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30 October 2015

To: All Councillors

As a Member or Substitute of the **Licensing and Appeals Sub - Committee**, please treat this as your summons to attend a meeting on **Monday 9 November 2015 in the Committee Room, Town Hall, Matlock, DE4 3NN at 10.30am.**

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sandra Lamb', written in a cursive style.

Sandra Lamb
Head of Corporate Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. ELECTION OF A CHAIRMAN

Proposal that a Member of the Committee be elected Chairman.

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

4. EXCLUSION OF PUBLIC AND PRESS

At this point the Committee will consider excluding the public and press in order to consider its decision in private in accordance with the hearing procedure.

5. LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE CO-OPERATIVE FOOD STORE (FORMERLY RUTLAND ARMS PUBLIC HOUSE), CALVER ROAD, BASLOW, DE45 1RP

3 - 41

To determine whether to grant a premises licence for Co-Operative Food Store (formerly Rutland Arms Public House), Calver Road, Baslow DE45 1RP

Members of the Committee Nominated to hear this Appeal:

Councillors Tom Donnelly, Steve Flitter and Jean Monks

**LICENSING AND APPEALS SUB-COMMITTEE
9 NOVEMBER 2015**Report of the Head of Regulatory Services

**LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE
CO-OPERATIVE FOOD STORE, (FORMERLY RUTLAND ARMS PUBLIC
HOUSE) CALVER ROAD, BASLOW, DE45 1RP****SUMMARY**

This report informs the Committee of the substance of an application received for a new Premises Licence for the proposed Co-Operative Food Store in Baslow. The application seeks a licence to authorise the sale of alcohol for consumption off the premises only. The report also informs the Committee of representations received from a number of Other Persons (defined in the legislation as residents or businesses affected by the application), objecting to and in support of the application.

RECOMMENDATION

That the application for a Premises Licence made by the Co-operative Group Food Ltd for The Co-Operative Food Store, Calver Road, Baslow, DE45 1RP, be determined.

WARDS AFFECTEDBaslow and Bubnell

1 The Application

- 1.1 On 17th September 2015, an application was received from The Co-operative Group Food Ltd under Section 17 of the Licensing Act 2003, for a Premises Licence for the proposed Co-operative Food Store at Calver Road, Bakewell, DE45 1RP.
- 1.2 The application seeks an authorisation to permit the sale of alcohol for consumption off the premises only between the hours of 07:00 hours and 23:00 hours on any day of the week. The application form and plan of the premises are produced in **Appendix 1**.
- 1.3 The applicant was required to serve the application on all of the Responsible Authorities (see paragraph 1.6), and display notices at the premises informing local residents and businesses of the proposals. The application was required to be advertised in the local press for a period of 28 days, within 10 working days, of serving the application on this Authority. Details of the application were made available on the District Council's website.
- 1.4 The 28-day period during which the Responsible Authorities and Other Persons could make representations to the Licensing Authority ended on 15th October 2015.
- 1.5 In Section M of the operating schedule part of the application form, the applicant is required to describe the steps that they intend taking to promote the four licensing objectives if the application is granted.

1.6 The four licensing objectives are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

1.7 Responsible Authorities

During the 28-day period the Responsible Authorities responded to the consultation as follows:

Responsible Authority	Comments
Derbyshire Police Authority (Buxton)	No objection.
DDDC Environmental Health (Public Safety)	"...I have considered the above application in relation to Public Safety and I have no comments to make in this respect...".
DDDC Environmental Health (Public Nuisance)	"...I do not have any objections to the application of a Premises Licence for the above premises...".
Derbyshire Fire & Rescue Service (Buxton)	"...Derbyshire Fire & Rescue have no objections to this application. ...".
Peak District National Park Authority	"...In planning terms, the building in question is still a public house. Planning permission for a change of use to a shop has not been granted at this time. If planning permission for such a change of use was to be granted then it could be subject to conditions restricting hours of operation, and so I would ask if you could make your applicant aware of this please...".
Derbyshire County Council Trading Standards	"...At present - whilst we appreciate the general comments made in relation to all licensing objectives – we oppose the application as it currently stands on the basis that the steps described in the Operating Schedule of the application are not sufficiently precise and clear about the measures the proposed premises licence holder intends to adopt, particularly to protect children from harm. In particular, there appears to be no indication of how the applicant proposes to monitor whether their people act as intended following the training provided or what age verification scheme will be implemented.
Derbyshire County Council Trading Standards	We have recently agreed the attached conditions with your colleague Richard Arnot for the Co-Op at Spital, Chesterfield. If they are agreeable to you for the Baslow shop, I would have no objection to the application...". See <i>Protection of Children From Harm - Appendix 3</i> .

Responsible Authority	Comments
Derbyshire Local Safeguarding Children Board	No response.
Derbyshire County Council Public Health	No response.
DDDC – Licensing Authority	No Comments.

1.7.1 Other Persons

During the 28-day period, objections to, and support for, the application were received from 17 local residents and businesses (defined in the legislation as Other Persons).

6 of these representations could not be accepted as ‘relevant’ within the meaning of the legislation, and the authors were made aware that in order for the representations to be considered by the Committee they would need to demonstrate how granting the licence would promote or undermine the licensing objectives (see paragraph 1.6 above).

The 11 representations accepted as relevant are reproduced in **Appendix 2**.

1.8 A Schedule of licence conditions is detailed in **Appendix 3**, for the Committee’s consideration. This comprises the Government’s Mandatory Conditions relating to alcohol off-sales, and the Applicant’s measures proposed in the Operating Schedule part the application form, including those agreed with Trading Standards in respect of the Protection of Children from Harm licensing objective.

1.8.1 The solicitor acting for the applicant has provided the Licensing Authority with a copy of the Company’s Training Guidance for employees. This has been circulated to everyone with the Agenda for the meeting.

1.9 The applicant and/or representative, and persons making representations (where contact details have been provided) have been invited to attend the Sub-Committee meeting.

2 The Hearing

2.1 The Sub-Committee consists of 3 Members drawn from the full Licensing and Appeals Committee.

The Members are Councillors Tom Donnelly, Steve Flitter and Jean Monks.

2.2 The Sub-Committee will be advised by Katie Hamill, Solicitor, and the report will be introduced by Eileen Tierney, Licensing Manager.

2.3 A copy of the procedure to be followed by the Sub-Committee is set out in **Appendix 4**.

- 2.4** In making its decision the Licensing Sub-Committee has powers to approve the application; reject the whole of the application; reject part of the application; exclude licensable activities from the licence; restrict hours of any of the activities; and attach conditions consistent with the Operating Schedule part of the application.
- 2.5** In determining the application the Sub-Committee must have regard to the Licensing Act 2003; the regulations made under it; the Statutory Guidance issued under Section 182 of the Act; and the Council's Licensing Policy Statement.

3 CONTACT INFORMATION

Eileen Tierney, Licensing Manager.
 Tel: (01629) 761374
 Email: eileen.tierney@derbyshiredales.gov.uk

4 BACKGROUND PAPERS

Date	Description	File Reference
	None.	

5 ATTACHMENTS

Date	Description	Reference
17/09/2015	Application Form and Site Plan	Appendix 1
Various	Representations (Other Persons)	Appendix 2
-	Schedule of Conditions	Appendix 3
-	Committee Procedure	Appendix 4

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

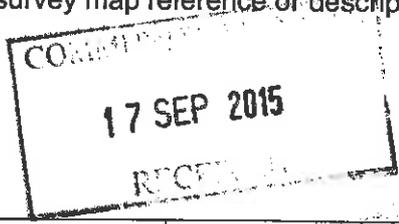
You may wish to keep a copy of the completed form for your records.

I/We Co-operative Group Food Ltd
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Co-operative (formerly Rutland Arms) Calver Road			
Post town		Baslow	Postcode
			DE45 1RP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£190	



Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- g) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Co-operative Group Food Ltd
Address Dept 10227 1 Angel Square Manchester M60 0AG
Registered number (where applicable) IP26715R
Description of applicant (for example, partnership, company, unincorporated association etc.) Industrial Provident
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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

Proposed convenience retail store to trade 7 days a week selling groceries, sundry items and alcohol for consumption off the premises only.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	07:00	23:00						
Tue	07:00	23:00						
Wed	07:00	23:00						
Thur	07:00	23:00						
Fri	07:00	23:00						
Sat	07:00	23:00						
Sun	07:00	23:00						
						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)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Kay Jenkinson	
23 Hall Crescent Grange Rotherham	
Postcode	S60 3LG
Personal licence number (if known)	1003209669
Issuing licensing authority (if known)	Rotherham

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

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>At the discretion of the premises licence holder.</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

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

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regard to the locality, considers that the following conditions are appropriate.

b) The prevention of crime and disorder

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.

2. There shall be "CCTV in Operation" signs prominently displayed at the premises.

3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

5. The premises will be fitted with a burglar alarm system

6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

c) Public safety

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance

A complaints procedure will be maintained, details of which will be made available in store and upon request.

e) The protection of children from harm

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
2. An age till prompt system will be utilised at the premises in respect of age restricted products.
3. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority

Checklist:

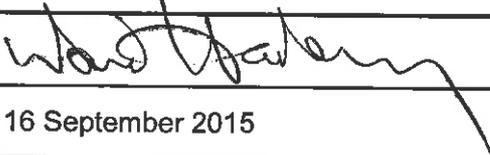
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON 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 4 – Signatures (please read guidance note 10)

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

Signature	
Date	16 September 2015
Capacity	Solicitor acting on behalf of the applicant

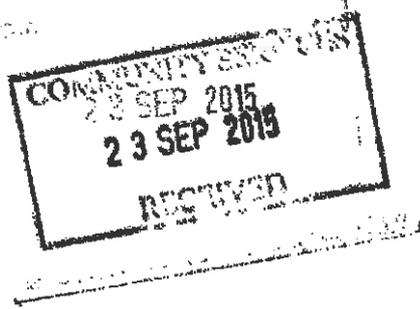
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Mrs Cheryl Scott Ward Hadaway Sandgate House 102 Quayside			
Post town	Newcastle upon Tyne	Postcode	NE1 3DX
Telephone number (if any)	0191 204 4365		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) cheryl.scott@wardhadaway.com			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Jonathan Fish
Craigmore
Calver Road
Baslow
DE45 1RR

Licensing Section
Derbyshire Dales District Council
Town Hall
Matlock
Derbyshire
DE4 3NN

19 September 2015

Dear Sir/Madam

I wish to make representation against the application for a new premises licence for the following premises:

Co-op (formerly The Rutland Arms), Calver Road, Baslow, DE45 1RP

The grounds for my objection are as follows:

1. At the time of writing, no decision has been published on the planning application submitted for the change of use of the premises from a pub to a shop. The application in question is currently under review by the Minister of State for Housing and Planning. At present the Co-op do not have permission to run a shop from the premises, and I therefore fail to understand how an application can be submitted and considered for a use of the premises that is not currently permitted
2. Permitting the sale of alcohol for such extended hours on a busy stretch of road has the potential to impact on public safety. Unlike the licence held by the public house for the same premises, this licence will be for consumption of alcohol off the premises and therefore no third party can help ensure responsible drinking. Calver Road is a very busy stretch of highway through the Peak District, and allowing the sale of alcohol for from 07:00-23:00 only has the potential to make the road more dangerous through irresponsible drinking. The hours requested for this licence are also significantly greater than the hours that alcohol was sold previously at the pub.
3. Allowing the sale of alcohol for such extended periods also has the potential to impact negatively on public nuisance and crime and disorder. It would enable alcohol to be purchased 16 hours a day, seven days a week in a small rural community with practically no police presence.

Therefore there is no deterrent against any behavior causing a public nuisance or contributing to crime and disorder that is fuelled by alcohol purchased at the premises, as there is no law enforcement in the area.

I believe that the first objection brings in to question the validity of the application in the first instance.

Objections two and three are both relevant to the reasons set out in the 2003 Licensing Act s4.

I would therefore strongly urge you to reject this application.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JF', written in a cursive style.

Jonathan Fish

From: Jenny Pederson <[REDACTED]>
Sent: 02 October 2015 18:59
To: Licensing Inbox
Subject: RE Alcohol license for Co-op Baslow.

Dear Eileen Tierney, I am making my views known to you regarding the above. How many more excuses can the SOS group come up with to stop us having a store at the this end of our village? surely, the Rutland served ales and spirits for years? as do the other eating places in the village, AND, lo and behold... the Spar shop!!! who are so against this project.

As a resident here, I have never seen groups of youths or any one else hanging around on street corners drinking here, so why would the Co-op make any difference if it sold alcohol?

People are hardly likely to sit in the car park there and get drunk! Surely folk would shop, and maybe purchase a bottle of wine and take it home. Which seems to be the done thing now.

If people want drink they will get it, so this objection is ludicrous. It's such a shame that those of us that NEED this shop are having to fight so hard just for our daily shopping.

Maybe at some point the SOS group could put their energy into asking for a crossing here which has been needed for years! not just since the Co-Op was proposed! Then the whole village could come together as one, and say: "We did that we stuck together and made our village a safer place."

Thank you Mrs Jenny Pederson

From: Jenny Pederson <[REDACTED]>
Sent: 05 October 2015 18:22
To: Tierney, Eileen
Subject: RE: Proposed Co-op in Baslow

Mrs Jenny Pederson
2015.
12A Bubnell Lane
Baslow
DE451RL.

5 Oct

Dear Mrs Tierney, I apologise for not making myself clear in my last email. As a resident here who really needs the Co-op to make life easier, I am fully in favour of the Co-op being granted a wines and spirits licence, which was the point I was trying to make. Please accept my apologies once again. Kind regards Mrs Jenny Pederson.

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

From: Jacqueline ([REDACTED])

Sent: 06 October 2015 15:25

To: Licensing Inbox

Subject: Rutland Arms Baslow

Mr & Mrs R Jackson
Rosemary Cottage, Over Lane
Baslow
DE45 1SA

6th October 2015

Dear Sirs,

We strongly object to the Co-Op having a license to sell alcohol in their proposed store at the site of the Rutland Arms in Baslow on the following grounds:-

- a) the site, which is situated on a blind bend on, what is already an extremely busy road, would become even more hazardous due to an increase in traffic and pedestrians crossing, especially late at night
- b) it is totally unnecessary to have another off license in the village as the one we already have is more than adequate, plus there is one at the traffic lights at Calver
- c) at the last poll, 89% of the village objected to the Co-Op being opened at the expense of losing our local Pub, the Rutland Arms
- d) the disturbance to residents in close proximity to the site will increase

We trust that you will look into these details as we feel threatened by the consequences that this proposal would incur on the community of this, "as yet", unspoilt Derbyshire village.

Yours sincerely,

Roy & Jacky Jackson

Sent from my iPad

From: Jenny Walker [REDACTED]
Sent: 11 October 2015 12:19
To: Licensing Inbox
Cc: Michael Walker
Subject: Rutland Arms, Baslow: liquor license application

Dear sirs

We write to object to the application regarding the premises which was the Rutland Arms in Baslow.

We are aware the premises have been bought by New River Retail and that an application has been made for the premises to sell liquor from 7am until 11pm. We wish to object to this application as we have concerns about the premises selling liquor during these hours. We are sincerely worried about the social problems that selling alcohol for such a long period could have on our community. We are concerned about the increase of crime & disorder in our otherwise safe & peaceful community. Allowing a shop to sell alcohol for 16 hours a day will create a public nuisance as it will increase traffic to the premises and associated noise and traffic danger that will result.

Our understanding is also that the premises does not currently have planning permission at all and so we are confused as to why New River Retail are presuming that planning permission will be approved for the Rutland Arms public house to be converted into a Co-op convenience store.

Please consider this application carefully. We implore you to throw out the application for being premature & also because of the negative the impact its approval would have on our community in Baslow.

Yours faithfully

Jenny & Michael Walker
Dairy Cottage
Baslow
DE45 1SR

Jenny Walker
www.justgiving.com/michaeljennynia
www.justgiving.com/ElliottJosephWalkerBFF

[REDACTED]

From: DAVID JACKSON
Sent: 12 October 2015 10:56
To: Licensing Inbox
Cc:
Subject: Licence Application by Co-Op in Baslow

Dear Mr Hadaway *Licensing Manager*

We see from the numerous notices around the Rutland Pub in Baslow that the Co-Op are applying for a liquor licence ; should they succeed in their planning application to convert the pub into a convenience store.

Living approx 300 yards from the pub, the last thing we want is a store to be open from 0700 to 2300 seven days a week selling alcohol. Especially when 80 % of the village don't want the store anyway.

We don't want -Empty bottles left on the front or thrown into the garden.

Noise from youths singing etc

Crime and disorder, brought on by drink. The police already have more than enough problems.

Safety, being under the influence on this very busy main road will increase accidents.

Baslow is a quiet village at present with no trouble from the existing public houses. A shop is totally different - sell and take the money, end of responsibility.

Planning approval has still not been given, so surely the Co-Op is jumping the gun anyway.

I look forward to your refusing this application

Regards

David Jackson

*Old Bakehouse
Calver Road
Baslow
DE45 1 RP.*

From: Lizzie & Claus [mailto:]
Sent: 12 October 2015 19:05
To: Licensing Inbox
Subject: Liquor Licence application from The Coop

Licensing
Derbyshire Dales District Council
Town Hall
Bank Road
Derbyshire
DE4N 3NN

Dear Sir

We are writing to object to the District Council issuing a liquor licence to The Coop for use at the premises of The Rutland Arms in Baslow. We believe it will have a detrimental effect to the level of crime and disorder in Baslow, which already has a shop with an off licence, sufficient to service the needs of the local residents. We are also concerned about public safety, given the siting of the Rutland Arm premises on the edge of a very busy road, with regular heavy lorries passing very close to the front door.

It is also worth noting that as yet the decision on the planning application by The Coop has not been made and therefore wonder about the validity of this licence application.

Yours Sincerely
Liz & Claus Créde

Paeony Cottage
School Lane
Baslow
DE45 1RZ

From: JOHN COOK
Sent: 13 October 2015 08:39
To: Licensing Inbox
Subject: Objection to Licensing Application Rutland Arms Baslow

I would like to object to the granting of a liquor license on the following grounds

1. The planning application has not yet been finalised
2. The hours the license is required for are excessive
3. Selling alcohol in a convenience store situated on the main road through Baslow could cause a public nuisance
4. Public safety could be effected by alcohol being consumed on the streets in the village and in secluded areas around the premises

K Cook
The Spinney
Eaton Hill
BASLOW

KATHLEEN + JOHN DAVID COOK

S.J. Armiger
Langley
Calver Road
Baslow
DE45 1RR

Licensing Section
Derbyshire Dales District Council
Town Hall
Matlock
Derbyshire
DE4 3NN

To Whom it May Concern

Ref. New Premises Licence Application Co Operative Group Food Limited

I refer to the above mentioned Licence application made by the Co Operative Food Group for the premises formerly known as the Rutland Arms Calver Road Baslow DE45 1RP.

I would be pleased if you would register this letter as a supporting document for the approval of this application.

I feel strongly that the dispute over the conversion of this failing Public House has gone on long enough. The site of this premises has now (thanks to the to the objections raised by the SOS and others) become an eyesore and something needs to be done to resolve the whole situation.

As the premises previously held a full On Licence I cannot see why an Off Licence should not be granted for this premises.

Surely it seems logical that people should be able to purchase alcohol for consumption at home rather than consume alcohol on a premises and then drive home or indeed disturb residents with excessive noise whilst walking home.

I realise that there is some controversy over the premises becoming a Co op store but in my opinion this is the type of facility that this village needs and would not effect the already existing Spar Shop and Off Licence.

I would therefore reiterate that I am in full support of this application made by the Co op and look forward to an end to this ongoing saga.

I remain Yours


S.J. Armiger

14 OCT 2015

Stephen John Armiger

From: Julie Crossland
Sent: 15 October 2015 08:19
To: Licensing Inbox
Subject: Fw: Licensing application objections.

Dear Sir,

With regards to the application I sent yesterday, I accidentally omitted to include a contact telephone number. Please include this number with my objection. Many thanks
Julie and John Crossland
tel no. [REDACTED]

— Original Message —

From: Julie Crossland
To: licensing@derbyshiredales.gov.uk
Sent: Wednesday, October 14, 2015 9:42 PM
Subject: Licensing application objections.

To the Licensing Manager,

We wish to raise objections to the New premises licence application to sell alcohol at The Co-Operative, Calver Road, Baslow, DE45 1RP (formerly The Rutland Arms), on the following grounds:-

1. The application is inappropriate due to the company not yet having full planning permission for the conversion of the premises into a convenience store.
2. The hours they have applied for are excessively long.
3. There is already a small village convenience shop in the village, that has much shorter licensing hours which serves the needs of the village more than adequately.
4. Through the selling of alcohol to some irresponsible customers, local damages, traffic accidents, and noise disturbance for local residents may occur at a dangerous area on a very busy main road.

We therefore request that the above licence application is refused.

Yours faithfully

Julie and John Crossland. Wainstones, Calver Road, Baslow, Bakewell, Derbyshire. DE45 1RR.

From: John Shirtcliffe [REDACTED]
Sent: 14 October 2015 15:29
To: Licensing Inbox
Cc: [REDACTED]
Subject: RUTLAND , BASLOW

My wife and I have been residents in Baslow since 1960 and are very much opposed to the change of use of the Rutland to a proposed Co-operative local store, particularly in regard to its attempt to obtain a licence for the sale of alcohol.

We already have 2 public houses, 1 hotel, 2 restaurant/cafes and a village shop - all dispensing alcohol. This means that at any time of the day from early morning to late evening, alcohol is readily available.

The position of the proposed shop is immediately alongside the main road through Baslow, a narrow pavement runs between the main doors and the road. Anyone loitering and drinking outside, particularly youngsters, would be seriously exposed to what is an extremely busy road at most hours of the day, and getting busier every day. A careless moment, a step backwards into the road, an unlucky trip, and a serious injury or fatality could be the result. In the event, the existing village shop perfectly fulfils this role, and in an area of considerable safety. It has its own reserved walled area with seating in a quiet part of the village. Absolutely safe.

In the final analysis - if there is a serious or fatal accident caused by a passing vehicle, and as a result someone is seriously injured or killed, and if alcohol is involved in any way - the person or persons authorising the awarding of said licence would, and should, be held to be liable.

We do hope that commonsense prevails and this application is refused.

Orchard Cottage
Bar Road
Baslow
DE 45 1SF

From: Richard Williams-Menlove [REDACTED]
Sent: 01 October 2015 12:58
To: Licensing Inbox
Subject: For Eileen Tierney - re the Rutland Arms, Baslow

Dear Eileen Tierney,

Re the Rutland Arms, Baslow.

A drink taken home in a driver's bottle is far less likely to cause an accident,
than a drink taken home in a driver's belly.

I think most, except for SOS people, would agree with that.

I grow despairing of SOS's campaign, and now, most ridiculous is SOS's claim wanting the Rutland Arms to continue as a fully licensed pub, but objecting to it becoming a shop with an off license.

Please tell and advised SOS as I did 12 months ago, to use their experience and energies to Support David Upton's Spar shop rather than to stop commercial progress..

On the matter of road safety 90%+ of the people in Baslow would like to see a controlled crossing. including Church goers, Charlie's dinners, residents of Bubnell, vintage shoppers and the future Co-op shoppers. So

.... please find a way of getting us a crossing before and not after someone is killed.

Background

May I confess that when I first learnt that the Rutland Arms was to become a Co-op I had reservations relating to the competition to the Spar shop on School Lane and the need for people to cross the main road.

However, I listened to a broad section of people in Baslow, both the people who live close to the Spar shop and to those who lived south west of the main road, and there were two very different stories. For people who live south west the Spar shop necessitates both crossing the main road and walking up School Lane, in good weather and in bad, rain, frost and ice: and, it is those folk who tend to be less agile.

I also considered the products services the Co-op would provide that the Spar shop has declined to provide and that can only be got after a drive to Bakewell, or more likely, for those folk, a bus ride to Bakewell. And after some thought the whole matter seemed unfair that those who were often the more wealthy, with cars and a local Spar shop, were denying similar benefits to the less well-off and less mobile, and so I changed my mind.

At the Peak Park Planning meeting I said and still say, that

"If all who claim to support the Spar shop did so, and, if all who claimed to support the Rutland Arms did so, then none of this discussion would be happening":

In reality across the village the vote was nothing like 81% for the Spar and if re taken today it would probably be the reverse.

Kind regards
Richard
Richard Williams-Menlove

Stanton Lodge, over
Lane. 37. 532 3 x F

Schedule of Licence Conditions

Appendix 3

MANDATORY CONDITION: SUPPLY OF ALCOHOL

- (1) No supply of alcohol may be made under the premises licence:
- at a time when there is no designated premises supervisor in respect of the premises licence, or
 - 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.

MANDATORY CONDITION: PROOF OF AGE SCHEME

- 1(a) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- 1(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.

MANDATORY CONDITION: SALE OF ALCOHOL - DUTY + VAT

1. 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.
2. 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(a);
- (b) “permitted price” is the price found by applying the formula—
- $$P = D + (D \times V)$$
- where—
- P is the permitted price,
 - D is the amount 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
 - 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—
- the holder of the premises licence,
 - the designated premises supervisor (if any) in respect of such a licence, or
 - 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(a).

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE:

These are the steps that the applicant intends to take to promote the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm). These will be translated into conditions should the licence be granted:

a) General

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regard to the locality, considers that the following conditions are appropriate.

b) The prevention of crime and disorder

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
4. The premises shall operate a proof of age scheme, such as Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.
5. The premises will be fitted with a burglar alarm system.
6. The premises will be fitted with a panic button system for staff to utilise in case of an emergency.

c) Public safety

The premises licence holder shall ensure that the appropriate fire safety and health and safety regulations are applied at the premises.

d) Prevention of public nuisance

A complaints procedure will be maintained, details of which will be made available in store and upon request.

e) The protection of children from harm (proposed in agreement with Trading Standards)

1. All relevant staff will receive training on their responsibilities under the Licensing Act 2003 at the commencement of their employment. No relevant member of staff will be permitted to sell alcohol until such time as they have successfully completed the aforementioned training. Refresher training should be provided at regular intervals.
2. Training records shall be kept for a minimum of 12 months and made available for inspection, upon request, to an authorised officer of the Local Authority or the Police.

3. An age verification policy, such as Challenge 25, shall be operated at the premises. Acceptable forms of identification will be pass accredited proof of age card, military ID, a photo driving licence or passport. In addition any other form of identification from time to time approved by the Secretary of State shall also be acceptable.
4. An age prompt till system will be utilised at the premises.
5. Clear, prominent and unobstructed signage informing customers of the age verification policy in operation at the premises will be on display.
6. A system of recording refusals of sale pursuant to the age verification policy, whether kept in written or electronic form, will be operated at the premises.
7. A member of management at the premises will, at least weekly, review the sales refusal record and take any appropriate action.
8. The refusal sale record shall be available for inspection, on request, to an authorised officer of the Local Authority or the Police. Such records shall be kept for a minimum of 2 years.
9. An age prompt till system will be utilised at the premises.
10. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.



LICENSING AND APPEALS COMMITTEE PROCEDURE (Except Employment)

- (1) Introduction by the Chair explaining that the process is not an adversarial one and all comments should be directed through the Chair.
- (2) Report of the Licensing Officer.
- (3) Questions for the Licensing Officer from the Committee.
- (4) Any clarification required from the Licensing Officer from the objectors
- (5) Any questions for the Licensing Officer from the applicant
- (5) Statements from the objectors.
- (6) The Committee, the Licensing Officer and the applicant (through the Chair) will have an opportunity to ask questions of each speaker.
- (7) Statement from the applicant, including any witnesses.
- (8) Questions to the applicant or his/her witnesses by the Committee.
- (9) Questions to the applicant or his/her witnesses by the Licensing Officer
- (10) The Chair will ask the objectors whether they require any clarification of the applicant's evidence.
- (11) Any further questions by the Committee, its Clerk, the applicant or the Licensing Officer.
- (12) Summing up by the Licensing Officer.
- (13) Summing up by the applicant.
- (14) The Chair will ask all parties whether they need clarification of any points.
- (15) The Committee will withdraw to make its decision.
- (16) The Committee will deliberate in private, only recalling the Council's representative and the applicant or their representative to clarify evidence already given. If recall is necessary, both parties must be given the opportunity to return, even though only one party is concerned with the point giving rise to doubt.
- (17) The Advisor may be called upon during the private deliberation to advise the Appeals Committee Members.
- (18) At the end of the proceedings, the Chair of the Appeals Committee will inform the parties of the decision. This will be confirmed, in writing within seven days.