

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

Ps 2864 Lomas
 01332 613255
 760 3255
 01332 613087

PID 7227
 Rock & Bike Festival, Elvaston
 Castle Country Park, Elvaston.

10 February 2012

BY E-MAIL & POST

Dear Sir,

**LICENSING ACT 2003 APPLICATION: Application for Premises Licence –
 Rock & Bike Festival, Elvaston Country Park, Borrowash Road, Elvaston,
 DE72 3EP**

With reference to the above application, please take this letter as formal notification that it is the intention of the Police to make representation in respect of this application in its current format with regards to the key Licensing objectives as indicated below:

- | | | |
|----|--------------------------------------|---|
| 1. | The Prevention of Crime & Disorder | X |
| 2. | Public Safety | X |
| 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

Mark Lomas
 Ps 2864
 'D' Division Licensing Sergeant
 'D' Divisional Headquarters

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:

The applicant is applying for a One Year Premises Licence for Elvaston Castle Country Park between the dates of Thursday 12th July 2012 to Sunday 15th July 2012.

This is a festival centred around the patron's appreciation of motor-cycles and music. The opening hours of the premises being from 1000hrs on Thursday 12th July 2012 to 1200hrs on Sunday 15th July 2012 with the premises incorporating a campsite.

Licensable activities being applied for include Live Music, Recorded music, dance and supply of alcohol with varying restricted hours being applied for in relation to these activities.

This is a ticket only event with a maximum number of 4999 tickets being allocated and the patrons being housed within the fenced off festival site within the country park.

The event will be marshalled, managed and patrolled by the relevant Security Industry Authority supervisors throughout the duration to ensure that the four licensing objectives are being promoted.

With the risk assessment and agreed stringent conditions in place, which have to be complied with and adhered to in line with the authorising premises licence, then the licensing objectives are being promoted to the fore. The applicant is also diligently demonstrating, within their application and from discussions held with this department and other responsible authorities their intention to promote the four licensing objectives of prevention of Crime and Disorder, public safety, prevention of public nuisance and protection of children from harm.

**Proposed Police Conditions for consideration for the Rock and Bike
Festival at Elvaston Castle 2012**

1. The site must not at any time exceed a maximum capacity of 5000 persons; including all officials, staff, family and performers.
2. There must be a system of determining the number of persons on the site.
3. No "Back Patches", "Colours" or other "Insignia" identifying club membership to be allowed.
4. Every entrant will be given a map of the site clearly defining the area of the site; and this will include a warning to stay within the site and not to trespass on any land adjacent to the site.
5. Colour coded wrist bands will be issued to all persons entering the site at the point of entry to denote age profile (under 18s a different colour to over 18s) and these must be worn by entrants throughout the period of the premises licence.
6. A proof of age scheme, namely "Challenge 25" will be implemented and appropriate ID will be obtained before wristbands are issued.
7. Live music will cease at no later than 23.45 hrs on all dates the premises licence is in force.
8. Noise from regulated entertainment including repetitive bass noise shall not be audible within noise sensitive premises with their windows open in a typical manner for ventilation.
9. The sale and supply of alcohol will cease at no later than 02:00hrs on all dates that the premises licence is in force.
10. The DPS will be on site at all times when licensable activities are taking place, in the absence of the DPS a nominated and suitably responsible individual with a personal licence will be authorised on behalf of the DPS.
11. All persons selling alcohol within the designated beer tent will be authorised in writing by the DPS to do so. This authorisation shall be displayed in a prominent position behind the bar area.
12. Twenty (20) volunteer marshals shall be on site and at the site entrance to assist in traffic management into and off of the site; as well as parking on the site. The marshals/stewards will monitor all zones of the site at all times for the period of the event/ premises licence.
13. Ten (10) SIA registered door supervisors will be on site during the period of the licence; Two (2) SIA registered staff will be on duty in the designated beer tent at all times when alcohol is being sold or consumed; Two (2) SIA registered staff will be on duty at the entrance to the site when licensable activities are taking place and will monitor the site entrance at all other times; the remaining SIA registered staff will patrol the site and provide relief cover to those working the designated beer tent and site entrance.

14. All SIA staff, event marshals and the event organisers will be linked by way of 2 way radio or similar device or devices (not by way of mobile phone).
15. All SIA registered staff will display their SIA registration cards at all times when carrying out security roles within the site.
16. All SIA staff and marshals will wear suitable clothing such as fluorescent jackets or bibs to clearly indicate their different roles on site; SIA staff should wear one colour and marshals another to distinguish between the two.
17. No alcohol is to be sold in any area of the site other than within the designated beer tent.
18. All alcohol is to be decanted into plastic receptacles (no glasses or bottles allowed in public areas).
19. No alcohol is to be taken off of the site.
20. No persons under the age of 18 shall be allowed into the designated beer tent/s during licensable activities.
21. A written incident log will be kept by the DPS in relation to this event and all incidents shall be recorded on this log. This log will be kept on site for the period of the premises licence and will be kept by the DPS for a period of 12 months from the last day of the event; and the DPS will produce this log to a police constable or authorised officer on request.
22. A written record/log of all SIA registered staff and marshals will be kept on site during the period of the premises licence and the DPS will keep this record for a period of 12 months from the last day of the event. All SIA registered staff and marshals will personally sign on and off duty on using this record/log; and the DPS will produce this record/log to a police constable or authorised officer on request.
23. No barbeques to be allowed outside of an area designated for such purpose.
24. Fire Safety Risk Assessment for Open Air Events and Venues (ISBN-13:978-1-85112-823-5) and Guide to Health Safety and Welfare at Pop Concerts and Similar Events (ISBN 0-11-341072-7) to be applied where appropriate.
25. An up to date Risk Assessment is to be in place and adhered to, this is to be kept with the license at all times when licensable activities are taking place and made available to authorised officers on request.

Morton Jackie

From: rockandbikefest@googlemail.com on behalf of RABF Team [office@rockandbikefest.co.uk]
Sent: 13 February 2012 16:35
To: Morton Jackie
Subject: Re: FW: Licence & Risk Assesment

Dear Jackie

On behalf of all RABF Team , we are pleased to confirm that we have read and agree to comply with the Derbyshire Police Licencing conditions

Kind Regards

Tina
Admin
On behalf of RABF Team

On 13 February 2012 12:22, Morton Jackie <Jackie.Morton@south-derbys.gov.uk> wrote:
Please see attached conditions which, it is stated by Derbyshire Police Licensing team have previously been agreed by the RABF team regarding the Rock & Bike Fest at Elvaston Castle from 12th to 15th July 2012.

Would you please send confirmation if this statement is correct.

Kind regards

Jackie Morton
Licensing Enforcement Officer
South Derbyshire District Council
(01283) 228709
Fax: (01283) 595855
Email:licensing2@south-derbys.gov.uk

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65.



MEMORANDUM

To: Head of Housing and Environmental Health
FAO: Peter Barrow, Licensing Manager.

Date: 26th January 2012

Your ref: 19421

Our ref: 19421

In the event of a query, please contact: John Mills on ext. 5903

Proposal: Rock & Bike Fest. Elvaston Castle Country Park, Borrowash Road, Elvaston, Derby. 12th-15th July 2010.

With reference to the above application I wish to make a representation on grounds of licensing objective (d) prevention of public nuisance.

I have discussed my concerns with the applicants, and to help address my concerns they have agreed to the following conditions being annexed to their license to form part of their operating schedule:

- (1) From 10.00hrs to 23.00hrs each day the music noise level Laeq (15 mins) shall not exceed the background noise level by more than 15dB(A) at 1 metre from the façade of any agreed noise sensitive premises.
- (2) Between 23.00hrs and 09.00hrs the music noise shall not be audible within the noise sensitive premises with windows open in a typical manner for ventilation. Further guidance on the definition of 'inaudibility' can be gained from the Code of Practice on Environmental Noise Control at Concerts (controlled by being just audible outside of the property & therefore accepted as inaudible inside).
- (3) The applicant should employ the services of a competent person who is experienced in noise propagation and control, particularly from music events, to undertake the following: Determine the sound propagation characteristics between the proposed venue and those 'noise sensitive' premises nearby who might be affected by noise, and carry out an appropriate background noise survey, to demonstrate that the event will comply with conditions (1) and (2). This shall be agreed in writing with the Local Authority EHO at least 48 hours prior to the commencement of any music sound tests associated with the event
- (4) 'Noise sensitive' premises should be agreed with South Derbyshire District Council's Pollution Control Department prior to the commencement of the event. If

no agreement has been made in respect to a specific premise it shall assumed to be a noise sensitive premises.

- (5) During the event the organiser shall operate an attended noise complaint telephone line through which contact can be made regarding noise concerns. This phone number shall be provided to the Local Authority EHO for contact to be made should noise levels be considered unacceptable during the event.

In my opinion, inclusion of and compliance with the above conditions within the license will be appropriate for mitigating unacceptable levels of public nuisance from noise.

Yours sincerely,

John Mills
Pollution Control Officer

----- Forwarded message -----

From: **RABF Team** <office@rockandbikefest.co.uk>

Date: 31 January 2012 12:56

Subject: Re: Re Rock & Bike Festival 2012, Elvaston Castle Country Park,
Borrowash Road, Elvaston.

To: Mills John <john.mills@south-derbys.gov.uk>

Dear John

We the RABF event organisers are pleased to confirm that we are committed to and capable of abiding by your proposed conditions and also have the ability to demonstrate.

Hope this is all satisfactory

Kind Regards

All RABF Event Organisers

Kind Regards

Tina
Admin

On Behalf of RABF Team

On 27 January 2012 09:54, Mills John <john.mills@south-derbys.gov.uk> wrote:

Dear Sir/Madam,

With regards to your resubmitted application for the above event, I have been consulted with regards to the potential for the event to cause public nuisance as a result of excessive noise.

As with your previous application I have attached slightly revised conditions which I would like you to consider.

Please confirm to myself and the licensing department whether you are willing to accept these conditions at your earliest convenience,

Regards,
<<rock and bike fest EL .doc>>
John Mills
Pollution Control Officer
Environmental Health Department
South Derbyshire District Council
Tel: 01283 595903
Fax: 01283 595855
www.south-derbys.gov.uk

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Morton Jackie

From: Mills John
Sent: 31 January 2012 09:50
To: 'RABF Team'
Cc: Barrow Peter; Morton Jackie
Subject: RE: Re Rock & Bike Festival 2012, Elvaston Castle Country Park, Borrowwash Road, Elvaston.

Tina,
 What I need from RABF is confirmation that there is a commitment and demonstrable ability for the event organisers to be capable of abiding by my proposed conditions. I would need this to come directly from the event organisers rather than a third party. I am however happy to meet with your Noise Officer to discuss how he will manage the event.

Unless this information is forthcoming unfortunately I will have to object to the proposals.

Kind regards,

John

John Mills
 Pollution Control Officer
 Environmental Health Department
 South Derbyshire District Council
 Tel: 01283 595903
 Fax: 01283 595855
www.south-derbys.gov.uk

-----Original Message-----

From: rockandbikefest@googlemail.com [mailto:rockandbikefest@googlemail.com] **On Behalf Of** RABF Team
Sent: 30 January 2012 21:27
To: Mills John
Subject: Re: Re Rock & Bike Festival 2012, Elvaston Castle Country Park, Borrowwash Road, Elvaston.

Hi John

After speaking with our Noise Monitoring Officer Jim Brown, RABF can confirm the following... Jim Brown will take charge of all residual readings plus 15db (A) to be agreed once Bass Line is established and confirmed. You may contact Jim on 07826308546 between 12.00/12.30 or after 4.30pm daily due to work commitments, please leave a voice mail and Jim will return your call. Alternatively you can email Jim at jimandpen@supanet.com Jim is also willing to come into the office to meet with you, if you so wish, could you kindly arrange that with him yourself.

John Please make amendments to bullet point 2 on your memorandum: times as quoted by yourself are 23.00hrs to 09.00hrs ...The times quoted on the licence application are

Live Music Thurs 12th July 18.00hrs to 23.00hrs... Fri 13th July 12.00 to 23.45hrs... Sat 14th July 12.00 to 23.45hrs

Recorded Music (Controlled) Thurs 12th July 13.00hrs to 23.00hrs... Fri 13th July 12.00 to 01.00hrs... Sat 14th July 12.00 to 01.00hrs
 Please see appendix E & F of licence application.

Hope you find this satisfactory.

Kind Regards

Tina
 pp Ben

Admin
 RABF Team

On 30 January 2012 09:55, Mills John <john.mills@south-derbys.gov.uk> wrote:

Tina,

Thanks for getting back to me. What I would need from you however is specific confirmation that you accept and will undertake to fulfill the requirements of the proposed conditions.

You may wish to speak to whoever will be managing your event noise control to ensure they are aware of what is being requested.

Kind regards.

John Mills
 Pollution Control Officer
 Environmental Health Department
 South Derbyshire District Council
 Tel: 01283 595903
 Fax: 01283 595855
www.south-derbys.gov.uk

-----Original Message-----

From: rockandbikefest@googlemail.com [mailto:rockandbikefest@googlemail.com] **On Behalf Of** RABF Team
Sent: 29 January 2012 14:03
To: Mills John
Subject: Re: Re Rock & Bike Festival 2012, Elvaston Castle Country Park, Borrowwash Road, Elvaston.

Dear John

We can confirm that RABF will conform with all legal requirements and will be monitoring noise during licensed hours.

Please note that we will be shut down during the hrs of 02.00hrs and 09.00hrs daily and only security personnel will be up and on duty during these hours.

Please feel free to contact 0797 3950111 to discuss further if you wish.

72.

13/02/2012

1st FEBRUARY 2012

REVISED

Proposed Rock & Bike Festival At Elvaston Castle
Between 12.07 and 15.07 2012

I hereby submit these, my objections to the holding and licensing of the above event. I shall try to arrange my comments to conform to the four bullet points as shown in the last paragraph of page 2 of your notice.

I do not wish to be represented by my District Councillor or speak in person at your hearing of the application.

Prevention of crime and disorder.

Elvaston Parish is already a crime hot spot with little or no clear up rate. The prospect of unrestricted access to alcohol etc at the times stated, will only increase the crime and disorder level.

It is not made clear who will be responsible in ensuring control of any disorder that will ensue or carry out basic traffic control. The only people with the required powers to enforce order and prosecute the offenders, is the much stretched local Police Force, again at public expense.

Public Safety

The proposed venue can only be accessed via the B class road between the village of Elvaston and Borrowash. This road has clearway status and a speed limit of 40mph. The road has a rudimentary pavement every bit of 24 inches wide. The pedestrians currently share this Palatial pavement with Horse riders, Cyclists, Mobility scooters and Joggers etc. In addition to the normal car traffic and despite a published weight restriction, it is also regularly used by commercial vehicles the drivers of which seem unable to read. In short the road has been, and still is, a continual bone of contention between the Parish Council and the County Council for the last 50 years.

How can the holding of the proposed event not make this situation worse?

The Prevention of Public Nuisance

The Parish of Elvaston comprises three small hamlets. It is farming country and whilst there is some noise from various roads and the airport, is by and large a quiet community. This is one of the things that has caused Derbyshire County Council, in its after use policy documents, to designate the area as being "for the Pursuit of passive and peaceful pastimes" e.g. Fishing, Bird watching, Walking etc. in fact the area forms part of the Heritage way.

The main public nuisance, in addition to those mentioned above will be that of noise pollution and vandalism, which gives rise to the following questions.

Who will carry out preliminary noise assessments for the 3 villages?

Who will set up and monitor the upper noise limits?

Who will be providing this monitoring service?

Will it be The Local Authority Environmental Services Department?

With their new noise monitoring equipment allowed for in this financial year's "New Capital Projects Allowance"?

If so, who will be paying for this service?

Please be aware that, presuming you grant the application; I am prepared to let your Engineers set up this new equipment in my garden during the whole of the event to monitor the noise level there from. Free Of Charge!

Will they have the authority to switch off, if the limits are exceeded?

Will there be an onsite telephone number published to take any complaints?

The Protection of Children from harm

Who will monitor and control the access to alcohol etc of underage visitors to the event?

Finally, before the committee arrive at their decision, they should consider the following questions," If the application is granted, who will benefit?

Will it be the local inhabitants?

Will it be the local environment?

Will it be the local services?

Or will it be the applicants, who will take the profit and retire to their own undisturbed environment?

Please note:- I have today walked around the Castle Showground and Seen no evidence of the required notification posters.

I urge the committee deciding this issue to reject the application.

The Head of Housing & Environmental Services,
Civic Offices,
Civic Way,
Swadlincote,
Derbyshire.
DE11 0AH

74.

Barrow Peter

From

Sent. 06 February 2012 17:12

To: Licensing Distribution; Councillor J. Harrisor.

Subject: Proposed Rock & bike Festival F.A.O. Peter Barrow.

Dear Sir,

I thank you for your letter and enclosures dated 3rd February 2012 acknowledging my revised objections to the above event. Among other things mentioned was, the disclosure of my name and address at the hearing. After considerable thought I would like you to ensure that my details are not mentioned.

Your letter indicates that the application has been sent to eight responsible authorities in order to arrive at some satisfactory control measures. Whilst the aim in so doing is praiseworthy, the results cannot ensure that the final outcome will be acceptable to those local people on the receiving end, in this regard then, they can at best be a wish list, rather akin to the seven Commandments or the Lords Prayer. I wonder if the proposed location in, what is, this nations first Country Park, was taken into consideration, under the heading, Appropriate Venues? It seems to me that Derbyshire County Council have a duty to the persons living close to the Elvaston Country Park, and in this case have followed the lead of the Derbyshire Horticultural and Agricultural Society, who, on being approached by the applicant to host this event across the road on their County Show Ground, rejected it out of hand.

I will be much obliged if you will attach a copy of this E/mail as an appendix to my revised objection so that the Councillors on the hearing panel may have sight.

75.

THE LICENSING AUTHORITY.

SOUTH DERBYSHIRE DISTRICT COUNCIL

CIVIC OFFICES, CIVIC WAY

SWADLINCOTE.

DERBYSHIRE, DEIN OFH. 07F

ALEXANDER DEVLIN.

South D
District

Environm

To.

Licensing Manager.

Peter Barrow.

Would you please register my strong objections, to the granting of a premises license to Michael Stevenson on behalf of 'The Rock and Bike Festival' Elvaston Castle Country Park, for the 12.07.2012 - 15.07.2012.

In my opinion the site is totally inappropriate for such an event because it will encourage both groups and individuals, who may not wish, or indeed be able to afford to pay to access the festival, to gather on the

2.

public middle path and parkland, during the hours that the event is taking place, causing a public nuisance that could lead to crime and disorder, if the attendees of such groups or individuals were asked to move or disperse, or by their presence alone, which some members of the public might find intimidating.

During the proposed festival, some of these people may rough sleep within the parkland.

There is the potential for people to introduce drugs and alcohol into the area, with the probability that anti-social behaviour could occur, resulting in disruption and disorder causing fear and possible injury to members of the public going about their business in the general area of the park.

Damage to the park, its

buildings and infrastructure could also result as a consequence.

The noise nuisance to both residents and visitors to the area, which is, as a general rule, a haven of peace and tranquility, will present an unacceptable departure from the normal expectations of those groups and a contradiction to the ethos of the country park.

This noise nuisance will also be contrary to the County Council's own bye-laws for the park, in effect (bye-law 12 Transistor Radio's and Noise Nuisance).

The event could prove to be a magnet for under age youngsters, residing in local areas, encouraged by the music and activities there. This could create the potential of placing them at risk within the park and also when they leave.

Yours sincerely,
A Derlin.

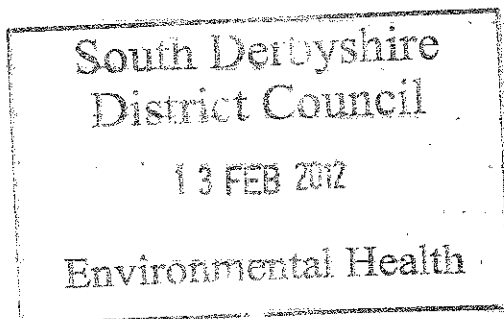
Feb 10

Woodside Cottage
Borrowash Lane - Elwaston
Thulston - Derby

Dear Sir

Once again in reply to the notice of application for a License club on the Showground Country Park Borrowash Rd, I strongly object. Elwaston Country Park is no place for such a disgusting Entertainment. It would be dangerous for families & children local residents who use the Park. No place to mix Motor Cycle - drink & late night music the park would be full of Drunkards - Not a very good thing for a Country Park I would suggest have it on your own back yard or Matlock

Yours Truly
K Whewell
O-Toller



EB 7/2012

SEP MADELEY

DRIVE LODGE
 BORROWASH LANE
 ELVASTON
 DERBY
 DEY2 3EN

Dear Peter BARROW

Please find enclosed a further objection to the "Rock & Bike Festival" as envisaged to take place on the "Showground" at Elvaston on 12-7-2012 - 15-7-2012. If this application should lead to another hearing I would be willing to attend when advised of the venue.

Yours Sincerely
 S. Madeley

83.

the vans where fights were occurring.

To PAGE II

TO THE LICENSING OFFICER
S.D.D.C. CIVIC WAY SWADWINCOTE

S & P MADELEY
Environmental Health

OBJECTION to the "PREMISE OR SITE LICENCE" being applied for to hold a "ROCK AND BIKE FESTIVAL" on THE SHOW Grounds at ELVASTON CASTLE COUNTRY PARK.

I have noticed that the address quoted for the site is incorrect it is again misleading to say the site is at BORROWASH ~~where~~ when it was correct on the previous application?
A further point to be considered is that "By Law" notices has been renewed on which it states that loud music and radios must not annoy other visitors to the park. Also there are entertainment By-Laws where-by all loud noise should cease by eleven P.M. issued by S.D.D.C. in consequence of the R.R. Rugby Club affair the grounds for my objection.

- 1/ Excessive Noise in a normally peaceful area.
- 2/ TRAFFIC CONGESTION, a very narrow winding lane with blind spots, to make it safer for park visitors and parishioners alike, a speed limit a weight restriction single lane working with traffic lights have all been implemented. To concentrate 5000 extra visitors in this area over four or five days is a sure recipe for congestion and disaster and ROAD RAGE too
- 3/ The SALE OF "ALCOHOL" especially late at night will lead to disturbance and the usual anti-social behavior not only on the site but more so in the immediate neighborhood and the remainder of the Country Park area. There is a history of previous disturbances when the police have been called finding it necessary to close down the bars where fights were occurring.

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TO PAGE II

NONE OF THE "COUNTY COUNCIL STAFF" reside on site any longer, so don't have to live with the noise and traffic generated by the various events. The County Show and the Steam Rally being the major events which take place year after year. These my family and I tolerate as they are well by nature and make contributions to many good causes like charities.

One final point I wish to make is that these events do not just happen on the day - they take at least a week to set up then the same length of time, or more, to clear the site, with traffic coming & going most of the day.

So if the applicant wants to operate for four or five days then "July 2012" is a lost month, we are literally imprisoned, if he wants to operate each year we have got a life sentence, if you see fit to allow it to take place.

FEB 7th 2012

S P Madeley

Don't carry on camping, Games warn protesters

Continued from page 1

alcoholic beverages, liquids such as nail varnish or sun cream in containers over 100ml, needles, animals, and weapons including knives cannot be taken into venues.

Other banned items include illegal drugs, fireworks, firecrackers, poles, flagpoles, sticks, large photographic equipment including tripods, bats, large umbrellas, bicycles, roller skates, skateboards, electronic transmitting equipment and flags of countries not participating in the games.

Large flags or banners, horns, whistles, drums, rattles, musical instruments, lasers and any other devices which Locog believes may disturb the Games will be forbidden.





Objects bearing trademarks or promotional material such as hats, T-shirts and bags which the organisers believe are for promotional purposes, balls, rackets and frisbees are banned.

The list includes large quantities of coins, lighters, advertising or promotional material of any kinds, printed material bearing religious, political or offensive content or content contrary to public order and morality. Flasks, thermoses, cool boxes, suitcases and large bags are also banned.

More details of the security operation for the Games emerged yesterday. General Sir Nick Parker said that 13,500 British Forces personnel were going the extra mile to ensure security.

The military will deploy its two largest warships — the helicopter carrier HMS Ocean in London and command ship HMS Bulwark in Weymouth, supported by the Fleet Auxiliary ship RFA Mounts Bay. The vessels will provide command and control as well as helicopter and small boat support.

Restricted items

-  **Food**
(except baby food)
-  **Beverages**
(except baby milk/other valid medical reasons)
-  Liquids in containers of greater than 100ml in size
-  **Needles**
(except medical reasons)
-  **Animals**
(except guide dogs)
-  **Weapons**
(including knives), illegal drugs, other illegal substances, fireworks, firecrackers, poles, flagpoles, sticks, large photographic equipment, bats, large umbrellas
-  **Motorcycles**
bicycles, roller-skates, skateboards, electronic transmitting equipment, flags of countries not participating in the Games, large flags or banners
-  **Horns**
whistles, drums, rattles, musical instruments, lasers
-  **Trademarks**
or other promotional signs or messages (such as hats, T-shirts, bags, etc), counterfeit products, balls, rackets, frisbees, large quantities of coins, lighters
-  **Bottles**
or containers, flasks, thermoses, large objects such as suitcases or bags

Source: Locog

Don't carry on camping, Games tell protesters

Richard Ford, Tom Coghlan

Tents and camping equipment are to be banned from the Olympics amid fears of a St Paul's-style protest at this summer's Games.

Theresa May, the Home Secretary, said that anyone attempting to set up camps at Olympic venues would be removed, along with their equipment.

Tents will be added to an extensive list of banned items that includes all drinks, large containers of sun cream, tripods for cameras, large umbrellas, lighters, flasks and even refrigerators.

Horns, whistles, drums, rattles, musical instruments and large numbers of coins will also be prohibited.

The latest additions to the list come as it emerged that 97 people have been arrested for alleged ticket touting, creating fake websites and attempting to sell bogus hotel rooms and holiday packages for the London Games. The Home Secretary told an Olympics

It's all gone quiet for our 2012 athletes

Owen Slot; Sport, page 62

security conference in London yesterday that police were preparing for all eventualities.

She said that the authorities were not going to tolerate protests similar to those outside St Paul's Cathedral and the Houses of Parliament, adding: "I can assure you the Metropolitan Police do have a robust attitude."

Spectators at all Games venues requiring a ticket for entry will be banned from taking water and other drinks into the sites but the London 2012 Organising Committee (Locog) said that free water would be available.

Although food is banned, Locog said that the rules were yet to be finalised. A spokeswoman added that it was probable that people would be able to bring a sandwich, but not a picnic hamper.

Under the terms and conditions for Olympics ticket holders, food other than for babies, alcoholic and non-

Continued on page 8, col 4

As a licensing officer I thought that this may be of interest. It makes the precautions as proposed for Exeter seem rather funny.

Morton Jackie

From: JONATHAN IRONS [jon.irons689@btinternet.com]
Sent: 13 February 2012 15:25
To: Licensing Distribution
Subject: Elvaston Castle

Dear Sirs,

Re: Premise Licence for Rock & Bike Festival, Elvaston Castle Country Park July 12th to 15th.

I refer to the above application.

We support the views held by the following bodies submitted at the previous application last month:

Ockbrook and Borrowwash parish council – the proposed timings for live music and alcohol are excessive. Live music will interfere with the enjoyment of a country park. There will be 3 days of noise disturbance in a rural area.

We believe the EHO will not be available to attend after hours; and the effects of the noise will not be limited to the immediate vicinity.

We agree with Elvaston parish council's comments in general and especially its claim that the County Show and Steam Rally will be held around this time leading to inconvenience for parishioners. Also, Elvaston Castle has open boundaries and the event may impact on the church.

Nicola Pearson at Rushcliffe Borough Council made comment that no major concerns arose when the event was held at Stanford Hall last year. This council wonders why the event could not be held there once again or at Draycott House as in 2009.

Alexander Devlin commented that some individuals attending would sleep rough to save on accommodation expenses, raising public health issues and possibly frightening park users. Damage to the park may result from the influx of thousands of revellers. These views seem reasonable with which this council agrees.

In summary, noise, car parking and traffic congestion and possible overnight campers will constitute a public nuisance. This council therefore objects to the application.

Regards,
Jonathan Irons
clerk, Shardlow & Great Wilne parish council.

Morton Jackie

From: JONATHAN IRONS [jon.irons689@btinternet.com]
Sent: 15 February 2012 16:10
To: Morton Jackie
Subject: Re: Elvaston Castle

Dear Jackie,

I confirm I wish my name and email address and other details to be identified within a hearing.

Regards,
Jonathan Irons
clerk, Shardlow & Great Wilne parish council.

90.

Morton Jackie

From:

Sent: 14 February 2012 11:20

To: Licensing Distribution

Subject: Premise Licence on behalf of the Rock & Bike Festival

Elvaston Parish Council has reviewed again this application and taken the views of both supporters and objectors to arrive at the following conclusion, that there are concerns about noise, traffic and late drinking but that it accepts that the arrangements made by the organisers to record noise levels and to manage traffic flows should minimize the disruption and inconvenience. It also accepts that the late bar opening hours are designed to keep followers on the site rather than them being tempted to wander through the parish to seek refreshment at one of the nearby pubs.

However, for the sake of having an independent monitor of noise levels, the members recommend that the District Council carries out noise checks at regular intervals throughout the proceedings.

Barrow Peter

From: Forrester, Gillian (Environmental Services) [Gillian.Forrester@derbyshire.gov.uk]
Sent: 07 February 2012 13:35
To: Licensing Distribution
Subject: Elvaston Rock and Bike Festival July 2012
Importance: High

Dear Licensing section,

I am writing with regard to the above proposed event and request for license. As the Park Manager for Elvaston Country Park I fully support any request for license and feel that the event, like many others held on the showground, will be well organised and run.

Having consulted with Erewash Borough Council licensing, who supported the event for 2 consecutive years in both Sandiacre and Draycott – the general feedback is exceptionally positive. Similarly, feedback from Police licensing (PC Dunn) is equally positive and supportive of the event. Both worked closely with the event holder to ensure conditions were adhered to.

As a resident of Draycott present when the event was held off Hopwell Lane, I can also vouch that there was no public nuisance, crime or disorder over the entire weekend. In fact those attending brought in local business.

My request would be that the conditions that were in place for previous events are adhered to at this one (as in appendix A -EBC licensing attached).

Consultation has also taken place with Cllr Simon Spencer (Portfolio responsibility for Elvaston and its future) and Cllr John Harrison, who – whilst they are in support of the event – asked if a reduction from 2.00 to 1.00 a.m. could be taken into consideration for alcohol consumption and music.

Please don't hesitate to contact me if you require any further information.
 Best regards

Gill Forrester (Assistant Area Manager/ Elvaston Park Manager)

Please note that Elvaston Castle's E Mail has not functioned since February. I am responding from another site. If you require an earlier response please contact me directly, on the mobile number below. Thank you

Gill Forrester
 South Area
 Assistant Area Manager/Park Manager
 Elvaston Castle
 Borrowwash Road
 Derbyshire
 DE72 3EP
 Tel: 01332 571342
 Mobile:

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2. The licensing objectives

CRIME AND DISORDER

- 2.1 The steps any licence holder or club might take to prevent crime and disorder are as varied as the premises or clubs where licensable activities may be carried on. Licensing authorities should therefore look to the police as the main source of advice on these matters. They should also seek to involve the local CDRP, as recommended in paragraph 1.21 of this Guidance.
- 2.2 The Government's expectation is that the police will have a key role in undertaking the following tasks:
- developing a constructive working relationship with licensing authority licensing officers and bodies such as the local authority social services department, the Area Child Protection Committee or another competent body;
 - developing a constructive working relationship with designated premises supervisors and other managers of premises, including premises providing late night refreshment;
 - advising, where necessary, on the development of a venue drug policy;
 - developing a constructive working relationship with the Security Industry Authority including joint visits and enforcement action where appropriate;
 - agreeing the protocols for actions taken by door supervisors in relation to illegal drugs or violent behaviour, particularly when police officers should be called immediately;
 - advising on and approving search procedures and the storage procedures for confiscated drugs;
 - gathering and sharing intelligence on drug dealing and use with partner organisations and local venues;
 - advising on the installation and monitoring of security devices such as CCTV;
 - advising on the provision of safe and accessible transport home in consultation with community safety colleagues, local transport authorities and transport operators;
 - working with venue owners and managers to resolve drug-related problems and problems of disorder, drunkenness and anti-social behaviour; and
 - advising on the protection of employees on licensed premises who may be targets for attacks and reprisals.
- 2.3 The Security Industry Authority also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity and that door supervisors are properly licensed. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. In the exercise of their functions licensing authorities should seek to co-operate with the SIA as far as possible and consider adding relevant conditions to licences where necessary and appropriate.
- 2.4 The essential purpose of the licence or certificate in this context is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of, the premises as they seek to enter or leave.

- 2.5 Licence conditions should not replicate licensing offences that are set out in the 2003 Act. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour on his premises would be superfluous because this is already a criminal offence. A condition that states that a licence holder shall not permit the sale of controlled drugs on the premises would be similarly superfluous.
- 2.6 Conditions are best targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television cameras both inside and immediately outside the premises can actively deter disorder, nuisance and anti-social behaviour and crime generally. Some licensees may wish to have cameras on their premises for the protection of their own staff and for the prevention of crime directed against the business itself or its customers. But any condition may require a broader approach, and it may be necessary to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.7 Similarly, the provision of requirements for door supervision may be necessary to ensure that people who are drunk or drug dealers or carrying firearms do not enter the premises, reducing the potential for crime and disorder, and that the police are kept informed.
- 2.8 Text and radio pagers allow premises licence holders, designated premises supervisors and managers of premises and clubs to communicate instantly with the local police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises. The Secretary of State recommends that text or radio pagers should be considered appropriate necessary conditions for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises.
- 2.9 Some conditions primarily focused on the prevention of crime and disorder will also promote other licensing objectives. For example, a condition requiring that all glasses used on the premises for the sale of alcoholic drinks should be made of plastic or toughened glass or not allowing bottles to pass across a bar may be necessary to prevent violence by denying assailants suitable weapons, but may also benefit public safety by minimising the injury done to victims when such assaults take place (for example, facial injuries resulting from broken glass).
- 2.10 A condition must also be capable of being met. For example, while beer glasses may be available in toughened glass, wine glasses may not. Licensing authorities should carefully consider conditions of this kind to ensure that they are not only necessary but both practical and achievable.
- 2.11 Similarly, although most commonly made a condition of a licence on public safety grounds, licensing authorities should also consider conditions which set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding likely to lead to disorder and violence. If such a condition is considered necessary, the licensing authority should consider whether door supervisors are needed to control numbers.

- 2.12 In the context of crime and disorder and public safety, the preservation of order on premises may give rise to genuine concerns about the competency of the management team charged with the maintenance of order. This may occur, for example, on premises where there are very large numbers of people and alcohol is supplied for consumption, or in premises where there are public order problems.
- 2.13 The designated premises supervisor is the key person who will usually be charged with day to day management of the premises by the premises licence holder, including the prevention of disorder. However, conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. A condition of this kind could only be justified as necessary in rare circumstances where it could be demonstrated that in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
- 2.14 It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained and licensing authorities must ensure that they do not stray outside their powers and duties under the 2003 Act. This is important to ensure the portability of the personal licence and the offences set out in the 2003 Act ensure, for example, that the prevention of disorder is in sharp focus for all such managers, licence holders and clubs.
- 2.15 Communications between the managers of the premises and the police can also be crucial in preventing crime and disorder. Involvement by operators and managers in voluntary schemes and initiatives may be particularly valuable. Conditions requiring dedicated text or pager links between management teams and local police stations can provide early warning of disorder and also can be used to inform other licence holders that a problem has arisen in the area generally. For example, where a gang of youths is causing problems in one public house and their eviction will only result in them going on elsewhere to cause problems on other premises, there is advantage in communication links between the police and other licensed premises and clubs.
- 2.16 However, while this may be necessary and effective in certain parts of licensing authority areas, it may be less effective or even unnecessary in others. Police views on such matters should be given considerable weight and licensing authorities must remember that only necessary conditions, which are within the control of the licence holder or club, may be imposed.
- 2.17 The Indecent Displays Act 1981 prohibits the public display of indecent matter, subject to certain exceptions. It should not therefore be necessary for any conditions to be attached to licences or certificates concerning such displays in or outside the premises involved. For example, the display of advertising material on or immediately outside such premises is regulated by this legislation. Similarly, while conditions relating to public safety in respect of dancing may be necessary in certain

circumstances, the laws governing indecency and obscenity are adequate to control adult entertainment involving striptease and lap-dancing which goes beyond what is lawful. Accordingly, conditions relating to the content of such entertainment which have no relevance to crime and disorder, public safety, public nuisance or the protection of children from harm could not be justified. In this context, however, it should be noted that it is in order for conditions relating to the exclusion of minors or the safety of performers to be included in premises licence or club premises certificate conditions where necessary. The Local Government (Miscellaneous Provisions) Act 1982 insofar as its adoptive provisions relate to sex establishments – sex shops, sex cinemas and in London sex encounter establishments – also remains in force.

- 2.18 Guidance to the police on powers to close premises (formerly Chapter 11 of this Guidance) can now be found on the DCMS website at www.culture.gov.uk.

PUBLIC SAFETY

- 2.19 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. There will of course be occasions when a public safety condition could incidentally benefit health, but it should not be the purpose of the condition as this would be ultra vires the 2003 Act. Accordingly, conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.20 From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order') replaced previous fire safety legislation. As such any fire certificate issued under the Fire Precautions Act 1971 will have ceased to have effect. Licensing authorities should note that under article 43 of the Fire Safety Order any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order automatically cease to have effect, without the need to vary the licence. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies.
- 2.21 The exception to this will be in cases where the licensing authority and the enforcing authority for the fire safety order are one and the same body. For example, designated sports-grounds and stands where local authorities enforce the fire safety order. In such circumstances fire safety conditions should not be set in new licences, but conditions in existing licences will remain in force and be enforceable by the licensing authority.
- 2.22 The Fire Safety Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.
- 2.23 Responsibility for complying with the Order rests with the 'responsible person', which may be the employer, or any other person or people who may have control of the premises. Each responsible person must carry out a fire risk

assessment which must focus on the safety in case of fire for all 'relevant persons'. The fire risk assessment is intended to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions that need to be taken including, where necessary, capacity limits.

- 2.24 The local fire and rescue authority will enforce the Order in most premises and have the power to inspect the premises to check the responsible person is complying with their duties under the Order. They will look for evidence that the responsible person has carried out a suitable fire risk assessment and acted upon the significant findings of that assessment. If the enforcing authority is dissatisfied with the outcome of a fire risk assessment or the action taken, they may issue an enforcement notice that requires the responsible person to make certain improvements or, in extreme cases, issue a prohibition notice that restricts the use of all or part of the premises until improvements are made.
- 2.25 Further information and guidance about the Order and fire safety legislation is available from the Communities and Local Government website www.communities.gov.uk/fire.
- 2.26 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be unnecessary for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if necessary, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the

premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or interested parties, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make clear their expectations in this respects to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

- 2.27 "Safe capacities" should only be imposed where necessary for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be unnecessary to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it necessary for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be necessary in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.
- 2.28 As noted above, a capacity limit should not be imposed as a condition of the licence on fire safety grounds (unless the licensing authority and the enforcing authority for fire safety purposes are the same) since, under article 43 of the Fire Safety Order, it would have no effect and so would not be enforceable.

2.29 The special provisions made for dancing, amplified and unamplified music in section 177 of the 2003 Act apply only to premises with a "permitted capacity" of not more than 200 persons. In this context, the capacity must be where the fire and rescue authority has made a recommendation on the capacity of the premises under the Fire Safety Order. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority who will consider it and then decide what the "permitted capacity" of those premises should be.

2.30 Whilst the Cinematograph (Safety) Regulations 1955 (S.I. 1995/1129) which contained a significant number of regulations in respect of fire safety provision at cinemas, no longer apply, applicants taking advantage of the "grandfather rights" pursuant to Schedule 8 to the 2003 Act will have been subject to conditions which re-state those regulations in their new premises licence or club premises certificate. Any holders of a converted licence seeking to remove these conditions and reduce the regulatory burden on them (to the extent to which that can be done while still promoting the licensing objectives), would need to apply to vary their converted licences or certificates. When considering variation applications or applications for new licences, licensing authorities and responsible authorities should recognise the need for steps to be taken to assure public safety at these premises in the absence of the 1955 Regulations.

2.31 Public safety includes the safety of performers appearing at any premises.

PUBLIC NUISANCE

2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.²

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are

² It should also be noted in this context that it remains an offence under the 2003 Act to sell or supply alcohol to a person who is drunk. This is particularly important because of the nuisance and anti-social behaviour which can be provoked after leaving licensed premises.

kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.35 As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.
- 2.36 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave.
- 2.37 Measures to control light pollution will also require careful thought. Bright lighting outside premises considered necessary to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.38 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.
- 2.39 Beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.
- 2.40 The cumulative effects of litter in the vicinity of premises carrying on licensable activities can cause public nuisance. For example, it may be appropriate and necessary for a condition of

a licence to require premises serving customers from take-aways and fast food outlets from 11.00pm to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter. Such conditions may be necessary and appropriate in circumstances where customers late at night may have been consuming alcohol and be inclined to carelessness and anti-social behaviour.

PROTECTION OF CHILDREN FROM HARM

- 2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.
- 2.42 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children.
- 2.43 The Secretary of State intends that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the 2003 Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. Licensing authorities, the police and other authorised persons should focus on enforcing the law concerning the consumption of alcohol by minors.

- 2.44 Conditions relating to the access of children which are necessary to protect them from harm are self evidently of great importance. As mentioned in connection with statements of licensing policy in Chapter 13 of this Guidance, issues will arise about the access of children in connection with premises:
- where adult entertainment is provided;
 - where a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
 - where it is known that unaccompanied children have been allowed access;
 - where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

- 2.45 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. Such trading practices should be obvious from the operating schedule or club operating schedule provided with the relevant application allowing the framing of an appropriate, time-limited condition.

- 2.46 Similarly, gambling may take place in part of a leisure centre but not in other parts of those premises. This means that the access of children will need to be carefully considered by applicants, licensing authorities and responsible authorities. In many respects, it should be possible to rely on the discretion and common sense of licence and certificate holders. However, licensing authorities and responsible authorities should still expect applicants when preparing an operating schedule or club operating schedule to state their intention to exercise discretion and where they are necessary, to set out the steps to be taken to protect children from harm when on the premises.
- 2.47 Conditions, where they are necessary, should reflect the licensable activities taking place on the premises and can include:
- where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made, to ensure that sales are not made to individuals under 18 years (whether the age limit is 18 or 16 as in the case of the consumption of beer, wine and cider in the company of adults during a table meal);
 - restrictions on the hours when children may be present;
 - restrictions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place
- 2.48 The Secretary of State considers that representations made by the child protection bodies and the police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children.
- 2.49 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.50 The admission of children to theatres, as with other licensed premises, should not normally be restricted. However, theatres may present a range of diverse activities. The admission of children to the performance of a play should normally be at the discretion of the licence holder and no condition restricting their access to plays should be attached. However, theatres may also present a wide range of entertainment including, for example, variety shows incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainments may also be presented at theatres specifically for children. It may be necessary to consider whether a condition

should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

2.51 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under s.154 of the Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. For example, where as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence
Section 145	Unaccompanied children prohibited from certain premises
Section 146	Sale of alcohol to children
Section 147	Allowing the sale of alcohol to children
Section 147A	Persistently selling alcohol to children
Section 148	Sale of liqueur confectionery to children under 16
Section 149	Purchase of alcohol by or on behalf of children
Section 150	Consumption of alcohol by children
Section 151	Delivering alcohol to children
Section 152	Sending a child to obtain alcohol
Section 153	Prohibition of unsupervised sales by children

Bob Ledger
Head of Housing & Environi.....
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH
www.south-derbys.gov.uk

Please ask for: Licensing
Phone: 01283 595890
Fax: (01283) 595855
Typetalk: (0870) 2409598
DX 23912 Swadlincote
E-mail: licensing2@south-derbys.gov.uk

Our ref: 019421
Your ref:

Date: 13th February 2012

To all interested parties

Dear Sir

Licensing Act 2003

Re: Rock & Bike Festival, "Elvaston Castle Country Park (County Showground area)", Borrowash Road, Elvaston, Derbys, Application for a premises licence.

This letter is to acknowledge receipt of your representation for the above premises application for a premises licence.

The application has been sent to eight responsible Authorities who have discussed with the applicant control measures to be implemented so as to promote the four licensing objectives.

The end of the consultation period for this application is 14th February 2012. A hearing will be heard within 20 working days of the end of the consultation period. This Authorities Democratic Services will notify any objectors of the hearing date, which is provisionally scheduled for 8th March 2012.

Could you please confirm as soon as possible whether or not you wish your name and address to be identified within a hearing.

If you have any further queries or need further assistance, please contact me on (01283) 228709, Peter Barrow (01283) 595976 or the Licensing Section on e-mail licensing2@south-derbys.gov.uk.

Yours sincerely

Jackie Morton
Licensing Enforcement Officer

NOTICE OF APPLICATION FOR A PREMISE LICENCE/CLUB PREMISE CERTIFICATE

Name of applicant/club*

Michael Stevenson

Postal address or premise/club premise*

The Showground, Elvaston Castle,
Country Park, Borrowash, Derby DE72 3EP

Details of Application: Provision of regulated entertainment for the following and anything similar. Wrestling Fri/Sat. 11am till 5pm. Live Music Thurs 6pm till 11pm, Fri & Sat noon till 11.45pm. Recorded Music Thurs 1pm till 11pm, Fri/Sat noon till 1am. Performance of dance Thurs 1pm till 1am, Fri/Sat noon till 1am. Provision of facilities for making music Thurs 1pm till 11pm, Fri/Sat noon till 11.45pm. Provision of facilities for dancing Thurs 1pm till 11pm, Fri/Sat noon till 1am. Late night refreshments Thurs 11am till 1am. Supply of alcohol Thurs noon till midnight.

Hours premises are open to the public

Thurs 12th July 10am till Sunday 15th July 2012 noon

The register can be viewed during office hours at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH. In order to view the specific application please contact 01283 595890 or 01283 595724 in order to make an appointment.

Any representation relating to this application must be made in writing to the Licensing Authority by 14/02/2012

It is an offence knowingly or recklessly to make a false statement in connection with an application. The Maximum fine on summary conviction for this offence is £5,000

Pages

Trailers & Tonnage

SMALL Car Trailer 4'x2'x2'. Cover, Lights, Spare Wheel 695 - Tel: 01232 712267

Tyres, Wheels & Exhausts

ALLOY wheel Clinch of picasso 2017 on with good tyre 215x55x16 650 one - Tel: 07581 210373

Public Notices

Trade: 01332 291188 :: Private: 0844 4060262

Lost

TANZANIA PASSPORT
Lost for Wilson. If found, please call
Tel: 07999 755216

Classified for Leisure
go to: www.thisisderbyshire.co.uk
or call: 0844 406 0282

Public Notices

**DERBYSHIRE COUNTY COUNCIL
TEMPORARY ROAD CLOSURE
COLLEGE STREET, LONG EATON**
WHEN: From 30 January 2012 to 17 February 2012, weekdays only, between 08:30hrs and 16:00hrs.
WHERE: College Street, Long Eaton from its junction with Upper Wellington Street to its junction with Cavendish Road.
REASON: Carriageway resurfacing works.
ALTERNATIVE ROUTE: Spinney Road, Wellington Street, A6005 Derby Road and vice versa.
Access will be maintained, whenever reasonably possible, on the affected length of road. The road will re-open as soon as the work is finished. This may be earlier than advertised. Derbyshire County Council apologises for any inconveniences caused while work takes place. Anyone needing further information should ring Call Derbyshire on 08456 058 058. The County Council intends to make an Order under Section 14 of the Road Traffic Regulation Act 1984 (as amended) to prohibit its use by traffic.
Ian Stephenson, Strategic Director - Environmental Services Department, Derbyshire County Council, County Hall, Matlock DE4 3AG.

NOTICE OF APPLICATION FOR A PREMISE LICENCE/CLUB PREMISE CERTIFICATE

Name of applicant/club* Michael Stevenson Postal address or premise/club premise* The Showground, Ewaston Castle Country Park, Borrowash, Derby DE72 3EP Details of Application: Provision of regulated entertainment for the following and anything similar Wrestling Fri/Sat: 11am till 5pm. Live Music Thurs 6pm till 11pm. Fri & Sat noon till 11.45pm. Recorded Music Thurs 1pm till 11pm, Fri/Sat noon till 1am. Performance of dance Thurs 1pm till 11pm, Fri/Sat noon till 1am. Provision of facilities for making music Thurs 1pm till 11pm, Fri/Sat noon till 11.45pm. Provision of facilities for dancing Thurs 1pm till 11pm, Fri/Sat noon till 1am. Late night refreshments Thurs/Fri/Sat 11pm till 1am. Supply of alcohol Thurs noon till midnight, Fri/Sat 11am till 1am. Hours premises are open to the public: Thurs 12th July 10am till Sunday 15th July 2012 noon. The register can be viewed during office hours at South Derbyshire District Council, Civic Offices, Civic Way, Swadlowcote, Derbyshire DE11 0AH. In order to view the specific application please contact 01283 595890 or 01283 595724 in order to make an appointment. Any representation relating to this application must be made in writing to the Licensing Authority by 14/02/2012. It is an offence knowingly or recklessly to make a false statement in connection with an application. The Maximum fine on summary conviction for this offence is £5,000

Comments Attachments

