



Please ask for Charlotte Kearsey
Direct Line: 01246 345236
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The Chair and Members of Licensing
Committee - Group 1
Councillors A Murphy, Perkins, T
Murphy, Rogers and Thornton

19 April 2022

Dear Councillor,

Please attend a meeting of the LICENSING COMMITTEE - GROUP 1 to be held on WEDNESDAY, 27 APRIL 2022 at 11.00 am in Committee Room 1, Town Hall, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Application for a New Premises Licence by J.A.S Oil Ltd, in respect of Station Lane Store, 66c Station Lane, Old Whittington Chesterfield, Derbyshire, S41 9NS (LC170) (Pages 3 - 42)

Yours sincerely,

A handwritten signature in black ink, appearing to read "Randy".

Local Government and Regulatory Law Manager and Monitoring Officer

For publication

Application for a New Premises Licence by J.A.S Oil Ltd, in respect of Station Lane Store, 66c Station Lane, Old Whittington

Meeting: Licensing Committee

Date: Wednesday 27 April 2022

Cabinet portfolio: Health and Wellbeing

Report by: Steve Ashby, Licensing Officer

Ward: Moor

Chesterfield, Derbyshire, S41 9NS (LC170)

For publication

1.0 **Purpose of report**

- 1.1 For Members to hear details of an application for a new premises alcohol licence made by J.A.S Oil Ltd in respect of

Station Lane Store,
66c Station Lane, Old Whittington
Chesterfield,
Derbyshire,
S41 9NS

and determine whether it be

- Granted
- granted with modification
- or refused.

1.2 A relevant representation has been made in respect of the application and not withdrawn. The application cannot be granted under officer delegated authority.

2.0 Premises Details.

2.1 The premise is a commercial property, on a residential street.

2.2 There are retail units on the ground floor including an off-licence and a chip shop. There is private residential accommodation above.

2.3 The following photograph shows the property which is named “The Vape Shop” in this image.



3.0 Application Details

3.1 The application was accepted by the Licensing department on 3rd March 2022 and seeks a Premises Licence for the venue.

- 3.2 The applicant wishes to licence the premises as an off licence seeking the sale and supply of alcohol off the premises between 6.00 am and 11.00 pm daily.
- 3.3 The opening hours for the premises are also identified as 6.00 am to 11.00 pm daily.
- 3.4 The application describes the venue as a “Retail convenience store, intend to sell alcohol to consume off the premises”.

4.0 **Application Process**

- 4.1 Applications for a new Premises Licence are required to be advertised by way of
- A notice in the local press,
 - a site notice displayed at the premises,
 - copies of the application submitted to the Responsible Authorities
 - and details of the application posted on the Chesterfield Borough Council website.
- 4.2 A copy of the application Form is attached at appendix A. The premises plan is attached at appendix B.
- 4.3 The application was advertised in the press appropriately, appearing in the Derbyshire Times on 10th March 2022.
- 4.4 The site notices displayed on the premises, advertising the application were viewed on 4th March 2022 and periodically thereafter, and were found to be compliant with requirements.
- 4.5 The application was submitted on-line. The Licensing Department circulated a copy to the responsible Authorities on 3rd March 2022.

- 4.6 The application was forwarded for inclusion on the Local Authority website on 4th March 2022.
- 4.7 The statutory deadline for representations was 1st April 2022.
- 4.8 Responsible Authorities and Interested Parties (which includes persons or bodies representative of businesses or residents in the vicinity of the premises) are entitled to make representations to the Licensing Authority provided they are relevant representations.
- 4.9 To be relevant, the representation must be made in relation to one or more of the licensing objectives which are: -
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 4.10 Whilst no representation has been received from a Responsible Authority, both Trading Standards and Environmental Health engaged with the applicant.
- 4.11 Trading Standards discussed the “protection of children from harm” licensing objective with the applicant, (Section 18, part e, of the application form) seeking to amend the wording of the operating schedule.
- 4.12 The email discussion agreeing this amendment is shown at Appendix C, including contacting the applicant to identify the changes made. Appendix D shows the effect of the changes on the operating schedule. The original “protecting children from harm” objective has been replaced with the later agreed Trading Standards conditions.
- 4.13 The Local Authority Environmental Health Department also engaged with the applicant, seeking clarification of any control

measures that would be introduced in respect of noise that might arise due to the early opening hour of the store i.e., 6.00 am.

- 4.14 The applicant responded, stating that the early opening hour was to facilitate the sale of newspapers and grocery items such as milk, eggs and bread. There was no intention to receive stock deliveries before 8.00 am. The response satisfied the concerns of the Environmental Health Department. Appendix E shows the emails discussing this matter.
- 4.15 One representation from a nearby resident was received and accepted on 25th March 2022.
- 4.16 A copy of the representation is attached at Appendix F.
- 4.17 A further representation was received in the licensing department on 4th April 2022 and was rejected as it arrived after the statutory deadline.
- 4.18 The accepted representation addresses the following issues

The prevention of crime and disorder

- Anti-social behaviour with previous experience of young people hanging around outside the existing off licence and adults under the influence of intoxicants. The representor describes how this issue was mitigated when the nearby Nisa off licence changed their terminal hour to 8.00 pm. The representor fears a return to the previous problems with the 11.00 pm terminal hour proposed in this new application.

The prevention of public nuisance

- Parking and traffic issues relating to the busy nature of the street and the lack of available parking for users of the retail premises.

General Concerns

The representor expresses the following opinions

- One community store is enough at this location, particularly as the existing store is active within the community, providing fund raising and work experience opportunities.
- There was a community expectation that this new premises (which had been empty for some time) would become a takeaway restaurant and this was acceptable. The opening of a second off licence is not so popular.

5.0 **The licensing objectives, guidance and policy**

5.1 When carrying out its licensing functions in relation to this application, the Committee must do so in accordance with the provisions contained in the Licensing Act 2003 and with a view to promoting the licensing objectives.

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm.

5.2 The Committee must have regard to its Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.

5.3 Where either the applicant or a person who has made relevant representations is aggrieved by the decision of the Licensing Authority, appeal is to the Magistrates' Court.

6.0 **Recommendation**

6.1 That the Committee

- Consider the details and impact of the new premises licence application and the concerns identified in the representation received

- and determines whether the application be granted (including the Trading Standards amendments), granted with modification, or refused.

Steve Ashby
LICENSING OFFICER
14.04.2022

For more information on this report please contact the author,
Steve Ashby on 01246 345780,
email steve.ashby@chesterfield.gov.uk

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Chesterfield
Application for a premises licence
Licensing Act 2003

For help contact
licensing@chesterfield.gov.uk
 Telephone: 01246 345345

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes No

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- Indicate here if you would prefer not to be contacted by telephone

- Are you:
- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

- Is your business registered in the UK with Companies House? Yes No
- Registration number
- Business name If your business is registered, use its registered name.
- VAT number Put "none" if you are not registered for VAT.
- Legal status
- Note: completing the Applicant Business section is optional in this form.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

J.A.S OIL LIMITED COMPANY

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

RETAIL COVENIENCE STORE , INTEND TO SELL ALCOHOL TO CONSUME OFF THE PREMISES

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	70
Street	OXCLOSE PARK VIEW
District	
City or town	SHEFFIELD
County or administrative area	SOUTH YORKSHIRE
Postcode	S20 8GQ
Country	United Kingdom
Personal Licence number (if known)	WEA/LN/000002852
Issuing licensing authority (if known)	WEALDEN DISTRIC COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

STAFF TRAINING,INTRODUCE CHALLENGE 25 SCHEME AS STORE POLICY , INSTALL CCTV SYSTEM RECORD AND KEEP , STAFF WILL BE TRAINED TO RECORD ALL INCEDENTS AND ACCIDENTS , DISPLAY SIGNAGES (No ID No sales, proxy sales & fines, challenge 25 signs) , DESIGNATED AREA TO STORE AND DISPLAY ALCOHOL, KEEP THE PLACE SAFE FOR ELDERLY PEOPLE AND ACCESSABLE FOR THEM AND KEEP THE SHOP AND SURROUNDING ARE TIDY AND LITTER FREE.

b) The prevention of crime and disorder

- 1.We'll be carrying out an internal staff training where we train our staff to sell alcohol according to licensing act2003, for ex; challenge the age, refuse to sell with out ID, identify proxy sale and record every refuse sale in Refusal book.
- 2.install cctv system to identify any shop lifting by underage and for the safety of the public.
- 3.identify drunken people and take the measurements to refuse to sell them and introduce them any council webb/link or hand outs to take control of their drinking habit.
- 4.Designated area to store and display alcohol.
- 5.Display signs (Underage No ID no sales, challenge 25 and proxy sales and penalty notice)

c) Public safety

1. A CCTV system will be installed,recorded and maintained regularly, we'll keep the recordings for minimum of 28 days.
2. We'll not allow any groups to gather around our shop premises, by taking safe measurements ,we'll ask them to move on.
3. Access to the shop for an elderly people and people in wheel chair.
- 4.All incidents and accidents will be recorded by the member of staff immediately .

d) The prevention of public nuisance

1. We'll not encourage any youths to hang around the shop premises.
2. Cctv systems installed and clearly marked.
- 3.We'll put a secure Bin out side for litter and keep the shop surrounding area free from litter

e) The protection of children from harm

1. we'll fully train our staff before they're allow to go behind the till and issue them with authority to sell alcohol and staff training will be review and refresh at regular interval. (Licensing act 2003, challenge 25 and proxy sales and record of refusal).
2. No ID No sales sign clearly displayed at till area and wherever the alcohol drinks are displayed.
3. Staff fully train how to check ID's and No ID's accepted other than Passport or Driving license.
- 4.All refusal sales will be recorded immediately after refusal of a sale.
- 5.Identify any "proxy" sales and refuse them to serve and warn them that is an illegal act and could get fined by the authority.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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.

Continued from previous page...

- 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.

Continued from previous page...

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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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

Continued from previous page...

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, if appropriate. (Please see note 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/chesterfield/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

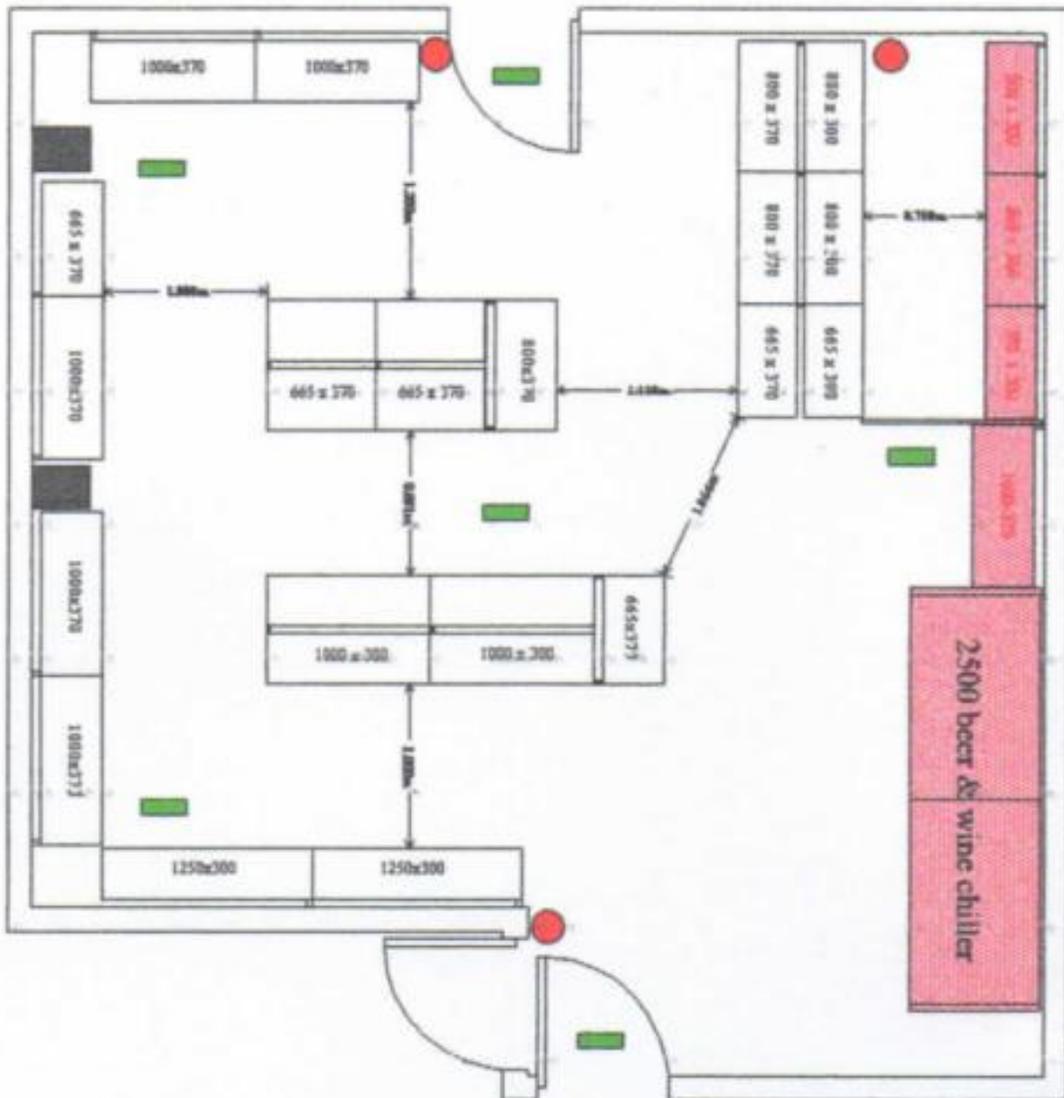
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

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On 4 Mar 2022, at 14:39, Ruth Elliott (Place) <Ruth.Elliott@derbyshire.gov.uk> wrote:

Dear Mr Kumaresan

66C Station Lane, Old Whittington

We are in receipt of a copy of your application to Chesterfield Borough Council for a Premises Licence for the sale of alcohol at the above address

Trading Standards believe that conditions attached to any premises licence should be meaningful, proportionate and enforceable. The current licence does not mention that the training will be documented and there is also no mention that refused sales will be monitored. Trading Standards would like to suggest that the following wording should be attached to the premises licence under the protection of children from harm:

1. Full training is provided to staff on commencement of employment on the law relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training should be provided at regular intervals (at least 6-monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

2. The age verification policy applying to the premises is 'Challenge 25'; that means anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years 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 recognised form of photographic identification incorporating the PASS logo. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- all entry points to the premises,
 - adjacent to the products, where displayed, and
 - all points of sale.
3. A system of recording sales refused under the age verification policy will be operated at all times.

At least weekly, the Designated Premises Supervisor (or deputy, authorised in writing) will:

- examine the record and compare it against the normal operating pattern for the premises
- indicate any action required following that examination
- sign off/endorse the record to indicate the above points have been carried out

The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

Have a read through the above suggested conditions and see if you think they are achievable and acceptable, you need to be happy with the conditions but also you need to be aware that it is their duty to take all reasonable steps to try and prevent underage sales and protect children from harm.

If you want to discuss the wording or change it then please let me know. .

Many thanks for your assistance and I look forward to hearing from.

Kind Regards

Ruth Elliott

Ruth Elliott | Trading Standards Officer | Place | Derbyshire County Council | County Hall, Matlock, Derbyshire DE4 3AG | Direct dial: 01629 539856
Visit us at www.derbyshire.gov.uk | Follow us on [Twitter](#) | Find us on [Facebook](#) |

From: vk sarma KUMARESAN <kvsarma@msn.com>
Sent: 04 March 2022 14:59
To: Ruth Elliott (Place) <Ruth.Elliott@derbyshire.gov.uk>
Subject: Re: New Premises Licence application 66C Station Lane, Old Whittington

Dear Ruth Elliott
Thank you for your email, I've just left a voice Mail on your phone.
Yes I'm Happy to change the wording please give me a call back to discuss.

Kind Regards
Sharma

Sent from my iPhone

From: Ruth Elliott (Place) <Ruth.Elliott@derbyshire.gov.uk>
Sent: 04 March 2022 15:11
To: Steve Ashby <Steve.Ashby@Chesterfield.gov.uk>
Cc: 'kvsarma@msn.com' <kvsarma@msn.com>; NorthDivLicensing@Derbyshire.PNN.Police.UK
Subject: FW: New Premises Licence application 66C Station Lane, Old Whittington

Hi Steve

Station Lane Convenience Store 66C Station Lane, Old Whittington

Please accept this email as confirmation that Trading Standards have agreed with the applicant that the following conditions should be added to the above premises licence following their application. Please see the email thread below and please do not hesitate to contact me should you require any further information.

1. Full training is provided to staff on commencement of employment on the law relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training should be provided at regular intervals (at least 6-monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

2. The age verification policy applying to the premises is 'Challenge 25'; that means anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years 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 recognised form of photographic identification incorporating the PASS logo. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- all entry points to the premises,
 - adjacent to the products, where displayed, and
 - all points of sale.
3. A system of recording sales refused under the age verification policy will be operated at all times.

At least weekly, the Designated Premises Supervisor (or deputy, authorised in writing) will:

- examine the record and compare it against the normal operating pattern for the premises
- indicate any action required following that examination
- sign off/endorse the record to indicate the above points have been carried out

The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

Do not hesitate to contact me if you require any further clarification .

Kind regards

Ruth Elliott

Ruth Elliott | Trading Standards Officer | Place | Derbyshire County Council | County Hall, Matlock, Derbyshire DE4 3AG | Direct dial: 01629 539856
Visit us at www.derbyshire.gov.uk | Follow us on [Twitter](#) | Find us on [Facebook](#) |

From: Steve Ashby <Steve.Ashby@Chesterfield.gov.uk>

Sent: 11 March 2022 10:29

To: vk sarma KUMARESAN <kvsarma@msn.com>

Subject: FW: 66c station Lane S41 9NS

Thank you for the newspaper copy Mr Kumaresan

I have seen your agreed changes with Trading Standards and these will be incorporated into the licence application.

I haven't seen a response as yet from the Environmental Health Officer regarding opening hours.

I'm not at work for the next week, but will pick up your application on my return on 21.03.2022.

If you have any queries in the meantime, please contact our office directly on

Chesterfield.Licensing@Chesterfield.gov.uk

Best regards

Steve

Steve Ashby, Licensing Officer

Chesterfield Borough Council Customer Service Centre

85 New Square, Chesterfield, S40 1AH

Tel: 01246 345780 / email: Steve.ashby@Chesterfield.gov.uk

Original operating Schedule

LICENSING OBJECTIVES

a) General

STAFF TRAINING,INTRODUCE CHALLENGE 25 SCHEME AS STORE POLICY ,
INSTALL CCTV SYSTEM RECORD AND KEEP , STAFF
WILL BE TRAINED TO RECORD ALL INCEDENTS AND ACCIDENTS , DISPLAY
SIGNAGES (No ID No sales, proxy sales & fines, challenge 25 signs) ,
DESIGNATED AREA TO STORE AND DISPLAY ALCOHOL, KEEP THE PLACE
SAFE FOR ELDERLY PEOPLE AND ACCESSABLE FOR THEM AND KEEP THE
SHOP AND SURROUNDING ARE TIDY AND LITTER FREE.

b) The prevention of crime and disorder

- 1.We'll be carrying out an internal staff training where we train our staff to sell alcohol according to licensing act 2003, for ex; challenge the age, refuse to sell with out ID, identify proxy sale and record every refuse sale in Refusal book.
- 2.install cctv system to identify any shop lifting by underage and for the safety of the public.
- 3.identify drunken people and take the measurements to refuse to sell them and introduce them any council webb/link or hand outs to take control of their drinking habit.
- 4.Designated area to store and display alcohol.
- 5.Display signs (Underage No ID no sales, challenge 25 and proxy sales and penalty notice)

c) Public safety

1. A CCTV system will be installed, recorded and maintained regularly, we'll keep the recordings for minimum of 28 days.
2. We'll not allow any groups to gather around our shop premises, by taking safe measurements ,we'll ask them to move on.
3. Access to the shop for an elderly people and people in wheel chair.
- 4.All incidents and accidents will be recorded by the member of staff immediately .

d) The prevention of public nuisance

1. We'll not encourage any youths to hang around the shop premises.
2. Cctv systems installed and clearly marked.
- 3.We'll put a secure Bin out side for litter and keep the shop surrounding area free from litter

e) The protection of children from harm

1. we'll fully train our staff before they're allow to go behind the till and issue them with authority to sell alcohol and staff training will be review and refresh at regular interval. (Licensing act 2003, challenge 25 and proxy sales and record of refusal).

2. No ID No sales sign clearly displayed at till area and wherever the alcohol drinks are displayed.
3. Staff fully train how to check ID's and No ID's accepted other than Passport or Driving license.
4. All refusal sales will be recorded immediately after refusal of a sale.
5. Identify any "proxy" sales and refuse them to serve and warn them that is an illegal act and could get fined by the authority.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE – After liaison with Trading Standards

General

Retail convenience store, intend to sell alcohol to consume off the premises

- Staff training
- introduce challenge 25 scheme as store policy
- install CCTV system record and keep,
- staff will be trained to record all incidents and accidents,
- display signages (no id no sales, proxy sales & fines, challenge 25 signs),
- designated area to store and display alcohol,
- keep the place safe for elderly people and accessible for them
- and keep the shop and surrounding are tidy and litter free.

Prevention of Crime and Disorder

1. We'll be carrying out an internal staff training where we train our staff to sell alcohol according to licensing act 2003, for example.
 - challenge the age,
 - refuse to sell without id,
 - identify proxy sale
 - and record every refuse sale in refusal book.
2. Install CCTV system to identify any shop lifting by underage and for the safety of the public.
3. Identify drunken people and take the measurements to refuse to sell them and introduce them any council web/link or handouts to take control of their drinking habit.
4. Designated area to store and display alcohol.
5. Display signs (underage no id no sales, challenge 25 and proxy sales and penalty notice).

Public Safety

1. A CCTV system will be installed, recorded, and maintained regularly; we'll keep the recordings for minimum of 28 days.
2. We'll not allow any groups to gather around our shop premises, by taking safe measurements, we'll ask them to move on.
3. Access to the shop for an elderly people and people in wheelchair.
4. All incidents and accidents will be recorded by the member of staff immediately.

Prevention of Public Nuisance

1. We'll not encourage any youths to hang around the shop premises.
2. CCTV systems installed and clearly marked.
3. We'll put a secure bin outside for litter and keep the shop surrounding area free from litter.

Protection of Children from Harm

1. Full training is provided to staff on commencement of employment on the law relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training should be provided at regular intervals (at least 6-monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

2. The age verification policy applying to the premises is 'Challenge 25'; that means anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years 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 recognised form of photographic identification incorporating the PASS logo. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- all entry points to the premises,
 - adjacent to the products, where displayed, and
 - all points of sale.
3. A system of recording sales refused under the age verification policy will be operated at all times.

At least weekly, the Designated Premises Supervisor (or deputy, authorised in writing) will:

- examine the record and compare it against the normal operating pattern for the premises
- indicate any action required following that examination
- sign off/endorse the record to indicate the above points have been carried out

The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

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From: Esther Thelwell <Esther.Thelwell@Chesterfield.gov.uk>
Sent: 08 March 2022 08:43
To: Chesterfield Licensing <Chesterfield.Licensing@Chesterfield.gov.uk>
Subject: FW: CBC New Premises Licence application 66C Station Lane, Old Whittington

Whilst I have no objections to the sale of alcohol, I noticed that the shop could be open from 6am.

What control measures will be put in place to minimise noise at this time in the morning?

Regards, Esther

Esther Thelwell
Senior Environmental Health Officer
Environmental Protection Team
Leisure, Culture and Community Wellbeing

From: vk sarma KUMARESAN <kvsarma@msn.com>
Sent: 08 March 2022 14:11
To: Esther Thelwell <Esther.Thelwell@Chesterfield.gov.uk>
Cc: Steve Ashby <Steve.Ashby@Chesterfield.gov.uk>
Subject: RE: CBC New Premises Licence application 66C Station Lane, Old Whittington

Dear Mrs Thelwell

Refer to your concern about the noise control that I can assure you that we'll not take any deliveries by our suppliers before 8.00am at any day and there won't be any deliveries on weekends. Only reason to open at 6.00 am is to sell Newspapers and other groceries items such as Milk, eggs and Bread.

If you need any more information please do not hesitate to contact me.

Kind Regards
V Kumaresan

Sent from my iPhone

From: Esther Thelwell <Esther.Thelwell@Chesterfield.gov.uk>

Sent: 11 March 2022 13:22

To: vk sarma KUMARESAN <kvsarma@msn.com>

Cc: Steve Ashby <Steve.Ashby@Chesterfield.gov.uk>

Subject: RE: CBC New Premises Licence application 66C Station Lane, Old Whittington

Dear V Kumaresan,

Many thanks for your reply.

I have no further comments or objections at this time.

Regards, Esther

RECEIVED

25 MAR 2022

LICENSING

The Licensing Section
Customer Service Centre
85 New Square
Chesterfield
S40 1AH

23/03/2022

Planning Application Description: Notice of application for a premises licence.
Address: Station Lane Store, 66C Station Lane, Chesterfield
Name of applicant: JAS Oil LTD

Dear Sir / Madam

I write to object to the above planning application for the following reasons:

1. Parking – The proposed application does not take in to account the amount of packing or lack of. We constantly see a huge amount of traffic park on the double yellow lines outside the current store 2 shops down. There is not a fit for purpose public car park to meet the demand of two shops. The current parking spaces (x3) will soon be occupied by the tenants in the flats above Nisa Store Local. They applied for planning permission to change these into tenant only. Therefore, there will be no designated parking.
2. Traffic – as with above, the road is a main bus route. Currently with parking being an issue buses are forced to manoeuvre around parked vehicles which as resulted in several accidents and traffic collisions.
3. antisocial behaviour – we have a serious issue with anti-social behaviour and alcohol consumption in Old Whittington. When Nisa Stores changed their opening times and shut the store at 8am we saw a dramatic decline in young people hanging around outside and adults under the influence. I believe offering a licence to sell alcohol until 11pm will create a demand in people drinking more and using the store as somewhere to gather.
4. Community shop – we already have a well-loved community store 2 shops down from this application which sells everything that as a community we need. I believe it would be unfair to cause them further hardship and loss of sales during a difficult time with gas rises etc. The shop has been around a long time and helps the community by fundraising and offering work experience. They have done so much for the community and don't deserve this.

We were initially advised the vacant store we be turned in to a takeaway restaurant, this is something we would have happily agreed to. The store has been emptying for some time and something like this would not create as much footfall/parking as a shop that sells alcohol.

I therefore consider that the proposal to be refused.

Yours faithfully

[Faint signature]