

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/
W
e

(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 PIZZA PALACE 57 - GREEN LANE			
Post town	DERBY	Postcode	DE11RS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant details

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

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
i	as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
ii	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
iii	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)



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	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)
ga)		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 (by ticking yes to one box below):

- 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname		First names			
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					

Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
26	05	2022

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

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

Fast food and take-away shop serving hot food and hot drinks.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
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E-mail address (optional)	
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)	

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)
Surname			First names	
Date of birth over		I am 18 years old or		Please tick yes
Nationality				
Current residential address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)				

(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



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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



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A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					



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B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					



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C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			



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D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors Outdoors Both	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					



F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – <u>please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					



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G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					



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H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					



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Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	2300	0200	Please give further details here (please read guidance note 4)		
Tue	2300	0200			
Wed	2300	0200	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	2300	0200			
Fri	2300	0400	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 6)		
Sat	2300	0400			
Sun	2300				



J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>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</u> (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1700	0200	
Tue	1700	0200	
Wed	1700	0200	
Thur	1700	0200	
Fri	1700	0400	
Sat	1700	0400	
Sun	1700		

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 6)



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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 10)

CCTV installed to Home Office Guidance Standards
and recording to kept for 31 days.

b) The prevention of crime and disorder

An incident log to be maintained at the
premises.

c) Public safety

Generic and fire risk assessments in place.
First-aid box available.
Good external lighting.

d) The prevention of public nuisance

N/A

e) The protection of children from harm

—



Checklist:**Please tick to indicate agreement**


<input checked="" type="checkbox"/>	I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected. [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

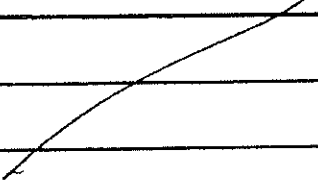
It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	28/04/2022
Capacity	Owner

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

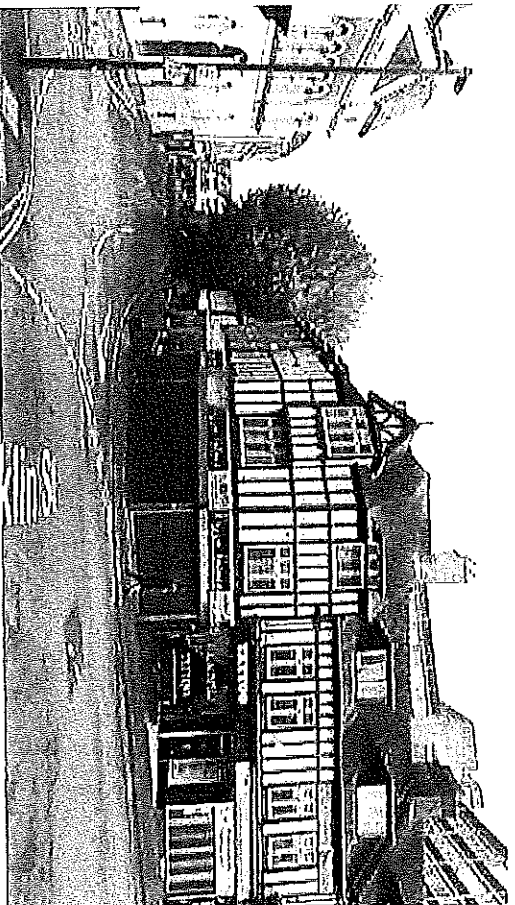
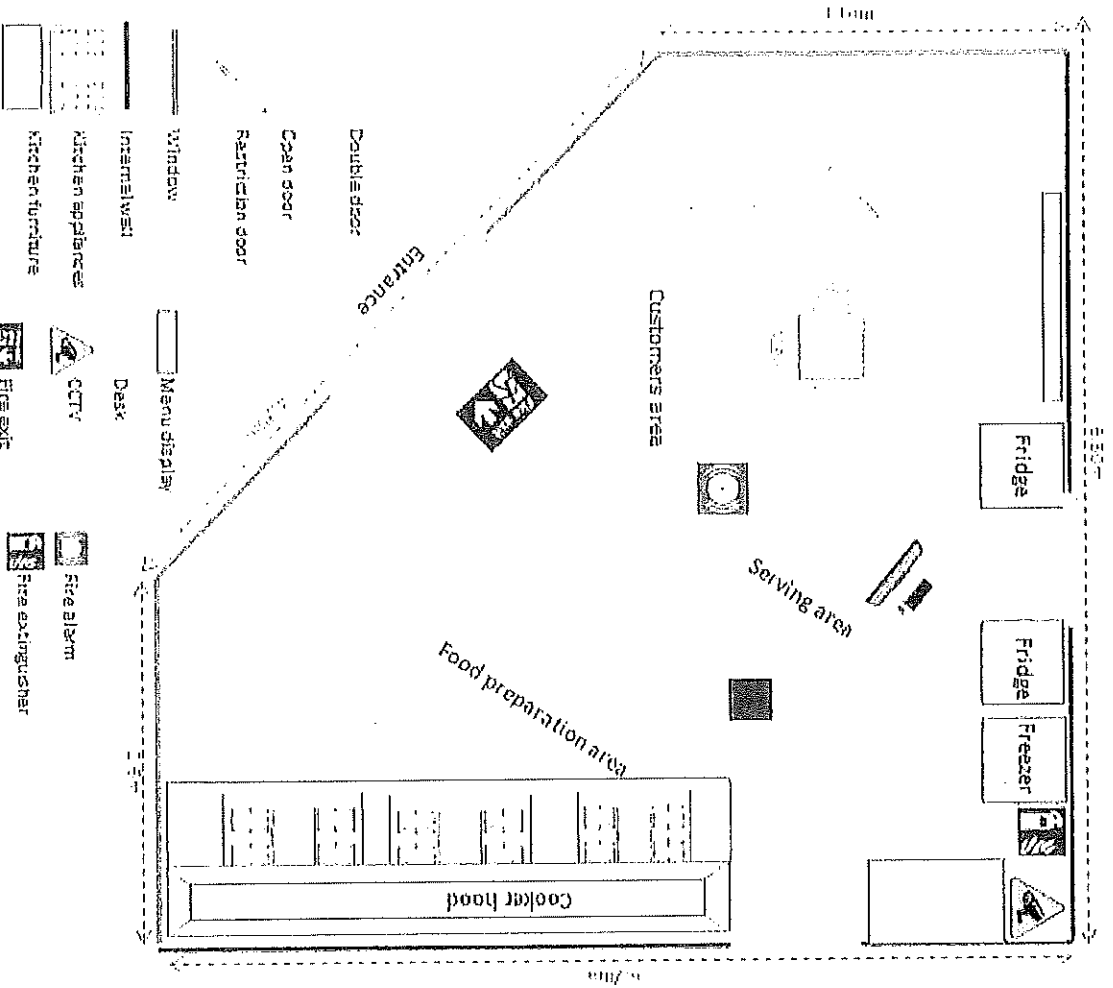
- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you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

2cm=1m

Pizza Palace
57 Green Lane, Derby, DE1 1RS

Verified
Date 28-4-22

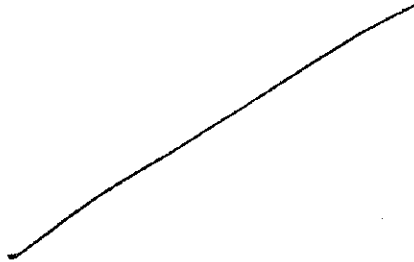
BUTLER & BROWN
SURVEILLANCE LIMITED



Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	2300	0200			
Tue	2300	0200			
Wed	2300	0200	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	2300	0200			
Fri	2300	0400			
Sat	2300	0400	<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 6)		
Sun	2300	0200			

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 9).



L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1700	0200	
Tue	1700	0200	
Wed	1700	0200	
Thur	1700	0200	
Fri	1700	0400	
Sat	1700	0400	
Sun	1700	0200	
			<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 6)</p>



Derby City Council

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	P.C. 3492 Gareth FOWLER
Your Address:	Derbyshire Constabulary South Division Head Quarters Saint Marys Wharf Prime Parkway Chester Green Derby DE1 3AB

Details of premises representation is about	
Name of Premises:	Pizza Palace
Address of premises:	57 Green Lane Derby DE1 1RS

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	yes
Public Safety	yes
Prevention of public nuisance	yes
Protection of children from harm	yes

Please summarise your concerns about this application:

This representation is in relation to an application for a Late Night Refreshment (LNR) Premises Licence (PL) received by this office on 03 May 2022. It is the intention of the Chief Officer of Police to object to the application, as in its current form it undermines all four of the Licensing Objectives.

The application sets out a request for LNR on the following days and hours.

Monday to Thursday 2300hrs to 0200hrs.

Fridays and Saturdays 2300hrs to 0400hrs

Sundays – it is unclear, from the application, if the Licence is needed for a Sunday, nor if the premises is opening at all, a start time of 2300 hrs has been entered for Licensable activities but no end time, along with a start time of 1700hrs as an opening time with no closing hours.

The Police have examined the timings for licensable activities and contrasted this with the operating schedule and steps to be taken at part 'M' of the schedule.

On 1st April 2020 after representations from the Derbyshire Constabulary a special policy of cumulative impact (CIP) was adopted. This replaced 2 previous CIP's as evidence provided by the Police along with other Responsible Authorities showed that there was still a cumulative impact on the four licensing objectives due to the high concentration of Licensed Premises within the City Centre of Derby.

The CIP is included in the current Statement of Licensing Policy which is given a footing in statute at Section 5 of The Licensing Act 2003. The Special Policy is contained within Appendix 3 of the Statement of Licensing Policy produced by Derby City Council.

The representation from the Derbyshire Constabulary that gave rise to the adoption of such a policy included concerns and evidence relating to a high level of recorded incidents and crimes occurring in the area of the city inside the 'inner ring road' and particularly between the hours of 0000hrs and 0500hrs. This problem is particularly exacerbated on Fridays and Saturdays.

The statement of Licensing Policy states at paragraph 6.8 "A special policy would not prevent the Council considering future applications as each application is considered on its own merits. **However, where a special policy has been agreed, applications for a licence will normally be refused where relevant representations have been made. The applicant will need to demonstrate how the premises would not add to the cumulative impact on the area concerned.**"

Having regard to the Special Policy, the four licensing objectives (but particularly the prevention of crime and disorder), it is the opinion of the Chief Officer of Police that this application does not sufficiently demonstrate that the premises, if it were to benefit from a premises licence, would not add to the existing and cumulative impact.

The steps proposed in the application fall considerably short of those which would be expected to ensure an organised and well-run business is in operation. The operating



schedule at part M of the application is scant to say the least, with little or no consideration being given to the CIP or the Four Licensing Objectives (FLO) in fact the applicant believes that "the prevention of public nuisance" and "the protection of children from harm" are not even applicable to the running of this business into the very early hours of the morning. I have no confidence that proper regard has been taken of the CIP and the affect that operating this premises in the times applied for would have on the cumulative impact of crime and disorder within the Cumulative Impact Zone (CIZ)

The Chief Officer of Police is aware of the case of *Brewdog Bars Limited v Leeds City Council*, Leeds Magistrates' Court, 6th September 2012, where an appeal against the decision of a Licensing Authority to refuse an application in an area of Cumulative Impact was heard. The applicant, Brewdog Bars Limited, persuaded District Judge Anderson to overturn the decision and the District Judge re-iterated that the effect of such a policy was not to "bring down the iron curtain" on allowing a new premises licence to be granted. The Police are aware that this decision is persuasive and not binding.

It is the position of the Chief Officer of Police that there is no "iron curtain" approach in the City of Derby. Each application will be and is assessed on its own merits and against the perceived impact on the four licensing objectives. Those premises that propose to operate in such a way so as to actively demonstrate a commitment to promoting the licensing objectives will be supported where the operation of the premises, including the proposed activities carried on, the proposed operating hours, and the target clientele, are such that it cannot be considered that its operation would not add to the cumulative impact on the Four Licensing objectives, in particular that of the prevention of crime and disorder

The evidence submitted to the Licensing Authority by the Derbyshire Constabulary for the current Licensing Policy regarding the CIP remains valid. The concerns of the Police in relation to new premises and variations to premises licences also remain valid. It is the opinion of the Police that this application should not be granted considering the above information and the perceived impact on the four licensing objectives and when having additional regard to the effect of the Special Policy of Cumulative Impact.

Further to the above, there is currently a Police investigation in place following a Grievous Bodily Harm (GBH) assault which recently occurred at the premises. It is suspected that when this assault occurred the business was operating in the early hours of the morning with no Premises Licence in place to enable the selling of LNR. Further to this it is suspected that that it is staff who were on duty and working at the premises who committed this offence. The applicant for this Licence is also suspected of being complicit in this offence and is suspected of assisting an offender. Considering this further information, I do not believe it is appropriate for this application to be granted.

A further bundle containing representations will be submitted, if required, in due course. However, please take this as formal notification of a representation under Section 18(3) of the Licensing Act 2003.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

As above, consideration has not been given at all to two of the four Licensing Objectives, the Operating Schedule gives scant acknowledgment to the other two. There is no consideration at all to the CIP which impacts all four of the Licensing Objectives and the applicant is suspected of criminal offences whilst working at the premises and carrying out unlicensed activities at the premises. Again this impacts adversely, on all four of the Licensing objectives and in particular that of the Prevention of Crime and Disorder.

Return your completed form to:

By post: Licensing Officer Derby City Council Communities Environment & Regulatory Services Council House Corporation Street Derby DE1 2FS.

by email: licensing@derby.gov.uk

Licensing – Privacy Notice

How is your information used?

We may use your information to: process applications, investigate and prosecute relevant illegal activities, investigate and prosecute Corporate Fraud; send you communications that you have requested or that may be of interest; ask agencies, government departments or other public bodies to give us information they have about you; check information you have provided, or information about you that someone else has provided, with other information we hold; get information about you from certain third parties, or give information to them to check the accuracy of information, prevent or detect fraud or protect public funds. These third parties include Government Departments, other Local Authorities and private sector companies, as allowed by law.

Who has access to your information?

We may share your information with:

- Other Council Departments – to ensure we meet our statutory duties; or to collect debt, and prevent fraud and the misuse of public funds.
- External organisations, for example, HM Revenues & Customs, the Department of Work and Pensions, the Police, the Audit Commission and other enforcement agencies and third parties, for other purposes allowed by law, including, to prevent fraud and the misuse of public funds.

For further information about how your personal information will be used, please visit www.derby.gov.uk/privacy-notice/ where you can see a full copy of our privacy notice. Alternatively you can request a hard copy from - licensing@derby.gov.uk

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Ann Walker – Senior Environmental Health Officer
Your Address:	On behalf of the Licensing Authority Council House Corporation Street Derby DE1 2FS

Details of premises representation is about	
Name of Premises:	Pizza Palace
Address of premises:	57 Green Lane Derby DE1 1RS

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/> yes

21/03/2016 14:12

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Derby City Council

Please summarise your concerns about this application:

The Licensing Authority received an application for a new premises licence on 29 April 2022.

The applicant, [REDACTED] applied for late night refreshment on the days Sunday to Thursday 23:00hrs to 02:00hrs and Friday and Saturday 23:00 to 04:00 hrs

It is the intention of Ann Walker to submit a representation objecting to the application in its current form, on behalf of the Licensing Authority, as it undermines the crime and disorder licensing objective, and does not meet the requirements of the Council's Cumulative Impact Policy. The Policy requires the applicant to demonstrate how the proposed operation will not add to the cumulative impact on the area.

On 1 April 2020, the Licensing Committee adopted the latest Cumulative Impact Policy (CIP) following submission of evidence from Derbyshire Constabulary, and is included within Appendix 3 of the Council's current Licensing Policy. The evidence submitted to the Licensing Committee, indicated there was still a cumulative impact of licensed premises in the identified area within the inner-city ring road, affecting the licensing objectives, specifically crime and disorder.

The evidence included the increased number of incidents and crimes occurring between the hours of midnight and 05:00hrs.

The Licensing Policy states at paragraph 6.8:

"A special policy would not prevent the Council considering future applications as each application is considered on its own merits. However, where a special policy has been agreed, applications for a licence will normally be refused where relevant representations have been made. The applicant will need to demonstrate how the premises would not add to the cumulative impact on the area concerned"

The Cumulative Impact Policy states at paragraph 2.1:

"There will be a presumption to refuse relevant new applications for premises licences or club certificates, or variation applications to existing licences or certificates, unless the applicant can demonstrate that the premises will not add to the existing cumulative impact of licensed premises within the cumulative impact policy zone. The onus therefore falls on applicants to demonstrate this in their operating schedules."

Having considered the application and [REDACTED] submission in Part M of the application, there is no evidence that he has considered the Cumulative Impact Policy when drafting the application. Apart a brief reference to a CCTV system and generic risk assessment and fire risk assessment.

[REDACTED] was contacted through email during the consultation period and it was suggested he consider the CIP to help him demonstrate how his proposed business operation would not add negatively to the existing cumulative impact of the area.

[redacted] response was to add:

'Preventing Nuisance- we will have posters for customers to leave quietly.
Protection of Children- children won't be allowed after 11pm in the shop.'

Considering the additional information supplied by [redacted] and the contents of the operating schedule in his application form, I am of the opinion, he has not sufficiently demonstrated to the Licensing Authority as to how his business would not add negatively to the cumulative impact of the area, if he was to be granted a premises licence.

Please accept this as a formal representation under section 18(3) of the Licensing Act 2003, and in light of the concerns mentioned previously, respectfully request the application be refused.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

As above, consideration has not been given the licensing objective of preventing crime and disorder. Issues with crime and disorder, specifically during the hours of midnight and 05:00hrs, have been recognised by the Licensing Authority and that concern has resulted in the adoption of a Cumulative Impact Policy. There is no blanket ban on applications located within the CIP area, but the applicant must demonstrate how he/she intends to eliminate any addition to the cumulative impact in the area, primarily the impact of potential crime and disorder. In this particular case, no such information has been submitted.

Return your completed form to:

By post: Licensing Officer Derby City Council Communities Environment &
Regulatory Services Council House Corporation Street Derby DE1 2FS.

by email: licensing@derby.gov.uk

Licensing – Privacy Notice

How is your information used?

We may use your information to: process applications, investigate and prosecute relevant illegal activities, investigate and prosecute Corporate Fraud; send you communications that you have requested or that may be of interest; ask agencies, government departments or other public bodies to give us information they have about you; check information you have provided, or information about you that someone else has provided, with other information we hold; get information about you from certain third parties, or give information to them to check the accuracy of information, prevent or detect fraud or protect public funds. These third parties include Government Departments, other Local Authorities and private sector companies, as allowed by law.

Who has access to your information?

We may share your information with:

- Other Council Departments – to ensure we meet our statutory duties; or to collect debt, and prevent fraud and the misuse of public funds.

- External organisations, for example, HM Revenues & Customs, the Department of Work and Pensions, the Police, the Audit Commission and other enforcement agencies and third parties, for other purposes allowed by law, including, to prevent fraud and the misuse of public funds.

For further information about how your personal information will be used, please visit www.derby.gov.uk/privacy-notice/ where you can see a full copy of our privacy notice. Alternatively you can request a hard copy from - licensing@derby.gov.uk

Ann Walker

From: Ann Walker
Sent: 31 May 2022 14:13
To: Licensing
Subject: FW: Pizza Palace - New Premises Licence Application

Additional information from [REDACTED]

Ann Walker | Senior Environmental Health Officer | Licensing | Communities & Place | The Council
House, Corporation Street, Derby DE1 2FS | Telephone 01332 641945 | Minicom 01332 640666
| www.derby.gov.uk

From: [REDACTED]
Sent: 27 May 2022 10:19
To: Ann Walker <Ann.Walker@Derby.gov.uk>
Subject: Re: Pizza Palace - New Premises Licence Application

CAUTION: This email originated from outside of the organisation. Do not reply, click links or open attachments unless you recognise the sender and know the content is safe.

Hi Ann,

We have put external lighting and cctv 24 hours for 32 days in the application.

In addition,
Preventing Nuisance- we will have posters for customers to leave quietly.

Protection of Children- children won't be allowed after 11pm in the shop.

Is there a link to access CIP online because the link you previously sent isn't working.

On Fri, 27 May 2022 at 08:14, Ann Walker <Ann.Walker@derby.gov.uk> wrote:

Hello,

I do not appear to have received any reply to my email that was forwarded to you on 11 May. I attached a copy of the email.

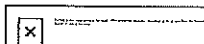
As I have had no reply I will be submitting a representation to the Licensing Team, asking for your application for a new premises licence to be refused. This is because I believe, you have failed to demonstrate how your proposed operation will not add negatively to the cumulative impact in the vicinity of the city centre, specifically late at night and early hours of morning.

Please contact me on 01332 641945 if you wish to discuss this issue before the consultation period ends on 31 May 2022.

Regards

Ann

Ann Walker | Senior Environmental Health Officer | Communities & Place | The Council House,
Corporation Street, Derby DE1 2FS | Telephone 01332 641945 | Minicom 01332 640666
| www.derby.gov.uk



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----- Forwarded message -----

From: Ann Walker <Ann.Walker@derby.gov.uk>
To: [REDACTED]
Cc:
Bcc:
Date: Wed, 11 May 2022 10:49:00 +0000
Subject: Pizza Palace, 57 Green Lane

Hello [REDACTED]

I refer to your recent application for a new premises licence for Pizza Palace, 57 Green Lane, Derby.

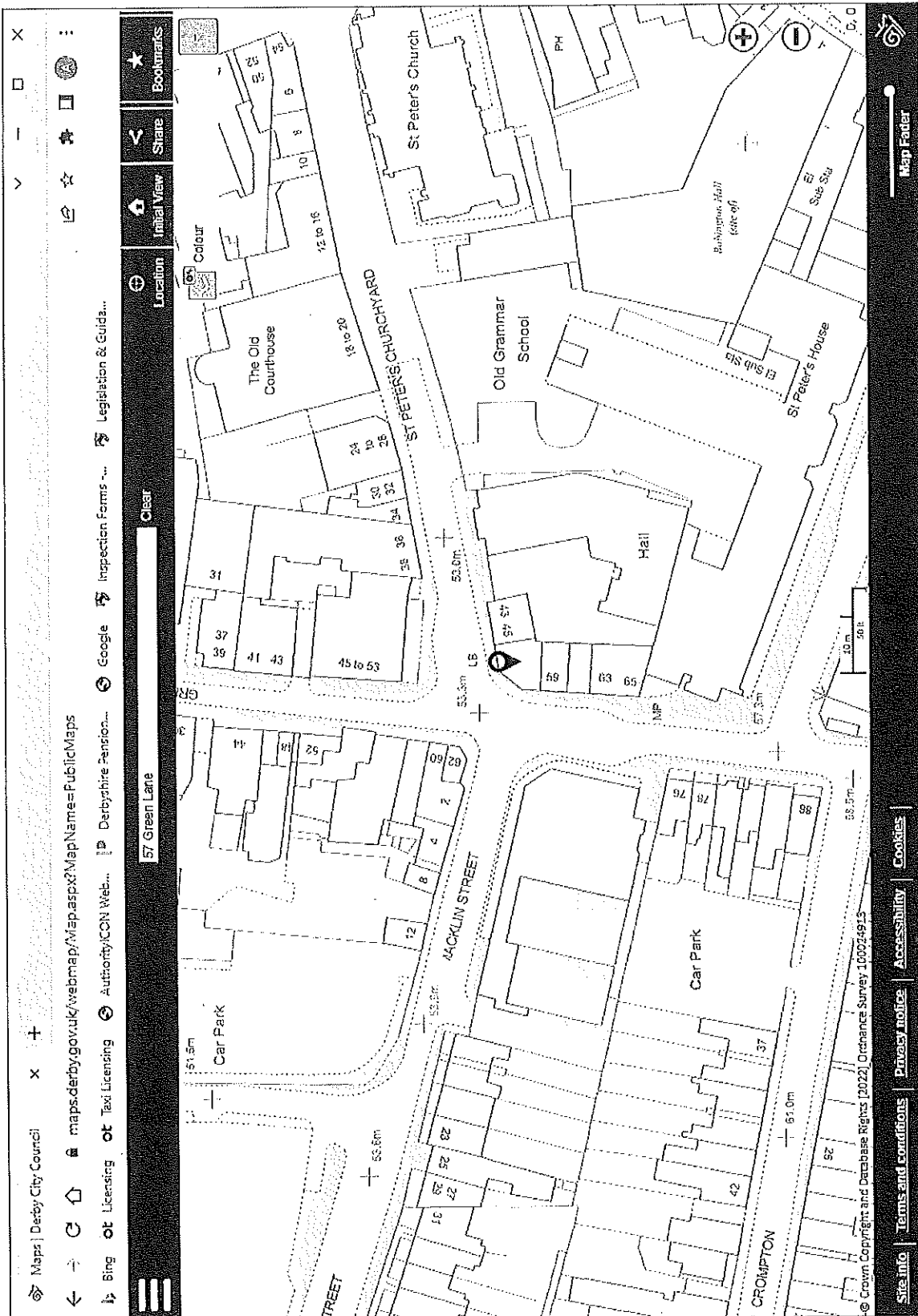
In my role, acting on behalf of the Licensing Authority as a responsible authority under the Licensing Act 2003, I have some queries with the application submitted.

How is your application with a terminal hour of 2am Sunday to Thursday and 4am on Fridays and Saturdays not going to negatively affect the cumulative impact on the area, specifically during those early hours of the morning, such as between 1am and 5am? Specifically concerning the four licensing objectives.

What procedures / policies will you have in place to deal with any foreseen issues?

You do not seem to have considered the Council's Cumulative Impact Policy within your application. Here is a link to the Council's policy on the website for full details:

APPENDIX 3



1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The History of the United States of America". The author is "John Adams". The date is "1776".