



South Derbyshire  
Application to vary a premises licence  
Licensing Act 2003

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

\* required information

### Section 1 of 17

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

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

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

### Applicant Business

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number   Put "none" if the applicant is not registered for VAT.

\* Legal status



Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 17**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable  
value of premises (£)

50,500

### Section 3 of 17

#### VARIATION

Do you want the proposed  
variation to have effect as  
soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the  
introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only  
purpose of the variation for which you are  
applying is to avoid becoming liable to the  
late night levy.

If your proposed variation  
would mean that 5,000 or  
more people are expected to  
attend the premises at any  
one time, state the number  
expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

A petrol forecourt store selling a broad range of groceries, household products and alcohol. Situated at Derby Road, Egginton, Derby, DE65 6GY to be varied as follows:

1. To include the provision of late night refreshment between the hours of 2300 and 0500 hours daily.
2. To remove the conditions in Annex 2 of the premises licence.
3. To include in Annex 2 the conditions in boxes b to e of Section 16 of this application.

### Section 4 of 17

#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

### Section 5 of 17

#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes  No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes  No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes  No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 11 of 17**

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

Continued from previous page...

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations.

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

Continued from previous page...

**Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.**

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

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes                       No

**Section 14 of 17**

**ADULT ENTERTAINMENT**

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

The premises sell alcohol and other age restricted products.

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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**THURSDAY**

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**FRIDAY**

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="00:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The conditions in Annex 2 of the premises licence.

The above conditions would be removed as a consequence of the proposed variation.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



Continued from previous page...

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 17**

**LICENSING OBJECTIVES**

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

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

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

b) **The prevention of crime and disorder**

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will be capable of being recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The CCTV system will incorporate a camera covering the entrance door and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. A system will be in place to maintain the quality of the recorded image.
7. The CCTV system will be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity

c) **Public safety**

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) **The prevention of public nuisance**

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) **The protection of children from harm**

**Continued from previous page...**

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

2. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales:

- Induction training which must be completed and documented prior to the sale of alcohol by the staff member.
- Refresher/reinforcement training at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other officer on request.

3. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

This book/register will be available for inspection by a police officer or other officer on request.

4. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.

## **Section 17 of 17**

### **PAYMENT DETAILS**

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

Continued from previous page...

\* Fee amount (£)

315.00

## DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

\* Full name

WINCKWORTH SHERWOOD LLP

\* Capacity

SOLICITORS ON BEHALF OF THE APPLICANT

\* Date

16 / 08 / 2016  
dd mm yyyy

Add another signatory

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

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

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

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

## OFFICE USE ONLY

Applicant reference number

EMF/36724/5/RPB

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

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**South  
Derbyshire  
District Council**

## Premises Licence Part A

Premises Licence Number **LAPRE/0292**

### Part 1 – Premises Details

Postal Address of premises, or if none ordnance survey map reference of description

**Brobot Petroleum Southbound  
Derby Road  
Egginton  
Derby, Derbyshire  
DE65 6GY**

Telephone Number

Where the Licence is time limited the dates

Licensable Activities authorised by the licence

**Sale by retail of alcohol for consumption off the premises**

The times the licence authorises the carrying out of licensable activities

**Monday – Sunday**

**00.00hrs – 24.00hrs**

The opening hours of the premises

**Monday – Sunday**

**00.00hrs – 24.00hrs**

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

**Sale by retail of alcohol for consumption off the premises**

**Date Issued: 23.05.2013**

**Date Last Amended: 02.08.2016**



**Part 2**

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

**Brobot Petroleum Ltd  
Thorpe Road  
Melton Mowbray  
Leicestershire  
LE13 1SG**

Registered number of holder, for example company number, charity number (where applicable)

**1349544**

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Sarah Tainton  
44 Fairway  
Branston  
Burton on Trent  
DE14 3EJ**

Personal licence number and Issuing Authority of personal licence held by designated premises supervisor where the premises authorises for the supply of alcohol

Reference: **PA1119**

Issued by: **East Staffordshire Borough Council**

## **Annex 1 – Mandatory Conditions**

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 premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
    - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
    - (3) 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 either—
      - (a) A holographic mark, or
      - (b) An ultraviolet feature.
  7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  8. For the purposes of the condition set out in paragraph 1—
    - (a) "Duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
    - (b) "Permitted price" is the price found by applying the formula—
$$P = D + (D \times V)$$
- Where—
- (i) P is the permitted price,
  - (i) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "Relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- (i) The holder of the premises licence,
- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "Relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "Valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

9. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with operating schedule**

### The prevention of crime & disorder

1. Staff will receive training on matters concerning under age sales and general operating policy.
2. There shall be a zero tolerance on drugs within the premises and regular checks by management to prevent the use of drugs by patrons.

### Public safety

3. The premises will have adequate safety and firefighting equipment and such equipment will be maintained in good operational order.
4. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.



Agreed conditions added by Derbyshire Constabulary

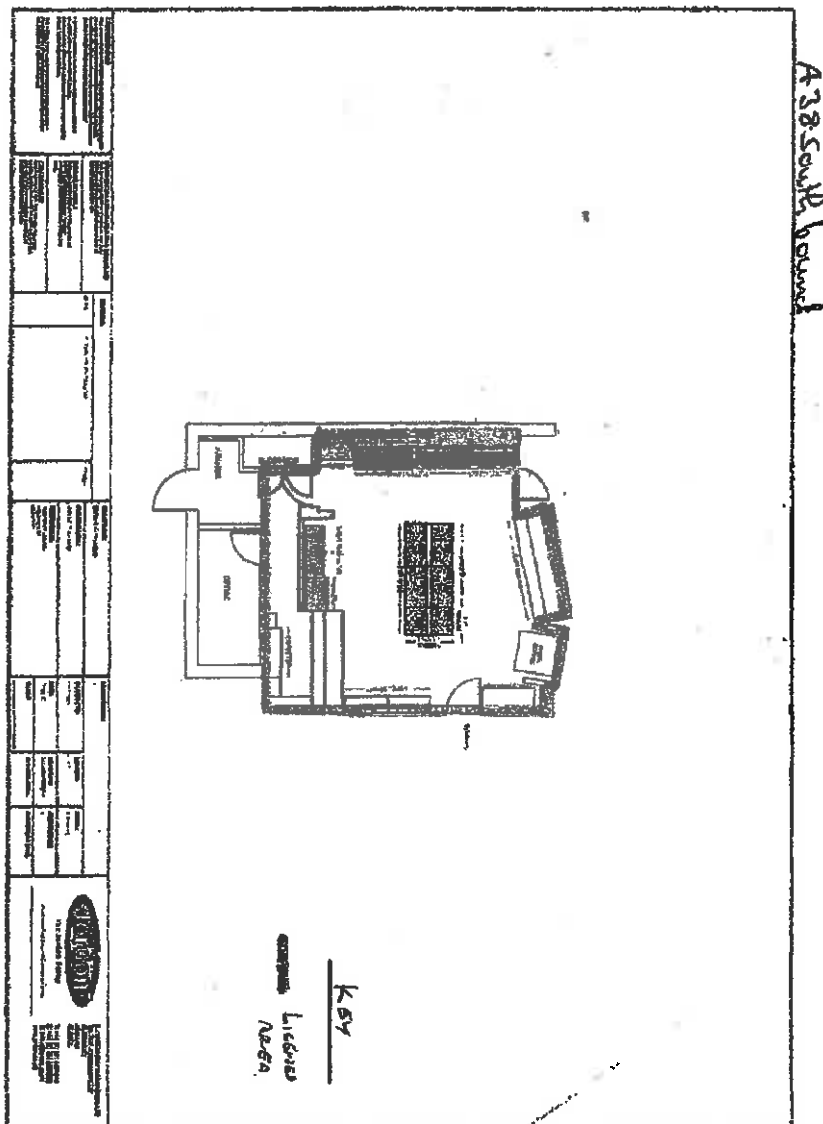
5. A 'Challenge 25' age verification policy will be employed at the premise with regards to the sale of alcohol and other age restricted products.
6. Clear signage in relation to the 'Challenge 25' age policy operated at the premises will be clearly displayed.
7. There shall be signage in relation to the age policy in all areas where alcohol is displayed for sale and at the point of sale; this is to include the 'night pay hatch'.
8. Any person who appears to be under the age of 25 years of age will be required to provide suitable proof of age before any alcohol is sold to them. When the 'night pay hatch' is in use the identification must be requested and recorded prior to the operator selecting the required alcohol from display.
9. This proof of age will be in the form of;
  - Photo driving licence
  - Current passport
  - Ministry of Defence identify card or
  - Government approved 'PASS' identification card scheme
10. Any requests / refusals in relation to the sale of alcohol will be entered in the refusals book or register kept for this purpose. These registers shall be kept on the premises for a minimum period of 1 year and will be produced upon request to a Police Officer or person as detailed within Section 13 of the Licensing Act 2003.
11. Full training is to be provided by the Designated Premises Supervisor or nominated deputy to all staff involved in the sale of alcohol, on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. This training shall include the timings that the 'night pay hatch' is in operation.
12. Refresher training will be provided to those employees referred to in paragraph 7 at regular intervals (At least once every six months). Written records detailing the training will be kept on the premises for production to a constable or an authorised person as detailed within Section 13 of the Licensing Act 2003 upon request. These records shall be retained on the premises for a minimum of 1 year.
13. Any authorisation to sell alcohol will be in writing and this will be kept on the premises at all times. This authorisation is to be signed by ALL staff and counter signed by the Designated Premises Supervisor.
14. The Premises Licence holder/Designated Premises Supervisor shall as far as possible ensure that no consumption of alcohol will be permitted within the immediate vicinity of the premises. Signage advising customers of this fact shall be displayed both at the point of sale and the main facade of the building.

15. The premises licence holder shall ensure that alcohol is stored at the premises in such a way that it is secured and that only authorised members of staff who are over the age of 16 have access to the alcohol stored. This condition shall not apply to the retail area of the licensed premises as edged red on the approved plan.
16. Where the premises licence holder employs, whether paid or unpaid, any person, involved in the sale or supply of alcohol, that person shall have received training that must include confirmation that the employee has read and understood any conditions attached to the premises licence.
17. The employee referred to in paragraph 12 above shall be aware of the requirements / policies of restricting any sale of alcohol to those persons aged 18 and over. This training shall be signed by the person providing the training and the trainee.
18. CCTV must be operated at all times when the premises are open to the public for licensable activities.
19. All CCTV recordings must be retained for a minimum of 31 days. These images must be available for viewing at any reasonable time (48hrs) upon request of a Police Officer or another authorised person as detailed within Section 13 of the Licensing Act 2003.
20. A CCTV system shall be installed and the recording system must be maintained in good working order and any faults repaired as soon as possible. The CCTV recording unit is to be kept secure, to be opened only by the premises licence holder or authorised, designated member of staff.
21. Installed CCTV cameras / monitors are to be positioned so as to ensure all areas to which the public have access are covered. This is to include the 'night pay hatch'.
22. All digital recordings to be made in real time, time lapse not to be used; the recordings will be fit for the purpose (for the avoidance of doubt, the image must be clear and in focus). The system must be able to export recorded images to a removable means such as a CD / DVD and have its own software that shall enable playback / review on site.
23. The DPS shall ensure that an incident log is maintained within the premises and details of all known incidents are recorded within the log. This log shall be kept on the premises for a period of not less than 12 months and be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
24. Suitable and sufficient written risk assessments covering 'lone working' for the Venue shall be kept up to date and shall be made available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
25. A nationally approved monitored alarm system covering the premises with panic button facility shall be installed, maintained and working at all times the premises are open.

26. ALL sales / transactions shall be conducted through the 'night pay hatch' between the hours of 2200hrs – 0500hrs. No customers shall be allowed access to within the building between these hours.

**Annex 3 – Conditions attached after Hearing**

**Annex 4 – Plans**







# South Derbyshire District Council

## Premises Licence Summary

### Part B

Premises Licence Number **LAPRE/0292**

#### Premises Details

Postal Address of premises, or if none ordnance survey map reference of description

**Brobot Petroleum Southbound  
Derby Road  
Egginton  
Derbyshire  
DE65 6GY**

Telephone Number

Where the Licence is time limited the dates

Licensable Activities authorised by the licence

**Sale by retail of alcohol for consumption off the premises**

The times the licence authorises the carrying out of licensable activities

**Monday – Sunday**

**00.00hrs – 24.00hrs**

The opening hours of the premises

**Monday – Sunday**

**00.00hrs – 24.00hrs**

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

**Sale by retail of alcohol for consumption off the premises**

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

**Brobot Petroleum Ltd  
Thorpe Road  
Melton Mowbray  
Leicestershire  
LE13 1SG**

Registered number of holder, for example company number, charity number (where applicable)

**1349544**

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

**Sarah Talnton**

State whether access to the premises by children is restricted or prohibited

Signed:

Frank McArdle, Chief Executive

Date:

2 August 2016





