

## South Derbyshire District Council

## Application to vary a premises licence under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

We Jupiter Hotels Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> LAPRE/0111
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## Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Mercure Burton on Trent Newton Park Hotel Newton Solney			
<b>Post town</b>	Burton on Trent	<b>Post code</b>	DE15 0TD

<b>Telephone number at premises (if any)</b>	01283 707 502
<b>Non-domestic rateable value of premises</b>	£105,000.00

## Part 2 – Applicant details

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	54 Portland Place		
<b>Post Town</b>	London	<b>Postcode</b>	W1B 1DY

## Part 3 - Variation

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

Please tick yes



If not, from what date do you want the variation to take effect?

Day	Month	Year

**Please describe briefly the nature of the proposed variation (Please see guidance note)**

To extend the sale of alcohol (to non-residents and those not dining) and provision of regulated entertainment Sunday to Thursday 0800 until Midnight, Friday and Saturday 0800 until 0030 the following morning; late night refreshment Sunday to Thursday 2300 to Midnight; Friday and Saturday 2300 to 0030 the following morning; opening hours to remain as 24 hours Monday to Sunday. To remove the current conditions on the licence and replace with up to date appropriate conditions.

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

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

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

Please tick yes

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

##### Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

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

**B**

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

**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	08:00	00:00	Outdoors	<input type="checkbox"/>
Tue	08:00	00:00	Both	<input type="checkbox"/>
Wed	08:00	00:00	<b>Please give further details here</b> (please read guidance note 3)	
Thur	08:00	00:00	As existing	
Fri	08:00	00:30	<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)	
Sat	08:00	00:30	<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sun	08:00	00:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	08:00	00:00	<b>Please give further details here</b> (please read guidance note 3)		
Tue	08:00	00:00			
Wed	08:00	00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	08:00	00:00			
Fri	08:00	00:30	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	08:00	00:30			
Sun	08:00	00:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon	08:00	00:00	<b>Please give further details here</b> (please read guidance note 3)		
Tue	08:00	00:00			
Wed	08:00	00:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	08:00	00:00			
Fri	08:00	00:30	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	08:00	00:30			
Sun	08:00	00:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)	
Mon	08:00	00:00	As existing	
Tue	08:00	00:00		
Wed	08:00	00:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)	
Thur	08:00	00:00	<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	
Fri	08:00	00:30		
Sat	08:00	00:30		
Sun	08:00	00:00		

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)	
Wed			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)	
Thur				
Fri				
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sun				

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 3)  As existing	Both	<input type="checkbox"/>
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)  From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	23:00	00:30			
Sun	23:00	00:00			

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	08:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	08:00	00:00			
Wed	08:00	00:00			
Thur	08:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)  From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  Until 0100 the following morning for those patrons taking a table meal.  24 hours to residents and their bona fide guests.		
Fri	08:00	00:30			
Sat	08:00	00:30			
Sun	08:00	00:00			

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	24 hours		
Tue	24 hours		
Wed	24 hours		
Thur	24 hours		
Fri	24 hours		
Sat	24 hours		
Sun	24 hours		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 Remove Annex 2 in its entirety, to be replaced with the conditions agreed with South Derbyshire Constabulary below.

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

See below.

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

1. Full training shall be provided to all staff who are 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.
2. Refresher training to the above shall be provided at regular intervals – at least every 6



months and records detailing the training provided shall be kept on the premises and be made immediately available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003. All records must be written and shall be retained on the premise for a minimum of 12 months.

3. A challenge '21' Proof of age scheme shall be operated at all times. Anyone attempting to purchase alcohol (or any other age restricted product) that appears to be under the age of 21 years shall be asked to produce one of the following proof of age. No other form of identification is acceptable.
  - Photo Driving Licence.
  - Current British/UK Passport.
  - Government approved PASS agency card
  - Military Identification card
4. Clear, prominent and unobstructed signage informing customers of the proof of age scheme that is in operation shall be displayed at points of sale.
5. A system of recording the sales that are refused under the proof of age scheme shall be operated at all times and the refusal book/log shall be kept on the premises and be made immediately available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003. The records relating to the refusal book/log shall be retained on the premises for a minimum of 12 months.
6. The DPS shall ensure that a written 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 no less than 1 year and be made immediately available upon a request by a Police Officer or an authorised officer as detailed within Section 13 of the Licensing Act 2003.
7. Regular external noise checks will be carried out by the DPS or other suitably trained designated person to ensure noise does not give rise to public nuisance.
8. The DPS / Premise Licence Holder 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.
9. All windows and doors, apart from use for access and egress and normal ventilation will be kept closed after 2100hrs

**c) Public safety**

See box b) above.

**d) The prevention of public nuisance**

See box b) above.

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

See box b) above.

Please tick yes

- I have made or enclosed payment of the fee or



- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy




- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 5 – Signatures (please read guidance note 10)**

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

Signature	
Date	22 February 2017
Capacity	Poppleston Allen - Solicitors for & on behalf of the applicant

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

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

Angela Gardner  
 Poppleston Allen Solicitors  
 37 Stoney Street  
 The Lace Market

Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9349 157		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) a.gardner@popall.co.uk			

**Notes for Guidance**

**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.**

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



# Premises Licence Part A

Premises Licence Number **LAPRE/0111**

## Part 1 – Premises Details

Postal Address of premises, or if none Ordnance Survey map reference or description  
**Mercure Burton On Trent Newton Park Hotel**  
Newton Road  
Newton Solney  
Burton On Trent, Derbyshire  
DE15 0TD

Telephone Number **01283 703568**

## Where the Licence is time limited the dates

### Licensable Activities authorised by the licence

<b>Boxing &amp; wrestling – Indoors</b>	<b>Live music – Indoors</b>
<b>Recorded music – Indoors</b>	<b>Performance of dance – Indoors</b>
<b>Late night refreshment – Indoors</b>	<b>Sale by retail of alcohol for consumption on and off the premises</b>

### The times the licence authorises the carrying out of licensable activities

**Boxing and wrestling, live music, recorded music and performance of dance – William Morris Suit only**

<b>Monday – Saturday</b>	<b>10.00hrs – 23.00hrs</b>
<b>Sunday &amp; Good Friday</b>	<b>12.00hrs – 22.30hrs</b>
<b>Christmas Day</b>	<b>12.00hrs – 15.00hrs &amp; 19.00hrs – 22.30hrs</b>

### Sale by retail of alcohol

<b>Monday – Saturday</b>	<b>10.00hrs – 00.00hrs</b>
<b>Sunday &amp; Good Friday</b>	<b>12.00hrs – 22.30hrs</b>
<b>Christmas Day</b>	<b>12.00hrs – 15.00hrs &amp; 19.00hrs – 22.30hrs</b>

### Late night refreshment

<b>Monday – Saturday</b>	<b>23.00hrs – 23.30hrs</b>
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From the end of permitted hours New Year's Eve to the start of permitted hours on the following day.

An additional hour for the sale of alcohol provided substantial refreshment is taken.

### The opening hours of the premises

The time periods indicated for carrying out licensing activities plus the following period:

- During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals.

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

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

Date Issued: 03/04/2006

Date Last Amended: 11/05/2016





**Part 2**

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence  
**Jupiter Hotels Limited**  
**7 Welbeck Street**  
**London**  
**W1G 9YE**

Registered number of holder, for example company number, charity number (where applicable)  
**07550805**

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol  
**Ms Wilma Gallagher**  
**8 Fox Close**  
**Branston**  
**Burton on Trent**  
**Staffordshire**  
**DE14 3DU**

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

Reference: **547**

Issued by: **South Oxford District 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 responsible person must 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—**
    - (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 in a manner which carries a significant risk of undermining a licensing objective;**
    - (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 in a manner which carries a significant risk of undermining a licensing objective;**
    - (d) **Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;**
    - (e) **Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).**

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (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.
6. The responsible person must ensure that—
  - (a) Where any of the following alcoholic drinks is 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—
    - (i) Beer or cider: ½ pint;
    - (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) Still wine in a glass: 125 ml;
  - (b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
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) "Value 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**

1. The above permitted hours do not prohibit:

- a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;

- d) consumption of the alcohol on the premises or the taking or sale or supply of alcohol to any person residing in the licensed premises;
- e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) the taking of alcohol from the premises by a person residing there;

or

- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. The licence is subject to South Derbyshire District Council's Standard Conditions for Places of Public Entertainment, which is attached for your guidance.

3. The maximum permitted number of persons allowed when regulated entertainment is taking place is as follows:

#### **William Morris Suite - 160**

The occupancy to include ALL persons employed within the premises and ALL persons resorting to the premises.

4. Alcohol may be sold or supplied for one hour following the end of permitted hours and on Christmas Day, between 3 p.m. and 7 p.m. to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the permitted hours shall continue to apply.

#### *Source Section 68 Licensing Act 1964*

5. Where a special hours certificate is in force on all or certain days, replace the permitted hours condition for those days with then following:

i. Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock in the morning following or, if an earlier hour is specified in the special hours certificate, that hour, except that –

a) the permitted hours shall end at midnight . . . on any day on which music and dancing is not (or, in the case of casino premises gaming facilities are not) provided after midnight; and

b) on any day that music and dancing end (or, in the case of casino premises, gaming ends) between midnight and two o'clock in the morning, the permitted hours shall end when the music and dancing end or, as the case may be, when the gaming ends;

ii. In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect-

a) with the substitution of references to three o'clock in the morning for references to two o'clock in the morning or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 a.m. and 2 a.m.

iii. Except on Sundays immediately before bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following or, if an earlier hour is specified in the special hours certificate, that hour, except that-

a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight;

b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends.

iv. On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following, except that-

a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight;

b) where music and dancing end (or, in the case of casino premises, gaming ends) between midnight on any Sunday and 2 a.m., the permitted hours on that Sunday shall end when the music and dancing end or, as the case may be, when the gaming ends.

For casino premises:

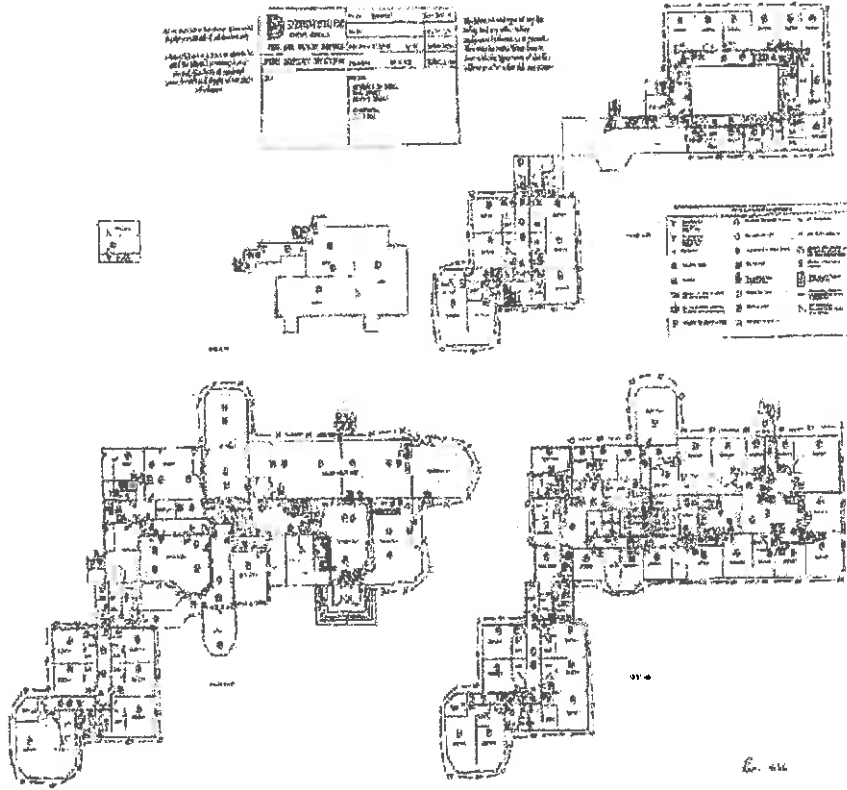
v. The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment.

For other premises

vi. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

**Annex 3 – Conditions attached after Hearing**

# Annex 4 - Plans





# South Derbyshire District Council

## Premises Licence Summary

### Part B

Premises Licence Number **LAPRE/0111**

#### Premises Details

Postal Address of premises, or if none Ordnance Survey map reference of description

**Mercure Burton On Trent Newton Park Hotel**  
Newton Road  
Newton Solney  
Burton On Trent, Derbyshire  
DE15 0TD

Telephone Number **01283 703568**

Where the Licence is time limited the dates

Licensable Activities authorised by the licence

**Boxing & wrestling – Indoors**

**Recorded music – Indoors**

**Late night refreshment – Indoors**

**Live music – Indoors**

**Performance of dance – Indoors**

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

The times the licence authorises the carrying out of licensable activities

**Boxing and wrestling, live music, recorded music and performance of dance – William Morris Suit only**

**Monday – Saturday**

**10.00hrs – 23.00hrs**

**Sunday & Good Friday**

**12.00hrs – 22.30hrs**

**Christmas Day**

**12.00hrs – 15.00hrs & 19.00hrs – 22.30hrs**

**Sale by retail of alcohol**

**Monday – Saturday**

**10.00hrs – 00.00hrs**

**Sunday & Good Friday**

**12.00hrs – 22.30hrs**

**Christmas Day**

**12.00hrs – 15.00hrs & 19.00hrs – 22.30hrs**

**Late night refreshment**

**Monday – Saturday**

**23.00hrs – 23.30hrs**

From the end of permitted hours New Year's Eve to the start of permitted hours on the following day. An additional hour for the sale of alcohol provided substantial refreshment is taken.

The opening hours of the premises

The time periods indicated for carrying out licensing activities plus the following period:

- During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals.

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

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

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

**Jupiter Hotels Limited**  
7 Welbeck Street  
London, W1G 0YE

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

**07560805**

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

**Ms Wilma Gallagher**

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

Signed:

*Frank McArdle*

**Frank McArdle, Chief Executive**

Date:

**11 May 2016**

