

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING SUB COMMITTEE – 3rd November 2008

Title of report	APPLICATION FOR A PREMISES LICENCE
Contacts	<p>Councillor John Bridges 01530 564645 john.bridges@nwleicestershire.gov.uk</p> <p>Commercial Services Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Team Leader 01530 454844 stephen.eyre@nwleicestershire.gov.uk</p>
Purpose of report	To determine an application for the grant of the premises licence at Castle Donington Service Station & Convenience Store, Station Road Castle Donington, DE74 2NL. This report outlines the application and summarises the representations received. It also highlights the licensing objectives, the relevant parts of Government guidance and the pertinent sections of the Licensing Authority's Licensing Policy.
Strategic aims	Strong and Safer Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Assessment</p> <p>Human Rights</p>	<p>Implications arising from an appeal made to the Magistrates Court by anyone aggrieved by the decision of the Sub-Committee.</p> <p>Safer CAT.</p> <p>The usual risks of cost involved if the applicant appeals against the decision of the Committee. In any event and in order to mitigate these risks, the Committee should give clear reasons for its decisions and any such reasons would need to be substantiated in Court.</p> <p>Equality impact assessment to be undertaken during 2008/2009.</p> <p>Article 1 of Protocol 1 of the European Convention of Human Rights provides that everyone is entitled to the peaceful enjoyment of his possessions, except in the public interest and subject to the conditions provided for by law.</p>

Transformational Government	Not applicable.
Consultees	Leicestershire Fire and Rescue Service, Trading Standards, Health and Safety, Environmental Protection, Planning and members of the public/local businesses by way of notice on the premises.
Background papers	Guidance issued under Section 182 of the Licensing Act 2003 - available for reference at www.culture.gov.uk and Statement of Licensing Policy -available for reference at www.nwleics.gov.uk/licensing
Recommendations	THAT THE SUB-COMMITTEE DETERMINE THE APPLICATION.

1. Background

1.1 An application for a premises licence was received on 5th September 2008 from Puvasingham Vaseeharan & Aruni Karthika Vaseeharan. A copy of the application form and supporting evidence are attached as appendices 1 and 2.

1.2 A map showing the location of the premises is attached as appendix 3.

1.3 The Licensable activities that have been applied for are:

Supply of Alcohol – Off the Premises Only

❖ Monday to Sunday - 06.00hours to 23.00hrs

1.4 The applicant has specified steps that will be taken in order to promote the four licensing objectives:

Prevention of Crime and Disorder

- All staff are to be trained to comply with the Licensing Act 2003.
- All non-personal licence holders are required to undertake licensing training and are only authorised to sell alcohol on completion.
- Implementation of Challenge 21 scheme.
- Any person suspected by staff to be under 21 will be asked to produce specified identification to prove their age.
- Implementation of 'NO I.D. No Sale' policy.
- To keep a book to record all refusals of sales of alcohol and other age prohibitive products.
- Warning signage to be placed throughout the store.
- Installation of digital CCTV system with strategically positioned cameras & monitors with tapes being retained for 28 days and available for police viewing if required.
- Panic alarm buttons will be installed behind the counter.
- Participation in BP 'Age Initiative' schemes to prevent under age selling.

Public Safety

- Operating procedures training for all staff. This will include procedures for delivery of vehicle fuels, use of mobile phones at pumps and general in-store safety.
- Store has illuminated entrance and a public address system for the exterior.

The Prevention of Public Nuisance

- Operating procedures training for all staff.

The Protection of Children from Harm

- Well trained staff.
- Implementation of Challenge 21 scheme.
- Any person suspected by staff to be under 21 will be asked to produce specified identification to prove their age.
- To keep a book to record all refusals of sales of alcohol and other age prohibitive products.
- Warning signage to be placed throughout the store.
- Installation of digital CCTV system with strategically positioned cameras & monitors with tapes being retained for 28 days and available for police viewing if required.

2.0 Representations

- 2.1 In respect of a new application, the applicant is responsible for advertising the application by the way of a notice in the specified form at the premises for not less than 28 consecutive days and in a local newspaper. The applicant placed the notice in the North Leicestershire edition of NuNews local newspaper, on the 11th September 2008 and officers are satisfied that proper notice has been displayed at the location of the premises.
- 2.2 The applicant is also required to serve a copy of the application on each of the responsible authorities, namely, the Fire Authorities, Trading Standards Department and the District Council's Health and Safety, Environmental Protection and Planning Sections. Officers are satisfied that the applicant has served all parties as required.
- 2.3 There has been one representation from the Leicestershire Constabulary, which has been withdrawn following discussions between the police and the applicant. The two parties have agreed to the following condition:- ' The licensee will ensure that CCTV is installed following advice from the Leicestershire Constabulary and maintained in accordance with the Information Commissioners CCTV Code of Practice'.
- 2.4 There have been no other representations from any of the other responsible authorities.
- 2.5 Interested parties in the vicinity of the premises are able to make representations within 28 days of display of the notice of application to the Licensing Authority
- 2.6 Two representations have been received from local residents on the grounds of public nuisance. Copies of the representations are attached as appendix 3 and appendix 4.

3.0 Statutory Guidance

3.1 In making its decision, the Sub-Committee is obliged to have regard to Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. All Licensing Committee members have been provided with a full copy of the guidance document. Officers consider that paragraphs 2.32 to 2.40, may have a bearing upon the application.

4.0 Statement of Licensing Policy

4.1 The Sub-Committee is also obliged to have regard to its own Statement of Licensing Policy. Officers consider that paragraphs 9.1 to 9.3, 12.2, 12.3, and 17.1 to 17.3 may have a bearing upon the application.

5.0 Observations

5.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

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

5.2 The Committee may take such of the following steps, if any, as it considers necessary for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them.
- c) Reject the whole or part of the application

5.3 There is a right of appeal to the Magistrates Court against the decision of the Sub-Committee by the applicant, premises licence holder and persons who made relevant representations.

**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 PUVASINGHAM VASEEHARAN & ARUNI KARTHIKA VASEEHARAN

(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			
CASTLE DONINGTON SERVICE STATION & CONVENIENCE STORE STATION ROAD CASTLE DONINGTON DERBY			
Post town	CASTLE DONINGTON	Post code	DE74 2NL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£24750	

Part 2 - Applicant Details

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

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

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname VASEEHARAN			First names PUVASINGHAM		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		560 OUNDLE ROAD ORTON SOUTHGATE PETERBOROUGH PE2 5UX			
Post Town	ORTON SOUTHGATE			Postcode	PE2 5UX
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname VASEEHARAN			First names ARUNI KARTHIKA		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes

Current postal address if different from premises address		560 OUNDLE ROAD ORTON SOUTHGATE PETERBOROUGH PE2 5UX	
Post Town	ORTON SOUTHGATE	Postcode	PE2 5UX
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	6	1	0	2	0	0	8

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

Day		Month		Year			

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

FORECOURT CONVENIENCE STORE

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 yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

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			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

B

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (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					
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Tue					
			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 (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

G

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

H

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

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be 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 provision of facilities for making music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

J

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

K

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

L

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

M

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"/>
				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) NONE		
Mon	06.00	23.00			
Tue	06.00	23.00			
Wed	06.00	23.00			
Thur	06.00	23.00			
Fri	06.00	23.00			
Sat	06.00	23.00			
Sun	06.00	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)		
			NONE		

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

Name JANE BECKETT	
Address FLAT 2 10 BONDGATE CASTLE DONINGTON DERBY	
Postcode	DE74 2NS
Personal Licence number (if known) NWL 10532	
Issuing licensing authority (if known) NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL	

N

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

O

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) NONE
Day	Start	Finish	
Mon	06.00	23.00	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 (please read guidance note 5)
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	

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

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

WELL TRAINED STAFF

- ALL NON PERSONAL LICENCE HOLDERS ARE REQUIRED TO UNDERTAKE STAFF LICENSING TRAINING AND ARE ONLY AUTHORISED TO SELL ALCOHOL ON COMPLETION

FIRM UNDER AGE POLICIES FOR ALL AGE PROHIBITIVE ITEMS WHICH INCLUDE :
CHALLENGE 21 SCHEME

- ANY PERSON SUSPECTED BY STAFF TO BE UNDER 21 WILL BE ASKED TO PRODUCE SPECIFIED I.D. TO PROVE OVER 18.

REFUSAL BOOK

- TO RECORD ALL REFUSALS OF SALE FOR ALCOHOL AND OTHER AGE PROHIBITIVE PRODUCTS.

WARNING SIGNAGE THROUGHOUT STORE

DIGITAL CCTV SYSTEM WITH STRATEGICALLY POSITIONED CAMERAS & MONITORS
TAPES RETAINED FOR 28 DAYS AND AVAILABLE TO POLICE IF REQUIRED

PARTICIPATION IN BP 'AGE INITIATIVE' SCHEMES TO PREVENT UNDER AGE SELLING.

b) The prevention of crime and disorder

WELL TRAINED STAFF

- ALL NON PERSONAL LICENCE HOLDERS ARE REQUIRED TO UNDERTAKE LICENSING TRAINING AND ARE ONLY AUTHORISED TO SELL ALCOHOL ON COMPLETION

FIRM UNDER AGE POLICIES FOR ALL AGE PROHIBITIVE ITEMS
THESE INCLUDE :

CHALLENGE 21 SCHEME

- ANY PERSON SUSPECTED BY STAFF TO BE UNDER 21 WILL BE ASKED TO PRODUCE SPECIFIED I.D. TO PROVE OVER 18.

'NO I.D. NO SALE', POLICY OPERATED

REFUSAL BOOK

- TO RECORD ALL REFUSALS OF SALE FOR ALCOHOL AND OTHER AGE PROHIBITIVE PRODUCTS.

WARNING SIGNAGE THROUGHOUT STORE

DIGITAL CCTV SYSTEM WITH STRATEGICALLY POSITIONED CAMERAS & MONITORS
TAPES RETAINED FOR 28 DAYS AND AVAILABLE TO POLICE IF REQUIRED

P.A. BUTTONS - BEHIND COUNTER.

PARTICIPATION IN BP 'AGE INITIATIVE' SCHEMES TO PREVENT UNDER AGE SELLING.

c) Public safety

WELL TRAINED STAFF - PART OF OPERATING PROCEDURES TRAINING - IN ALL MATTERS OF PUBLIC SAFETY TO INCLUDE :

1. MOTOR FUELS - DELIVERY & CUSTOMER OPERATION
2. USE OF MOBILE PHONES - USE PROHIBITED AT PUMPS
3. GENERAL INSTORE SAFETY

PHYSICAL
STORE HAS ILLUMINATED ENTRANCE AND TANNAY SYSTEM FOR EXTERIOR

d) The prevention of public nuisance

WELL TRAINED STAFF - PART OF OPERATING PROCEDURES TRAINING

e) The protection of children from harm

WELL TRAINED STAFF

FIRM UNDER AGE POLICIES FOR ALL AGE PROHIBITIVE ITEMS WHICH INCLUDE :
CHALLENGE 21 SCHEME - ANY PERSON SUSPECTED BY STAFF TO BE UNDER 21 WILL BE ASKED TO PRODUCE SPECIFIED I.D. TO PROVE OVER 18.

REFUSAL BOOK - TO RECORD ALL REFUSALS OF SALE FOR ALCOHOL AND OTHER AGE PROHIBITIVE PRODUCTS.

WARNING SIGNAGE THROUGHOUT STORE

DIGITAL CCTV SYSTEM WITH STRATEGICALLY POSITIONED CAMERAS & MONITORS.
TAPES RETAINED FOR 28 DAYS AND AVAILABLE TO POLICE IF REQUIRE

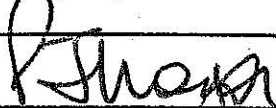
Please tick yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	5/9/2008
Capacity	AGENT

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)

PETER LLOYD ASSOCIATES
THE LODGE
RISBY ROAD
FLEMPTON
SUFFOLK IP28 6EG

Post town	FLEMPTON	Post code	IP28 6EG
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Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

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.

**NORTH WEST LEICESTERSHIRE
DISTRICT COUNCIL**

**APPLICATION FOR
PREMISES LICENCE**

by

**Puvasingham Vaseeharan &
Aruni Karthika Vaseeharan**

In respect of
**CASTLE DONINGTON SERVICE
STATION & CONVENIENCE STORE**
Station Road, Castle Donington,
Leicestershire DE74 2NL

Evidence of
PETER JOHN LLOYD
Licensing Consultant

Contents

1. **LEGAL STATEMENT**
2. **PHOTOGRAPHS**
 - Site Exterior
 - Shop Interior
3. **FOOTFALL DATA**
 - Footfall Analysis Summary
 - Pie Chart
4. **OTHER ITEMS**
 - Challenge 21 Scheme
 - A3 & A4 Posters
 - Under Age Legal Notice
 - A4 Posters
 - Refusal Book
 - Front Cover - "Don't Sell" Reminder
 - Instructions to Staff
 - Sample Inside Page - Weekly Spread
 - Application Layout Plan

Note regarding s176 Licensing Act 2003
Prohibition of alcohol sales at garages

This section provides that no premises licence, club premises certificate or temporary event notice has effect to authorise the sale by retail or supply of alcohol on or from "excluded premises".

"Excluded premises" includes premises used primarily as a garage or which form part of premises which are primarily so used.

The section states that premises are used as a garage if they are used for one or more of the following-

- (i) the retailing of petrol
- (ii) the retailing of derv.
- (iii) the sale of motor vehicles
- (iv) the maintenance of motor vehicles

In effect the section repeats the provisions of section 9.4 (a) & (b) of the Licensing Act 1964 which Act was repealed by the Licensing Act 2003.

The leading case is R v Liverpool Crown Court ex p Goodwin heard by Mr Justice Laws, as he then was, on 17 December 1998, in what was then the Divisional Court.

He held that the Crown Court had misdirected itself in finding that "The appearance of the premises and how it is known in the locality as material to the question of primary use. That seems to me to be an erroneous approach."

Mr Justice Laws suggested that the issue was

"What is the intensity of use by customers at the premises?
Lists of customers (classified according to usage), might be highly material".

Accordingly the till records of the business have been examined by a Licensing Consultant, Mr Peter John Lloyd. whose findings are incorporated in this document.

It is submitted that in the circumstances, the primary use of the premises the subject of this application, is not that of a garage and that the prohibition does not apply.

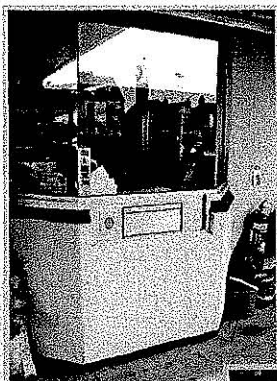
PHOTOGRAPHS

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

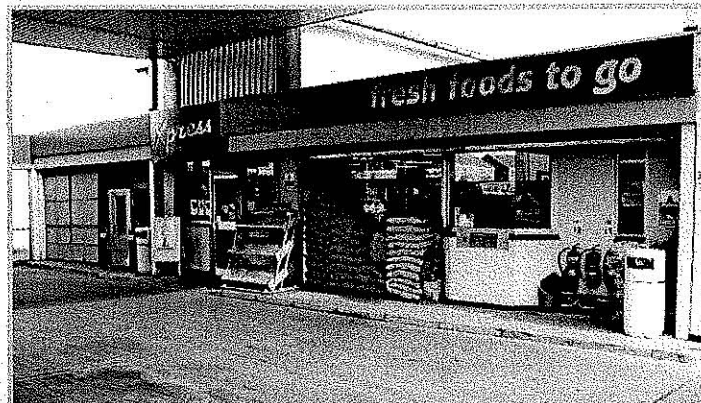
Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL



SITE FRONTAGE



Night Pay Facility



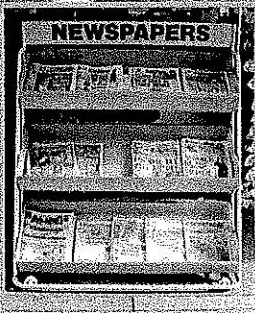
SHOP FRONTAGE



ATM Cash Machine



Express Signage



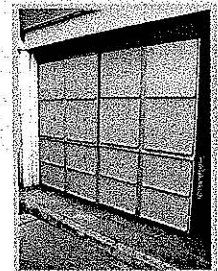
News Stand



Home & Barbecue Fuels



Kindling Wood



Security Lockers

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL



COUNTER AREA
with Staff

COUNTER AREA
with Customer



Confectionery and Ice Cream



**ICE CREAM
FREEZER**



Bagged Sweets



Wrapped Chocolate Bars

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL



Magazines and Newspapers

NEWSPAPERS & MAGAZINES



Soft Drinks Chiller Unit



Road Maps



Chilled Dairy & Foods



Chilled Dairy & Drinks

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL

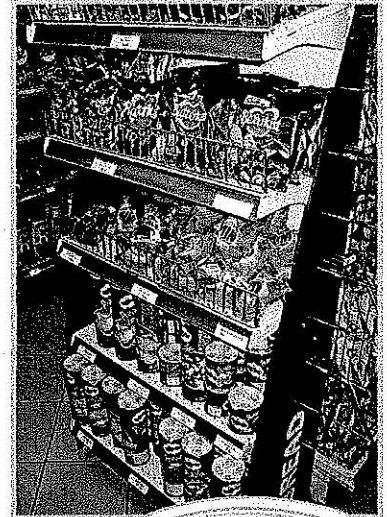
**"HOTS"
AREA**



Microwave



Coffee Machine



**Snacks
Promotion**



Crisps & Snacks

**Chocolates
Promotion**



Boxed Chocolates



Grocery Items
Biscuits, etc.

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL



**Household
& Pet Food**

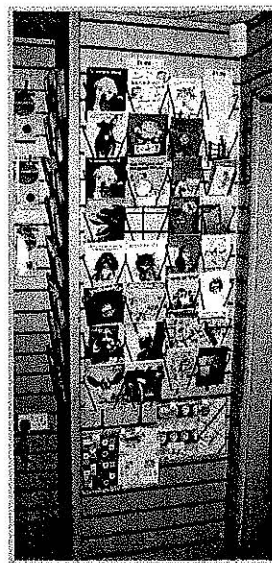
G R O C E R Y



Sauces, Beverages, Canned Goods, Cereals



Bread, Eggs & Pot Noodles



Greetings
Cards



**Health &
Hygiene**

CASTLE DONINGTON SERVICE STATION *and Convenience Store*

Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL

Bake & Bite

Crisps & Snacks



Hot Food

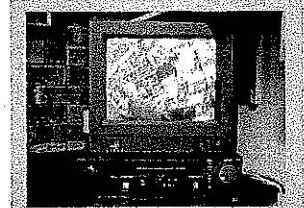
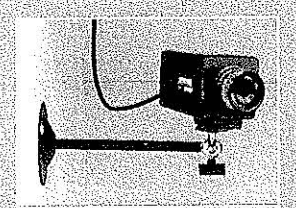
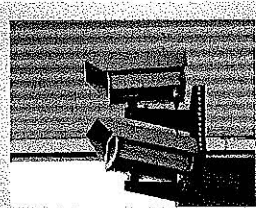
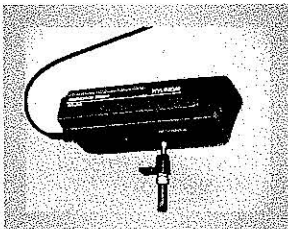
Biscuits & Snacks



Promotion

Promotion

Some Typical Security Measures



INTERNAL & EXTERNAL CCTV CAMERAS plus MONITOR AND RECORDER

FOOTFALL DATA

**CASTLE DONINGTON SERVICE STATION
& CONVENIENCE STORE
LEICESTERSHIRE DE74 2NL.**

FOOTFALL ANALYSIS

WEEK COMMENCING	SHOP ONLY	SHOP & FUEL	FUEL ONLY	TOTAL
2-Jun-08	2,863	842	2,675	6,380
9-Jun-08	3,153	883	2,875	6,911
16-Jun-08	2,867	806	2,853	6,526
23-Jun-08	2,910	862	2,602	6,374
30-Jun-08	2,676	815	2,424	5,915
7-Jul-08	2,885	839	2,674	6,398
14-Jul-08	2,918	849	2,704	6,471
21-Jul-08	3,106	903	2,879	6,888
28-Jul-08	3,036	883	2,813	6,732
4-Aug-08	2,942	855	2,727	6,524
11-Aug-08	2,977	866	2,760	6,603
18-Aug-08	3,077	894	2,852	6,823
25-Aug-08	0	0	0	0
	35,410	10,297	32,838	78,545
	45.08%	13.11%	41.81%	100%

Analysis Period : 2 June 2008 to 24 August 2008

	TOTAL INCLUDING SHOP ITEMS	TOTAL INCLUDING FUEL
Transactions Nos.	45,707 51.45%	43,135 48.55%

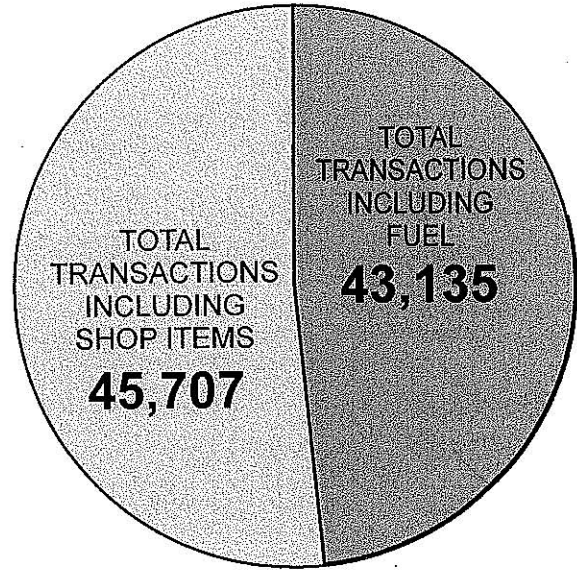
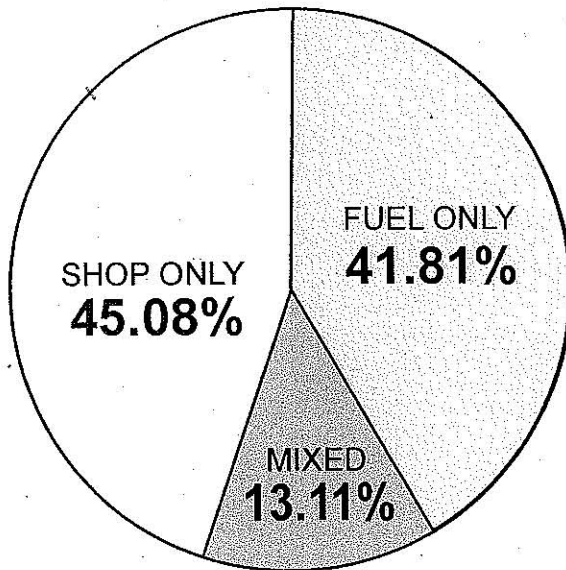
Source : EPOS Computer System




CASTLE DONINGTON SERVICE STATION and Convenience Store



Premises: STATION ROAD, CASTLE DONINGTON, LEICESTERSHIRE DE74 2NL

FOOTFALL ANALYSIS

PERIOD: 2 June 08 to 24 August 2008



 FUEL ONLY TRANSACTIONS	32,838 = 41.81%
 MIXED - SHOP AND FUEL	10,279 = 13.11%
 SHOP ONLY TRANSACTIONS	35,410 = 45.08%
TOTAL NUMBER OF TRANSACTIONS FOR PERIOD	78,545 = 100.00%

 TOTAL No. OF TRANSACTIONS INCLUDING FUEL	43,135 = 48.55%
 TOTAL No. OF TRANSACTIONS INCLUDING SHOP ITEMS	45,707 = 51.45%

Source: EPOS Computer System

OTHER ITEMS

- Challenge 21 Scheme
- 2003 Act Poster
- Refusal Book Details
- Application Layout Plan

**IT IS AN OFFENCE
TO PURCHASE OR
ATTEMPT TO PURCHASE
ALCOHOL IF YOU ARE
UNDER THE AGE OF 18**

(Section 149 Licensing Act 2003)

**Peter Lloyd
Associates**

LICENSING CONSULTANTS

Customer Refusal Book

— S T O R E —

**CASTLE DONINGTON SERVICE STATION
& CONVENIENCE STORE**

STATION ROAD, CASTLE DONINGTON,
LEICESTERSHIRE DE74 2NL

***If in any doubt
DO NOT SERVE
it's the law.***

INSTRUCTIONS TO STAFF

1. It is vitally important that this book is used by all staff when any incident occurs involving a customer refusal.
2. Record **ALL REFUSALS** during your shift.
3. Neatness and spelling is not important.

DETAIL AND ACCURACY IS ESSENTIAL

GUIDE FOR COLUMNS

TIME	Time refusal occurred.
STAFF INITIALS	The initials of the staff member refusing.
DESCRIPTION	State Male (M) or Female (F), clothing, build, estimate age, tall, short, stocky, slim, colour of hair. Describe clothing: smart, casual, jeans, trainers, shirt, coat, etc.
GOODS	State whether cigarettes or alcohol: beers (cannes or bottles), wines or spirits (gin, vodka or whisky).
COMMENTS	State whether accompanied or not, confident or nervous. Any threats or abuse. Any I.D. Produced.
REMEMBER	These are a guide. Record your observations as you see them. Be as accurate as you can in the time you can afford.

**DO NOT USE THIS BOOK FOR ANY OTHER
PURPOSE THAN
CUSTOMER REFUSAL INCIDENTS**

WEEK COMMENCING:

12/13/2006

SUNDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS
	1.30pm	A.B.	F. 16 YEARS? T-SHIRT	2 CANS CIDER	WITH ANOTHER 15 YEARS?
			JEANS, 5'1" SLIM		WANTED TO ARGUE

Manager/ess A BROWN Assistants DL D.W JW

MONDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS

~~NO INCIDENTS~~

Manager/ess A BROWN Assistants DL MC MS

TUESDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS
	4pm	A.B.	M. 16 YEARS, TALL	FULL BOTTLE	WITH 4 OTHER MALES, ALL VERY YOUNG,
			SLIM, VERY SMART	VODKA	NO AGGRO.
	7.30pm	D.W.	F. 14 YEARS, SLIM	10 B&H	SAID GIGS & LOTTERY TICKET FOR DAD
			AUBURN HAIR	LOTTERY TICKET	REFUSED

Manager/ess A BROWN Assistants DW MC PT

WEDNESDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS

~~NO INCIDENTS~~
AJ

Manager/ess J JONES Assistants DL FS PT JM

THURSDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS

~~NO INCIDENTS~~
D. WHITE

Manager/ess A. Brown Assistants FJ MS

FRIDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS
	6pm	D.W.	M. 17 YEARS. STOCKY	4 CANS LABATT'S	SAID HE WAS 20 YRS. NO MEANS TO PROVE.
	7pm	J.W.	M. 16 YRS. SLIM. EARSTUD.	2 CANS STELLA 1 LTR. MEB.	VERBAL ABUSE. REFUSED. INTENDED FOR PARTY
	7.30	D.W.	F. 16 YEARS. HEAVY MAKE-UP. SMART	BACARDI BOTT. GRANTS	CONFIDENT, TOO MUCH MONEY SLIGHTLY ABUSIVE.

Manager/ess A. BROWN Assistants D.W. J.W. JM

SATURDAY	TIME	STAFF INITIALS	CUSTOMER DESCRIPTION	GOODS	COMMENTS

~~NO INCIDENTS~~

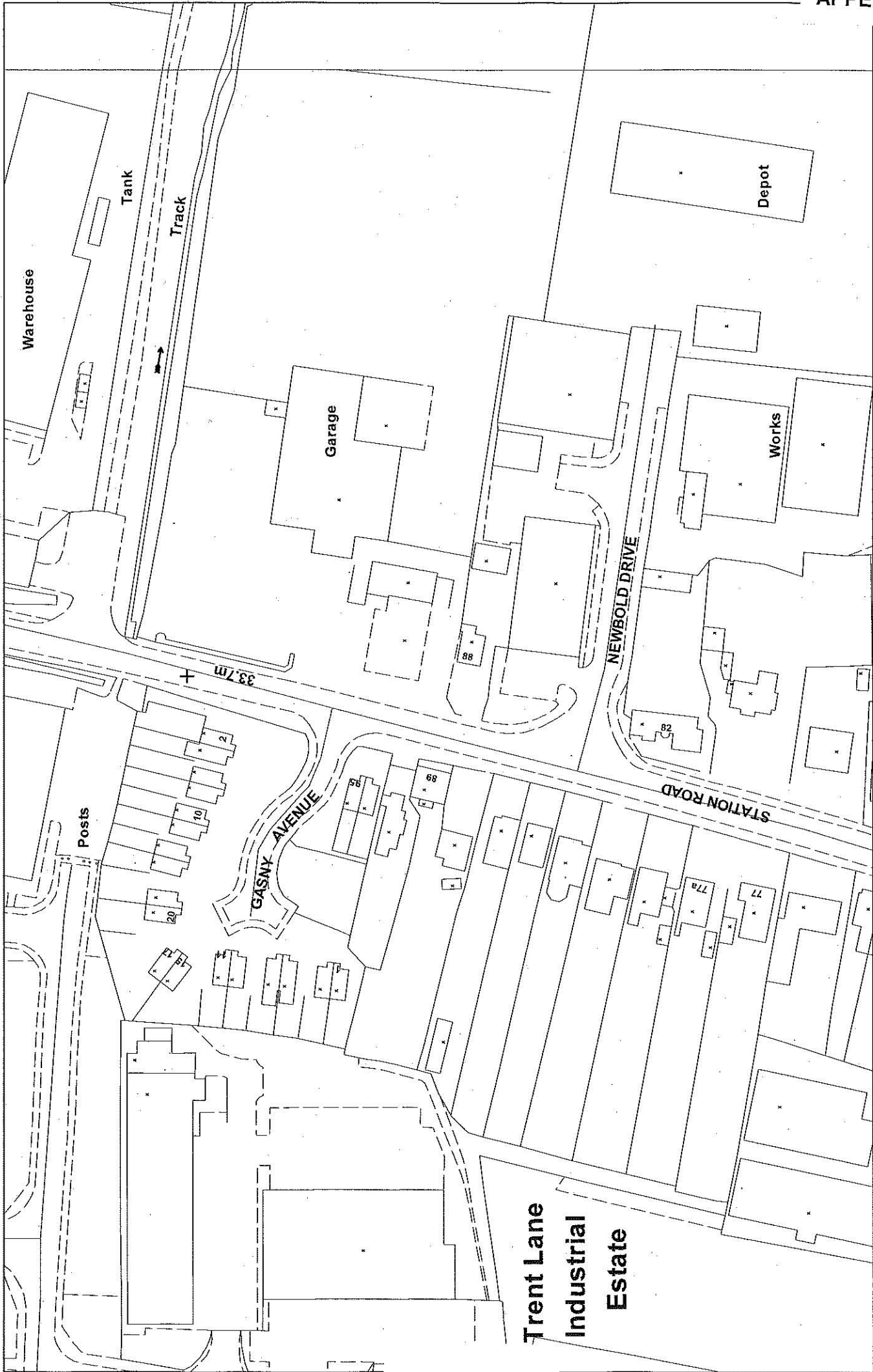
Manager/ess J. Jones Assistants DW MS RT JM

NOTES

1. DRIVING LICENCE IN NAME OF JOHN DAVID BARKER USED BY KIDS IN OTHER OFF LICENCES TO GET DRINKS.

2. YOUTH CLUB MEETS ON FRIDAY NIGHTS.

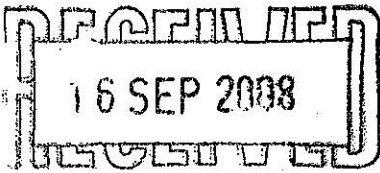
Signed Area Manager M. Hopewell Regional Manager SJL Others



Date: 22 October 2008
 SLA: Not Set
 Scale: 1:1250

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The Shutters,
82 Station Road,
Castle Donington,
Derby. DE74 2NL.

October 14th 2008

Licensing Section,
NWLDC,
Council Offices,
Coalville,
Leics. LE67 3FJ.

Re: Castle Donington Service Station
Station Road
Castle Donington.
Derby.

Sir,

We wish to object to the application by the above business to sell intoxicating liquor for consumption off the premises.

Our reasons are that there is already within a few hundred yards of the garage the Midlands Co-op which already sells liquor from 7am-9pm and a further outlet in this same area is totally uncalled for. There are also licensed premises a little further along on Bondgate, apart from 2 pubs in close proximity. Some years ago the Donington Arms which was directly across the road from the garage closed down and was demolished. There was little trade in this area as it was mostly residential.

Also it gives the wrong signal being a petrol station that it could be encouraging drinking and driving, something which the government is trying hard to stamp out.

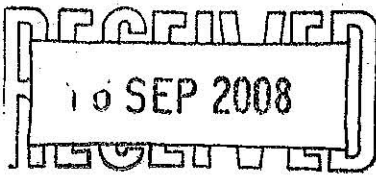
We already get a lot of litter on the front of our premises from this garage despite there being a litter bin at the corner of Newbold Drive. We frequently have to clear up food containers and drinks cans that have been purchased there. The litter bin is not emptied on a daily basis and customers just throw the litter anywhere.

Also we have a problem in the village along Station Road with Boy Racers many of whom use this garage on a Sunday night revving their engines up and taking off at speed from the forecourt. The police have already been notified on many occasions about this.

When there is a major event at Donington Park the Co-op always has extra supplies of alcohol and the purchasers of which congregate all around that area before taking their purchases up to the Park. As the Co-op serves these people so well and never runs out of the goods I see no reason for this business to be allowed to sell liquor. Perhaps the fact the Formula 1 Grand Prix is coming to Donington is an attraction to increase their profits?

Yours faithfully,

GB & VA Hunter.



*83 Station Road,
Castle Donington,
Leicestershire,
DE74 2NL*

14th Sept 2008

To whom it may concern.

*With reference to the Public notice in the Nene News dated 11th Sept 2008.
We strongly disapprove of a Liquor license being given to Castle
Donington service station in Station Road.
At this end of Castle Donington we are already plagued by young
racers, we do not want drunken rowdy teenagers about as well, and to
top it all there will be a lot more litter to contend with.*

Yours faithfully

Mr A Arrow & Mrs D Abraham