

REPORT TO LICENSING & APPEALS SUB-COMMITTEE

Agenda Item

H.

Hearing Date: 21st May 2013

Contact Officer: Ruth Boam – 01283 595716

DETERMINATION OF AN APPLICATION FOR A PREMISES LICENCE

Applicants Name	Brobot Petroleum Ltd
Premises Name	Brobot Petroleum Ltd – A38 South Bound
Address	A38 South Bound, Derby Road, Eggington, DE65 6GY

1. PURPOSE

To determine an application for a premise licence received by this Authority on the 10th April 2013 from John Gaunt & Partners on behalf of Brobot Petroleum Ltd. (**application attached at Appendix 1**).

2. BACKGROUND

2.1 The applicant is seeking a new premises licence to permit the Sale by Retail of Alcohol. The full details are indicated below in paragraph 3.

3. APPLICATION DETAILS

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

Activity	Days	Times
Sale by Retail of Alcohol for consumption off the premises only	Monday to Sunday	00:00hrs to 24:00hrs
Hours premises to remain open to members of the public	Monday to Sunday	00:00hrs to 24:00hrs

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

4. CONSULTATION RESPONSES

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 Police (**Appendix 3**) added to their licence.

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

6. DETERMINATION

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

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

7. RIGHT OF APPEAL

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

APPENDICES

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We, Brobot Petroleum Ltd, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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	
Brobot Petroleum Ltd - A38 South Bound, Derby Road, Eggington	
Post town Derby	Post code DE65 6GY

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

- | | | |
|---|-------------------------------------|-----------------------------|
| | Please tick ✓ | |
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- 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 Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

H.

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (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?
As Soon As Possible

Day Month Year

--	--	--	--	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--

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

N/A

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

The application is for the grant of a Premises Licence for a convenience store limited to the provision of sale of alcohol for consumption off the premises.

The premises offer various different convenience store items and in addition, form part of a larger site which includes a forecourt operation.

The request is for an authorisation for the supply of alcohol 24 hours a day, 7 days a week.

Attached to this application are plans as follows :-

1. Site plan.
2. Site plan showing the layout of the shop facility.

It is not anticipated that the application will undermine the licensing objectives and the application has been prepared upon that basis.

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

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

Please tick ✓

yes

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
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 {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
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 {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
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	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
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 {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	✓
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	00:00	24:00			
Tue	00:00	24:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00			
Sat	00:00	24:00			
Sun	00:00	24:00			

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

M

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

I have undertaken my own risk assessment to take the following proposed steps.

The steps identified in relation to the four licensing objectives are listed below.

- a. Staff will receive training on matters concerning under age sales and general operating policy.
- b. There shall be a zero tolerance policy in relation to drugs within the premises and regular checks by management to prevent the use of drugs by patrons.
- c. A CCTV system will be fitted to the reasonable satisfaction of the Police with recording facilities. Recordings from the CCTV system shall be retained for a reasonable period and provided to a Police Officer upon reasonable request subject to data protection legislation.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below.

- a. Staff will receive training on matters concerning under age sales and general operating policy.
- b. There shall be a zero tolerance policy in relation to drugs within the premises and regular checks by management to prevent the use of drugs by patrons.
- c. A CCTV system will be fitted to the reasonable satisfaction of the Police with recording facilities. Recordings from the CCTV system shall be retained for a reasonable period and provided to a Police Officer upon reasonable request subject to data protection legislation.

c) Public safety

No further risks have been identified which need to be addressed, save as below

- 1. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
- 2. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

The premises shall operate Challenge 25 in relation to the prevention of sales to under 18 year olds.

Please tick ✓ Yes

- 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 premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature:

Date:

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:

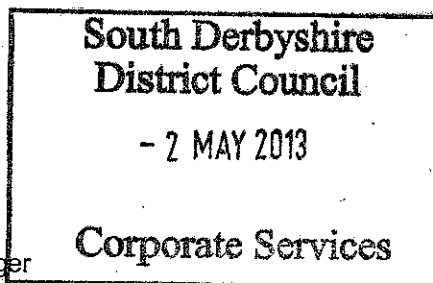
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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

Contact: PC 2766
MORLEY
Direct Tel: 0300 122 5409
Ext: 75 02766
Fax:
Our ref: PID 7446
Your ref: Brobot A38
SOUTH



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

Tuesday, 30 April 2013

BY E-MAIL & POST

Dear Licensing Manager,

LICENSING ACT 2003 APPLICATION:

**Application for Premises Licence –
BROBOT, A38 SOUTH Bound, Eggington, Derbyshire, DE65 6GY**

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

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

Further explanation is given at appendix A attached.

Yours faithfully,

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



19.

PLEASE NOTE:

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

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

APPENDIX 'A'

RE: BROBOT, A38 SOUTH Bound, Eggington, Derbyshire, DE65 6GY

The applicant is applying for a Premises Licence for the sale and supply of alcohol 'off' the premises (off-licence) with the opening hours of the premise being 24hrs seven days a week. The off-licence sales of alcohol would aim to replicate the opening hours of the petrol station.

The purpose of the premises is to be a Petrol Station Four Court, shop and off-licence the addition of the application for a Premises Licence would apparently be based on economics with a view that the sale of alcohol would increase footfall, sales and revenue at the premise.

The premise is currently operating as a Fuel fore court with a general convenience store, offering for sale a variety of goods ranging from soft drinks and snacks to a 'Costa coffee' booth and heated refreshments area with generalised reading materials including road maps. This 'petrol station' has been in situ for several years; the premise is situated on a busy main arterial route (A38) and acts as a main commuting corridor for drivers within the Midlands. In close proximity to its location is a diner that serves substantial meals and 'fast food' along with other food stuff, the exit from the A38 is shared between both sites with ample parking allocated to both. At the exit from the fore court is a junction that leads into the village of Etwall, some distance away. Along this route are a scattering of residential properties.

It is believed that the premises shall be frequented by mainly commuters and other members of the public travelling to and from Derby and those visiting the local area.

The behaviour of certain individuals when under the influence of alcohol is widely recognised and documented as being one of the main factors encouraging their anti-social behaviour and violence through the level of intoxication. My concern is that Adults either returning to or leaving Derby after a night out could be tempted by the offering of being allowed further alcohol whilst being intoxicated from an evening out. This is the main reasoning for the use of a 'night pay hatch' between the hours of 2200hrs and 0500hrs. This is company policy.

I have researched a system called command and control (CICR) a police incident recording system between the dates of 01/01/2013 and 01/03/2013 and on this section of the A38 noted some 35 incidents that had been generated. Whilst most of these incidents remain traffic relates (congestion and Road Traffic Collisions) a portion is crime related the break down is as follows;

Drink Driving	1
Observation for vehicle	6
Theft of fuel (bilking)	1
Disputes	2
Accidents (RTC)	7

The remaining 18 incidents are general congestion reports from motorists, emergency services or other members of the public

The premise could allow and encourage through its increased offering, more persons to attend the premises with the added attraction of passing members of the public that may be tempted to purchase further alcohol.

By applying for this licence I believe that it would lead to an increase in; persons loitering and congregating and an increase in alcohol consumption within this location thereby giving cause for concern with regards to the support of the four Licensing Objectives;

- Public nuisance
- Public safety
- Protection of children from harm
- Crime and Disorder

It is my opinion that without measures being placed on the Premises Licence in an effort to support general members of the public, staff, the Licensing Objectives and nearby residents and the within the locality of the premise there is the likelihood of an increase in the potential for Anti-social Behaviour and other crime that could be attributed to alcohol consumption, therefore undermining all of the licensing objectives.

It is in my opinion that the premises, albeit subject to scrutiny of Section 176 of the Licensing Act 2003 are operating within the guidance and regulations of the act as the figures provided by the solicitors reflect that the individual fuel sales are not the primary use of the location.

I have engaged in discussions with the applicants solicitors who have agreed that suitable and proportionate conditions that both support the licensing objectives and the premises licence should be applied to the premises licence, if it were to be granted. These have been attached for your consideration.

Proposed Premises Licence conditions for;

**BROBOT, A38 North and South bound, Eggington,
Derby, DE65 6GY.**

1. A 'Challenge 25' age verification policy will be employed at the premise with regards to the sale of alcohol and other age restricted products.
2. Clear signage in relation to the 'Challenge 25' age policy operated at the premises will be clearly displayed.
3. There shall be signage in relation to the age policy in all areas where alcohol is displayed for sale and at the point of sale; this is to include the '**night pay hatch**'.
4. Any person who appears to be under the age of 25 years of age will be required to provide suitable proof of age before any alcohol is sold to them. When the '**night pay hatch**' is in use the identification must be requested and recorded prior to the operator selecting the required alcohol from display.
5. This proof of age will be in the form of;
 - Photo driving licence
 - Current passport
 - Ministry of Defence identity card or
 - Government approved 'PASS' identification card scheme
6. Any requests / refusals in relation to the sale of alcohol will be entered in the refusals book or register kept for this purpose. These registers shall be kept on the premises for a minimum period of 1 year and will be produced upon request to a Police Officer or person as detailed within Section 13 of the licensing Act 2003.
7. Full training is to be provided by the Designated Premises Supervisor or nominated deputy to all staff involved in the sale of alcohol, on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. This training shall include the timings that the '**night pay hatch**' is in operation.
8. Refresher training will be provided to those employees referred to in paragraph 7 at regular intervals (At least once every six months). Written records detailing the training will be kept on the premises for production to a constable or an authorised person as detailed within Section 13 of the Licensing Act 2003 upon request. These records shall be retained on the premises for a minimum of 1 year.
9. Any authorisation to sell alcohol will be in writing and this will be kept on the premises at all times. This authorisation is to be signed by ALL staff and counter signed by the Designated Premises Supervisor.

10. The Premises Licence holder/Designated Premises Supervisor shall as far as possible ensure that no consumption of alcohol will be permitted within the immediate vicinity of the premises. Signage advising customers of this fact shall be displayed both at the point of sale and the main facade of the building.
11. The premises licence holder shall ensure that alcohol is stored at the premises in such a way that it is secured and that only authorised members of staff who are over the age of 16 have access to the alcohol stored. This condition shall not apply to the retail area of the licensed premises as edged red on the approved plan.
12. Where the premises licence holder employs, whether paid or unpaid, any person, involved in the sale or supply of alcohol, that person shall have received training that must include confirmation that the employee has read and understood any conditions attached to the premises licence.
13. The employee referred to in paragraph 12 above shall be aware of the requirements / policies of restricting any sale of alcohol to those persons aged 18 and over. This training shall be signed by the person providing the training and the trainee.
14. CCTV must be operated at all times when the premises are open to the public for licensable activities.
15. All CCTV recordings must be retained for a minimum of 31 days. These images must be available for viewing at any reasonable time (48hrs) upon request of a Police Officer or another authorised person as detailed within Section 13 of the Licensing Act 2003.
16. A CCTV system shall be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.
17. Installed CCTV cameras / monitors are to be positioned so as to ensure all areas to which the public have access are covered. This is to include the '**night pay hatch**'.
18. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose (for the avoidance of doubt, the image must be clear and in focus). The system must be able to export recorded images to a removable means such as a CD / DVD and have its own software that shall enable playback / review on site.

19. The DPS shall ensure that an incident log is maintained within the premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
20. Suitable and sufficient written risk assessments covering 'lone working' for the Venue shall be kept up to date and shall be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
21. A nationally approved monitored alarm system covering the premises with panic button facility shall be installed, maintained and working at all times the premises are open.
22. ALL sales / transactions shall be conducted through the '**night pay hatch**' between the hours of 2200hrs – 0500hrs. No customers shall be allowed access to within the building between these hours.

From: Tim Shield [TShield@john-gaunt.co.uk]
Sent: 08 May 2013 10:32
To: Boam Ruth
Subject: RE: Brobot premise licence applications
Ruth

Many thanks for your e mail.

I am happy to confirm agreement to the proposed conditions suggested by the police for both Northbound and Southbound sites. This is on the basis the hours requested will not be altered.

In those circumstances I am also happy to confirm that the need for a hearing can be dispensed with,

Regards

Tim Shield
0114 266 8664
07801 924 302

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Partners: John Gaunt (569711) Katharine Redford (569712) Tim Shield (569713) Michelle Hazlewood (569714)
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From: Boam Ruth [mailto:ruth.boam@south-derbys.gov.uk]

Sent: 02 May 2013 14:22

To: Tim Shield

Subject: Brobot premise licence applications

Dear Tim

This Authority has received two positive representations from the Derbyshire Constabulary, 1 for Brobot Petroleum Ltd - A38 Northbound and 1 for Brobot Petroleum Ltd - A38 Southbound, Derby Road, Eggington, Derby DE65 6GY.

I have attached the representations below, including conditions could you please confirm that the attached conditions are the ones agreed with Derbyshire Constabulary and that you are

- (i) happy for them to be placed on Brobots licence, and
- (ii) that you are happy to dispense with the need to hold a hearing.

<<Brobot South 020513.pdf>> <<Brobot North 020413.pdf>>

Should you require any further assistance or wish to discuss this further please contact me.

Kind regards

Ruth

Ruth Boam
Licensing Officer
South Derbyshire District Council
ruth.boam@south-derbys.gov.uk
Tel: 01283 595716