ANNEXE 'E'

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item 2 **Hearing Date: 8th January 2013**

Contact Officer: Ruth Boam – 01283 595716

DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

Applicants Name	Trident Reach the People Charity
Premises Name	Oakland Village
Address	Hall Farm Road, Swadlincote, DE11 8ND

1. PURPOSE

To determine an application for a premise licence received by this Authority on the 21st November 2012 from Trident Reach the People Charity. **(application attached at Appendix 1)**.

2. BACKGROUND

2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol, Regulated Entertainment, and Late Night Refreshment. The full details are indicated below in paragraph 3.

2.2 No current premises licence exists at Oakland Village.

3. APPLICATION DETAILS

3.1 The applicant requests the Licensing Authority to permit the following:

Activity	Days	Times
Plays – Indoors only	Monday to Friday Saturday and Sunday	18:00hrs to 22:30hrs 12:00hrs to 22:30hrs
Films – Indoors only	Monday to Sunday	14:00hrs to 16:30hrs 18:00hrs to 22:30hrs
Live Music; Recorded Music; Performances of Dance; – Indoors only	Monday to Thursday Friday to Sunday	12:00hrs to 22:30hrs 12:00hrs to 23:00hrs
Activities similar to live, recorded music, or dance – Indoors only	Monday to Thursday Friday to Sunday	10:00hrs to 22:30hrs 10:00hrs to 23:00hrs
Sale by Retail of Alcohol for consumption on the premises only	Monday to Sunday	12:00hrs to 23:00hrs
Hours premises to remain open to members of the public	Monday to Sunday	10:00hrs to 23:30hrs

All requested activities, and opening hours.	New Year's Eve and when British summer time commences	An additional hour has been requested

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

4. CONSULTATION RESPONSES

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

No other valid representations have been received.

5. AGREEMENT BETWEEN PARTIES

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

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

6. DETERMINATION

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

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

7. RIGHT OF APPEAL

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

APPENDICES

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

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APPENDIX 1

Exp 19/12/12

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

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Trident Reach the People Charity
(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			
Oakland Village Hall Farm Road			
Post town	Swadlincote	Postcode	**DE11 8ND**

Telephone number at premises (if any)	**01283 221799**
Non-domestic rateable value of premises	**£ Not known yet**

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

a) an individual or individuals * ☐ please complete section (A)

b) a person other than an individual *

i. as a limited company ☐ please complete section (B)

ii. as a partnership ☐ please complete section (B)

iii. as an unincorporated association or ☐ please complete section (B)

iv. other (for example a statutory corporation) ☐ please complete section (B)

c)	a recognised club	☐	please complete section (B)
d)	a charity	x	please complete section (B)
e)	the proprietor of an educational establishment	☐	please complete section (B)
f)	a health service body	☐	please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	☐	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or [x]

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 ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ 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 ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ 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 TRIDENT REACH THE PEOPLE CHARITY
Address 2ND FLOOR, BRADFIELD HOUSE, POPES LANE, OLDBURY B69 4PA
Registered number (where applicable) 6761585
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY / CHARITY
Telephone number (if any) 0121 226 5800
E-mail address (optional) anthonym@reachthecharity.org.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	9	1	2	2	0	1	2

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

DD		MM		YYYY			

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

Extra Care Housing Complex with communal facilities to include a restaurant, bar, bistro, a village hall for events such as shows, dancing, bingo etc. The scheme has 88 apartments and 32 dementia care beds

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment	Please tick any that apply
a) plays (if ticking yes, fill in box A)	X
b) films (if ticking yes, fill in box B)	X
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)	X
f) recorded music (if ticking yes, fill in box F)	X
g) performances of dance (if ticking yes, fill in box G)	X
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	X

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

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

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)		
Day	Start	Finish		Indoors	[x]
				Outdoors	☐
				Both	☐
Mon	18:00	22:30	**Please give further details here** (please read guidance note 3) We would like to offer both the residents and local voluntary arts and entertainment groups the opportunity to start a theatre group and put on their own performances. For example a Christmas Panto. This will not be a frequent event but flexibility is needed so that different days in the week can be used.		
Tue	18:00	22:30			
Wed	18:00	22:30	**State any seasonal variations for performing plays** (please read guidance note 4) It is not envisioned that there would be more than 4 plays or theatre events per year		
Thur	18:00	22:30			
Fri	18:00	22:30	**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) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sat	12:00	22:30			
Sun	12:00	22.30			

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	x
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	14:00	16:30	**Please give further details here** (please read guidance note 3) We would to engage with and provide residents film nights. This will be led by residents in the choice of film and may be linked with a supper club on a themed night. For example the film 'A Western' followed by a barbeque style buffet We would envisage a film night twice and month one in the evening and a matinee, and would like residents to choose the days they are held on		
	18:00	22:30			
Tue	14:00	16:30			
	18:00	22:30			
Wed	14:00	16:30	**State any seasonal variations for the exhibition of films** (please read guidance note 4) We would aim to put on Christmas Themed film nights in the weeks leading up to Christmas. A White Christmas etc.		
	18:00	22:30			
Thur	14:00	16:30			
	18:00	22:30			
Fri	14:00	16:30	**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) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
	18:00	22:30			
Sat	14:00	16:30			
	18:00	22:30			
Sun	14:00	16.30			
	18:00	22:30			

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			**Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2) N/A	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 4)		
Thur					
Fri			**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** (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			**Will the performance of live music take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	X
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	12:00	22:30	**Please give further details here** (please read guidance note 3) Residents, customers and guests will have the opportunity to book the 'Village Hall' (indoors) for private Dinners, functions, parties and weddings and to have live music for these events		
Tue	12:00	22:30			
Wed	12:00	22:30	**State any seasonal variations for the performance of live music** (please read guidance note 4) There will be Christmas Party nights in December for Christmas with the opportunity for live music entertainment		
Thur	12:00	22:30			
Fri	12:00	23:00	**Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list** (please read guidance note 5) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sat	12:00	23:00			
Sun	12:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			**Will the playing of recorded music take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	12:00	22:30	**Please give further details here** (please read guidance note 3) Residents, customers and guests will have the opportunity to book the 'Village Hall' (indoors) for private Dinners, functions, parties and weddings and to have live music for these events		
Tue	12:00	22:30			
Wed	12:00	22:30	**State any seasonal variations for the playing of recorded music** (please read guidance note 4) There will be Christmas Party nights in December for Christmas with the opportunity for recorded music entertainment		
Thur	12:00	22:30			
Fri	12:00	23:00	**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 5) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sat	12:00	23:00			
Sun	12:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			**Will the performance of dance take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	X
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	12:00	22:30	**Please give further details here** (please read guidance note 3) As part of our healthy living agenda we will offer dancing lessons and this may include performances by professional dances. We will hold dancing exercise classes and ballroom dancing linked to events.		
Tue	12:00	22:30			
Wed	12:00	22:30	**State any seasonal variations for the performance of dance** (please read guidance note 4) There will be several Christmas Dance events held during December		
Thur	12:00	22:30			
Fri	12:00	23:00	**Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 5) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sat	12:00	23:00			
Sun	12:00	23:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing Occasional parties, dances, and community based activities The 'Village Hall' will be used for internal and external groups for community events and entertainment. This may include tea dances, craft fairs, local school theatre presentations; residents led debating society, exercise classes to music, fashion shows.		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	X
Mon	10:00	22:30		Outdoors	☐
				Both	☐
Tue	10:00	22:30	**Please give further details here** (please read guidance note 3) Village Hall is the only place where music will be amplified		
Wed	10:00	22:30			
Thur	10:00	22:30	**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4) The parties, social community events will not be on a constant basis. They will occur as and when a request is made		
Fri	10:00	23:00			
Sat	10:00	23:00	**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 5) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Sun	10:00	23:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			**Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 2) N/A	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur					
Fri			**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** (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			**Will the supply of alcohol be for consumption – please tick** (please read guidance note 7)		
				On the premises	X
				Off the premises	☐
Day	Start	Finish		Both	☐
Mon	12.00	23:00	**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue	12.00	23:00			
Wed	12.00	23:00			
Thur	12.00	23:00	**Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 5) An additional hour to the standard and non standard times on the day when British summertime commences. An additional hour to the standard and non standard times on New Year's Eve.		
Fri	12.00	23:00			
Sat	12.00	23:00			
Sun	12.00	23:00			

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

Name
Mr Keith Wheatcroft

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).
N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	10:00	23:30
Tue	10:00	23:30
Wed	10:00	23:30
Thur	10:00	23:30
Fri	10:00	23:30
Sat	10:00	23:30
Sun	10.00	23:30

State any seasonal variations (please read guidance note 4)
None

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

An additional hour to the standard and non standard times on the day when British summertime commences.

An additional hour to the standard and non standard times on New Year's Eve.

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)

Our aim is to provide a well managed, safe and enjoyable environment for our residents, their families and guests to join in community events, dining, and a many other community based opportunities so that Oakland Village becomes a thriving part of the local community. To this end we will encourage local resident who live nearby to use the communal facilities.
We intend those residents living at Oakland Village to guide and introduce their own way of how the Village will progress including events that will be held.
As a charity we have a full commitment to provide well trained competent staff who will fully comply with all health and safety, licensing and other regulatory requirement for an Extra Care Scheme.

b) The prevention of crime and disorder

The facilities are generally for older people, the local community and relatives of the tenants. There will be security in the building, access is controlled, CCTV, and professional bar staff on site
We will provide a clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted.
We will ensure the maximum occupancy of the scheme will not exceed that specified by the Fire Authority and Health & Safety Regulations
We will use a suitable system to control entry to the premises, usually tickets to ensure the number of persons entering and leaving the premises, or parts of the premises where appropriate, and ensure that the maximum specified occupancy is not exceeded at any one time.
As far as is practical we will ensure that persons on or leaving the premises and using adjacent car parks and highways will be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by
Our CCTV cameras will be maintained in good working order and recordings retained for a minimum of 14 days.
We will maintain a register of all staff who are working at the premises whilst the public is present is maintained.
If required the provision of plastic glass will be provided.
We will prevent the sale of alcohol to persons under the age of 18 years requesting suitable written proof of age from young people attempting to purchase alcohol, in accordance with licensing law and Bar staff will be suitably trained to prevent the sale of alcohol to under 18's.
Regular glass and bottle collection will be undertaken throughout the premises.

c) Public safety

We will record and keep on the premises information of all inspections made to comply with any public safety condition attached to the premises license that requires the recording of such information. These records will be kept available and produced for inspection when required by persons authorised by the licensing Act 2003 or associated legislation
Adequate access is provided for emergency vehicles.
All reasonable steps will be taken to ensure that nothing or no-one obstruct exits, yards, passageways, stairways and ramps leading to the outside of the premises. All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition
Dancing will only be permitted in the Village Hall with an area separate from the main dance area with adequate seating and, suitable means of providing cool air
We will ensure at least one qualified first-aider will be present on the premises at all times. The date on which any staff have obtained first aid qualifications or received refresher training shall be recorded and kept within a logbook. Facilities and equipment suitable for the number of patrons and the type of event undertaken are provided to enable first-aid treatment to be given promptly in the event of injury to patrons or staff.
All access and gangways will be kept clear at all times.

All parts of the premises will be adequately illuminated and those portions to which the public has access and all routes of escape for performers and staff shall be provided with adequate means of illumination from two independent sources.
In the event of failure of the general lighting, the public shall be required to leave the Premises forthwith.
In the event of the failure of the emergency lighting, the area shall be immediately fully illuminated by the general lighting and the public shall be required to leave the Premises forthwith. Any batteries supplying emergency lighting shall be fully charged before the public are admitted to the Premises. They shall be of such capacity and so maintained as to be capable of supplying at normal voltage the full load of the emergency lighting during the time required for "safe escape" of the public in an emergency. When the public has been required to leave the Premises owing to a failure covered by these provisions, they shall not be readmitted until the general lighting or emergency lighting, as the case may be, failure of which was the reason for their being required to leave, shall have been fully restored.
The air management system within our premises will be used during entertainment, as there will be insufficient ventilation when all windows and doors are closed to prevent noise breakout.
Any disabled people present on the premises will be provided with adequate arrangements to enable their safe evacuation in the event of an emergency and disabled persons on the premises will be made aware of those arrangements

d) The prevention of public nuisance

We will endeavour that any noise will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management, and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
Noise levels within the premises resulting from the operation of any musical instrument or amplified equipment will be regulated so as to protect the hearing of any employee therein in accordance with current standards.
Clear and legible notices will be displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. There will be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.
We will ensure the placing of refuse, such as bottles, into receptacles outside the premises takes place at times that will prevent disturbance to nearby properties.
We will arrange for the deliveries of kegs, bottles, food or other materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
The management of Oakland Village will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
Doors and windows will be kept shut during entertainment. To reduce noise break out. A management scheme will be in place to ensure this situation remains.
Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly. An announcement will be made prior to closing requesting patrons' cooperation in leaving the premises and vicinity as quietly and quickly as possible.
Staff will check prior to entertainment, and periodically during the entertainment, that all windows and doors are shut.
A senior member of staff (manager) will assess the impact of any noisy activities on neighbouring residential premises at the start of the activity
The delivery of goods will be restricted to suitable hours of the day as to not disturb local residents
Bottle skips and bins containing cans or bottles will not be emptied outside after closing but will be dealt with the next day during normal office hours.
We will ensure the movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
Staff will monitor the use of the car park to ensure patrons do not congregate in this area and cause annoyance.
The premises will remain open for at least half an hour after alcohol is served, during which time patrons will be dispersed gradually.
Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties and the premises is properly vented.
The use of lighting in gardens and external areas will be for health and safety or security reasons.
All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting lid to help prevent litter being blown around.

e) The protection of children from harm

The Staff will be fully trained in respect of the licensing law for children and those under the age of 18. The management will check this is fully adhered to. It is envisaged that children will only be on the premises visiting relatives or dining in the restaurant or bistro. All staff will check ID from young people. Film nights will be for residents and their guests only however should a request be made for children to be allowed to attend this will be done in conjunction with guidelines on film ratings.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. X
- 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	[illegible]
Date	19th December 2012
Capacity	Solicitor

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Tara Harding Smith Partnership 4th Floor Celtic House Friary Street			
Post town	Derby	Postcode	DE1 1LS
Telephone number (if any)	01332 225273		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tara.harding@smithpartnership.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 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.

Consent of individual to being specified as premises supervisor

I Keith Wheatcroft

[full name of prospective premises supervisor]

of

Geary House Northside
Geary Lane
Bretby
Burton on Trent
Staffordshire
DE15 0QE

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence

[type of application]

by

Trident Reach the People Charity

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Oakland Village
Hall Farm Road
Swadlincote
DE11 8ND

[name and address of premises to which the application relates]

25.

and any premises licence to be granted or varied in respect of this application made by

Trident Reach the People Charity

[name of applicant]

concerning the supply of alcohol at

Oakland Village

Hall Farm Road

Swadlincote

DE11 8ND

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

16773

[insert personal licence number, if any]

Personal licence issuing authority

South Derbyshire District Council

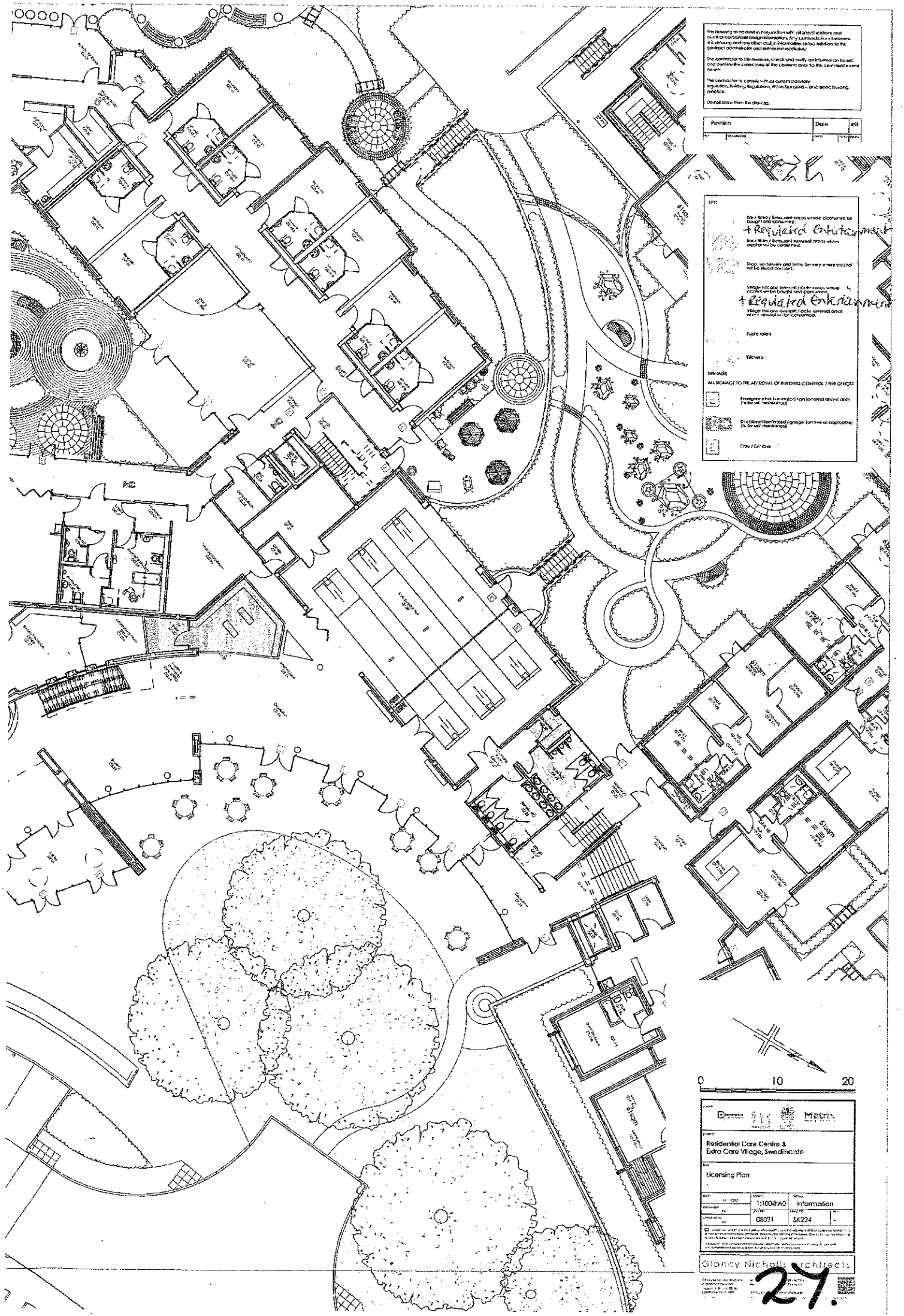
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed K.W Wheatcroft

Name (please print) KEITH WILLIAM WHEATCROFT

Date 15/11/12.

26.



Revision
Date
Init
Bar / Bistro / Restaurant areas where alcohol will be bought and consumed.
+ Regulated Entertainment
Bar / Bistro / Restaurant external areas where alcohol will be consumed.
Shop, Bar Servery and Bistro Servery where alcohol will be stored and sold.
Village Hall and Overspill / Cafe areas where alcohol will be bought and consumed.
+ Regulated Entertainment
Village Hall and Overspill / Cafe external areas where alcohol will be consumed.
Public toilets
Kitchens
SIGNAGE
ALL SIGNAGE TO THE APPROVAL OF BUILDING CONTROL / FIRE OFFICER
Emergency Exit Illuminated sign (arrows as applicable) (to be self maintained)
Directional Illuminated signage (arrows as applicable) (to be self maintained)
Entry / Exit door
0
10
20
Matrix
Residential Care Centre &
Extra Care Village, Swadlincote
Licensing Plan
1:100@A0
Information
08021
SK224
Glancy Nicholls Architects
27.

APPENDIX 2

Tel: 101
Text Relay: 18001 101
www.derbyshire.police.uk

Contact: PC 2766 MORLEY
Direct Tel: 760 3036
Ext: 01332 / 613036
Fax:
Our ref: PID / 7497
Your ref: Oakland Village

Licensing Department.
South Derbyshire Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Monday, 10 December 2012

BY E-MAIL & POST

Dear Madam,

LICENSING ACT 2003 APPLICATION: Application for Premises Licence – Oakland Village, Hall Farm Road, Swadlincote, DE11 8ND.

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

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

Further explanation is given at appendix 'A' attached.

Yours faithfully

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

29.

Incoming telephone calls and data communications may be monitored and recorded

PLEASE NOTE:

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

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

APPENDIX A RE:

The applicant is applying for a NEW Premises Licence for the supply of alcohol and other licensable activities on the premises with the opening hours of the premise being;

1000hrs to 2330hrs Monday and Sunday.

The times that alcohol is proposed to be supplied in line with the application is from 12 noon to 2300hrs.

The premises itself is proposed to be a small community housing complex with various buildings which will carry on regulated entertainment and the sale of alcohol. Due to the nature of the premises and the clientele it is proposed that many of the steps to promote the licensing objectives will be seen as 'best practice' for any responsible premises licence holder. Again, such steps have been largely proposed by the applicant.

During the application consultation period, the chief officer of police has contacted the Solicitor on behalf of the applicant regarding the proposed operating schedule. Concerns have been expressed with regard to the content and wording of the steps proposed to promote the licensing objectives. It has been explained that without proper safeguards attached to any premises licence, there could be an undermining of one or more of the licensing objectives.

The Solicitor on behalf of the applicant has been receptive to any concerns raised and has duly agreed to amend the wording of the steps submitted as part of the proposed operating schedule. The Solicitor understands that any amendment will form part of any premises licence issued by the Licensing Authority as a condition. It is further understood that any breach of a condition carries with it a possible penalty under Section 136 of the Licensing Act 2003.

It is with a view that the sale of alcohol would increase footfall, sales and revenue at the premise and with this see an increase in visitors, residents and customers during the times the licensable activities and supply of alcohol are outlined within the application.

The premises are currently nearing completion and are situated within a small but well established residential area of Swadlincote where access is proposed to be gained via the main through road, namely Church Street. This area comprises of mainly residential premises with two public houses (The Angel Inn and The Railway Inn) within the immediate locality and a main public park (Eureka Park) within five minutes walk of the premises. The premise would be frequented by the local community, visiting the local area for scheduled events and activities.

It is recognised that incidents of Anti – social behaviour within the locality of the park involving groups of children that have been able to gain access to alcohol have been recorded with other establishments experiencing similar issues of rowdy nuisance behaviour. It is the belief of the Police Licensing Department that where appropriate, necessary steps and measures should be implemented to preserve the integrity of the premises and its offering.

With regards to other licensable activities that may give rise to public nuisance (music) that control measures be put in place to ensure that members of the community are not unduly disturbed when events involving amplified music and / or speech are being carried out.

There would be an increase in the opportunity for these youths and other members of the public to obtain alcohol from yet another location and thereby would be more than likely to increase linked anti-social behaviour and associated crime within this area should it not be managed correctly.

By applying for this licence as it stands, without any measures (conditions) being imposed on the premises, I believe that it would lead to an increase in persons loitering within this residential and business area thereby giving cause for concern for public nuisance, protection of children from harm and the rise in Crime and Disorder within the locality of the premise, therefore undermining three of the licensing objectives.

Agreed Conditions

1) Full training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.

2) Refresher training shall be provided at regular intervals – at least every 6 months.

3) A challenge '25' Proof of age scheme shall be operated at all times.

4) Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.

5) The only acceptable forms of identification shall be:
- Photo Driving Licence.
- Current British/UK Passport.

6) A system of recording sales refused under the proof of age scheme shall be operated at all times.

7) The refusal book/log shall be kept on the premises and be made immediately available upon a request by a Police Officer or an authorised person acting on behalf of a responsible authority as detailed within Section 13 of the Licensing Act 2003.

8) Suitable and sufficient written risk assessments and operating policies shall be kept up to date and shall be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.

9) All external doors and windows in the premises must remain closed at any time when the nature of regulated entertainment may give rise to public nuisance (as defined in section 7.40 of the guidance issued under section 182 of the licensing act 2003), except for the duration of access and egress or in an emergency.

10) Regular external noise checks will be carried out by the DPS or other suitably trained designated person to ensure noise does not give rise to public nuisance.

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

12) A CCTV system shall 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).

13) The CCTV recording system must be operating at all times when the premises are open for licensable activities.

14) All CCTV recordings must be retained for a minimum of 21 days unless negotiated otherwise. These images must be available for viewing at any reasonable time upon request of a Police Officer or another authorised person as detailed within Section 13 of the Licensing Act 2003.

15) The DPS and designated members of staff must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (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).

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

17) Installed CCTV cameras/monitors are to be positioned so as to ensure all areas to which the public have access are covered.

18) All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose.