any such issues.

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

The Midlands Co-operative Society Limited incorporates in all its stores the Challenge 25 procedure. All staff are trained in all aspects of safety and with particular reference to avoiding any form of underage sales.

**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	
Date	15th January 2014
Capacity	

**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	
Date	
Capacity	
<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b>  	
Post town	Post code
Telephone number (if any)	Direct Dial :
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

## Notes for Guidance

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

**Licensing Act 2003 - Premises Licence (Alcohol)**  
**Conditions recommended by Derbyshire Trading Standards.**

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 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.

McHugh Emma

**From:** Lomas, Mark, 2864 <[REDACTED]>  
**Sent:** 31 January 2014 15:28  
**To:** Licensing Mailbox  
**Cc:** 'Rayner, Elaine'  
**Subject:** FW: Co-op, Willington  
**Attachments:** Willington Police Conditions.doc

**Importance:** High

Dear Licensing,

on behalf of Derbyshire Constabulary, with the attached offered agreed conditions imposed upon the premises licence then I have No Objections with regards to the premises licence application, received in this office 17/01/14, for Midlands Co-op situated at 4 Repton Road, Willington, Derbyshire.

Regards

Mark Lomas  
 Ps 2864  
 Licensing Sergeant 'D' Division

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**From:** Rayner, Elaine [mailto:[REDACTED]]  
**Sent:** 31 January 2014 11:53  
**To:** Lomas, Mark, 2864  
**Cc:** Dunn, Mark, 2013  
**Subject:** Co-op, Willington  
**Importance:** High

Dear Mark

I refer to my telephone conversation with your colleague, Mark Dunn, earlier today.

Midlands Co-op had already agreed conditions raised by Clair Dathan, Trading Standards Officer, when your representation came through.

Some of the conditions already agreed are very similar to the ones you are asking for agreement to. I have therefore "tweaked" one or two of them so that they are in line with what already has been agreed, but also fitting in with your requirements.

I have attached the proposed conditions to be agreed to and should be grateful if you would confirm you are happy with the amendments.

I confirm that Midlands Co-op are happy to agree to these conditions, so if you find these acceptable, I should be grateful if you would confirm you have no further representations to make against the application to both ourselves and to the Licensing Officer at the Council.

I look forward to hearing from you, at your earliest convenience.

(PS. I did mention to Mark Lomas that there was a problem with getting through to your team on the number quoted on your e-mail 0300 122 5412)

Many thanks for your assistance in respect of this matter.

Elaine

**McHugh Emma**

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**From:** Dathan, Clair (Cultural & Community Services) [REDACTED]  
**Sent:** 29 January 2014 15:31  
**To:** Licensing Mailbox  
**Cc:** [REDACTED]  
**Subject:** Licensing Act: Application for Premises Licence Midlands Co-Op, 4 Repton Road, Willington

**Categories:** Completed, Emma

Further to submitting my objection on 27 January, I have now had a discussion with the Solicitor for the applicant. I consider that the following conditions will be sufficient to uphold the licensing objectives. If the applicant is willing to accept these conditions on their licence (should the licensing authority be minded to grant the application), I will agree to dispense with the need to hold a hearing.

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 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, passport or military ID. 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.

Regards,

Clair Dathan  
 Principal Trading Standards Officer

Derbyshire County Council  
 Health and Communities

Trading Standards Division  
Chatsworth Hall  
Chesterfield Road  
Matlock  
DE4 3FW

Tel 01629 539848  
Internal Extension 39848  
Fax 01629 536197  
E Mail [tradingstandards@derbyshire.gov.uk](mailto:tradingstandards@derbyshire.gov.uk)  
[www.derbyshire.gov.uk/tradingstandards](http://www.derbyshire.gov.uk/tradingstandards)



**From:** Rayner, Elaine [mailto:[Elaine.Rayner@chatsworth.co.uk](mailto:Elaine.Rayner@chatsworth.co.uk)]  
**Sent:** 29 January 2014 11:05  
**To:** Dathan, Clair (Cultural & Community Services)  
**Subject:** RE: Licensing Act: Application for Premises Licence Midlands Co-Op, 4 Repton Road, Willington

Clair

I have now received my client's further instructions and confirm that, following the addition of Military ID at paragraph 2, they are happy to agree the conditions you have requested.

I should be grateful if you would confirm the position with the Licensing Officer at the Council and confirm that you have no further representations to make against the application.

Many thanks for your assistance in respect of this matter.

Elaine

**Elaine Rayner**  
Licensing Team Leader

**SHOOSMITHS LLP**

03700 86 3086 UK direct dial  
03700 86 3001 UK fax

**From:** Dathan, Clair (Cultural & Community Services) [mailto:[Clair.Dathan@derbyshire.gov.uk](mailto:Clair.Dathan@derbyshire.gov.uk)]  
**Sent:** 29 January 2014 11:05  
**To:** Rayner, Elaine [mailto:[Elaine.Rayner@chatsworth.co.uk](mailto:Elaine.Rayner@chatsworth.co.uk)]  
**Subject:** RE: Licensing Act: Application for Premises Licence Midlands Co-Op, 4 Repton Road, Willington

**Offered Conditions – Midlands Co-operative Society Ltd, 4  
Repton Road, Willington, Derbyshire, DE65 6BX**

1) Full training is 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 should be provided at regular intervals – at least every 6 months.

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

4) 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, passport or Military ID card. 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;
- All points of sale.

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

6) 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 that the above points have been carried out.

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

8) An incident log shall be kept on the premises for production upon request of a Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003.

9) The records relating to the incident log shall be retained on the premises for a minimum of 12 months.

- 10) A CCTV system will be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
- 11) The CCTV recording system must be operating at all times when the premises are open for licensable activities.
- 12) All CCTV recordings must be retained for a minimum of 28 days. A Police Officer or authorised person as detailed within Section 13 of the Licensing Act 2003 can view the recording at any reasonable time and obtain a copy if required.
- 13) The premises holder, 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. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).
- 14) The CCTV will cover all areas to which the public have access.
- 15) All digital recordings to be made in real time and fit for purpose, time lapse not to be used.
- 16) Alcoholic Spirits will be located behind the counter.

## REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item 4

Hearing Date: 3<sup>rd</sup> March 2014

Contact Officer: Emma McHugh – 01283 595716

### DETERMINATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE

<b>Applicant's Name</b>	Spring Promotions Limited
<b>Premises Name</b>	Bearded Theory Family Music Festival 2014
<b>Address</b>	Catton Hall, Walton upon Trent, Derbyshire, DE12 8LN

#### 1. PURPOSE

To determine an application for the grant of a premise licence received by this Authority on the 20<sup>th</sup> January 2014 from Spring Promotions Limited. A copy of the application is attached as **Appendix 1**.

#### 2. BACKGROUND

- 2.1 The applicant is seeking a new premises licence to permit regulated entertainment, provision of late night refreshment and sale by retail of alcohol for consumption on the premises for the Bearded Theory Family Music Festival

#### 3. APPLICATION DETAILS

- 3.1 The applicant requests the Authority to permit the following for one consecutive maximum 4 day period for an event between May and September each calendar year:

Activity	Days	Times
Sale by retail of alcohol for consumption on the premises only	Thursday	16.00 – 23.30
	Friday and Saturday	10.00 – 03.00
	Sunday	10.00 – 01.00
Plays, films, boxing and wrestling entertainments, performances of dance, anything of a similar description indoors and outdoors	Thursday	12.00 – 23.00
	Friday to Sunday	12.00 – 03.00
Indoor sporting events	Thursday	12.00 – 23.00

	Friday to Sunday	12.00 – 03.00
Live music indoors and outdoors	Thursday	18.00 – 23.00
	Friday to Sunday	12.00 – 00.00
Recorded music indoors and outdoors	Thursday	12.00 – 23.00
	Friday and Saturday	12.00 – 03.00
	Sunday	12.00 – 00.00
Late night refreshment indoors and outdoors	Thursday to Sunday	23.00 – 05.00
Hours premises are open to the public	Thursday to Sunday	24 hours

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at page 9 to 12 of the application form.

#### 4. CONSULTATION RESPONSES

Derbyshire Constabulary - Representation received during the 28 day consultation period asking for amendment of the wording of a condition. Full details can be **Appendix 2**.

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

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**) and Environmental Protection (**Appendix 4**) 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.
3. Environmental Protection representation.
4. Derbyshire Constabulary agreed conditions to be added to the operating schedule.
5. Environmental Protection agreed conditions to be added to the operating schedule.

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.

We Spring Markets Limited

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 Bearded Theory Family Music Festival 2014 Catton Hall			
Post town	Walton Upon Trent	Post code	DE12 8LN
Telephone number at premises (if any)			
Non-domestic rateable value of premises		Band E	

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  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)				

**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 Spring Markets Limited
Address Denby House Business Centre Taylor Lane Loscoe Derby DE75 7TA

Registered number (where applicable) 07263765
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

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

Day	Month	Year

### A

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

Spring Music has successfully been operating the Bearded Theory Festival for the past 7 years. Bearded Theory is a family performing and creative arts festival that has several stages offering a wide variety of music and child entertainment.

The festival has been described as a large beer festival with a large real ale bar with various ales from local breweries in Derbyshire. In the past we have won awards for Best New Festival and Best Independent Festival.

The audience demographic is made up of equal split between male and female with a large child allocation. The festivals average age is 40 for adults and we have circa 2000 children (0-12) that attend as we pride ourselves on being a family focussed event offering a 1 acre children's activity village. To avoid issues that other more popular festivals have with unruly teens the festival only allows teenagers to attend if they are accompanied by a responsible adult aged 25+.

In the first 6 years we had no arrests at the festival, this is largely down to the age of the audience we attract and implementing the advice of the local authorities. Our organisation of the festival has been praised by the local police, residents and the NHS and Amber Valley have offered to provide references if required. The festival's health and safety practice is being used as a best practice example by the Association of Independent Festivals.

The festival only employs local contractors where possible and we offer discounted trading stands to local shops and food outlets. Our community engagement is very strong and we regularly attend local Parish Council meetings to ensure the community is informed of our operation.

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

9999
------

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 yes

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)                             | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)                             | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)            | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)                        | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)                    | <input checked="" type="checkbox"/> |

- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)  To permit theatrical productions, comedy with a theatrical element, or other miscellaneous performances falling under this licensable activity.  <b>State any seasonal variations for performing plays</b> (please read guidance note 4)  <b>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</b> (please read guidance note 5)  Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year.	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur	12:00	23:00			
Fri	12:00	03:00			
Sat	12:00	03:00			
Sun	12:00	03:00			

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)  To permit the occasional showing of pre-recorded films, music videos and other entertainment (but nothing of an adult nature).  <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)  <b>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</b> (please read guidance note 5)  Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur	12:00	23:00			
Fri	12:00	03:00			
Sat	12:00	03:00			
Sun	12:00	03:00			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)  Possible exhibition events, for example, darts, pool, bowling where spectators are present.
Day	Start	Finish	Tue Wed
Mon			
Thur	12:00	23:00	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Fri	12:00	03:00	
Sat	12:00	03:00	<b>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</b> (please read guidance note 5)  Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year
Sun	12:00	03:00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input checked="" type="checkbox"/>
Wed			<b>Please give further details here</b> (please read guidance note 3)  Possible "comedy" boxing or wrestling, for example comedy sumo	
Thur	12:00	23:00	<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)	
Fri	12:00	03:00	<b>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</b> (please read guidance note 5)	
Sat	12:00	03:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year	
Sun	12:00	03:00		

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			Unamplified/amplified music may be via artists singing, DJ, bands and other music of a similar nature (for example karaoke) but no entertainment of an adult nature.		
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	18:00	23:00			
Fri	12:00	00:00	<b>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</b> (please read guidance note 5)		
Sat	12:00	00:00			
Sun	12:00	00:00	Main Stage only – Friday to Sunday 12:00 to 23:00		
			Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			The music via a recorded source (CD, download, etc) for entertainment		
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	12:00	23:00			
Fri	12:00	03:00	<b>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</b> (please read guidance note 5)		
Sat	12:00	03:00			
Sun	12:00	00:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon			Performance where dance is part of the entertainment (nothing of an adult nature).			
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)			
Thur	12:00	23:00				
Fri	12:00	03:00	<b>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</b> (please read guidance note 5)			
Sat	12:00	03:00				
Sun	12:00	03:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)			
Wed			Dancing by audience/spectators or other miscellaneous activities			
Thur	12:00	23:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)			
Fri	12:00	03:00				
Sat	12:00	03:00	<b>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</b> (please read guidance note 5)			
Sun	12:00	03:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year			

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place <b>Indoors or outdoors or both</b> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)  Hot drink and/or hot food available throughout the site		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b>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</b> (please read guidance note 5)		
Sat	23:00	05:00			
Sun	23:00	05:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year		

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please <b>tick box</b> ) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue					
Wed					
Thur	16:00	23:30	<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 5)		
Fri	10:00	03:00			
Sat	10:00	03:00	Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year		
Sun	10:00	01:00			
			Alcohol will only be sold from the locations marked as 'bar' on the accompanying plan entitled "Music and Alcohol venue plan"		

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

<b>Name</b> Michael Andrew Sparratt
<b>Address</b>

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**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	<p><b>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</b> (please read guidance note 5)</p> <p>Annual use licence – permitted for one consecutive maximum 4 day period for an event between May and September each calendar year</p>
Mon			
Tue			
Wed			
Thur	24 hours		
Fri	24 hours		
Sat	24 hours		
Sun	24 hours		

**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)

**Annual Use Licence** – licensable activities will only be permitted during a period of up to 4 consecutive days per calendar year between May and September.

The Bearded Theory Music Festival is a family-friendly music festival and the attendance of children at the festival will be actively encouraged.

Each year in planning the festival, the premises licence holders are to be guided, advised and monitored by various local authorities and stakeholders, including where necessary the following:-

- Police
- Environmental Health/Noise Pollution
- Licensing Authority
- Trading Standards
- Fire Authority
- Council Highways and Planning Department
- Any relevant Child Protection Organisation
- St Johns Ambulance

#### Local Residents

The Premise Licence Holder's own Experts and Consultants in security, stewarding, traffic, health and safety, noise, child protection, amongst others.

The planning period for the festival is approximately 6 months.

Each year the premises licence holder will discuss all aspects of the event including the promotion of the four licensing objectives under the Licensing Act 2003 with the above authorities and stakeholders.

Each year the results of festival planning process will be compiled into an Event Manual. The Event Manual is a work in progress throughout the planning process. It will also contain relevant risk assessments used by the premises licence holder to deliver the festival.

The Event Safety Plan shall be prepared in consultation with the Safety Advisory Group (or its equivalent) and a final copy lodged with the Licensing Authority no less than 14 days before the event.

The final licensed plans shall be those plans included with the Event Safety Plan.

The Premises Licence Holder shall notify the Licensing Authority in writing of the proposed four day period in which the event will take place, no later than three months before the start of the event.

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

Each annual Event Manual will contain details on the following subjects:

- securing the site/protecting the public during set up;
  - site access permissions;
  - details regarding the Security Manager and Safety Officer (employed during the festival);
  - details regarding points of sale of alcohol;
  - Security Officer and Stewards' duties;;
  - Security Personnel – outline of entry conditions;
  - operational plan for the festival;
  - details of procedure for dealing with any unrest/disorder;
1. Training shall be provided to all staff on commencement of the event relating to all age-restricted products sold; this shall include under-age alcohol sales, drug awareness, health and safety and fire safety in line with relevant legislation and any systems or procedures they are expected to follow in the course of dealing with these goods;
  2. A refresher briefing shall be conducted prior to the bars opening on each day of the event;
  3. Records detailing the initial training and refresher briefing provided 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;
  4. The only acceptable forms of identification shall be:
    - Photo Driving Licence
    - Current Passport
    - Any approved Government Card showing the 'PASS' logo
    - MoD Identity Card
  5. Clear, prominent and unobstructed signage informing customers of the 'Challenge 25' proof of age scheme in operation shall be displayed at:
    - All entry points
    - Points of sale
  6. A system of recording sales refused under the proof of age scheme shall be operated at all times;
  7. A refusal book / log (electronic or otherwise) shall be located at each bar area close to the till point. This log / book 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;
  8. At the close of each trading day, the Designated Premises Supervisor shall review and endorse the Refusal log and cross check this with any specific spikes in trading. This log shall be used as a tool to target or highlight the need for specific enhanced staff training the following day. A record of any enhanced training shall be kept within the highlighted member of staff's employment record;
  9. The Designated Premises Supervisor shall ensure that an 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 the duration of the event;
10. Suitable and sufficient written risk assessments covering the Venue, Fire 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;
  11. Marshals shall be on site and at the site entrance to assist in traffic management into and off the site; as well as parking on the site. The marshals / stewards shall monitor all zones of the site at all times for the period of the event / premises licence;
  12. A minimum of ten (10) SIA registered door supervisors shall be on site during the period of the licence; this is to include 'day' and 'night' shifts:
    - A minimum of two SIA registered staff shall be on duty at location 32 (Main Arena Bar) and 33 (Tomado Town Bar) at all times when alcohol is being sold or consumed;
    - The numbers (if any) for the other bar areas (Location 34 – Backstage Bar and Location 35 (Woodland Bar) will be risk-assessed and implemented where necessary throughout the course of the event.
  13. All SIA staff, event marshals and the event organisers shall be linked by way of two-way radio or similar device or devices (not by way of mobile phone only);
  14. All SIA registered staff shall display their SIA registration cards at all times when carrying out security roles within the site;
  15. All SIA staff and marshals shall wear suitable clothing such as fluorescent jackets or bibs to clearly indicate their different roles on site; SIA staff should wear one colour and marshals another to distinguish between the two;
  16. An up to date Risk Assessment is to be in place and adhered to; this is to be kept with the licence at all times when licensable activities are taking place and made available to authorised officers on request;
  17. The premises licence holder shall ensure that it is made clear to promoters, staff, and those persons attending the event, that 'legal highs' shall not be permitted on to the festival site;
  18. The premises licence holder shall devise a policy in relation to the way that illegal substances (including drugs) shall be dealt with. This policy shall detail the procedures for searching those attending the festival and the method by which any illegal substances shall be securely stored and/or disposed of (including the operation of the 'Drugs Amnesty Box'). This policy will be adhered to at all times that the premises licence authorises licensable activities for the event;
  19. There shall be provided a 'Drugs Amnesty Box' where those persons attending the festival will be invited to voluntarily surrender any illegal substances or 'legal highs' that they may have in their possession;
  20. The premises licence shall devise and adhere to a policy detailing the way in which persons ejected from the site during the course of the festival event will be dealt with. This policy shall have particular regard to those persons that may be under the influence of alcohol or other substances or that may be under the age of 18 or otherwise vulnerable;
  21. Alcohol and other drinks shall only be served and consumed in plastic/polycarbonate drinking vessels.

### c) Public safety

Each annual Event Manual will contain details of the following subjects:

- general site safety
- securing the site and protecting the public during set up
- outlining dangers to contractors working on the site
- details of barriers to the perimeter of the licensed area
- details of electrical systems and installation
- power requirements
- location of generators
- details with regard to back stage areas (if appropriate)
- details on escape lighting (if appropriate)
- first aid and fire safety equipment provisions
- crowd safety operational plan
- operational plan for festival

- details of procedure for dealing with any public unrest/disorder
- a Fire Risk Assessment will also be produced for each festival

**d) The prevention of public nuisance**

Each annual Event Manual will contain details on the following subjects:

- refuse collection
- sanitary provisions
- control of noise levels during the festival, particularly from any amplified music

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

Access to the site will be by ticket only.

The annual Event Manual will contain details of:

- lost and found procedure for children
- CRB checks for staff and children workers
- notices in the alcohol licensed area regarding the law and underage drinking
- a Challenge 25 Policy will be in place
- bar staff training and any dangers to children

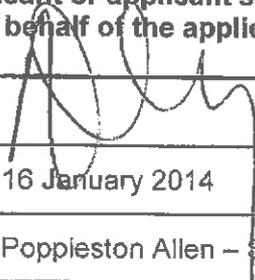
Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- 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 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	16 January 2014
Capacity	Poppieston Allen – Solicitors for and on behalf of the applicant

**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	
Date	
Capacity	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b>			
Angela Gardner 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 157		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
a.gardner@popall.co.uk			

### 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.

**McHugh Emma**

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**From:** Lomas, Mark, 2864 <[REDACTED]>  
**Sent:** 06 February 2014 15:23  
**To:** Licensing Mailbox  
**Cc:** Emma Mchugh GCSX  
**Subject:** Premises Licence application - Bearded Theory Family Music Festival 2014, Catton Hall, Walton-on-Trent

**Categories:** Emma

Dear Licensing,

on behalf of Derbyshire Constabulary with the offered, agreed & amended second bullet point condition of number 12 on box M (b The prevention of crime & disorder) imposed upon the premises licence with regards to the above premises licence application, received in this office on 17/01/2014, then I have No Objections to the submitted application.

Regards

**Mark Lomas**

**Licensing Sergeant**

Derbyshire Constabulary  
 'D' Division Licensing Team  
 Prime Parkway

**Chester Green**

**DERBY**

**DE1 3AB**

**Tel:** 0300 122 5412 (Internal 75 02864)

**Mobex (Int.):** 737 0228

**Fax:** 0300 122 8862 (Internal 75 68862)

**E-mail:** [mark.lomas.2864@derbyshire.pnn.police.uk](mailto:mark.lomas.2864@derbyshire.pnn.police.uk)

**Ext. Group E-mail:** [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)

**Web:** <http://www.derbyshire.police.uk>

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**From:** Andy Grimsey [REDACTED]  
**Sent:** 06 February 2014 10:18  
**To:** [licensing2@south-derbys.gov.uk](mailto:licensing2@south-derbys.gov.uk)  
**Cc:** Lomas, Mark, 2864; Judy Willis; Angie Gardner  
**Subject:** Police conditions

Dear Emma

We have been in discussions with Sgt Lomas regarding conditions, and have now reached agreement.

We would like to remove the second bullet point under Box M(b) Condition 12 and replace it with the following please:

A minimum of one SIA registered door supervisor shall be on duty at location 34 (Backstage Bar) at all times when alcohol is being sold or consumed and/or regulated entertainment is taking place.

A minimum of one SIA registered door supervisor shall be on duty at location 35/4 (Woodland Bar and music stage) at all times when alcohol is being sold or consumed and/or regulated entertainment is taking place.

All other conditions remain as existing. I hope that is satisfactory.

Thank you for your assistance.

Andy

**Andy Grimsey, Solicitor**  
Poppleston Allen  
T: 0115 9487 423 M: 07976 844093 W: [www.popall.co.uk](http://www.popall.co.uk)  
[LinkedIn](#)

**Nottingham Office** : 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS T : 0115 953 8500 F : 0115 953 8501

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**M E M O R A N D U M**

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To: **Emma McHugh, Democratic Services**

Date: **07/02/2014**

Our Ref: **036469**

In the event of a query, please contact: **Matt Holford** on Ext. **5856**

**Re: New premises License Application  
Bearded Theory Family Music Festival, 2014, Catton Hall, Walton Upon Trent**

Dear Emma

I write with the Environmental Health services representation in relation to the above Premises License application.

My representation relates to my potential concerns in relation to the public nuisance licensing objective.

The proposed festival consists of the playing of live and recorded music on both indoor and outdoor stages, all of which have the potential to generate public nuisance from noise. Previous festivals held at Catton Hall have led to complaints of public nuisance and so we are keen to ensure that the festival is managed in a way which ensures a successful and vibrant event, but with appropriate controls to ensure the prevention of public nuisance.

Noise specific license conditions have been applied to previous Premises Licenses for other festivals at this location. We now have the benefit of noise monitoring results from surveys of previous festivals against which to assess the proportionality of these conditions.

I am currently in discussion with the Applicant and his noise consultant to review this data and to seek to reach specific noise conditions which are agreeable to all parties. This work is well progressed and I expect us to have reached an agreement in the next few weeks.

Once we have reached a definitive position I will write to you again with a summary of the agreements reached and a draft set of proposed conditions for the Premises License.

In the meantime if you have any queries please do not hesitate to contact me.

**Matthew Holford**  
**Environmental Health Manager**



**McHugh Emma**

---

**From:** Andy Grimsey <[agrimsey@popall.co.uk](mailto:agrimsey@popall.co.uk)>  
**Sent:** 06 February 2014 10:18  
**To:** Licensing Mailbox  
**Cc:** Lomas, Mark, 2864; Judy Willis; Angie Gardner  
**Subject:** Police conditions

**Categories:** Emma

Dear Emma

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All other conditions remain as existing. I hope that is satisfactory.

Thank you for your assistance.

Andy

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**McHugh Emma**

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**From:** Angie Gardner <[REDACTED]>  
**Sent:** 21 February 2014 11:22  
**To:** Holford Matthew; Rich Bryan; Steve Anderson | Sound-Hound  
**Cc:** Andy Grimsey; McHugh Emma  
**Subject:** RE: Catton Hall license - New Premise Licence

Dear all

I can confirm our clients are happy with the below conditions as proposed by the EHO.

Emma, can you now confirm all matters are sorted and that this application will be put to determination on 3<sup>rd</sup> March 2014 and no attendance is required?

Many thanks

**Angie Gardner**

Para-Legal - Poppleston Alien

T : 0115 934 9157 M : 07967 642424 W : [www.popall.co.uk](http://www.popall.co.uk)

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**From:** Holford Matthew [mailto:[REDACTED]]  
**Sent:** 21 February 2014 10:12  
**To:** 'Rich Bryan'; 'Steve Anderson | Sound-Hound'  
**Cc:** Angie Gardner; Andy Grimsey; McHugh Emma  
**Subject:** RE: Catton Hall license2

Hi Richard

Steve sent me a response with some proposed alterations last week since when I've been away, so my apologies for a lack of response.

Taking on board Steve's' comments I would revise the proposed conditions to read as follows.....

Condition 1. Between 10:00 to 23:00 hours the Music Noise Level (MNL) expressed as a 15 minute LAeq shall not exceed 55dBA taken as a free field measurement at any of the following locations;

1. Donkhill Cottages, Catton, DE12 8LW
2. 51 Mill Lane, Barton under Needwood, Burton on Trent, DE13 8HE
3. Park House, Croxall Road, Croxall, WS13 8RA
4. Borough Hill Farm, Catton Road, Walton-on -Trent, DE12 8LL

Condition 2. Between 23:00 to 03:00 hours the Music Noise Level (MNL) expressed as a 5 minute LAeq shall not exceed 42dBA taken as a free field measurement taken at any of the locations described in Condition 1.

Condition 3. During the event, the organiser shall operate an attended noise complaint telephone line through which contact can be made regarding noise concerns. This phone number shall be publicised to the surrounding communities in a manner to be agreed with the Licensing Authority and provided to the Environmental Health teams at both South Derbyshire District Council and East Staffordshire District Council for contact to be made should noise levels be considered unacceptable during the event.

Condition 4. The event organisers must employ a competent person to monitor and assess noise from the event. Those person(s) responsible for noise control must be on site and operational during all hours when music noise from licensed activities is occurring. Outside of these hours, members of staff nominated to the Licensing Authority must be available to be contacted in the event of noise complaints being received outside these

hours. Their details and direct contact number must be made available to the Environmental Health Departments described in condition 3.

Condition 5. At least 3 days before the commencement of licensed activities a Noise Management Plan will be submitted to South Derbyshire District Council and which will describe the noise controls which will be taken to ensure that the noise conditions in this license are complied with.

Regards

**Matt Holford**  
Environmental Health Manager  
South Derbyshire District Council  
Direct Dial 01283 595856