



Roger Harrison <...>

(AI)
10/2

Proposed meeting regarding The Alma Inn, Melbourne.

Roger Harrison

Sun, Jul 15, 2012 at 2:04 PM

To: "Morley, Richard, 2766" <Richard.Morley.2766@derbyshire.pnn.police.uk>

Dear PC Morley

AI 20/2

With reference to your e mail of the 12th July 2012 and our subsequent telephone conversation of the 13th July 2012.

I write to confirm the proposed solution put forward by you during our telephone conversation that could potentially negate the need for any further formal meeting and any necessity for residents /other persons to seek a further review of the licence at the Alma Inn, Melbourne.

My understanding of your proposal is that;

A list of the changes to the licence sought by residents and other persons should be submitted to you for your approval in the first instance and then for passage via you to the Licensee for their agreement, amendment or otherwise.

Subject to agreement of appropriate changes with the licensee an application to vary the licence under section 34 of the Licensing Act would be made by the licensee that would accurately reflect the agreed changes/ amendments to the licence.

During the consultation period we would want to make positive representations in order to support the application and preserve our right of appeal. We would also expect that you would want to make similar positive representations as well for the same reasons. This would mean that there should be no need for a formal hearing and that the Licensing Authority should grant the application as submitted and a satisfactory outcome for all concerned would be achieved, - with a minimum of fuss and cost. Unfortunately should anyone make adverse representations, such as the Environmental Health Authority, a formal hearing would inevitably have to take place in any event.

Fall back position;

Should no agreement be reached through your actions as mediator between the licensee and residents/other persons then the already proposed and agreed meeting would be the course of action in the first instance, and in the absence of any agreement arising from this an application to review the licence would be made in any event.

We would hope that the breath of fresh air introduced by your common sense approach to the achievement of common goals where previously there has just been confrontation leading to ongoing problems will now result in a satisfactory outcome for all. The few others I have mentioned this to up to now are delighted and more than grateful for this opportunity to resolve matters once and for all. Thank you very much for your timely intervention in this matter it is truly appreciated.

In order for us to proceed on the above basis as soon as possible we would be grateful for your earliest confirmation that my understanding of your proposal is correct.

Once again many thanks for your help with this matter.

Yours sincerely

Roger Harrison.

[Quoted text hidden]

BS.



Roger Harrison <

AP
Lof2

Proposed meeting regarding The Alma Inn, Melbourne.

Morley, Richard, 2766 <Richard.Morley.2766@derbyshire.pnn.police.uk>

Thu, Jul 12, 2012 at 11:28 AM

Dear All,

To enable a meeting to be arranged regarding the Alma Inn, I am seeking timely responses that will provide dates of availability to attend South Derbyshire Council Offices in the first week of August 2012. The dates to be selected are between Tuesday 31st of July to Friday 3rd August. It is proposed that the meeting is to take place between the hours of 1000hrs to 1500hrs for one hour periods due to the requirement to reserve a suitable room to accommodate the numbers attending the meeting.

Please respond with your available dates to allow Jackie to book a room. I must point out that the date shall have to be booked to conform with the majority of corroborating dates of availability.

Regards,

Rich Morley

Police Constable 2766
Licensing Enforcement Officer
Derbyshire Constabulary
'D' Division Licensing Team
Prime Parkway
Chester Green
DERBY
DE1 3AB
Tel: 01332 613036 (Internal 760 3036)
E-mail: richard.morley.2766@derbyshire.pnn.police.uk
Ext. E-mail: derby.licensing@derbyshire.pnn.police.uk
Int. Group E-mail: D.Licensing
Web: <http://www.derbyshire.police.uk>

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66.

A2



Roger Harrison <...>

Proposed meeting regarding The Alma Inn, Melbourne.

Morley, Richard, 2766 <Richard.Morley.2766@derbyshire.pnn.police.uk>

Mon, Jul 16, 2012 at 2:16 PM

To: Roger Harrison

Mr. Harrison,

Your understanding of the proposal is, indeed correct. I feel that I should point out one minor point so as to assist you when submitting the conditions you believe require removing and also the ones that you believe require some modernising.

As you touch upon the guidance within the Licensing Act 2003 and also discuss Section 34 of the same, I feel that I should bring to your attention the relevance of one certain point you make. Should you, members of the community or the Police make a 'positive representation', this is classed as a representation and would therefore require the necessity of a hearing to take place. This clearly is not the requirement, nor the idea behind arranging for a variation (minor or full) to be submitted by the Premises Licence Holders.

It was with this in mind that should a suitable way forward be noted and agreed by way of generating more enforceable and appropriate conditions this should be met with no representation either positive or negative. The natural pathway for this resolution should be as follows;

The community and yourself select the conditions that give you cause for concern (as discussed via the telephone).

You email these to me for appropriate legal terminology to be introduced.

These now enforceable conditions are sent to the Premises Licence Holder for ratification

Application to vary the premises licence is submitted without the need for a hearing as there shall be no objections.

Licence granted with new agreed conditions.

This should be the natural way of progressing any application and as I highlighted to you in our previous conversation is more the 'norm' than an exception. Should you have any need to clarify any of the points, please feel free to contact me direct.

Regards,

Rich Morley

Police Constable 2766
Licensing Enforcement Officer
Derbyshire Constabulary
'D' Division Licensing Team
Prime Parkway
Chester Green
DERBY
DE1 3AB
Tel: 01332 613036 (Internal 760 3036)
E-mail: richard.morley.2766@derbyshire.pnn.police.uk
Ext. E-mail: derby.licensing@derbyshire.pnn.police.uk
Int. Group E-mail: D.Licensing
Web: http://www.derbyshire.police.uk

67.

A3



Roger Harrison <...>

Proposed meeting regarding The Alma Inn, Melbourne.

Roger Harrison <r...>

Tue, Jul 17, 2012 at 6:24 PM

To: "Morley, Richard, 2766" <Richard.Morley.2766@derbyshire.pnn.police.uk>

Dear PC Morley

Thank you for taking the time to further clarify matters with me this morning.

To reiterate;

Because the decisions about to be taken will fundamentally affect the lives of people living and working in the vicinity of the Alma Inn it is particularly important from our point of view to ensure that the process we are about to embark upon is clear, understood by all and achieves a mutually agreed, consistent, lawful and proportionate outcome for everyone. That said we recognise and appreciate that the Alma Inn is a commercial enterprise.

For the above reasons and for the avoidance of doubt I write to confirm the agreed pathway we will follow.

- 1/ Residents and other people will submit for your attention the amendments to the licence that we are seeking coupled with the reasons for these amendments. These changes will mirror those that would have been sought/will be sought in the event that an application to review the licence had been made or is made.
- 2/ The amendments will be based on our own professional and legal advice sought in accordance with paragraph 1.10 of the Section 182 Guidance.
- 3/ You will scrutinise these amendments for your agreement and addition to or otherwise and introduce any legal terminology you feel may be appropriate.
- 4/ These now approved and enforceable conditions will be sent to the premises Licence Holder and all other responsible authorities concerned for their written ratification and approval.
- 5/ The ratification of the amendments to include a commitment from each party not to make any relevant representations positive or otherwise during the consultation period.
- 6/ In the event that the amendments are ratified by all parties an application to vary the licence under section 34 of the act will be made by the licensee that will duplicate these agreed amendments to the licence.

Outcome;

In the absence of any relevant representations during the consultation period the Licensing Authority will grant the application to vary the licence as ratified and without the necessity for a formal hearing.

The fall back position will remain the same as before.

We are now proceeding on the above basis and will do this as quickly as possible unless we hear differently from you.

Thank you in advance of your assistance in this matter.

Yours sincerely

68.

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Roger Harrison < >

Proposed meeting regarding The Alma Inn, Melbourne.

Morley, Richard, 2766 <Richard.Morley.2766@derbyshire.pnn.police.uk>

Wed, Jul 18, 2012 at 9:02 AM

To: Roger Harrison < >
Cc: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>

Mr. HARRISON,

You are correct in your summary as to what action is proposed. I look forward to your email regarding the amendments to the conditions as outlined within our telephone conversation.

Regards,

Rich Morley

Police Constable 2766
Licensing Enforcement Officer
Derbyshire Constabulary
'D' Division Licensing Team
Prime Parkway
Chester Green
DERBY
DE1 3AB
Tel: 01332 613036 (Internal 760 3036)
E-mail: richard.morley.2766@derbyshire.pnn.police.uk
Ext. E-mail: derby.licensing@derbyshire.pnn.police.uk
Int. Group E-mail: D.Licensing
Web: http://www.derbyshire.police.uk

From: Roger Harrison [mailto:]

Sent: 17 July 2012 18:24

[Quoted text hidden]

[Quoted text hidden]

69.

AS



Roger Harrison

The Alma Inn

Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
 To: ~~ian.tranter@south-derbys.gov.uk~~
 Cc: Kaur Ardip <

Wed, May 16, 2012 at 11:33 AM

Dear Mr Harrison

In response to your email to Ardip Kaur.

An Action Plan was agreed between the Police, the DPS of the Alma Inn and the premises licence holder, Marstons. The Action Plan was drawn up after a meeting at the Alma Inn to discuss the issues surrounding the pub, and to seek a way forward to alleviate similar issues occurring in the future.

An outline of the actions include;

- The Premise Licence Holder or nominated representative shall discuss any incidents from the past weeks trading at least weekly. Any issues highlighted to be documented with clear actions to be taken.
- A further agreement to cease the use of external drinking area from 22.00hrs. The DPS to be responsible for policing this request.
- The DPS to perform regular external checks to ensure groups or individuals are not congregating at the main door way and are making full use of the beer garden when appropriate. A record of these checks to be documented and any actions taken.
- The DPS to inform any emergency service (as appropriate) when an incident has occurred on or within the curtilage of the premises.
- Signs informing patrons of the use of the external beer garden to be displayed in clear unobstructed areas within the venue. Accompanied by notices highlighting that smoking and drinking are not permitted within the immediate vicinity of the main entrance (car park).
- Ashtrays, bins and other paraphenalia to be removed from the main entrance area.

It is proposed to review this plan on 25th May 2012 by the same parties, and any subsequent meeting will be scheduled following this date.

Regards

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

----- Forwarded message -----
 From: Roger Harrison <rj>
 Date: Wed, Mar 21, 2012 at 6:53 PM
 Subject: The Alma Inn
 To: Barrow Peter <Peter.Barrow@south-derbys.gov.uk>
 Cc: ian.tranter@south-derbys.gov.uk, Morton Jackie <Jackie.Morton@south-derbys.gov.uk>

Dear Mr Barrow

On the behalf of those residents present I would like to thank you and Ian Tranter for taking the time to meet residents and our councillor last night in order to discuss the concerns of residents with regard to the licence at the Alma Inn and the intention to seek a review of the licence for the reasons stated.

In order to continue to explore all avenues to reach an agreed settlement, your suggestion that a further meeting should now take place that would involve the new Licensee and the Police is a good one. When you have asked the new Licensee whether or not this is agreeable to them I would be grateful if you would let me know as soon as possible so that others wishing to attend can be informed. In addition and as you are not familiar with the decision of the High Court in the case of Developing Retail v East Hampshire Magistrates Court 2011 and its approval of Crawley Borough Council v Attenborough 2006 I would appreciate being given the opportunity to discuss

70.

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

From: eContent@derbyshire.gov.uk [mailto:eContent@derbyshire.gov.uk]
Sent: 09 January 2012 12:30
To: Licensing Distribution; Web Editor
Subject: Complaint about licensed premises

A6
198

The following information has been submitted through the website. Please do not reply to this email using the reply button; the customer's email address will be below if they've given it.

Name: Susan Fletcher
Account ref (if relevant):
Postcode: DE73 8FE
Address: 40 Derby Road
Contact telephone number: 07806 561154
Email: ~~XXXXXXXXXX~~@XXXXXX.co.uk

How would you prefer us to contact you? Writing

Which service does this enquiry / application relate to?

Details of your enquiry: The noise management at this pub has gone significantly downhill in the last 8 months. We have tolerated it up to now and the landlord and landlady used to manage it, but now most weekends on a Friday and/or Saturday night up to 1.30am, there is shouting and drunken behaviour in the pub car park ie outside our window which includes raised voices, shouting, sometimes arguing, occasionally fighting, taxis leaving their engines running, urinating. We've had people sitting on the wall outside our house, food shoved through the letterbox. The live music is audible after midnight sometimes. I would therefore like to know the terms and conditions of their license as this has become unacceptable.

Susan Fletcher

From: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
To: ~~XXXXXXXXXX~~@XXXXXX.co.uk
Sent: Tuesday, 10 January 2012, 11:33
Subject: FW: Complaint about licensed premises

Good morning

Please be assured I am looking into your complaint regarding the Alma Inn at Melbourne.

I will be planning a visit to the pub with a Police Officer and a Pollution Officer

In the next few weeks.

I will return any feedback from the responsible persons of the Alma when available.

Kind regards

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

71.

— Forwarded Message —

From: Susie Charter <[redacted]@shoo.co.uk>
To: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
Sent: Wednesday, 11 January 2012, 12:15
Subject: Re: Complaint about licensed premises

A6
2 of 8

Dear Jackie

Thank you for looking into this. I am not sure where the responsibility lies, as the patrons of the Alma may drink up and leave the actual premises within the permitted hours but they then stand on the pavement right next to the pub car park, mouthing off, which is right outside our bedroom window, but technically you could argue it is not on their premises. I do think there is an issue with live music outside permitted hours and the level of music and noise within those hours. Am I right in saying that I should not be able to hear their music from my front room?

Kind regards
Susie

From: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
To: [redacted]@shoo.co.uk
Sent: Monday, 30 January 2012, 11:25
Subject: Alma Inn complaint

Good morning

I have been in contact with the persons responsible for the Alma Inn, Derby Road, Melbourne, and reminded them of their responsibilities in accordance with their licence conditions. Jayne Harrison (DPS) said they were trying everything in their power to prevent the kind of behaviour you have experienced and they would try to remain

vigilant and responsible to prevent any further incidents in the future.

I have alerted the Pollution team to the noise issues and they will be performing monitoring on an ad hoc basis to ensure the conditions are not being breached.

The following is listed on the premises licence for the pub;

Conditions placed on the premises licence for the Alma Inn should be adhered to;

The prevention of public nuisance

- Noise and vibration shall not emanate from the premises so as to cause a nuisance to nearby properties
- The licensee shall install a noise limiting cut out device at a decibel rating determined by South Derbyshire District Council's Environmental Health Department
- The licensee shall ensure that no alcohol is consumed outside of the premises after the hours of **22.30hrs**
- The licensee shall ensure that prominent signage is displayed at all exit doors requesting customers to leave the area quietly and to respect neighbouring residents and their properties. In addition, there shall be prominent signage placed at the exit points from the premises' car park
- The licensee shall ensure that all windows and doors are kept closed for the duration of live and recorded music and other entertainment, except for access to and egress from that room. This condition is subject to the Licensee erecting signs in the premises informing customers of the necessity and reason for windows and doors to remain shut during such performances of live and recorded music and other entertainment

72.

— Forwarded Message —

From: Susie Charter <[redacted]@co.uk>
To: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
Sent: Monday, 12 March 2012, 18:45
Subject: Alma Inn complaint

A6
S48

Dear Jackie

Unfortunately, things have gone from bad to worse regarding the Alma. The landlord (James Cripps) and landlady gave up their tenancy at the end of Feb. To describe events in brief, on Saturday night (10th March), a patron of the pub was set on fire and then the fire extinguishers were set off, the pub was trashed and then mayhem continued down the street. The landlord and landlady who have been placed there by the brewery are clearly unable to keep control.

The name of the investigating officer is DC Suett collar number 3221. Apparently criminal charges are pending so no further information available at this time, however, from our point of view, living opposite the pub, what are you, as the local authority, going to action in terms of sanctions to ensure that this establishment does not further destroy the peace of residents?

King regards
Susie Fletcher

— Forwarded Message —

From: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>
To: Susie Charter <[redacted]@co.uk>
Sent: Tuesday, 13 March 2012, 10:10
Subject: RE: Alma Inn complaint

Dear Susie

Thank you for your email. I am sad to hear things at the Alma are not improving. I received notification about this incident from the Police myself. This always triggers a meeting at the Pub from the Police and usually a Licensing Enforcement Officer.

We are already dealing with a complaint made about the Alma to discuss the way forward. It could mean a review of the licence will be sought. I will keep you informed.

Kind regards

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

A6
K of B



Roger Harrison <

Application for review.

2 messages

Roger Harrison <~~roger.harrison@derbyshire.gov.uk~~@gmail.com>

Tue, Feb 14, 2012 at 6:42 PM

To: Morton Jackie <Jackie.Morton@south-derbys.gov.uk>

Cc: jim.hewlett@south-derbys.gov.uk, john.harrison@derbyshire.gov.uk

Thank you very much for sending me the copies of the licence, application and plans for Harpurs Hotel and Restaurant, Melbourne.

It is now my intention to seek a further review of the licence at the Alma Inn, Derby Road, Melbourne in accordance with section 51 of the Licensing Act 2003.

With the above in mind I would like to meet with a representative of the Licensing Authority and a representative of the responsible authority for 'The Prevention of Public Nuisance' in order to discuss the current situation at these premises and the enforcement of the licence with regard to the above licensing objective.

I would be grateful if you could perhaps put forward some dates and times for consideration and indicate where you feel it would be most appropriate for this meeting to take place. If it is convenient I am quite happy for a meeting to take place at my premises (this has happened before) as it is my intention to show fresh video evidence of the ongoing breach of the conditions of the licence at this meeting.

Yours sincerely

Roger Harrison.

Morton Jackie <Jackie.Morton@south-derbys.gov.uk>

Wed, Feb 15, 2012 at 9:41 AM

To: Roger Harrison <~~roger.harrison@derbyshire.gov.uk~~@gmail.com>

Thank you for your email. Your request will be dealt with in due course.

Regards

Jackie Morton

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

From: Roger Harrison [mailto:~~roger.harrison@derbyshire.gov.uk~~@gmail.com]

Sent: 14 February 2012 18:43

To: Morton Jackie

Cc: Hewlett Jim; Councillor J. Harrison

Subject: Application for review.

[Quoted text hidden]

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

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74.

(A6) 50/8

14 Haulton Drive
Castle Donington
Derbys
DE74 2SU

COPY

14th February 2012

Sergeant Lomas
Licensing Section
D Div HQ
St Marys Wharf
Chester Green
Derby

Dear Sergeant Lomas

**Ref; - Breach of the Conditions of The License at the Alma Inn, Melbourne.
Licensing Objective 'The Prevention of Crime and Disorder'.**

In advance of this year's warmer spring /summer weather and our intention to now apply for a review of the Licence at the above premises. I enclose for your attention video evidence relating to the common practice of removing drinks from the above premises in open containers for consumption in the car parking area of the above premises.

I am advised that this video constitutes evidence of the breach of the conditions of the licence which prohibits the removal of drinks from the premises in open containers save for consumption in any external area provided for this purpose.

The external area provided for this purpose 'the Beer Garden' is clearly marked on the plan that forms part of the licence, the 'Car Parking area' is equally clearly marked on this plan and the application for the licence clearly states that, 'The premises have an existing area available to patrons for the consumption of off supplies'.

The enclosed video is merely illustrative and not exhaustive evidence of this common practice, should you require further evidence please let me know.

I would be grateful if you would investigate this complaint of the breach of the conditions at the above premises and let me know the outcome of your investigations.

Please could you acknowledge receipt of this complaint with an appropriate incident number/crime reference number.

Thank you for your help.

Yours sincerely

Peta Warrington.

75.

Roger.

Copy of my letter.

Kind regards, 

40 Derby Road

Melbourne

DE73 8FE

13th March, 2012.

(H6)

6 of 8

FAO The Licencing Section, South Derbys district, Swadlincote.

Dear Sirs,

This letter is to appraise you of an unacceptable situation at the Alma Inn, Derby Road Melbourne.

Nuisances and breaches of the peace have regrettably become more commonplace in the last 12 months and I believe that there have been a number of complaints.

The previous licensee retired two weeks ago and with scarcely a moment for breath, the premises re-opened on Saturday, 10th March. Around midnight, alcohol was served to hooligans in fancy dress who proceeded to run amok in the early hours: streaking down the high street, creating an infernal din, setting off fire extinguishers, leaving a trail of devastation and, we are led to believe, committing criminal acts concerning arson/causing grievous bodily harm by fire. The police and ambulance service both attended and the police were accompanied by SOCA /Derbyshire scientific police on Sunday morning to conduct enquiries at the Alma Inn.

On Sunday morning, I entered the premises which were in a state of carnage. I asked for the licensee who gave his name as Mr. Derek Moffatt. When I told him that I was a neighbour, he asked the question "what's up?" (as though Saturday night's activity were perfectly normal and acceptable). As I pressed for answers, he then seemed to deny being the licensee, saying the trouble "was nothing to do with him". He could not give the name of the licence holder, however. The police constable taking a witness statement suggested contacting authorities in Derby!

On Monday I rang the police, who confirmed that a D.C Suett (Collar 3221) telephone 03451233333 was investigating but since criminal charges were likely to be pending, no further information could be released.

You will agree that we have an intolerable situation with this public house, which, long suspected of being out of control, is now confirmed to be out of control, with seemingly no one aware of who is the licensee, nor, presumably, responsible for running an orderly premises. One can only conclude that the ultimate desire of the beneficiaries (believed to be Marston's brewery) is to maintain as disorderly a premises as possible to maximise their profits, at the expense of residents.

It has been a blight on our lives for a considerable time and this incident is the final straw. Something has got to be done about it and I would respectfully request your reaction, comments and advice.

Yours sincerely, Simon Fletcher.

76.



Roger Harrison <...>

AG
7/18

FW: Alma Inn - Complaint regarding 28th March 2013

Peta Warrington <p
To: roger.harrison <r

Fri, May 31, 2013 at 12:23 PM

Subject: RE: Alma Inn - Complaint regarding 28th March 2013
Date: Thu, 11 Apr 2013 18:04:45 +0100
From: Stewart.Broome@south-derbys.gov.uk
To: p

Good afternoon Peta

I have inserted the content of your complaint submitted via the website on the morning of the 29th March 2013.

Part 2 of the Police Reform and Social Responsibility Act 2011 amended the term interested party to other person. I have attached the link to this statute for your information.
<http://www.legislation.gov.uk/ukpga/2011/13/contents>.

I have also attached the October 2012 s182 statutory guidance document for your information.

Kind regards,

Stewart.

Name: Peta Warrington

Account ref (if relevant):

Postcode:

Address:

Derbys

Contact telephone number: (

Email:

How would you prefer us to contact you? Email

77.

Ag
SJS

Which service does this enquiry / application relate to?

Details of your enquiry: Whilst at my partners premises 34 Derby road, Melbourne, Derbys last night we were disturbed by loud music emanating from the Licensed Premises known as The Alma Inn. Along with disturbance from people outside the premises. We are aware that an event was taking place at these premises last night that was advertised as an 'Easter Disco' from 7:30 until late and that Thursday night was 'Party Night'

My partner has already reported the issues to the Police non emergency incident line last night and obtained an incident number.

We believe that there were multiple breaches of the terms and conditions of the licence and we have recorded video evidence in support of this.

We would like you to investigate this report of criminal activity and I would like to request that someone contact me to arrange a visit from an enforcement officer so that we may give our evidence to you and find out from you what can be done about this recurring problem.

Thank you for your help.

Yours sincerely

Peta Warrington.

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Please Note:

78.

A7
10/14

Part A
Premise Licence under Licensing Act 2003

Premise Licence Number SDDC / 015535

Part 1 – Premise Details

Postal Address of premises, or if none Ordnance Survey map reference of description Harpur's of Melbourne, 2 Derby Road, Melbourne, Derbyshire, DE73 8FE Telephone Number 01332 862134
Where the Licence is time limited the dates Not Applicable
Licensable Activities authorised by the licence Provision of regulated entertainment for (e) live music, (f) recorded music and (g) performances of dance. Provision of entertainment facilities for (i) Making Music, (j) Dancing and (k) Entertainment of a similar description to that falling within (i) and (j). Provision of late night refreshment. Supply of alcohol.
The times the licence authorises the carrying out of licensable activities <u>Live Music – Indoors</u> Friday & Saturday – 17.00hrs until Midnight Sunday – 17.00hrs until 23.00hrs <u>Recorded Music & Performances of Dance - Indoors</u> Monday to Sunday – 11.00hrs until Midnight <u>Anything of a similar description to that falling within (e), (f) or (g)</u> Monday to Saturday – 11.00hrs until Midnight Sunday – 11.00hrs – 23.00hrs <u>Provision of Entertainment Facilities for: Making Music, Dancing & Entertainment of a similar description to that falling within (i) & (j) - Indoors</u> Monday to Saturday – 11.00hrs until Midnight Sunday – 11.00hrs – 23.00hrs <u>Provision of Late Night Refreshment – Indoors</u> Monday to Saturday – 23.00hrs until Midnight <u>Supply of Alcohol – (Indoors) and to include first floor restaurant outside terraced area</u> Monday to Saturday – 11.00hrs until Midnight Sunday – 11.00hrs – 23.00hrs <u>Russell Yard (Outdoors) Consumption of alcohol only</u> Monday to Sunday – 11.00hrs until 23.00hrs <u>Seasonal Variation</u> On Christmas Eve until 01.00hrs and New Years Eve until 02.00hrs for the following licensable activities is permitted: Live Music, Recorded Music, Performances of Dance, Making Music, Dancing, Late Night Refreshment & Supply of Alcohol
The opening hours of the premises Monday to Saturday – 08.00hrs – 00.30hrs Sunday – 08.00hrs – 23.30hrs <u>Seasonal Variation</u> Christmas Eve until 01.30hrs and New Years Eve until 02.30hrs
Where the licence authorises supplies of alcohol whether there are on and or off supplies On and off sales

79.¹

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Annex 2 - Conditions consistent with Operating Schedule

General

Training will be given to all staff members so that they are aware of all aspects of the law in relation to serving alcohol, including challenge 25, customer behaviour problems, zero drugs tolerance & health & safety issues including fire safety. All training will be the responsibility of the Designated Premise Supervisor.

Crime & Disorder

1. Relevant signage for drinks purchase and consumption areas
2. Provide adequate staffing to ensure all areas of the licensed premises, e.g. toilets and not easily visible areas of the bar, are regularly checked to prevent possible breach of licensing principles.
3. The Designated Premises Supervisor (DPS) shall ensure that a written incident log is maintained within the premises and details of all incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and shall be produced upon request of a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
4. Suitable and sufficient written risk assessments and operating policies shall be kept up to date and shall be made available for inspection upon request of a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
5. The DPS shall ensure that clear, prominent and legible notices must be displayed internally at all exits, requesting customers and other users to leave the premises and the area local to the premises quietly and in an orderly manner respecting the needs of local residents
6. The DPS or nominated representative shall be a member of the local Pub Watch Scheme where such a scheme exists.
7. A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
8. The CCTV recording system must be operating at all times when the premises are open for licensable activities.
9. All CCTV recordings must be retained for a minimum of 28 days unless negotiated otherwise. These images must be available for viewing at any reasonable time upon request of a Police Officer or an authorised person as detailed within Section 13 of the Licensing Act 2003.
10. The premises holder, DPS and designated members of staff must be able to retrieve and copy any recording/images at the time of asking or within 48 hours if so required. (The police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).

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11. The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.
12. 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 all areas designated for the consumption of alcohol. A plan denoting the site of each camera shall be deposited with Derbyshire Police upon completion of the installation of any such cameras or monitors.
13. All cameras installed will be of a standard that will offer optimum image quality in low light.
14. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose.
15. All Regulated Entertainment to be indoor only.
16. No customer shall be allowed to remove any alcoholic or other drink from the licensed area of the premises in an open container (e.g. glasses and open bottles) unless to an external area set aside for consumption as indicated on a plan submitted with the application.
17. No children under 16 years are to be allowed on the premises after 21:00 hours

Public Safety

1. Relevant and up to date, electrical safety certificate, building integrity, gas certificate and comply with Health and Safety regulations
2. Adhere to the recommended premises capacity
3. Provide door supervision when required
4. Provide exterior lighting
5. Illuminated fire exit installed
6. Downstairs area to be fully compliant with Fire Safety Regulations

Public Nuisance

1. Train staff to check outside areas at regular intervals and again at close of business
2. Provide signage asking customers to respect your neighbours and leave the premises quietly
3. Install a noise limiter for the provision of live and recorded music (sound level to be set by Environment Health) during which doors and windows will be kept closed except for access and egress.
4. All external doors and windows to remain closed at all times when regulated entertainment is being offered at the premises save for access and egress.
5. No noise from regulated entertainment, including repetitive bass noise, shall be audible within noise-sensitive premises with their windows open in a typical manner for ventilation
6. Russell Yard to be managed with a controlled designated area
7. Russell Yard is to be a designated area for consumption only and will be clearly marked on a plan attached to the licence
8. When in use the Russell Yard area will be screened off sufficiently in a way as to show a defined area for the use of consumption and smoking. At no time will consumption or smoking be allowed in any other area of Russell Yard

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9. There will be no consumption allowed in Russell Yard after 23.00hrs daily

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4 of 4

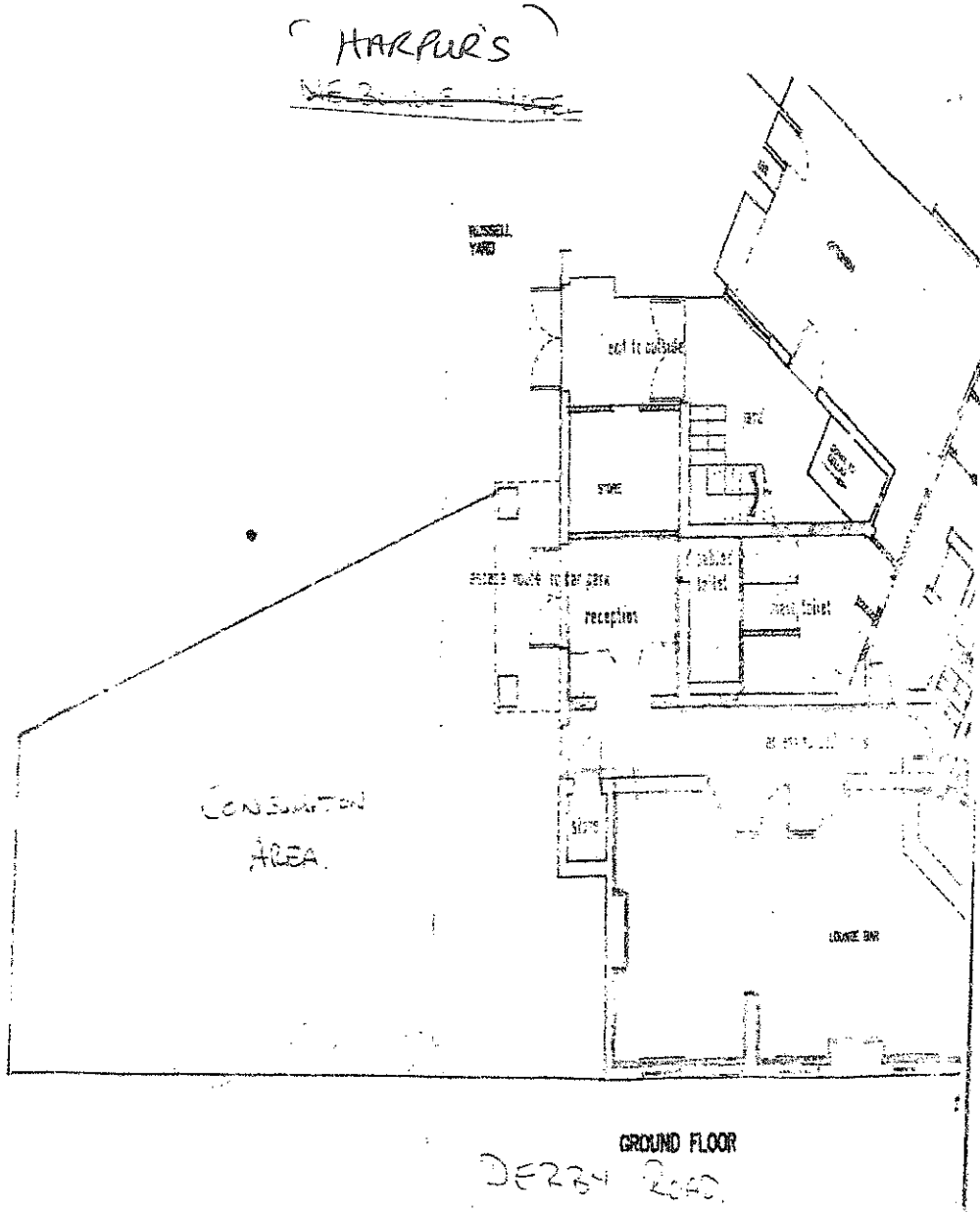
Protection of Children from Harm

1. Ensure minors are accompanied by an adult and supervised at all times
2. Full training shall be provided to all staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods.
3. Refresher training shall be provided at regular intervals – at least every 12 months.
4. Records detailing the training provided shall be kept on the premises for production upon request of a Police Officer or another authorised person acting on behalf of a responsible authority as detailed within Section 13 Of the Licensing Act 2003.
5. All records must be written and shall be retained on the premise for a minimum of 12 months.
6. A challenge 25 Proof of age scheme shall be operated at all times.
7. Anyone attempting to purchase alcohol (or other age restricted product) that appears under the age of 25 years shall be asked to produce a proof of age.
8. The only acceptable forms of identification shall be:
 - PASS – accreditation proof of age card.
 - Photo Driving Licence.
 - Current British/UK Passport.
9. Clear, prominent and unobstructed signage informing customers of the proof of age scheme in operation, along with the age restrictions on products shall be displayed at:
 - All entry points to the premise.
 - Points of sale
10. A system of recording sales refused under the proof of age scheme shall be operated at all times.
11. The refusal book/log shall be kept on the premises for production upon request of a Police Officer or an authorised person as detailed within Section 13 Of the Licensing Act 2003.
12. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.
13. No adult entertainment or services, activities etc will be undertaken at the premises.
14. Mini bars are kept locked restricting access to non-authorized persons. Keys to the mini bar will only be issued to bona fide residents staying in the hotel who have been checked for I.D.
15. At no time should a key to a mini bar be issued to any person under 18 years of age.

Annex 3 - Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans 1 (Russell Yard)



LICENCE CONDITIONS – GENERAL PRINCIPLES

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority’s statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

ADDITIONAL GUIDANCE

1.18 From time to time, the Home Office may issue additional supporting guidance to licensing authorities and other persons on its website. This supporting guidance is good practice guidance and should be viewed as indicative and subject to change. Such supporting guidance will broadly reflect but will not be part of the statutory guidance issued by the Secretary of State under section 182 of the 2003 Act. Licensing authorities may wish to refer to, but are under no statutory duty to have regard to such supporting guidance issued by the Home Office.

10. Conditions attached to premises licences and club premises certificates

GENERAL

- 10.1 This chapter provides further guidance in relation to conditions attached to premises licences and club premises certificates. General principles on licence conditions are set out in Chapter 1 (paragraphs 1.16).
- 10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by a fine of up to £20,000 or up to six months imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.
- 10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

PROPOSED CONDITIONS

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

CONSISTENCY WITH STEPS DESCRIBED IN OPERATING SCHEDULE

- 10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.
- 10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

-FAO Police Constable 2766 Richard Morley
Licensing Enforcement Officer
'D' Division Licensing Team.

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10/11/18

**AGREED AMENDMENTS TO THE PREMISES
LICENCE AT;**

**THE ALMA INN
59 DERBY ROAD
MELBOURNE
DERBYS
DE73 8FE**

NOVEMBER 2012

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2 of '8

NB. - For the purposes of the following amendments the attached numbered and existing conditions of the licence at the Alma Inn refer.

CRIME AND DISORDER

1/.

Remove condition number 1 from the licence and replace with the following;

- **A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).**
- **The CCTV recording system must be operating at all times when the premises are open for licensable activities.**
- **All CCTV recordings must be retained for a minimum of 28 Days unless negotiated otherwise. These images must be available for viewing at any reasonable time upon request of a Police Officer or an authorised person as detailed within section 13 of the Licensing Act 2003.**
- **The premises licence holder, DPS and designated members of staff must be able to retrieve and copy any recordings/images at the time of asking or within 48 hours if so required. (The Police will not meet the cost for a recording or materials used for a reproduction of the image in respect of any crime and disorder; all costs are to be met by the owner of the system. If the incident was unrelated to the premises, the retrieval, if a cost incurred, would be met between the agencies requiring the image).**
- **The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.**
- **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 all areas designated for the consumption of alcohol. A plan denoting the site of each camera shall be deposited with Derbyshire Police upon completion of the installation of any such cameras or monitors.**
- **All cameras installed will be of a standard that will offer optimum image quality in low light.**
- **All digital recordings to be made in real time, time lapse not be used; the recordings will be fit for purpose.**

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Remove condition number 2 from the licence and replace with the following;

- **The area highlighted yellow on the attached plan shall be the sole designated area for external consumption and smoking.**
- **No customer shall be allowed to remove any alcoholic or other drink from the internal licensed area of the premises in an open container (e.g. glasses and open bottles) save to the external area highlighted yellow on the attached plan.**
- **No customer shall be allowed to remove for consumption any alcoholic or other drink from the internal licensed area of the premises in an open container (e.g. glasses and open bottles) between the hours of 22:00 hrs and 11:00 hrs the next day.**
- **The Beer Garden marked 'D' on the attached plan must be vacated and remain out of use between the hours of 22:00 hrs and 11:00 hrs the next day.**
- **The car parking area marked 'F' on the attached plan shall be used solely for the parking of customer and other vehicles, deliveries and for access and egress to the premises, save for that proportion highlighted yellow on the attached plan which may be used for consumption and smoking.**
- **Any and all smoking at the premises shall be restricted to the external area highlighted yellow on the attached plan.**

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PUBLIC NUISANCE.

3/.

Remove condition number 3 and replace with the following;

- **Noise generated by licensable activities other than amplified music and voice at the premises, i.e. unamplified music and voice, must be inaudible at the nearest noise sensitive point.**

Definitions for the purposes of this condition;

Inaudible;

By the A-weighted equivalent continuous noise level (LA eq) over a 5 (five) minute period with the offending noise present which shall not increase by more than 3 (three) db as compared to the same measure from the same position & over a comparable period in the absence of the offending noise.

Nearest noise sensitive point;

One Metre outside any residential property, business or place of work situated in the following roads in the vicinity of the premises; Derby Road, South Street, Alma Street and Dunningcliff Lane.

In accordance with section 177A subsections (2) and (3) of the Live Music Act 2012, section 177A does not apply to this condition.

4/.

Remove condition number 4 and replace with the following;

- **The area highlighted yellow on the attached plan shall be the sole designated external area for consumption and smoking.**
- **No Customer shall be allowed to remove any alcoholic or other drink from the internal licensed area of the premises in an open container (e.g. glasses and open bottles) save to the external area highlighted yellow on the attached plan.**
- **No customer shall be allowed to remove for consumption any alcoholic or other drink from the internal licensed area of the premises in an open container (e.g. glasses and open bottles) between the hours of 22:00 hrs and 11:00 hrs the next day.**
- **The Beer Garden marked 'D' on the attached plan must be vacated and remain out of use between the hours of 22:00 hrs and 11:00 hrs the next day.**

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- The car parking area marked 'F' on the attached plan shall be used solely for the parking of customer and other vehicles, deliveries and for access and egress to the premises, save for that proportion highlighted yellow on the attached plan which may be used for consumption and smoking.
- Any and all smoking at the premises shall be restricted to the external area highlighted yellow on the attached plan.

5/.

Remove condition number 5 and replace with the following;

- The licensee shall ensure that all windows and doors are kept closed for the duration of all live and recorded music played at the premises and any regulated entertainment, except for access and egress to the premises.
- No other area than that marked 'E' on the plan to be used for the performance of live music (amplified and unamplified music and voice) under the provisions of the live Music Act 2012 and its associated statutory guidance.
- Permanent signs must be attached to all doors and windows at the premises informing the customers of the necessity and reasons for windows and doors to remain shut during any performances of live and recorded music and any regulated entertainment as defined by schedule 1 of the Licensing Act 2003.

In accordance with section 177A subsections (2) and (3) of the Live Music Act 2012, section 177A does not apply to this condition.

6/.

Remove the condition at number 6 and replace with the following;

- A noise limiter must be installed, fitted and maintained by the licensee in such a manner as to control all sources of amplified music and voice at the premises. The noise limiter must be set by the Environmental Health Authority of SDDC so that any noise generated from amplified music and voice will be inaudible at the nearest noise sensitive point. The noise limiter must be located in a separate and remote lockable cabinet. The keys for this cabinet must be held by the premises supervisor/licensee only. Once the setting of the noise limiter has been established by the Environmental Health Authority in accordance with the condition, the noise limiter and its associated instruments and equipment must not be altered in any way by any person other than a representative of SDDC Environmental Health Authority in consultation with residents and other people in the vicinity of the premises.

Definitions for the purpose of this condition;

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Inaudible;

By the A-weighted equivalent continuous noise level (LA eq) over a 5 (five) minute period when amplified music and voice is taking place which should not increase by more than 3(three) db as compared to the same measure from the same position & over a comparable period with no amplified music and voice taking place.

Nearest noise sensitive point;

One metre outside any residential property, business or place of work situated on the following roads in the vicinity of the premises; Derby Road, South Street, Alma Street and Dunncliffe lane.

In accordance with Section 177A subsections (2) and (3) of the Live Music Act 2012, section 177A does not apply to this condition.

The Prevention of crime and disorder

- Persons employed in a security activity shall be licensed by the Security Industry Authority and will be employed at the discretion of the designated premise supervisor or the premise licence holder and will display a name badge at all times whilst on duty
 - No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public
- 1** → • Where CCTV is installed with recording facilities, such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police
- 2** → • Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose

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The prevention of public nuisance

- 3** → • Noise and vibration shall not emanate from the premises so as to cause a nuisance to nearby properties
- Where appropriate, prominent, clear and legible notices shall be displayed at all exits, requesting the public respect the needs of local residents and to leave the premises and area quietly
 - The licensee shall ensure that all windows and doors are kept closed for the duration of live and recorded music and other entertainment, except for access and egress from that room
 - The licensee shall install a noise limiting cut out device at a decibel rating determined by South Derbyshire District Council's Environmental Health Department
- 4** → • The licensee shall ensure that no alcohol is consumed outside of the premises after the hours of 22.30hrs
- The licensee shall ensure that prominent signage is displayed at all exit doors requesting customers to leave the area quietly and to respect neighbouring residents and their properties. In addition, there shall be prominent signage placed at the exit points from the premises' car park
- 5** → • The licensee shall ensure that all windows and doors are kept closed for the duration of live and recorded music and other entertainment, except for access to and egress from that room. This condition is subject to the Licensee erecting signs in the premises informing customers of the necessity and reason for windows and doors to remain shut during such performances of live and recorded music and other entertainment
- 6** → • A Noise Limiting device shall be installed, fitted and maintained by the Licensee in such manner as to control all sources of amplified music at the premises in order to ensure that music will be at a reasonable level at the nearest noise sensitive point as determined by the Environmental Health Department

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8.9.18



Roger Harrison <[redacted]>

The Alma Inn.

Morley, Richard, 2766 <Richard.Morley.2766@derbyshire.pnn.police.uk>

Thu, Dec 20, 2012 at 8:25 AM

To: Roger Harrison <[redacted]>
Cc: Boam Ruth <ruth.boam@south-derbys.gov.uk>

Mr. HARRISON,

Thank you for the email requesting a further update regarding a progress report on the position of the pending application to vary the premises licence for the Alma Inn, Melbourne. I did call you yesterday (19/12/2012) at approximately 1500hrs, to provide you with a verbal and accurate update, however I only left you a message which I hope you have received.

I can confirm that I attended an 'on site' meeting was held on Friday 7th December, with David HEPTONSTALL (area manager), Tim SHIELD (solicitor) and Paula QUINBY (DPS), this was to finalise the application and also to discuss the methodology behind the requests by members of the community concerned into certain conditions. I can confirm that the meeting was of a positive nature with in excess of 90% of the proposed conditions being agreed in their entirety. With regards to the remaining 10% some minor wording has been amended to ensure both workability and enforcement.

I have left the application in its completed format with the solicitor to draft an application for my perusal prior to it being submitted to the Licensing Authority at South Derbyshire Council.

I am sorry that I cannot provide any more of a positive update, however I am sure that both you and the community will agree that we are nearing the end of this long but positive process. I hope this clears up the state of limbo. Should I not hear from you, I shall keep you updated so you can in turn update the wider community.

Regards,

Rich Morley

Police Constable 2766
Licensing Enforcement Officer
Derbyshire Constabulary
'D' Division Licensing Team
Prime Parkway
Chester Green
DERBY
DE1 3AB
Tel: 01332 613036 (Internal 760 3036)
E-mail: richard.morley.2766@derbyshire.pnn.police.uk
Ext. E-mail: derby.licensing@derbyshire.pnn.police.uk
Int. Group E-mail: D.Licensing
Web: http://www.derbyshire.police.uk

Integrity Respect Performance Responsibility Innovation

From: Roger Harrison [mailto:[redacted]>]

Sent: 16 December 2012 11:10

[Quoted text hidden]

[Quoted text hidden]

93.

Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:

- a simple requirement to keep doors and windows at the premises closed;
- limiting live music to a particular area of the building;
- moving the location and direction of speakers away from external walls or walls that abut private premises;
- installation of acoustic curtains;
- fitting of rubber seals to doorways;
- installation of rubber speaker mounts;
- requiring the licence holder to take measures to ensure that music will not be audible above background level at the nearest noise sensitive location;
- require licence holder to undertake routine monitoring to ensure external levels of music are not excessive and take action where appropriate;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful);
- prominent, clear and legible notices to be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted; and
- the placing of refuse – such as bottles – into receptacles outside the premises to take place at times that will minimise the disturbance to nearby properties.

NOXIOUS SMELLS

Noxious smells from the premises are not permitted to cause a nuisance to nearby properties; and the premises are properly vented.

LIGHT POLLUTION

Flashing or particularly bright lights at the premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

ALB 1 of 2

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 M above
Day	Start	Finish	
Mon	10:00	01:30	
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	01:30	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)
Fri	10:00	02:30	The premises will close 30 minutes after the end of the non-standard timings identified in box M above.
Sat	10:00	02:30	
Sun	10:00	01:30	

P

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 15)

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

The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated as identified in B1 above.

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

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

Under the present licensing regime the premises already are able to be open until 00:30

1. Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
2. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
3. Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
6. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

c) Public safety

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

1. To comply with the reasonable requirements of the fire officer from time to time.
2. To comply with the reasonable requirements of the building control officer.

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d) The prevention of public nuisance

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

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

Children under the age of 16 shall not be permitted to enter the premises after 21:00.

enforcing the terms of the licence, and in appropriate cases other people who may be affected by the conditions, such as neighbours. He concluded that terms that are so vague and unclear as to be, in effect, unenforceable are liable to be quashed.

The grounds of challenge

32. Ground 1, the noise condition is vague and imprecise.
33. The claimant argues that the noise condition is vague, imprecise and arbitrary. Complaint is made that there is no indication as to what is meant by "noise sensitive premises" and complaint is also made that there is no clarity as to the meaning to the phrase noise must be "inaudible".
34. The magistrates have not been represented in these proceedings and therefore there is no explanation as to why they chose the terminology that they adopted. It appears to me to be based upon the condition referred to in the guidance set out above which suggests that a licensee may be required to take measures to ensure that music will not be audible above background level at the nearest noise sensitive location. However, without clarity as to the premises or location intended to be protected by this condition, and without some degree of specificity as to what is meant by inaudibility, the condition is in my judgment so vague as to be unenforceable. In those circumstances I consider that the noise condition is liable to be quashed.
35. There was, however, clear evidence before the magistrates' court that would have justified the imposition of a condition protecting nearby residential properties from noise generated by licensed activities on the site. This could lawfully have been prevented by the imposition of a condition that specified the particular nearby locations (presumably residential premises) intended to be protected, and required that noise from the licensable activities did not exceed a specified level of decibels measured at a particular location over a particular period.
36. In the circumstances I do not consider that it is appropriate simply to quash the decision without remitting the matter to the magistrates for them to reconsider what condition if any may be appropriate having regard to the terms of this judgment.
37. I turn to consider the claim insofar as it affects the balcony condition.
38. Ground 2: the Court had no jurisdiction to extend the condition to the balcony
The first complaint in relation to the balcony condition is that the court had no jurisdiction to extend any conditions to the balcony. The claimants argue that a premises licence is the only basis upon which licensable activities can be lawfully carried out on or from the premises. It is therefore said that if no licensable activities are carried out from a place, the provisions of the Act do not bite and conditions may not be imposed in respect of that place.
39. In my judgment this argument involves a misreading of the Licensing Act 2003. There is nothing in the Act that suggests that the power to impose conditions is limited to conditions having effect only in areas where licensable activities are permitted. The definition of premises clearly refers to the relevant building as a whole and not merely

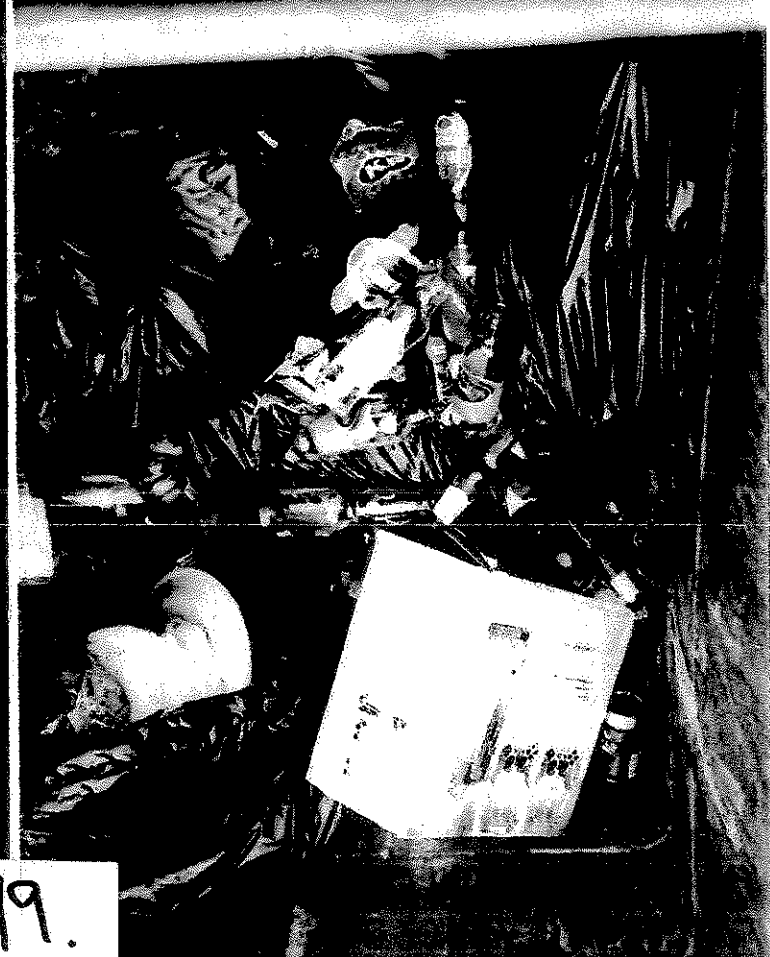
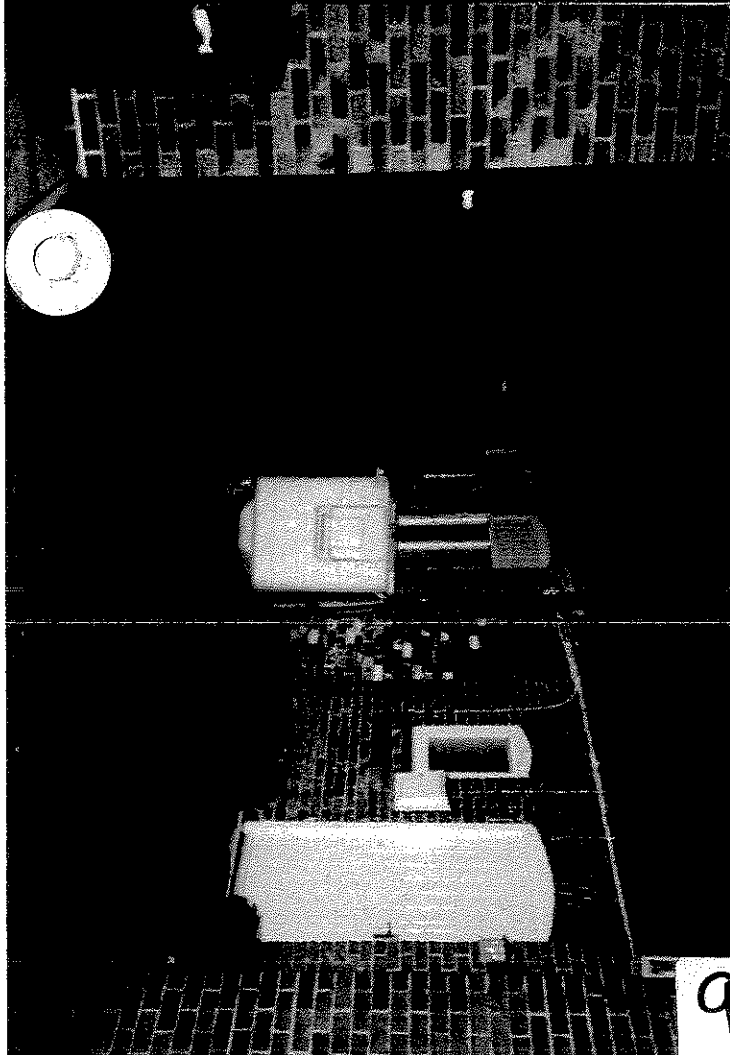
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Crown Copyright ©

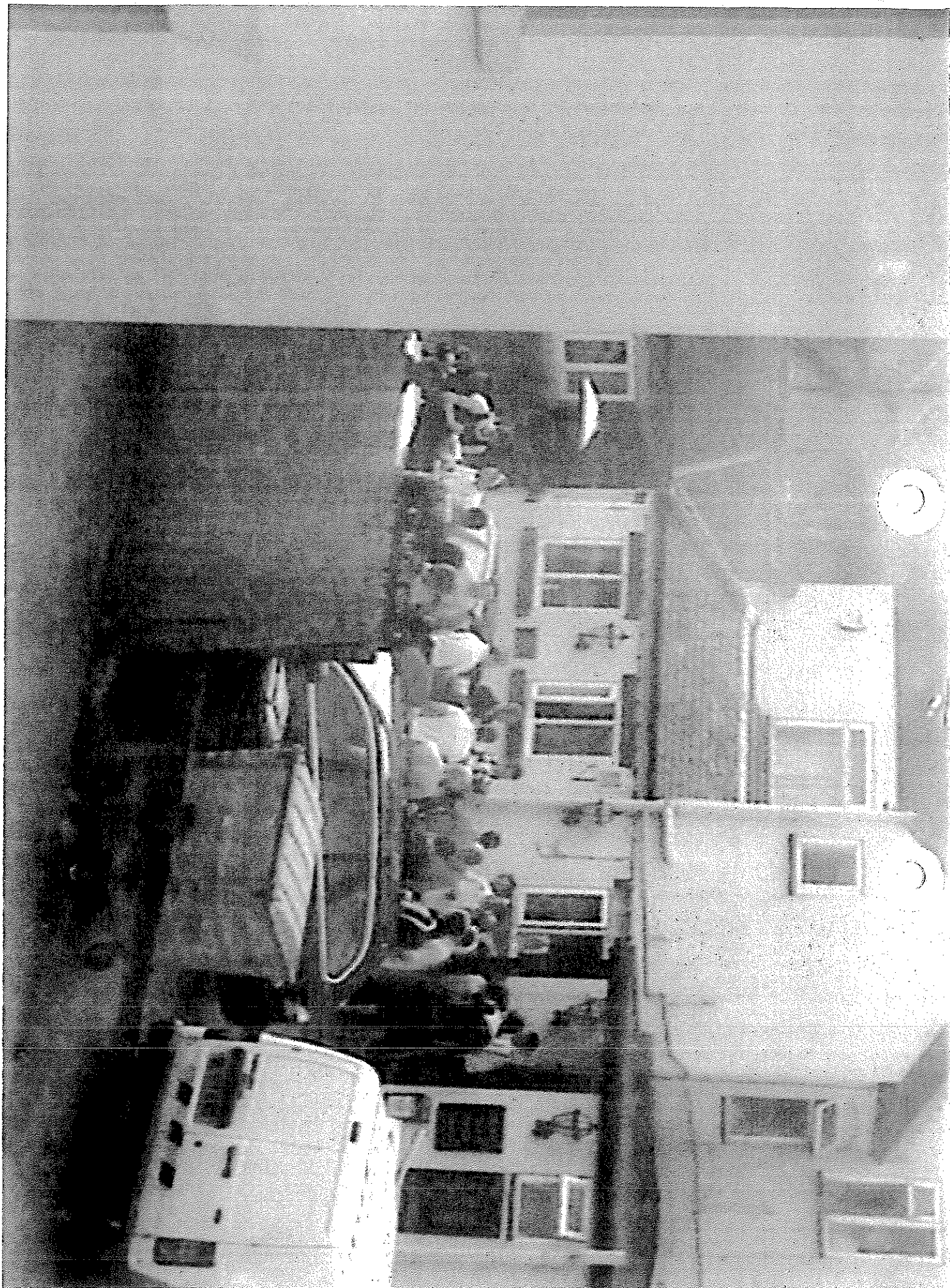
1. LORD JUSTICE SCOTT BAKER: There is before the court an appeal by way of case stated against the decision of the Horsham Justices in a licensing matter made on 23 November 2005. On that date, they heard an appeal by Mr and Mrs Attenborough who manage the Royal Oak Public House. The appeal was as to conditions imposed on the premises license in respect of those premises.
2. The Attenboroughs sought to conduct additional activities, including regulated entertainment, provision of entertainment facilities and late night refreshments up until 3.30 in the morning, seven days a week; provision of alcohol up to 2.30 in the morning, seven days a week, and opening hours up to 3.30, seven days a week.
3. Broadly, the local authority granted the application to vary the license, subject to conditions, allowing the applicants to do what they sought but only up until midnight. They took the view that granting everything the Attenboroughs sought would create an unacceptably high risk of public nuisance by noise. The Attenboroughs appealed to the Justices, as they were entitled to do, and had substantial success. However, the local authority has appealed by way of case stated on two grounds. First, that the conditions imposed by the Justices were vague, uncertain, imprecise and unenforceable; and second, that the justices were further in error in granting the Attenboroughs the costs of the appeal before them.
4. The local authority, who are the appellants, asks for the case to be sent back to the justices for appropriate and clear conditions to be made. Initially, there was an application by Mr Miller, for the local authority, to amend the case stated but, on inquiry, it became apparent that the real complaint of the local authority relates to the vagueness and uncertainty of the conditions, and that a practical way of resolving that would be for the parties, with some preliminary assistance from the court, to get together and resolve what conditions the magistrates actually intended to impose and to spell them out in clearer terms.
5. The second ground of appeal is, as I have mentioned, that the justices should not have made a full order for costs in favour of the Attenboroughs against the local authority.
6. As to the clarity of the conditions, I am happy to say that the parties have now resolved the terms and conditions of the licence and spelt them out in a form that is acceptable to each of them and to the court. Let me say a brief word in general terms. It is important that the terms of a premises licence and any conditions attached to it should be clear; not just clear to those having specialised knowledge of licensing, such as the local authority or the manager of the premises, but also to the independent bystander such as neighbours, who may have no knowledge of licensing at all.
7. The terms of a licence and its conditions may of course be the subject of enforcement. Breach carries criminal sanctions. Everyone must know where they stand from the terms of the document. It must be apparent from reading the document what the license and its conditions mean. That said, the matter has now been resolved, the terms and conditions of the license clarified, and accordingly I would answer the first of the questions posed by the justices, namely: were we wrong in law to impose the following terms and conditions on the premises license that we did? in the affirmative, because the terms were so vague and unclear as to be, in effect, unenforceable. As to that matter, I would remit the case to the justices and direct them to allow the appeal from the local authority with the revised terms and conditions of the license that have been agreed by the parties and approved by this court.
8. As to the second question: were we wrong in law in awarding costs against the local authority in full on the basis that costs are a matter for the court and that the respondents are entitled to their costs? The position was this. The magistrates were referred to the observations of the Lord Chief Justice in Bradford City Metropolitan District Council v Booth (Times Law Reports, 31 May 2000). In that case, the court was considering the exercise of the power by the magistrates under section 64(1) of the Magistrate Courts Act 1980 to make such order as to costs as it thinks just and reasonable. In the present case, the court was exercising its power under section 181 of the Licensing Act 2003 in making such order as to costs as it thinks fit. For my part, I see no practical distinction between the terms of section 181 and section 64(1) of the Magistrates' Court Act. The parties take the same view and agree that the observations of Lord Bingham in the Bradford case are applicable to the present case as to the proper approach to be applied. Lord Bingham said this:

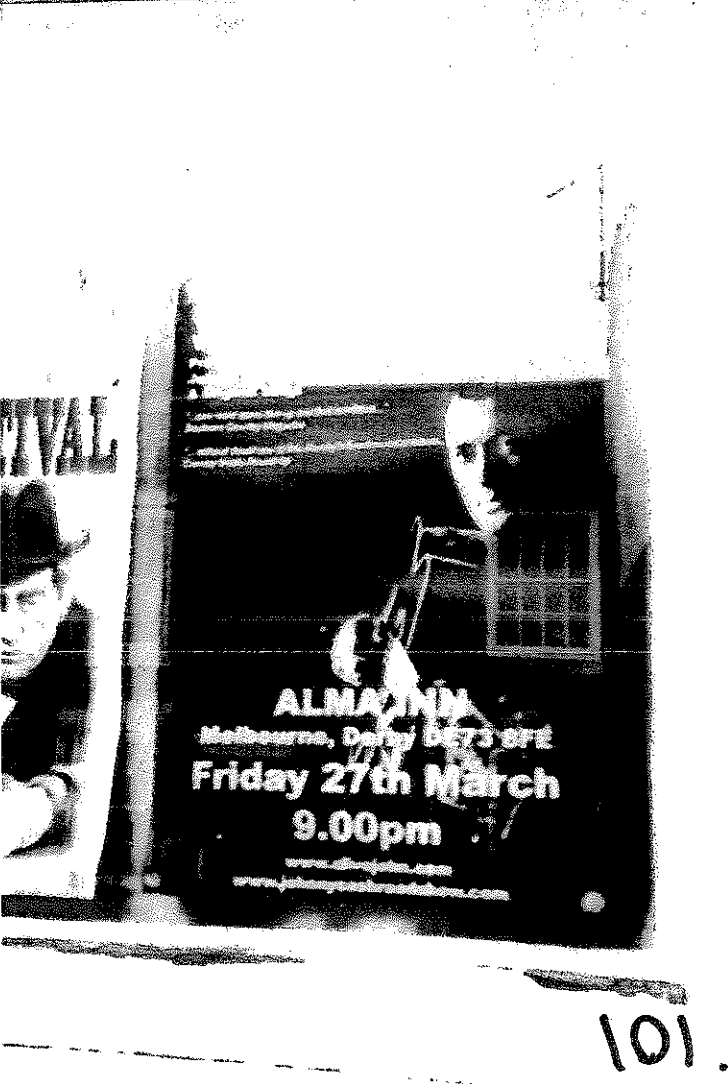
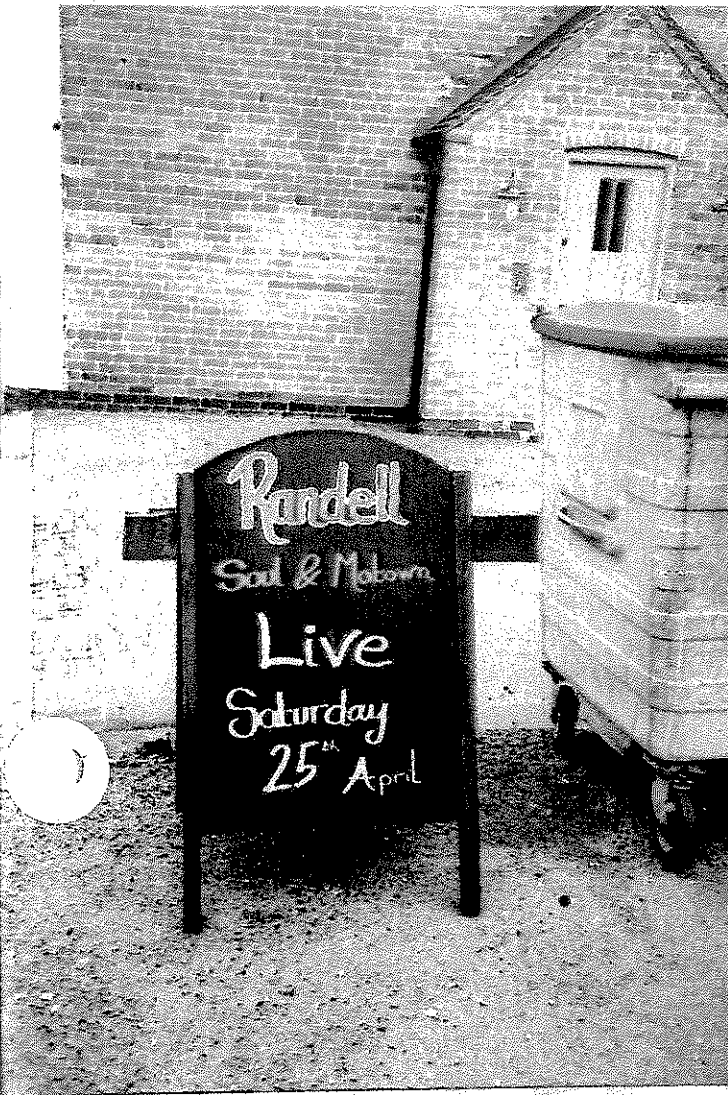
"1. Section 64(1) conferred a discretion on a magistrates' court to make such order as to costs as it thought just and reasonable; that provision applied both to the quantum of the

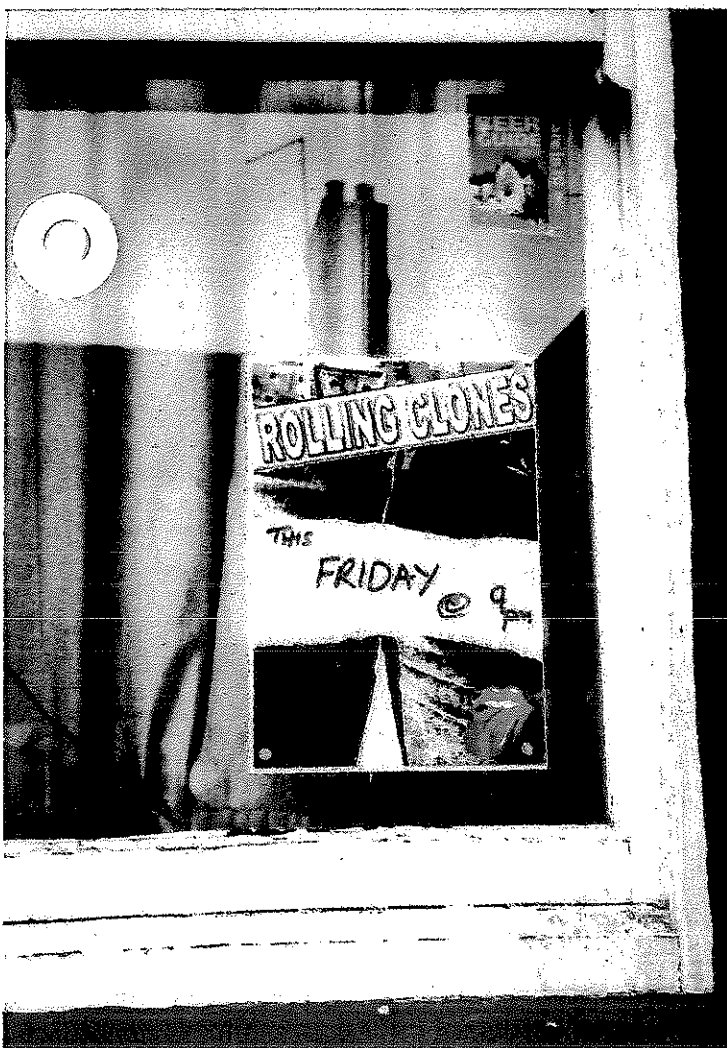
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99.







THE
LIVE
SHOW
SUNDAY

LIVE SHOW
MUSIC FROM
SUNDAY
SUNDAY V. MARY
KNO 4

F.I. Bahrain
Grand Prix 1970
SUNDAY

Thundercats
Jones
LIVE
SUNDAY

Bank
Holiday
Disco
Sunday
26th May
7-30 onwards

Randell

Live
Friday 26th
February

LIVE SPORT

Prize V Tallentire
Bobby V Ashby
Cyril V Ashby
Randy V England
Italy V England
London V Buxton
SUN 16 FEB

St George's
day Disco
Sunday 21st
April
3:00 PM

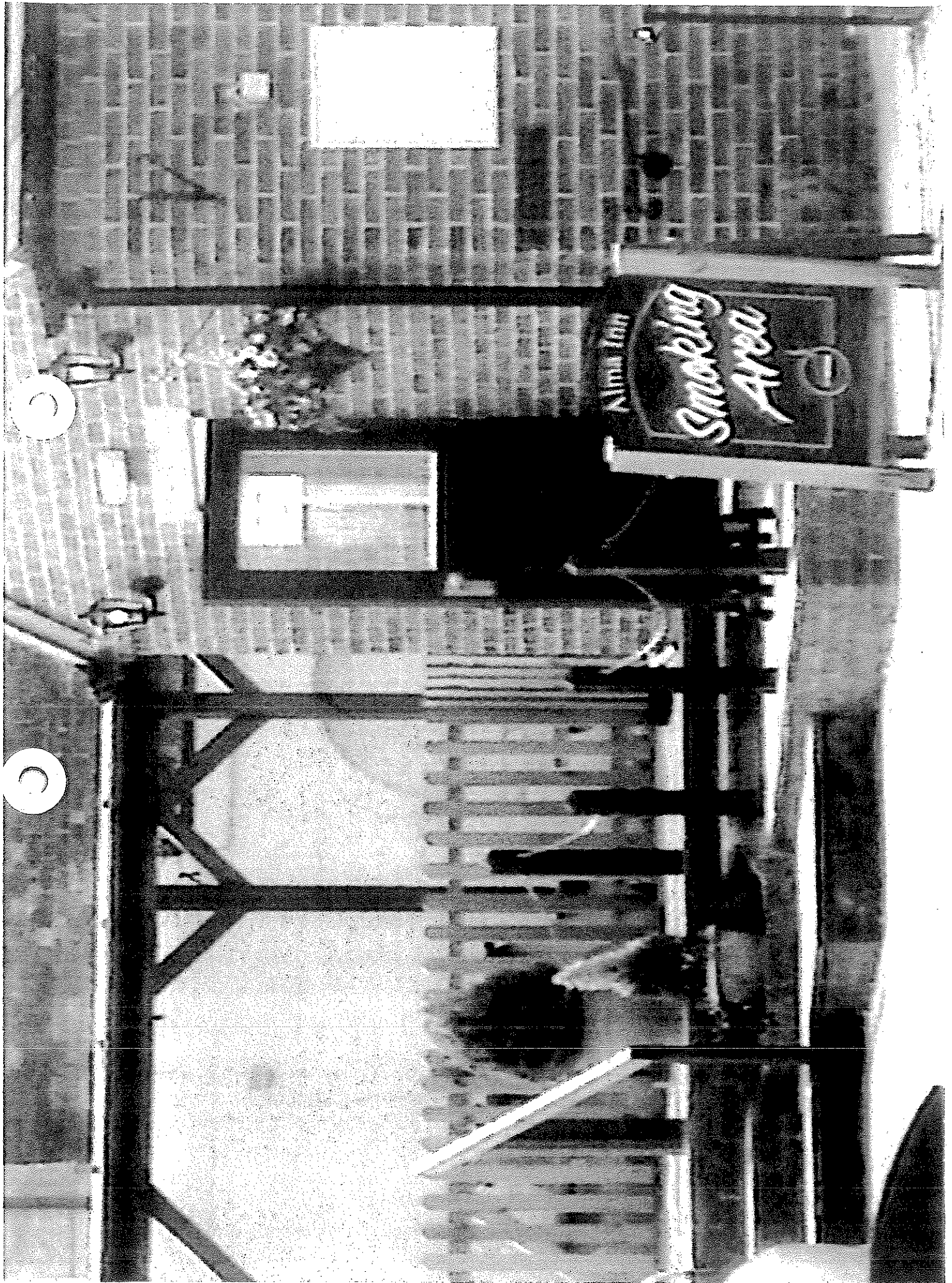
THURS
PARTY
NIGHT
7:30 TILL
LATE

EASTER DISCO
(AUNTY PAULA'S BIRTHDAY)

28th MARCH

7:30pm TILL LATE

KEEP NOISE DOWN *
PLEASE RESPECT MY NEIGHBORHOOD *





**NO
SMOKING**

In This Area

*Please Use
Terraced Area
when Smoking.*

Our Ref: TAS/MRA/ALM6/7
Contact: Tim Shield



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

Dear Sirs

**PREMISES – Alma Inn, Derby Road, Melbourne, Derby, DE73 1FE
Review Proceedings**

We act for Marston's PLC the Premises Licence holder in relation to the above premises which we understand are the subject of a Review of the Premises Licence instigated by Mr. Roger Harrison. We confirm we will be representing our client at the Review hearing.

For your information, across the country Marston's Plc operate in excess of 2000 public houses and bars in thriving communities. These comprise approximately 1500 tenanted, leased or franchised pubs, and approximately 500 managed premises.

The Alma forms part of the Managed Estate but in particular operates under a Managed Retail Agreement. Further and full details will be given at the hearing of the Review.

The current Designated Premises Supervisor, Paula Quinby, commenced as Designated Premises Supervisor and Retail Manager at these premises in August 2012.

Marston's took the decision following Licensing Reform to become Premises Licence holder on the vast majority of their premises. This is certainly the case with those falling within the Managed House and Retail Agreement sites.

Marston's Plc are not at the premises on a day to day basis. Generally the Retail Manager will be DPS and will be in day to day control of the Premises. Marston's employ a number of Area Operations Manager (AOM) with responsibility for a number of different premises where they assist and work with Licensing Authorities, Responsible Authorities and retailers in relation to the business. In this instance the current AOM is Marcus Helps.

Marston's will wish to address the Licensing Sub Committee in relation to the matter generally and will be in attendance at the hearing of the Review.

Partners:

John Gaunt (569711)
Katharine Redford (569712)
Tim Shield (569713)
Michelle Hazlewood (569714)

Associates:

Christopher Gruner
Jonathan Hyldon
Jonathan Pupius

Practice Manager:

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Omega Court
372 - 374 Cemetery Road
Sheffield
S11 8FT

Tel: 0114 266 8664
Helpline: 0114 266 3400
Fax: 0114 267 9613
Email: info@john-gaunt.co.uk
www.john-gaunt.co.uk

Marston's would wish to comment on how the premises promote the licensing objectives and operate this site in accordance with the licensing legislation. It is specifically denied that these premises operate in such a way as to undermine the licensing objectives.

It should be noted that there have been previous Review proceedings during 2007/2008 which led to certain conditions being placed on the Premises Licence. Therefore these premises have been the subject of consideration as to the appropriateness of conditions appearing on the Premises Licence previously.

As stated above the current Designated Premises Supervisor has been in place since August 2012.

In addition and of specific relevance to whether the Review should proceed, but also as to any decision the Licensing Committee may make, following lengthy discussions with the Police and Environmental Health Department, an application for Minor Variation of the Premises Licence was submitted earlier this year (May 2013).

The purpose of the Minor Variation was to add conditions to the Premises Licence and restrict the Premises Licence. There was no intended benefit to the Premises Licence holder in lodging that application and no request to extend the Licence at the premises either in relation to the hours or licensable activities.

We understand that a representation was received from a resident (who has commenced the current Review proceedings) and on the basis of the representation the Minor Variation application was not successful.

Attached to this letter is a copy of the conditions that would have been added to the Premises Licence had the Minor Variation been successful.

In addition we attach a copy of the plan which was lodged with that application.

The application was to clarify the conditions in relation to CCTV, clarify conditions in relation to public nuisance and also add conditions in relation to the external area. The specified external area was to be utilised for consumption of alcohol and smoking.

Further details in support of the case of the Premises Licence holder will be supplied in due course.

Kindly acknowledge safe receipt of this letter and confirm you accept this as a representation on behalf of our clients.

Yours faithfully


Tim Shield
John Gaunt & Partners
Email: tim@john-gaunt.co.uk

THE ALMA

PROPOSED AMENDED CCTV CONDITION

1. A CCTV system shall be installed at all times and the recording system must be maintained in good working order and any faults repaired as soon as possible. (It is recommended that all maintenance paperwork be kept to show that the retailer has shown all due diligence in maintaining the system).
2. The CCTV recording system must be operating at all times when the premises are open for licensable activities, subject to paragraph 1 above.
3. All CCTV recordings must be retained for a minimum of 28 days unless agreed otherwise. The images must be available for viewing at any reasonable time upon the request of a Police Officer or authorised person from the Licensing Authority.
4. The DPS and/or designated member of staff must be able to retrieve and copy recordings/images at the time of asking or within 48 hours if so required. (The Police will not meet the cost for a recording or materials used for reproduction of any image in respect of any crime and disorder).
5. The CCTV recording unit is to be kept secure, to be opened only by the Premises Licence holder, Designated Premises Supervisor or authorised member of staff.
6. The installed CCTV camera/monitors are to be positioned to ensure all areas to which the public have access are covered. (Excluding toilets etc.). A plan denoted the siting for each camera shall be deposited with the Derbyshire Police reflecting the agreed positions of the cameras.
7. All cameras installed will be of a standard that will offer optimum image quality in low light.
8. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for purpose.

THE ALMA

PROPOSED CONDITIONS RELATING TO EXTERNAL LICENSED AREA

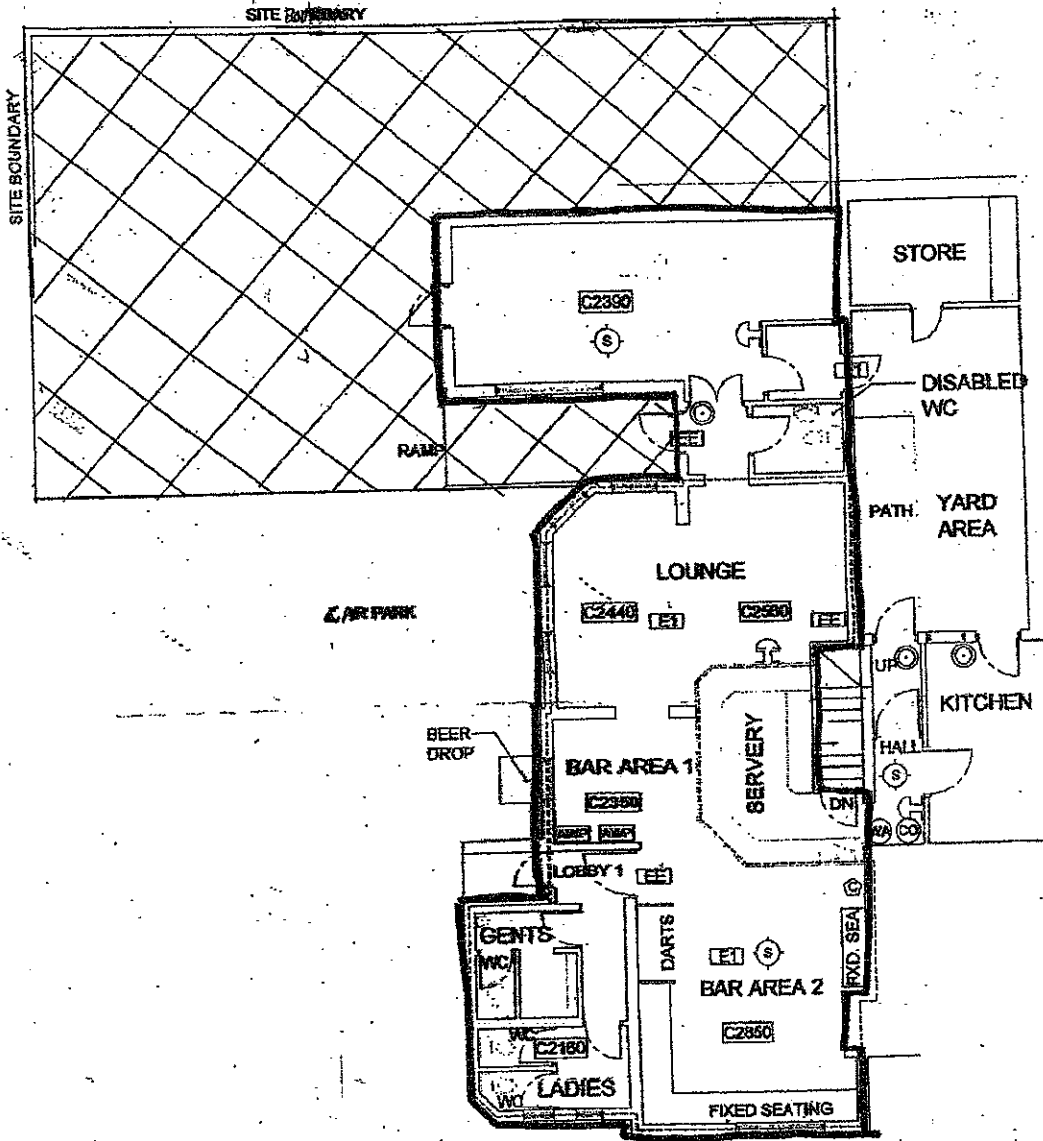
1. The area cross hatched on the attached Licensing plan shall be the designated area for smoking and external consumption of alcohol within the boundaries of the premises.
2. No customer shall be allowed to remove any alcoholic or other drinks from the internal licensed area of the premises in an open container save for consumption in the external area referred to above.
3. The external area referred to above and cross hatched on the plan attached to the Premises Licence shall not be utilised for consumption of alcohol or other drinks after 22:00 hours each evening.
4. Smoking within the boundaries of the premises will be restricted to the external area cross hatched on the plan attached and referred to above.

THE ALMA

CONDITIONS RELATING TO PREVENTION OF PUBLIC NUISANCE

1. All windows and doors shall be kept closed for the duration of live and recorded music played at the premises, except for access and egress to the premises.
2. During Regulated Entertainment, signs shall be displayed at all doors and appropriate windows to remind customers of the necessity and reasons for windows and doors to remain shut during performance of live and recorded music.
3. A noise limiting device shall be installed fitted and maintained in such a manner as to control all services of amplified music at the premises. The noise limiter shall be set at a level agreed with South Derbyshire District Council's Environmental Health Department. Once set the level will not be altered or tampered with other than in agreement with the Environmental Health Officer.

THE ALMA

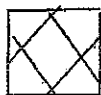


EXTERNAL AREA
GROUND FLOOR PLAN

NOT TO SCALE FOR INDICATIVE PURPOSES ONLY.

KEY

EXTERNAL
LICENSED
AREA



Part A
Premise Licence under Licensing Act 2003

Premise Licence Number SDDC/001975

Part 1 – Premise Details

Postal Address of premises, or if none ordnance survey map reference of description **Alma Inn 59 Derby Road Melbourne**

Derbyshire DE73 8FE

Telephone Number **01332 862411**

Where the Licence is time limited the dates **Not Applicable**

Licensable Activities authorised by the licence

Provision of regulated entertainment for; b) films, c) indoor sporting events, e) live music, f) recorded music, g) performances of dance
Provision of entertainment facilities for l) making music and j) dancing
Provision of late night refreshment

Sale by retail of alcohol for consumption on and off the premises

The times the licence authorises the carrying out of licensable activities
For the supply of alcohol & Late Night Refreshment (licensable after 23:00hrs)

Sunday to Thursday 10.00hrs until 23.30hrs

Friday & Saturday 10.00hrs until 00.30hrs

Bank Holiday Sundays & Mondays, }

Christmas Eve & Boxing Day } 10.00hrs until 00.30hrs

New Year Period: 10:00hrs New Years Eve until terminal hour on New Year's Day

In relation to licensable activities except the provision of late night refreshments and alcohol

Sunday – Thursday 10.00hrs until 23.00hrs

Friday & Saturday 10.00hrs until Midnight

Bank Holiday Sundays & Mondays, }

Christmas Eve & Boxing Day } 10.00hrs until Midnight

New Year's Eve 10.00hrs until 01.00hrs

Non specific sporting extensions - Restricted to 12 occasions per year on 14 days written notice to the police and the licensing authority. The police shall have the right of veto on the grounds of contravention of one or more of the licensing objective, such a right of veto not to be unreasonable exercised

The opening hours of the premises

30 minutes beyond the licensable activity for the supply of alcohol and late night refreshment each day.

Where the licence authorises supplies of alcohol whether there are on and or off supplies **On and off sales**

Date Issued: 15/03/2006

Date Last Amended: 07/08/2012

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Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premise licence Marston's PLC, Marston's House, Wolverhampton, WV1 4JT
Registered number of holder, for example company number, charity number (where applicable) 00031461
Name address and telephone number of designated premise supervisor where the premises licence authorises the supply of alcohol
Personal licence number and Issuing Authority of personal licence held by designated premise supervisor where the premise authorises for the supply of alcohol SDDC/002612 South Derbyshire District Council

Annex 1 - Mandatory Conditions

Mandatory Conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime & disorder, prejudice to public safety, public nuisance, or harm to children.
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act.

Date Issued: 15/03/2006

Date Last Amended: 07/08/2012

- (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less:
 - (d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can be reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reasonable disability)
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. a. The premise licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premise in relation to the sale or supply of alcohol.
- b. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark (1st October 2010).
7. The responsible person shall ensure that-
- a. where any of the following alcoholic drinks sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (1) beer or cider: ½ pint;
 - (2) gin, rum, vodka or whisky: 25ml or 35 ml; and
 - (3) still wine in a glass: 125 ml; and
- b. customers are made aware of the availability of these measures. (1st October 2010).

Mandatory Condition -Exhibition of Films

1. Where a premise licence authorises the exhibition of films, then the admission of children to the exhibition should be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

3. Where:-

(a) the film classification body is not specified in the licence,
or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by the licensing authority.

4. Children is defined as persons aged under 18; and film classification body means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (C.39)(authority to determine suitability of video works for classification)

Annex 2 - Conditions consistent with Operating Schedule

The Prevention of crime and disorder

- Persons employed in a security activity shall be licensed by the Security Industry Authority and will be employed at the discretion of the designated premise supervisor or the premise licence holder and will display a name badge at all times whilst on duty
- No customers apparently carrying open bottles upon entry shall be admitted to the premises at any time the premises are open to the public
- Where CCTV is installed with recording facilities, such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police
- Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose

Public Safety

- To comply with the reasonable requirements of the fire officer and building control officer as appropriate

Date Issued: 15/03/2006

Date Last Amended: 07/08/2012

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The prevention of public nuisance

- Noise and vibration shall not emanate from the premises so as to cause a nuisance to nearby properties
- Where appropriate, prominent, clear and legible notices shall be displayed at all exits, requesting the public respect the needs of local residents and to leave the premises and area quietly
- The licensee shall ensure that all windows and doors are kept closed for the duration of live and recorded music and other entertainment, except for access and egress from that room
- The licensee shall install a noise limiting cut out device at a decibel rating determined by South Derbyshire District Council's Environmental Health Department
- The licensee shall ensure that no alcohol is consumed outside of the premises after the hours of 22.30hrs

Annex 3 - Conditions attached after a hearing by the licensing authority

In relation to the Opening Hours these were to be as follows: (Standard times)

- Sunday to Thursday : 10.00am until 12.00am (midnight);
- Friday and Saturday : 10.00am until 1.00am;
- (Non Standard times)
- Bank Holidays; Sunday and Monday; 10.00am until 1.00am;
- Christmas Eve : 10.00am until 1.00am;
- Boxing Day : 10.00am until 1.00am;
- New Years Eve : 10.00am to terminal hour on New Years Day

In relation to the Supply of Alcohol these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.30pm
- Friday and Saturday : 10.00am until 12.30am
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.30am
- Christmas Eve : 10.00am until 12.30am
- Boxing Day : 10.00am until 12.30am
- New Years Eve : 10.00am to terminal hour on New Years Day
- All times with an additional 30 minutes drinking up time

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Date Last Amended: 07/08/2012

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In relation to Live Music these hours were to be as follows: (Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

In relation to Recorded Music these hours were to be as follows:(Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

In relation to the Late Night Refreshment these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.30pm;
- Friday and Saturday : 10.00am until 12.30am;
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.30am;
- Christmas Eve : 10.00am until 12.30am;
- Boxing Day : 10.00am until 12.30am;
- New Years Eve: 10.00am to terminal hour New Years Day

In relation to Performances of Dance these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

In relation to Facilities for Making Music these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

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Date Last Amended: 07/08/2012

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In relation to Facilities for Dancing these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

In relation to Indoor Sporting Events these hours were to be as follows:
(Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

In relation to Films these hours were to be as follows: (Standard times)

- Sunday to Thursday : 10.00am until 11.00pm;
- Friday and Saturday : 10.00am until 12.00am (midnight);
- (Non Standard times)
- Bank Holidays; Sunday and Monday ; 10.00am until 12.00am (midnight);
- Christmas Eve : 10.00am until 12.00am (midnight);
- Boxing Day : 10.00am until 12.00am (midnight);
- New Years Eve : 10.00am until 1.00am;

Variations are subject to the following conditions:

- The licensee shall ensure that prominent signage is displayed at all exit doors requesting customers to leave the area quietly and to respect neighbouring residents and their properties. In addition, there shall be prominent signage placed at the exit points from the premises' car park
- The licensee shall ensure that all windows and doors are kept closed for the duration of live and recorded music and other entertainment, except for access to and egress from that room. This condition is subject to the Licensee erecting signs in the premises informing customers of the necessity and reason for windows and doors to remain shut during such performances of live and recorded music and other entertainment
- A Noise Limiting device shall be installed, fitted and maintained by the Licensee in such manner as to control all sources of amplified music at the premises in order to ensure that music will be at a reasonable level at the nearest noise sensitive point as determined by the Environmental Health Department

Date Issued: 15/03/2006

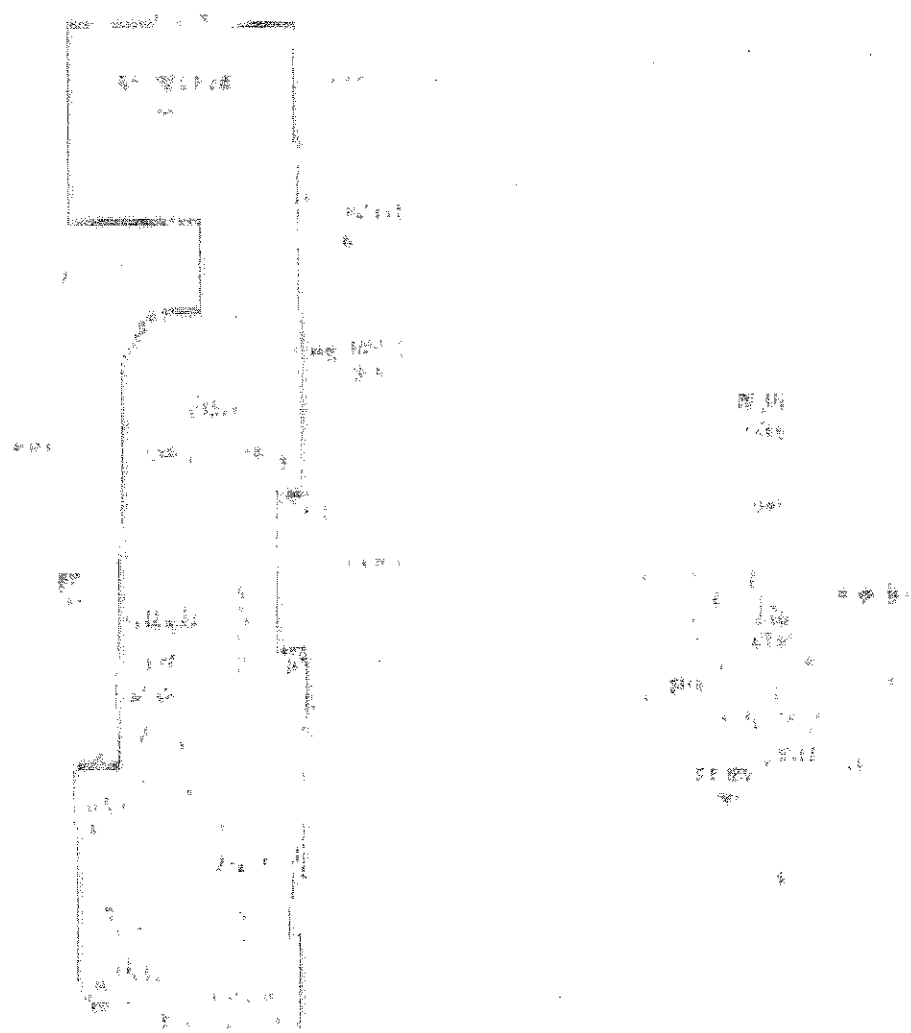
Date Last Amended: 07/08/2012

12/6.

- The licensee shall ensure that no alcohol is consumed outside of the premises after the hours of 22.30hrs
- The licensee shall ensure that non specific sporting extensions shall be restricted to 12 occasions per year on 14 days written notice to the Police, and the Police shall have right of veto on the grounds of contravention of one or more of the licensing objective, such a right of veto not to be unreasonably exercised.

For clarification the conditions attaching to the Premises Licence can only apply to the Licensee in relation to the Alma Inn and the curtilage of the Alma Inn, which includes the car park, any beer garden and other external area.

Annex 4 - Plans



Date Issued: 15/03/2006
Date Last Amended: 07/08/2012

128.

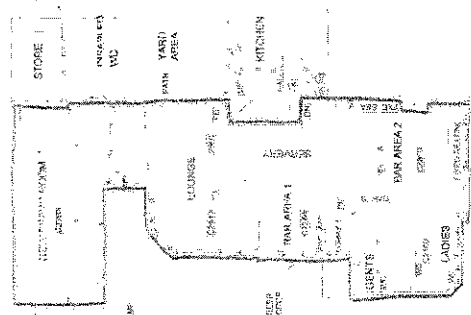
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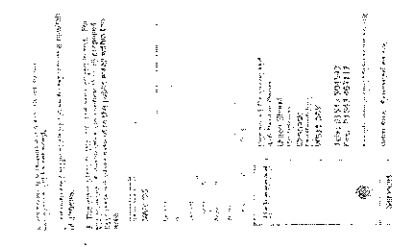
1. This plan is based on the information furnished by the client and is not to be construed as a guarantee of accuracy.
2. The client is responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The client is responsible for providing all necessary information and documents to the architect.
4. The client is responsible for providing all necessary information and documents to the contractor.
5. The client is responsible for providing all necessary information and documents to the engineer.
6. The client is responsible for providing all necessary information and documents to the interior designer.
7. The client is responsible for providing all necessary information and documents to the landscape architect.
8. The client is responsible for providing all necessary information and documents to the other professionals involved in the project.
9. The client is responsible for providing all necessary information and documents to the other parties involved in the project.
10. The client is responsible for providing all necessary information and documents to the other parties involved in the project.

KEY:

1	Living Room
2	Dining Room
3	Kitchen
4	Bathroom
5	Bedroom
6	Master Bedroom
7	Walk-in Closet
8	Storage Room
9	Garage
10	Driveway
11	Front Porch
12	Rear Porch
13	Deck
14	Yard
15	Pool
16	Spa
17	Hot Tub
18	Fire Pit
19	BBQ Area
20	Storage Shed
21	Tool Shed
22	Workshop
23	Garage
24	Driveway
25	Front Porch
26	Rear Porch
27	Deck
28	Yard
29	Pool
30	Spa
31	Hot Tub
32	Fire Pit
33	BBQ Area
34	Storage Shed
35	Tool Shed
36	Workshop
37	Garage
38	Driveway
39	Front Porch
40	Rear Porch
41	Deck
42	Yard
43	Pool
44	Spa
45	Hot Tub
46	Fire Pit
47	BBQ Area
48	Storage Shed
49	Tool Shed
50	Workshop



GROUND FLOOR PLAN



FIRST FLOOR PLAN

DATE: 11/11/2024
 PROJECT: [REDACTED]
 ARCHITECT: [REDACTED]
 ENGINEER: [REDACTED]
 INTERIOR DESIGNER: [REDACTED]
 LANDSCAPE ARCHITECT: [REDACTED]

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