

19/06/12

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

APPENDIX 1

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We South Derbyshire District Council

(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			
The Delph Market Square Swadlincote Town Centre (off Midland Road) Derbyshire DE11 9DG			
Post town	Swadlincote	Postcode	DE11 9DG

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£N/A

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 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) | Y | please complete section (B) |

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

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

Please tick yes

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

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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 South Derbyshire District Council
Address Civic Way Swadlincote Derbyshire DE11 0AH
Registered number (where applicable) N/A
Description of applicant (for example, partnership, company, unincorporated association etc.) Local Authority
Telephone number (if any) 01283 595 795
E-mail address (optional) customer.services@south-derbys.gov.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

0	1	.	0	5	.	2	0	1	4
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

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

Market square in Swadlincote town centre. Open space bounded by roads (Midland Road, West Street, Market Street) and buildings (retail, services, food & drink including Sir Nigel Gresley public house, Town Hall).

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

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

(Please see sections 1 and 14 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) | Y |
| b) films (if ticking yes, fill in box B) | Y |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | Y |
| f) recorded music (if ticking yes, fill in box F) | Y |
| g) performances of dance (if ticking yes, fill in box G) | Y |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | Y |

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

☐

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

Y

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	Y
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) To include amplified and non-amplified sound.		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4) N/A		
Thur	08.00	23.00			
Fri	08.00	23.00			
Sat	08.00	23.00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) N/A		
Sun	08.00	23.00			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input checked="" type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) To include amplified and non-amplified sound.		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
			N/A		
Thur	08.00	23.00			
Fri	08.00	23.00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	08.00	23.00			
Sun	08.00	23.00			

C

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

D

Boxing or wrestling entertainments 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)	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 boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<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)		
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	<input type="checkbox"/>
					Outdoors	Y
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) To include amplified and non-amplified music.			
Mon	08.00	23.00				
Tue	08.00	23.00				
Wed	08.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4)			
			N/A			
Thur	08.00	23.00				
Fri	08.00	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)			
Sat	08.00	23.00	N/A			
Sun	08.00	23.00				

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	Y
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) To include amplified and non-amplified music.		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) N/A		
Thur	08.00	23.00			
Fri	08.00	23.00			
Sat	08.00	23.00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) N/A		
Sun	08.00	23.00			

G

Performances of dance 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	Y
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) To include amplified and non-amplified music.			
Mon	08.00	23.00				
Tue	08.00	23.00				
Wed	08.00	23.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
Thur	08.00	23.00				
Fri	08.00	23.00				
Sat	08.00	23.00	<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)			
Sun	08.00	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 Christmas Lights Switch-on, fairs, markets, auctions, exhibitions.		
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	08.00	23.00		Outdoors	Y
				Both	<input type="checkbox"/>
Tue	08.00	23.00	<u>Please give further details here</u> (please read guidance note 3) To include amplified and non-amplified music.		
Wed	08.00	23.00			
			<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) N/A		
Thur	08.00	23.00			
Fri	08.00	23.00	<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) N/A		
Sat	08.00	23.00			
Sun	08.00	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)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri						
Sat			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)			
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	Y
Day	Start	Finish			
Mon	08.00	23.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) N/A		
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	<u>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</u> (please read guidance note 5) N/A		
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			

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

Name Malcolm Roseburgh	
Address South Derbyshire District Council Civic Way Swadlincote Derbyshire	
Postcode	DE11 0AH
Personal licence number (if known) N/A	
Issuing licensing authority (if known) South Derbyshire District Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

The showing of films. If any of these were to have an age classification the viewing audience would need to be managed accordingly.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) The premises is a public square open to the public 24 hours/day.
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) The premises is a public square open to the public at all times.
Mon	00.00	24.00	
Tue	00.00	24.00	
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	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)

To pursue good practice in preventing crime and disorder, ensuring public safety, preventing public nuisance and protecting children from harm.

b) The prevention of crime and disorder

Work with Police and Safer South Derbyshire Partnership in planning and delivering events. Depending on the nature and scale of the event provide event marshalling. Utilise the town centre CCTV system, as appropriate. The key issue is likely to be working with the public houses on and adjacent to the market square, including the Sir Nigel Gresley, The Empire and The Bear Inn to ensure that issues do not occur.

c) Public safety

Depending on the size and nature of the activity, provide event first aid and prepare risk assessments, emergency plans etc.

d) The prevention of public nuisance

As above, plus ensure that there are sufficient waste bins during events and litter clearance following events.

e) The protection of children from harm

Ensure that staff are appropriately trained and checked, where relevant.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. Y
- I have enclosed the plan of the premises. Y
- I have sent copies of this application and the plan to responsible authorities and others where applicable. Y
- ☒ I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. Y
- I understand that I must now advertise my application. Y
- I understand that if I do not comply with the above requirements my application will be rejected. Y

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	M.M. Rose
Date	14/5/14
Capacity	Cultural Services Manager, South Derbyshire District Council

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	N/A
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Malcolm Roseburgh
Cultural Services Manager, Community and Planning Department
South Derbyshire District Council
Civic Way

Post town	Swadlincote, Derbyshire	Postcode	DE11 0AH
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Telephone number (if any)	01283 595 774
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
malcolm.roseburgh@south-derbys.gov.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.

From: Roseburgh Malcolm [<mailto:Malcolm.Roseburgh@south-derbys.gov.uk>]
Sent: 12 June 2014 10:38
To: Hannah, Kelvin, 2673
Cc: Day, Philip, 2465
Subject: Proposed conditions for Market Square (Revised)

Hi Philip – further to our phone conversation today please find attached proposed conditions in relation to the application for a new licence for the market square in Swadlincote. I trust this reflects our conversation but if you have any queries please advise. Thx - Malcolm

From: Hannah, Kelvin, 2673 [<mailto:Kelvin.Hannah.2673@derbyshire.pnn.police.uk>]
Sent: 05 June 2014 14:04
To: Roseburgh Malcolm
Cc: Day, Philip, 2465
Subject: Proposed conditions for Market Square

APPENDIX 2

Hello Malcolm,

Attached are proposals that you could offer in relation to the Application for a new Licence for the Market Square at Swadlincote. If these conditions were offered and agreed in an email there would be no objections from a Policing angle. This would assist in the promotion of the Four Licensing objectives set out in the Licensing Act 2003.

If you decide this is what you propose, please could you reply to myself and PC 2465 Day on Philip.day.2465@derbyshire.pnn.police.uk as I am going on annual leave shortly. Please could you also pass your Date of Birth.

I look forward to hearing from you.

Kind regards

PC 2673 Kelvin Hannah
Derby Licensing Department
0300 122 5643

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Please consider the effect on the environment before printing this email.

Content: The views expressed in this email are personal and may not necessarily reflect those of South Derbyshire District Council, unless explicitly stated otherwise.

Kinsey Lisa

From: Roylance Mike
Sent: 12 June 2014 16:21
To: Licensing Mailbox
Subject: RE: Proposed conditions for Market Square (Revised)

APPENDIX 3

Hi Lisa

Yes, this is much better.

Thanks, Mike

From: Licensing Mailbox
Sent: 12 June 2014 12:02
To: Roylance Mike
Subject: FW: Proposed conditions for Market Square (Revised)

Hi Mike

Can you confirm that you agree to the proposed conditions from Derbyshire Constabulary being attached to the premise licence.

Regards
Lisa

From: Day, Philip, 2465 [<mailto:Philip.Day.2465@derbyshire.pnn.police.uk>]
Sent: 12 June 2014 11:16
To: Licensing Mailbox
Cc: Hannah, Kelvin, 2673
Subject: FW: Proposed conditions for Market Square (Revised)

Good Morning.

Please take this e-mail as confirmation that the Police Licensing team will make no objection to any premises licence issued with the above proposed and agreed conditions attached. Many Thank's.
Kind Regards Phil.

Philip Day PC 2465

Licensing Enforcement Officer

Derbyshire Constabulary
'D' Division Licensing Team
Prime Parkway
Chester Green
DERBY
DE1 3AB

Tel: 0300 122 5410 (Internal 75 02465)

Fax: 0300 122 8862 (Internal 68862)

E-mail: philip.day.2465@derbyshire.pnn.police.uk

Ext. Group E-mail: derby.licensing@derbyshire.pnn.police.uk

Int. Group E-mail: D.Licensing

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

Proposed conditions for Delph/Market Square, Swadlincote Town Centre.

1. The planning of any event must include the promotion of the Four Licensing objectives of the Licensing Act 2003. This will be monitored by South Derbyshire District Council advisory group.
2. Off sales will be dispensed in sealed containers.
3. Events organisers will regularly Risk assess the requirement for SIA trained door supervisors at events. This will be considered on an event by event basis.
4. A refusal/Incident log will be maintained and produced to a Police Officer or a person as detailed in section 13 of the Licensing Act 2003 upon request.
5. The Designated Premises Supervisor or other nominated representative should monitor noise levels during entertainment involving amplified music or speech. If, as a result of this monitoring it is considered that the noise levels are excessive, Immediate action should be taken to cause the volume of the entertainment to be reduced to suitable levels. Events organiser's staff must manage any event on a day to day basis and respond to any complaints.
6. Events organisers will adopt a Challenge 25 scheme when serving Alcohol. This will be enforced when a person who appears younger than 25 will be challenged to prove their age by tendering relevant Identification which must be either a valid photo card Driving Licence or Passport.

