



F. McArdle
Chief Executive

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

www.south-derbys.gov.uk

Please ask for: Democratic Services
Phone: (01283) 595722 / 595848
Minicom: (01283) 595849
DX 23912 Swadlincote

Date: 12 May 2014

Dear Councillor,

Licensing and Appeals Sub-Committee

A Meeting of the **Licensing and Appeals Sub-Committee** will be held in the **Committee Room**, on **Monday, 12 May 2014 at 10:00**. You are requested to attend.

Yours faithfully,

Chief Executive

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

Labour Group
Councillor Bell.



Page 1 of 44

investor in excellence
Housing Services



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** Determination of application for premises licence - Food Stop, Swadlincote. **3 - 24**
- 5** Determination of an application for a Premise Licence - Derbyshire Food and Drink Fayre, Elvaston. **25 - 44**

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.
- 7** Review of an existing Private Hire Driver's Licence. (Paragraph 2)
- 8** Review of an existing Private Hire Driver's Licence. (Paragraph 2)

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item 4

Hearing Date: 12th May 2014

Contact Officer: Emma McHugh – 01283 595716

DETERMINATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE

Applicant's Name	Halil Zurnacioglu
Premises Name	Food Stop
Address	Coppiceside, Swadlincote, Derbyshire, DE11 9AE

1. PURPOSE

To determine an application for the grant of a premise licence received by this Authority on the 28th February 2014 from Halil Zurnacioglu. 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 provision of late night refreshment.

3. APPLICATION DETAILS

3.1 The applicant requests the Authority to permit the following:

Activity	Days	Times
Provision of late night refreshment indoor	Sunday to Thursday	23.00 – 01.00
	Friday and Saturday	23.00 – 02.00
Opening hours to the public	Monday to Thursday	12.00 – 01.00
	Friday and Saturday	12.00 – 02.00
	Sunday	16.00 – 01.00

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at page 16 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 representations have been received.

5. AGREEMENT BETWEEN PARTIES

- 5.1 The applicant has agreed to have the conditions requested by Derbyshire Constabulary (**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 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. Derbyshire Constabulary representation.
3. Derbyshire Constabulary agreed conditions to be added to the operating schedule.

[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.

I/we HALIL ZURNACIOGLU
(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 FOOD STOP COPPIESIDE			
Post town	SWADLINCOTE	Postcode	DE11 9AFA
Telephone number at premises (if any)	01283 211516		
Non-domestic rateable value of premises	£1200 Approx.		

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 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname ZURNACIOGLU			First names HALIL		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number		01283 536241			
E-mail address (optional)	veli@velis.co.uk				

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
28	05	2014

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)

HOT FOOD TAKE AWAY WITH DELIVERY SERVICE

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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 type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<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					
Sun					

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			
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

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

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	<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 playing of recorded music (please read guidance note 4)	
Thur						
Fri						
Sat					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)	
Sun						

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	<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 performance of dance (please read guidance note 4)	
Thur				
Fri			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)	
Sat				
Sun				

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		
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

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12 pm	1 am	<u>Please give further details here</u> (please read guidance note 3)		
Tue	12 pm	1 am			
Wed	12 pm	1 am	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	12 pm	1 am			
Fri	12 pm	2 am	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	12 pm	2 am			
Sun	12 pm	1 am			

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	<input type="checkbox"/>
			Off the premises	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			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)	

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

Name	
Address	
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).

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	12 PM	1 AM	<p><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)</p>
Tue	12 PM	1 AM	
Wed	12 PM	1 AM	
Thur	12 PM	1 AM	
Fri	12 PM	2 AM	
Sat	12 PM	2 AM	
Sun	4 PM	1 AM	

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)

b) The prevention of crime and disorder

CCTV

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

--

Checklist:

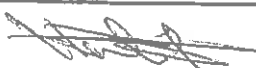
Please tick to indicate agreement

- 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	25/2/14
Capacity	

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)			
Post town		Postcode	
Telephone number (if any)			
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.

McHugh Emma

From: Day, Philip, 2465 <Philip.Day.2465@derbyshire.pnn.police.uk>
Sent: 11 March 2014 09:26
To: McHugh Emma
Subject: Agreed conditions offered by applicant for Food Stop Coppice side Swadlincote
Attachments: Copy of signed agreed conditions.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Morning Emma.

Please find attached copy of the signed conditions offered by the applicant for the above premises application. The police licensing team would have no objections to the issue of any premises licence for the premises with the above conditions attached. If you have any questions or require clarification please do not hesitate to contact me.
 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>

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**PROPOSED CONDITIONS FOR FOOD STOP COPPICE SIDE,
SWADLINCOTE, DE11 9AE**

1. CCTV must be installed and operating at all times when the premises are open for licensable activities, and cover the areas to which the public have access. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
2. The CCTV recording system must be maintained in good working order and be fit for purpose. All CCTV recordings must be retained for a minimum of 28 days. Upon the request of a police officer or an authorised person, as detailed within Section 13 of the Licensing Act 2003, they can view the recording at any reasonable time and obtain a copy if required.
3. The Premises Licence Holder/s and designated members of staff must be able to retrieve and copy any recordings/images at the time of asking or within 48 hours if so required. (The police will not meet the cost of the 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 is incurred, would be met between the agencies requiring the images).
4. All digital recordings to be made in real time, time lapse not to be used.
5. Full training is to be provided to staff on commencement of employment with regards to the use / recovery of data held on the cctv system installed at the premises Refresher training will be provided at regular intervals (at least once every six months)
6. The Licence holder will ensure that prominent, clear and legible notices are displayed at the exit requesting customers to respect the needs of the local community and to leave the premises and the area quietly whilst placing all litter in bins.
7. A nominated representative/s from the premises, on at least one occasion every night that the premises are open between the hours of 23:00 hours and 02:00 hours and then again shortly after the premises closes every night, shall undertake a litter-picking operation covering the area immediately to the front of the premises. Any litter/waste found during the exercise shall be placed into sealed receptacles designed specifically for the collection of waste and disposed of in an appropriate manner.

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item 5

Hearing Date: 12th May 2014

Contact Officer: Emma McHugh – 01283 595716

DETERMINATION OF AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE

Applicant's Name	Derbyshire County Council
Premises Name	Derbyshire Food and Drink Fair
Address	Elvaston Castle Country Park, Borrowash, Derbyshire, DE72 3EP

1. PURPOSE

To determine an application for the grant of a premise licence received by this Authority on the 20th March 2014 from Derbyshire County Council. 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 provision of live music indoors and outdoors, recorded music indoors and outdoors and the sale by retail of alcohol for consumption on and off the premises.

3. APPLICATION DETAILS

3.1 The applicant requests the Authority to permit the following:

Activity	Days	Times
Live music and recorded music indoors and outdoors and the sale by retail of alcohol for consumption on and off the premises	Saturday	10.00 – 17.30
	Sunday	10.00 – 16.30
Opening hours to the public	Saturday	10.00 – 17.30
	Sunday	10.00 – 16.30

3.2 The steps the applicant intends to take to promote all four licensing objectives can be seen at section 18 of the application form.

4. CONSULTATION RESPONSES

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

No other representations have been received.

5. AGREEMENT BETWEEN PARTIES

5.1 The applicant has agreed to have the conditions requested by Derbyshire Trading Standards (**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 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 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. Derbyshire Trading Standards representation.
3. Derbyshire Trading Standards agreed conditions to be added to the operating schedule.



South Derbyshire
Application for a premises licence
Licensing Act 2003

For help contact
licensing@south-derbys.gov.uk
 Telephone: 01283 221000

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Derbyshire Food & Drink Fair

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Stephanie

* Family name

Walsh

* E-mail

stephanie.walsh@derbyshire.gov.uk

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House?

Yes No

* Is your business registered outside the UK?

Yes No

* Business name

Derbyshire County Council

If your business is registered, use its registered name.

* VAT number

GB

127248178

Put "none" if you are not registered for VAT.

* Legal status

Public Body

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Local Authority

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The event will be held on the 7,000 acre event site within the grounds of Elvaston Castle, which is surrounded by 200 acres of parkland. The fenced event site will take up 20,000 square metres of spaces. The event site will be fenced off and the whole area will be licensed, such that the consumption of alcohol could take place anywhere within the event site.

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Local live small music groups will provide musical entertainment for the dining areas at the event. The music will be slightly amplified but not to a level that would disturb other activities. Some of the exhibitors may play their own music on their stalls.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State 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.

Individual stall holders may chose to play their own background music on their stalls. During set-up and break down we
may choose to have some music on around the site at a low level.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

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

Name

First name

Family name

Page 35 of 44

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

n/a

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="17:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="16:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Active monitoring of the event site will be done by the Event Manager, Site Manager, the Personal Licence Holder and all event staff. An approved and competent security and stewarding firm will also be employed to steward the event site over the weekend.

Police, Fire Service, Environmental Health, EMAS and Trading Standards are involved in the Multi-Agency meetings prior to the event, helping to formulate the event plan and contingency procedures.

There will be a Tannoy System to communicate with the public. Event staff and security will also use head set communication systems.

Risk Assessments are completed for all activities within the event site. Exhibitors and others working at the event also complete risk assessments and provide copies of PLI documents. They are all required to comply with on-site regulations - they will be given fire evacuation procedures on arrival to the site.

The event will go ahead in accordance with agreements made in the Safety Advisory Group to comply with the Emergency Plan in terms of all activities.

All agreements reached with the Safety Advisory Group in so far as they relate to one of the four licensing objectives will be considered as conditions of any licence granted; such agreements shall be presented to the Licensing Authority at least 14 days prior to the event commencing.

b) The prevention of crime and disorder

The event site will be actively monitored at all times by the event staff and the contracted security company, who will supply copies of their regulatory documents.

There may also be a police presence on the event site.

c) Public safety

Extensive Risk Assessments are completed for all activities within the event site.

Active monitoring of the event site will be carried out at regular intervals.

EMAS and St John's Ambulance will have a presence on site.

The County Council Emergency Planning Vehicle and staff will also be on site throughout the event.

Event staff and stewards will actively monitor the number of people on the site and in the marquees.

d) The prevention of public nuisance

The event site is a fenced area, with manned entrance gates.

The noise levels from the live music will be actively monitored to comply with Health and Safety and noise regulations.

Regular litter picks will be carried out by event staff. Sufficient waste disposal units, recycling facilities and public toilets will be on site.

e) The protection of children from harm

All children's activity providers are CRB checked and they will provide Risk Assessments and PLI documents for their activities.

Continued from previous page...

There will be a procedure in place for lost children; staff at the location point will have CRB checks.

Children are only allowed on site if accompanied by an adult.

Steps to promote the licensing objective in relation to protecting children from harm will include a requirement that alcohol suppliers are individually risk-assessed and they will need to demonstrate that their staff are (i) suitably authorised to sell alcohol, (ii) adequately trained and, (iii) that they operate a Challenge 21/25 proof of age system. Only photo passports, photo driving licences and government approved cards will be accepted as ID. Exhibitors selling alcohol will be requested to keep refusal logs in relation to this system.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

- * I/we understand 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.
- * The 28 days target processing period relates only to the initial application. Should a Responsible Authority or Interested Party submit a representation then this period will be extended

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-derbyshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

From: Dathan,Clair (Health & Communities) <[redacted]>
Sent: 14 April 2014 14:28
To: Walsh,Stephanie (Economy, Transport & Environment)
Cc: Licensing Mailbox
Subject: Derbyshire Food & Drink Fair, Elvaston Castle

Categories: -

This email or email thread section has been classified CONTROLLED - This email requires controlled access by Council personnel only and may contain business or personal information.

Steph

I have received a copy of your application for the above. I understand that alcohol will be sold at the event, but I can't find any mention of the steps to be taken to prevent sales to children. I realise that the sales will be made by stall holders rather than the licence holder, so I have a suggestion about the wording below:

Operating Schedule – Proposed Measures to promote the Protection of Children from Harm Licensing Objective

- 1) Stallholders will be expected to provide full training to staff selling at the Derbyshire Food & Drink Fair – on the law relating to the sale of alcohol and on any procedures they are expected to follow while trading. Refresher training should be provided as required. A record of this training should be provided to the Premises Licence holder, prior to the start of the event for retention at their offices.
- 2) The age verification policy applying to the Derbyshire Food Fair is Challenge 25. Anyone attempting to purchase alcohol who appears to be under the age of 25 will be asked for proof of 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.

Posters informing customers of the age verification policy in operation and the age restrictions on the sale of alcohol will be clearly displayed at

- All entrances to the Derbyshire Food Fair
- All points of sale of alcohol – displayed on the stalls so that they can be easily read by customers.

- 3) A system of recording sales challenged/refused under the age verification policy will be operated at the Derbyshire Food & Drink Fair. A refusals log will be issued by the Designated Premises Supervisor (DPS) to each stall selling alcohol. This will be completed and signed by a representative of the business operating the stall and will be handed to the DPS at the end of the event. If there are no challenges/refusals the business representative must mark the log to that effect and sign it.

The DPS (or person authorised by him/her) will monitor the entries in the log after the event and indicate any action taken. They will date and sign each log and retain them, together with the training records, for two years. The records will be produced to authorised officers on request.

Could you please let me know as soon as possible if this is acceptable to you. If you need to discuss the matter further, please contact me.

Regards.

Clair Dathan
Principal Trading Standards Officer

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Derbyshire County Council
Health and Communities
Trading Standards Division
Chatsworth Hall
Chesterfield Road
Matlock
DE4 3FW

T: _____
Internal Extension 39848
Fax 01629 536197
E Mail _____
www.derbyshire.gov.uk/tradingstandards



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Derbyshire County Council works to improve the lives of local people by delivering high quality services. You can find out more about us by visiting 'www.derbyshire.gov.uk'. If you want to work for us go to our job pages on 'www.derbyshire.gov.uk/jobs'. You can register for e-mail alerts, download job packs and apply on-line.

Please Note

This email is confidential, may be legally privileged and may contain personal views that are not the views of Derbyshire County Council. It is intended solely for the addressee. If this email was sent to you in error please notify us by replying to the email. Once you have done this please delete the email and do not disclose, copy, distribute, or rely on it.

Under the Data Protection Act 1998 and the Freedom of Information Act 2000 the contents of this email may be disclosed.

Derbyshire County Council reserves the right to monitor both sent and received emails.

McHugh Emma

From: Walsh,Stephanie (Economy, Transport & Environment)
Sent: 25 April 2014 15:33
To: Licensing Mailbox
Cc: Kinsey Lisa; Dathan,Clair (Health & Communities)
Subject: RE: Derbyshire Food & Drink Fair, Elvaston Castle

Categories: Emma

This email or email thread section has been classified CONTROLLED - This email requires controlled access by Council personnel only and may contain business or personal information.

Hi Emma

As discussed, I'm happy for the e-mail with recommendations re alcohol sales to be included as an attachment and amendment to the current application.

Please confirm that this is all you need from me to continue.

Thanks

Steph

Stephanie Walsh
 Tourism/Twinning
 Derbyshire County Council
 Matlock
 Derbyshire
 DE4 3AG
 T: 01629 538464
 M: 07817 257 279



From: Licensing Mailbox [mailto:licensing@south-derbys.gov.uk]
Sent: 25 April 2014 14:54
To: Walsh,Stephanie (Economy, Transport & Environment)
Cc: Kinsey Lisa; Dathan,Clair (Health & Communities)
Subject: RE: Derbyshire Food & Drink Fair, Elvaston Castle
Importance: High

Stephanie,

The email below from Trading Standards is an objection to the grant of the premises licence. You have indicated that you will accept these conditions as part of the premises licence. Can you please confirm that you are happy to accept the conditions as detailed below, that you wish to formally amend your application and that you agree that a hearing is necessary?

If this is the case then I can arrange a determination hearing which approves the changes made in front of Members. If I hear back from you by 1st May this hearing can take place on 12th May 2014 alternatively I can arrange a full hearing if you are not willing to agree to the conditions.

I would appreciate it if you gave this matter your earliest attention.

Kind regards

Emma McHugh
Senior Licensing Officer
Legal and Democratic Services
South Derbyshire District Council
Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH
emma.mchugh@south-derbys.gov.uk
Tel: 01283 595716 (Direct Line)
Fax: 01283 595853

Visit the council's website at www.south-derbys.gov.uk

Follow the council on Twitter: www.twitter.com/sddc

Find the Council's Sport and Health, Environmental Health, Housing and Safer South Derbyshire Partnership teams on Facebook.

From: Walsh, Stephanie (Economy, Transport & Environment) [<mailto:Stephanie.Walsh@derbyshire.gov.uk>]

Sent: 15 April 2014 16:03

To: Dathan, Clair (Health & Communities)

Cc: Licensing Mailbox

Subject: RE: Derbyshire Food & Drink Fair, Elvaston Castle

This email or email thread section has been classified CONTROLLED - This email requires controlled access by Council personnel only and may contain business or personal information.

Hi Clair

As discussed I am the DPS for the event and will be on site all weekend checking on all alcohol sales. I will pass the necessary information onto the relevant stall holders next week and ensure they all comply with the regulations. I will print the posters and have them displayed as you have suggested. I have told all stall holders that if they are selling alcohol, a personal licence holder will need to be on site at all times.

If there's anything else please do not hesitate to get in touch.

Bests

Steph

Stephanie Walsh

Tourism/Twinning

Derbyshire County Council

Matlock

Derbyshire

DE4 3AG

T: 01629 538464

M: 07817 257 279

Stephanie.walsh@derbyshire.gov.uk

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