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Tuesday, 9 April 2024

To All Councillors:

As a Member or Substitute of the **Licensing & Appeals Sub-Committee**, please treat this as your summons to attend a meeting on **Wednesday, 17 April 2024 at 10.30 am** in the **Committee Room, Town Hall, Matlock DE4 3NN**

Yours sincerely,

Helen Mitchell  
Director of Corporate and Customer Services

This information is available free of charge in electronic, audio, Braille and large print versions, on request.

For assistance in understanding or reading this document or specific information about this Agenda or on the “Public Participation” initiative please call the Committee Team on 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## **AGENDA**

### **1. APOLOGIES FOR ABSENCE**

Please advise the Democratic Services Team on 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk) of any apologies for absence.

### **2. ELECTION OF A CHAIR**

Proposal that a Member of the Sub-Committee be elected Chair.

### **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 the time.

#### **4. EXCLUSION OF PUBLIC AND PRESS**

At this point the Committee will consider excluding the public and press in order to 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 NEW PREMISES LICENCE - PEAK ALES LTD, ARTISAN UNITS 3-6, LONGSTONE LANE, ASHFORD IN THE WATER, DE45 1NH (Pages 3 - 40)**

This report informs the Committee of an application made under section 17 of the Licensing Act 2003, by Peak Ales Ltd, for a Premises Licence, for the sale of alcohol by retail to the public for consumption both on and off the premises from Unit 3, Artisan Units, Ashford in the Water.

#### **Members of the Committee Nominated to hear this Appeal:**

Councillors John Bointon, Joanne Linthwaite and Steve Wain

#### **NOTE**

For further information about this Agenda or on "Public Participation" call 01629 761133 or email [committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)



**OPEN REPORT**  
**LICENSING AND APPEALS AGENDA ITEM 5**

**Licensing and Appeals Sub-Committee – 17<sup>TH</sup> April 2024**

**Licensing Act 2003 - Application for New Premises Licence  
Peak Ales Ltd, Artisan Units 3 – 6, Longstone Lane, Ashford in the Water,  
DE45 1NH**

**Report of Director of Place and Economy**

**Report Author and Contact Details**

Grace Dowson, Licensing Manager  
01629 761344 or [grace.dowson@derbyshiredales.gov.uk](mailto:grace.dowson@derbyshiredales.gov.uk)

**Wards Affected**

Bakewell

**Report Summary**

This report informs the Committee of an application made under section 17 of the Licensing Act 2003, by Peak Ales Ltd, for a Premises Licence, for the sale of alcohol by retail to the public for consumption both on and off the premises from Unit 3, Artisan Units, Ashford in the Water .

Full details of the application for the new licence and the procedure for processing it are included in the report.

The Committee is asked to consider a representation objecting to the application. This was received from a resident. The objection has been made on the grounds that public safety and the prevention of public nuisance licensing objectives, would be undermined if the licence was granted.

**Recommendations**

That the application for a Premises Licence, made by Peak Ales Ltd, to allow the sale of alcohol to take place at Peak Ales Ltd, Artisan Units, Unit 3, Longstone Lane, Asford- in the - Water, be determined

**List of Appendices**

- Appendix 1 – Application Form and Premises Plans
- Appendix 2a – Schedule of Mandatory and Volunteered Conditions
- Appendix 2b – Schedule of Conditions agreed with Responsible Authorities
- Appendix 3 – Representation from Other Person
- Appendix 4 – Hearings Procedure

**Background Papers**

None

## Consideration of report by Council or other committee

No

## Council Approval Required

No

## Exempt from Press or Public

No

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### 1 The Application

#### 1.1 The Licensable Activities

On 23rd February 2024, an application was received from Peak Ales Ltd. The application is for a Premises Licence, to allow the sale of alcohol at Artisan Units, Unit 3, Longstone Lane, Asford-in-the-Water.

The proposed licensable activities are:

**sale of alcohol** for consumption on/off the premises between the hours of:

- 08.00 am and 11.00 pm Monday to Thursday
- 08.00 am and 11.30pm on Friday/Saturday
- 08.00 am and 22.30pm on Sunday.

**premises opening hours** will be:

- 08.00 am to 23.30pm Monday to Thursday
- 08.00 am to 24.00 Midnight on Friday/Saturday
- 08.00 am to 23.00 Sunday.

- 1.2 The applicant has volunteered measures in the operating schedule part of the application (section M) which they consider will ensure promotion of the licensing objectives. (See section 1.7 below),

A copy of the full application and site plan are included in **Appendix 1** for information.

#### 1.3 Advertising the Application

The legislation requires that the application is served on all the Responsible Authorities, at the same time it is served on the Licensing Authority. Please see table in paragraph 1.9.1 for details of Responsible Authorities and their responses to the application.

- 1.4 The applicant is required to display a notice at the premises (on pale blue coloured paper) for a period of 28 consecutive days and place an advertisement in a local newspaper or similar publication which circulates in the area where there isn't a newspaper, informing local residents and businesses of the application.

The Licensing Authority is required to advertise notice of the application on the District Council's website, and to make available public register copies on request.

1.5 The 28-day period during which the Responsible Authorities and Other Persons could make representations to the Licensing Authority in respect of this application, ended on Thursday 21st March 2024.

1.6 The Operating Schedule – Licence Conditions

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.

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 The legislation allows for any measures that an applicant has volunteered in Section M of the Operating Schedule part of the application, to be translated into licence conditions and (together with the Mandatory Conditions specified in the Licensing Act 2003), to be attached to a premises licence, if granted.

1.8 A schedule of the mandatory licensing conditions and conditions consistent with the measures proposed by the applicant (see Section M of the Application) is produced in **Appendix 2 (a)** for the Committee’s consideration

1.9 **Representations**

1.9.1 Responsible Authorities

During the consultation period, the application was provided to the Responsible Authorities for consideration. The responses received from the Responsible Authorities are detailed in the following table:

Derbyshire Police Authority (North Division)	Additional conditions agreed attached at <b>Appendix 2(b)</b>
DDDC Environmental Health Public Health Team (Noise Pollution)	“...I have no objections to this application for a Premises Licence..”
DDDC Environmental Health – Commercial Team (Health & Safety).	“...I don’t really have any concerns for this application, except they need to register with the service. I have emailed them separately now...”.
Derbyshire Fire & Rescue Service (Buxton)	No response.
Peak District National Park Authority (PDNPA)	No response.
Derbyshire County Council Trading Standards	Additional conditions agreed attached at <b>Appendix 2(b)</b>
Derbyshire County Council’s Children’s Services - Safeguarding	“There are no objections to the above from a child safeguarding perspective. perspective...”
Derbyshire County Council Public Health	No response.
DDDC – Licensing Authority	No response required.

## 1.9.2 Other Persons

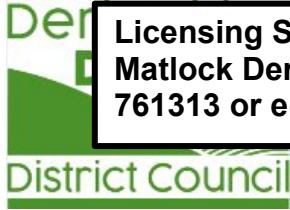
During the consultation period, 1 representation in respect of the application was received from a resident.

The representation, was made on the grounds that if this licence is granted the public safety and the prevention of public nuisance licensing objectives, would be undermined.

The representation is produced in **Appendix 3**, for the Committee's consideration

## 2 **The Hearing**

- 2.1 The Sub-Committee consists of 3 Members drawn from the full Licensing and Appeals Committee. The Members are Councillors Steve Wain, John Bointon and Joanne Linthwaite.
- 2.2 The Sub-Committee will be advised by Kerry France, Legal Services, and the report will be introduced by Grace Dowson, Licensing Manager.
- 2.3 A copy of the procedure to be followed by the Sub-Committee is set out in **Appendix 4**, for information.
- 2.4 In determining the application for a premises licence the Sub-Committee will consider the measures proposed by the applicant to promote the 4 licensing objectives and any relevant representation received and not withdrawn. The Committee will also take into account the provisions of the 2003 Act, and the most current Statutory Guidance issued to Licensing Authorities under section 182 of the Act. (December 2023).
- 2.5 The Committee will have regard to the District Council's most current Licensing Policy Statement republished under section 5 of the 2003 Act. The Policy was reviewed and republished in January 2021 (to be reviewed again no later than January 2026).
- 2.6 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 the activities;
  - and/or attach conditions consistent with the Operating Schedule part of the application,
  - or other conditions deemed necessary and proportionate for the promotion of the licensing objectives.



**Licensing Section Regulatory Services Town Hall  
 Matlock Derbyshire DE4 3NN Enquiries: (01629)  
 761313 or e-mail [licensing@derbyshiredales.gov.uk](mailto:licensing@derbyshiredales.gov.uk)**

**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** Peak Ales 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 am 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 <b>Peak Ales Ltd; Artisan Units 3-6, Longstone Lane, Ashford-in the-Water,</b>			
<b>Post town</b>	Bakewell	<b>Postcode</b>	DE45 1NH

Telephone number at premises (if any)	<b>01246 583737</b>
Non-domestic rateable value of premises	<b>£23500</b>

**Part 2 - Applicant details**

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

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                          |                             |
| i as a limited company/limited liability partnership | x                        | 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) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> | 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 X
- 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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes			
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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.**

Peak Ales Ltd
Cunnery Barn, Chatsworth, Pilsley, Bakewell, Derbyshire, DE45 1EX
Registered number (where applicable) 09483013
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

0	1	0	4	2	0	2	4
---	---	---	---	---	---	---	---

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)

Peak Ales Limited is a microbrewery based in Artisan Units at Longstone Lane, Ashford-in-the-Water. The premises are rural in nature with only one holiday home as a near neighbour. The units were built 2013/14. Peak Ales Ltd have been tenants since their completion and now occupy Units 3,4,5 & 6. Peak Ales Ltd sell beers and spirits to the local on & off trade and wish to sell alcohol by retail to the public for consumption both on and off the premises from Unit 3. Consumption on the licenced premises is indicated on the plan and is primarily external to the units 3 & 4 extending over the forecourt.

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

- 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**

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

## B

Films Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 4)	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

# C

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

## D

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

# E

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

# F

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



# G

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

# H

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

# I

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)           <b>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</b> (please read guidance note 6)		
Mon	0800	2300			
Tue	0800	2300			
Wed	0800	2300			
Thur	0800	2300			
Fri	0800	2330			
Sat	0800	2330			
Sun	0800	2230			

**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):**

<b>Name</b> Robert Graham Evans	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b> LN/000003241	
<b>Issuing licensing authority (if known)</b> Derbyshire Dales District Council	

**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).  
Not applicable.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0800	2330	<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)
Tue	0800	2330	
Wed	0800	2330	
Thur	0800	2330	
Fri	0800	2400	
Sat	0800	2400	
Sun	0800	2300	

**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)

This application is made to allow Peak Ales Ltd to sell alcohol by retail for consumption on and off the premises at the microbrewery site.  
A majority of sales are likely to be off-sales. The majority of on-sales will be pre-planned and organised events usually at the weekend. There will be on-sales to visitors who have visited the site for tours which may occur during the week and in the evenings.

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

It is not proposed to sell alcohol for consumption before 11:00hrs. The site is protected by a CCTV system and exterior movement sensitive lighting. CCTV cameras are installed outside the premises and will be maintained. The system is fit for purpose providing an image of identification standard. Images shall be maintained for at least 31 days and shall be made available to officers of a responsible authority on request.

**c) Public safety**

The licence holder will comply with all relevant Health & Safety legislation and Peak Ales Ltd own Health & Safety policy will be reviewed in light of the new circumstances. There are no steps on the premises and appropriate lighting is installed. Consumption on site is primarily external to the premises.

Special Events Risk Assessment:

The DPS (or persons nominated by them) will undertake risk assessments of upcoming events held at the premises that are likely to result in additional custom and/or change to the usual customer base at the premises. The risk assessment will be recorded in the incident log and will detail: Nature of the event, likely attendance, any special staffing requirements, whether door-staff are to be employed.

**d) The prevention of public nuisance**

It is not considered that the licensable activities will give rise to public nuisance. The premises are in a rural location at the edge of Ashford-in-the-Water. There is plenty of off-road vehicle parking available at the site for customers/visitors.

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

Challenge 25 policy will be in operation. Full training is provided to staff on commencement of employment on the law relating to all age restricted products and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training will be provided at regular 6 month intervals. Anyone who appears under 25 will be asked to prove their age with PASS card, Driving Licence or Passport verification. Failure to provide satisfactory proof of age will result in a refused sale. Clear prominent signage informing customers of the age verification policy will be clearly displayed. A system of recording sales refused under age verification policy will be operated at all times. This record will be reviewed by the DPS, (or a

deputy approved in writing), monthly and advise if any change in operating procedures is required following review. A refusal record will be kept on the premises for production to an officer of a responsible authority. Records will be kept for a minimum of 2 years.

Children under 16 will need to be accompanied by an adult while on the premises.

Remote sales: our terms and conditions state that you must be over 18 to use the website and

all website users must confirm they are over 18 via age verification. Customers are made aware that alcohol can only be delivered to persons aged over 18 who may be asked to age verify.

**Checklist:**

**Please tick to indicate agreement**

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


**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> </ul>
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	<ul style="list-style-type: none"> <li>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)</li> </ul>
Signature	
Date	21/02/2024
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			

All personal information provided to Derbyshire Dales District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it was given and may be shared with other Council departments or third party organisations.



## 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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser

- gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. 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.
  8. 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'.
  9. 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.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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### **MANDATORY CONDITION: SUPPLY OF ALCOHOL**

- (1) No supply of alcohol may be made under the premises licence:
  - a. at a time when there is no Designated Premises Supervisor in respect of the premises licence, or
  - b. at a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **MANDATORY CONDITION: IRRESPONSIBLE PROMOTIONS**

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

### **MANDATORY CONDITION: FREE TAP WATER**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **MANDATORY CONDITION: PROOF OF AGE SCHEME**

- (a) The premises Licence Holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (b) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - (i) a holographic mark, or
  - (ii) an ultraviolet feature.

**MANDATORY CONDITION: REQUIREMENT TO MAKE SMALL ALCOHOL MEASURES AVAILABLE**

The responsible person shall ensure that:-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**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—
    - (i) P is the permitted price,
    - (ii) 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



- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,
  - (ii) the Designated Premises Supervisor (if any) in respect of such a licence, or
  - (iii) the personal Licence Holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(a).

### **MANDATORY CONDITION: EXHIBITION OF FILMS**

The admission of children to film exhibitions is to be restricted in accordance with film classification recommendations made by the British Board of Film Classification.

### **MANDATORY CONDITION: DOOR SUPERVISORS**

Any individual(s) at the premises carrying out a security activity must be licensed by the Security Industry Authority, as required by section 21 of the Licensing Act 2003.

### **CONDITIONS CONSISTENT WITH OPERATING SCHEDULE provided by Applicant:**

#### **General**

This application is made to allow Peak Ales Ltd to sell alcohol by retail for consumption on and off the premises at the microbrewery site.

A majority of sales are likely to be off-sales. The majority of on-sales will be pre-planned and organised events usually at the weekend. There will be on-sales to visitors who have visited the site for tours which may occur during the week and in the evenings.

#### **Prevention of Crime and Disorder**

It is not proposed to sell alcohol for consumption before 11:00hrs. The site is protected by a CCTV system and exterior movement sensitive lighting. CCTV cameras are installed outside the premises and will be maintained. The system is fit for purpose providing an image of identification standard. Images shall be maintained for at least 31 days and shall be made available to officers of a

#### **Public Safety**

The licence holder will comply with all relevant Health & Safety legislation and Peak Ales Ltd own Health & Safety policy will be reviewed in light of the new circumstances. There are no steps on the premises and appropriate lighting is installed. Consumption on site is primarily external to the premises.

Special Events Risk Assessment:

The DPS (or persons nominated by them) will undertake risk assessments of upcoming events held at the premises that are likely to result in additional custom and/or change to the usual customer base at the premises. The risk assessment will be recorded in the incident log and will detail: Nature of the event, likely attendance, any special staffing requirements, whether door-staff are to be employed.

### **The Prevention of Public Nuisance**

It is not considered that the licensable activities will give rise to public nuisance. The premises are in a rural location at the edge of Ashford-in the-Water. There is plenty of off-road vehicle parking available at the site for customers/visitors.

### **The Protection of Children from Harm**

Challenge 25 policy will be in operation. Full training is provided to staff on commencement of employment on the law relating to all age restricted products and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training will be provided at regular 6 month intervals. Anyone who appears under 25 will be asked to prove their age with PASS card, Driving Licence or Passport verification. Failure to provide satisfactory proof of age will result in a refused sale. Clear prominent signage responsible authority on request informing customers of the age verification policy will be clearly displayed. A system of recording sales refused under age verification policy will be operated at all times. This record will be reviewed by the DPS, (or a

deputy approved in writing), monthly and advise if any change in operating procedures is required following review. A refusal record will be kept on the premises for production to an officer of a responsible authority. Records will be kept for a minimum of 2 years.

Children under 16 will need to be accompanied by an adult while on the premises.

Remote sales: our terms and conditions state that you must be over 18 to use the website and all website users must confirm they are over 18 via age verification. Customers are made aware that alcohol can only be delivered to persons aged over 18 who may be asked to age verify.

**Conditions agreed with Police.**

1. Where outside areas are provided for the use of patrons, facilities for the disposing and collecting of litter will be maintained.
2. The premise licence holder/DPS will carry out a risk assessment of any, large events to take place at the premise and will consider the use of plastic or toughened glass drinking vessels for such events.

**Trading Standards Conditions agreed:**

1. Full training is provided to all staff, including those making deliveries on, commencement of their employment on the law relating to all age restricted products and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training will be provided at regular 6 month intervals. Records detailing the training provided will be kept for a minimum of 2 years and made available to an authorised officer of a responsible authority.
2. A challenge 25 policy will be in operation at all times. Anyone attempting to purchase alcohol who appears to be under the age of 25 will be asked to prove their age. The only forms of acceptable identification shall be either; a valid photographic driving licence, a valid Passport, military identification or any other approved recognised form of photographic identification incorporating the PASS logo. Failure to provide satisfactory proof of age will result in a refused sale.
3. Clear prominent signage informing customers of the age verification policy will be clearly displayed at the premises and on the website and any social media where alcohol can be ordered.
4. When an order is received either over the telephone or online, the customer will be informed that alcohol will only be delivered to a person aged 18 or over and that the Challenge 25 policy will be adhered to where possible. Details of all orders received will be kept for two years and made available upon request to an authorised officer of a responsible authority.
5. Any alcohol packaged for delivery will be clearly labelled that it contains alcohol. A record of the couriers used to deliver alcohol will be kept on the premises for two years.
6. A system of recording refused sales under the age verification policy will be operated at all times. This record will be reviewed and signed and endorsed by the DPS, (or a deputy approved in writing), monthly and advise if any change in operating procedures is required following review. A refusal record will be kept on the premises for production to an authorised officer of a responsible authority. Records will be kept for a minimum of 2 years.
7. Children under 16 will need to be accompanied by an adult while on the premises.

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VALERIE A. BROWN  
FIELD GATE  
LONGSTONE LANE  
ASHFORD-IN-THE-WATER  
DERBYSHIRE  
DE45 1NH

E mail: [REDACTED]

Ms. E. Tierney  
Licensing Manager,  
Regulatory Services,  
Derbyshire Dales District Council,  
Town Hall,  
MATLOCK  
DE4 3NN

20<sup>th</sup> March 20, 2024

Dear Ms. Tierney,

**RE: Application for Premises Licence, Peak Ales, Longstone Lane,  
Ashford in the Water.**

I wish to register an objection to the above application on the grounds of public safety and public nuisance. I have spoken to the applicant, Mr. R. Evans on 2 occasions and visited the site.

I am a resident of Longstone Lane and a near neighbour of the Brewery. The Brewery has been present for a number of years without incident, but the granting of a full premises licence would cause a significant change in activity and impact.

Longstone Lane is unlit and narrow, single track in places. It provides access to the Monsal Trail within half a mile and is therefore used by significant numbers of pedestrians and cyclists, including local residents, visitors and holiday makers. It is also used by large farm vehicles. Mr. Evans intends to hold organized events primarily, although not exclusively, at weekends, (Section M (a)), which tend to be the busiest time for recreational users on foot or cycles. At such times there would inevitably be an increase in vehicular traffic as well as pedestrians attending the event, possibly leaving after dark, and after the consumption of alcohol. This would pose a danger to public safety.

Mr. Evans intends initially that such events would be relatively infrequent, but the granting of a full licence would allow on site consumption of alcohol throughout the full licensing hours, until 23 30 Monday-Friday, 24 00 on Saturday and 23 00 on Sunday and would not restrict frequency. For infrequent events Mr. Evans could apply for individual event licences as he has done previously, without requiring an unrestricted full licence.

There is also an issue of public nuisance. There are 3 (not 1) holiday cottages immediately adjacent to his premises and one across the lane immediately overlooking his forecourt, and 4 permanent residences, nearby. Regular

outdoor events into the evening may well reduce the attractiveness of these cottages to holiday makers.

Mr. Evans explained to me that he wishes to be able to sell his alcoholic products for consumption on site to business visitors to his premises, and to tour groups. This is perfectly reasonable but could be accommodated by a licence restricting the hours to business hours, e.g. 9am to 6pm, which would be acceptable.

I should appreciate your consideration of the points raised in this letter when assessing this application.

Yours sincerely,

A solid black rectangular box redacting the signature of Valerie A. Brown.

Valerie A. Brown.

## LICENSING & APPEALS COMMITTEE PROCEDURE

- (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 Manager.
- (3) Questions for the Licensing Manager from the Committee.
- (4) Any clarification required from the Licensing Manager from the Objectors.
- (5) Any questions for the Licensing Manager from the Applicant.
- (5) Statements from the Objectors.
- (6) The Committee, the Licensing Manager 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 Manager.
- (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 Manager.
- (12) Summing up by the Licensing Manager.
- (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 Sub-Committee Members.
- (18) At the end of the proceedings, the Chair of the Sub-Committee will inform the parties of the decision. This will be confirmed, in writing within seven days.

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