



Please ask for Graham Ibberson
Direct Line:
Email democratic.services@chesterfield.gov.uk

The Chair and Members of Licensing
Committee - Group 1

6 November 2023

Dear Councillor,

Please attend a meeting of the LICENSING COMMITTEE - GROUP 1 to be held on MONDAY, 13 NOVEMBER 2023 at 2.00 pm in Committee Room 2, 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 Dunston Hall Leisure Ltd (Pages 3 - 52)

Yours sincerely,

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

Head of Regulatory Law and Monitoring Officer

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For publication

Application for a New Premises Licence by Dunston Hall Leisure Ltd, in respect of

Meeting:	Licensing Committee
Date:	Monday 13 th November 2023
Cabinet portfolio:	Health and Wellbeing
Report by:	Glenn Holden, Licensing Officer
Ward	Dunston

Dunston Hall, Dunston Road, Dunston, Chesterfield, S41 9RL

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 Dunston Hall Leisure Ltd in respect of

Dunston Hall,
Dunston Road,
Dunston,
Chesterfield,
Derbyshire,
S41 9RL

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1.2 A relevant representation has been made in respect of the application and not withdrawn.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 currently holds a Premises Licence for part of the premises, The Bistro/Restaurant.

2.2 The following photograph shows the property and its position.



3.0 Application Details

3.1 The application was accepted by the Licensing department on 22nd September 2023 and seeks a Premises Licence for the venue.

- 3.2 The applicant wishes to licence the premises as a on and off licence seeking the sale and supply of alcohol on and off the premises between 08.30am and 1.00 am daily. Regulated entertainment – live and recorded music, dance, again daily 12.00pm and 1.00am. Late night refreshment daily 11.00 pm and 1.00 am.
- 3.3 The applicant wishes to separate the premises into distinct areas to limit the above activities and times;
1. Marquee - sale of alcohol daily 1200 to 2300 daily but with a restriction that the sale of alcohol will not take place after 1800 other than 3 times per month.
No regulated entertainment will be provided.
 2. Bistro / Restaurant – sale of alcohol 1200 to 2300 daily but with a restriction that the sale will not take place after 2100 except on 12 occasions per year, as per existing Premises Licence.
 3. Gift Shop and Garden Centre / Glass House – sale of alcohol daily 0830 to 1800.
 4. Barn / Stables – sale of alcohol 1200 to 0100 daily, live, recorded music and performance of dance 1200 to 0000 daily and late-night refreshment 2300 to 0100 daily. This will be restricted to no more than 3 times per week with event that provide regulated entertainment.
 5. Hall - sale of alcohol 1200 to 0100 daily, live, recorded music and performance of dance 1200 to 0000 daily and late-night refreshment 2300 to 0100 daily. This will be restricted to no more than 3 times per week with event that provide regulated entertainment.
 6. Non- standard timings – sale of alcohol to residents 24 hours a day.

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, along with the current premises licence for comparison at Appendix A. The premises plans are attached at Appendix B.

4.3 The application was advertised correctly, appearing in the Derbyshire Times on 28th September 2023.

4.4 The site notices displayed on the premises, advertising the application were correctly displayed.

4.5 The application was forwarded for inclusion on the Local Authority website on 22nd September 2023.

4.6 The statutory deadline for representations was 20th October 2023.

4.7 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.

4.8 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

- 4.9 No representation has been received from a Responsible Authority.
- 4.10 One representation from a nearby resident was received and accepted on 20th October 2023.
- 4.11 The accepted representation addresses the following issues.

The Prevention of Crime and Disorder

- The large number of trained staff to comply the alcohol sale across the site.
- CCTV, lack of detail of coverage

Public Safety

- Number of persons on site
- Number of staff per visitors and compliance under emergency/safety situations etc

The Prevention of Public Nuisance

- Noise nuisance
- Contact details for premises for noise nuisance reporting.

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.

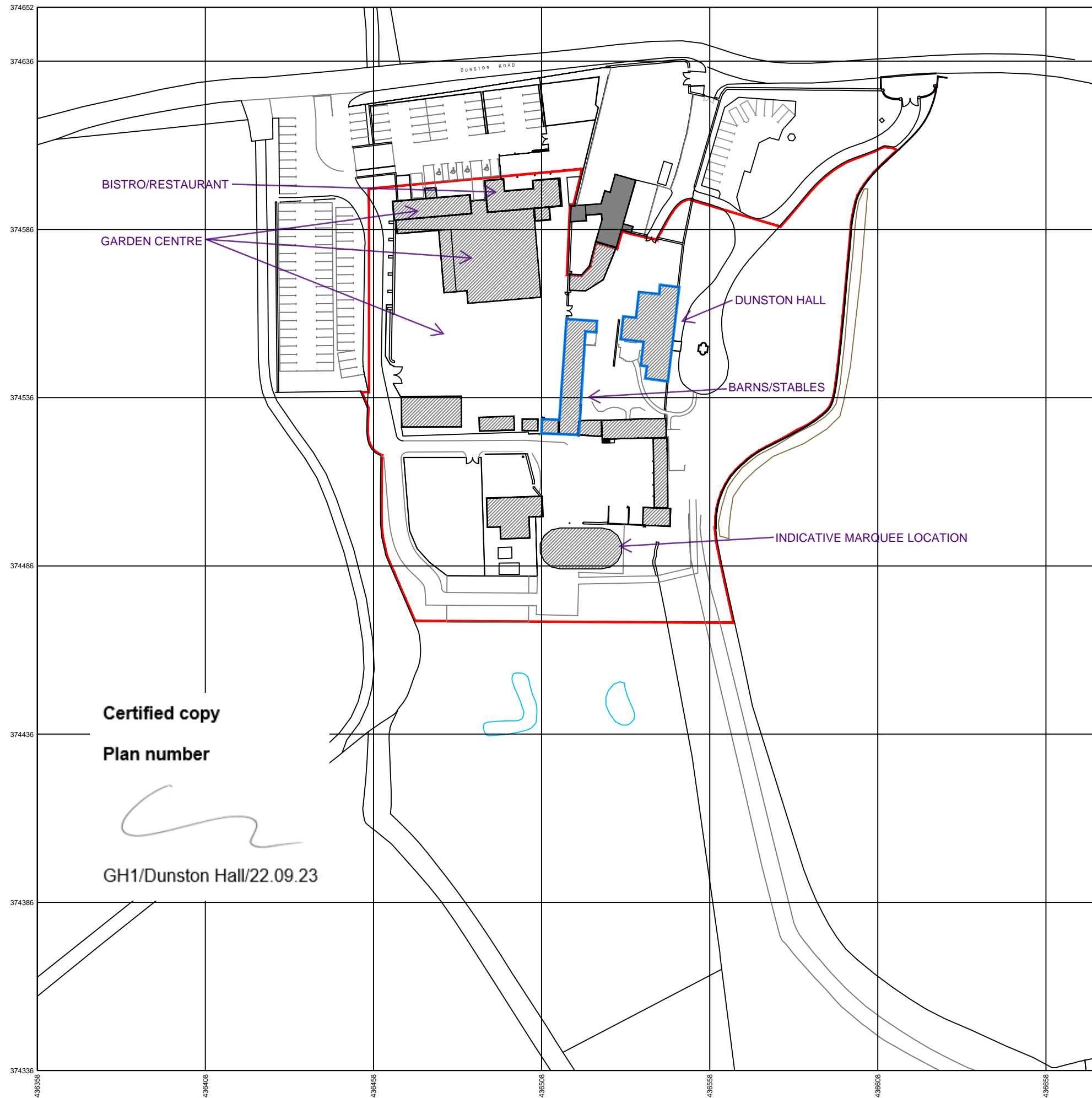
6.0 **Recommendation**

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, granted with modification, or refused.

Glenn Holden
LICENSING OFFICER

For more information on this report please contact the author,
Glenn Holden on 01246 936354,
email glenn.holden@chesterfield.gov.uk



BISTRO/RESTAURANT

GARDEN CENTRE

DUNSTON HALL

BARNS/STABLES

INDICATIVE MARQUEE LOCATION

Certified copy

Plan number

GH1/Dunston Hall/22.09.23

LICENSED AREA
SALE OF ALCOHOL

LICENSED AREA
REGULATED ENTERTAINMENT
& LATE NIGHT REFRESHMENT

REV: DESCRIPTION: BY: DATE:
STATUS:



PROJECT TITLE:
DUNSTON HALL,
DUNSTON ROAD,
CHESTERFIELD,
S41 9RL

CLIENT:
Dunston Hall
Leisure Ltd.

DRAWING TITLE:
SITE PLAN
Proposed extent of site
covered for sales of
alcohol license

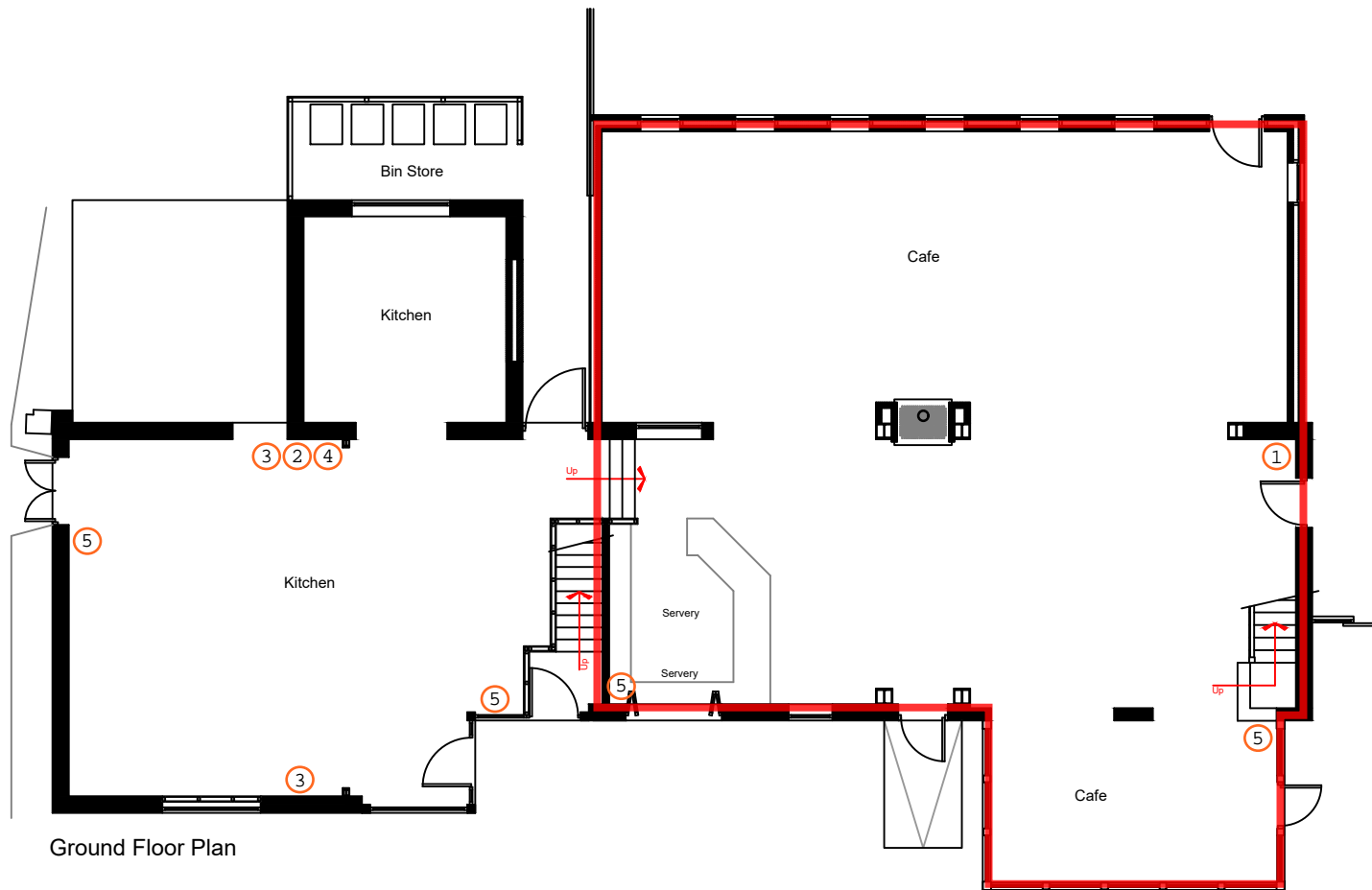
SCALE AT A3: 1:1250 DATE: Apr 23 DRAWN: DG

PROJECT NO: 0010 DRAWING NO: SK056

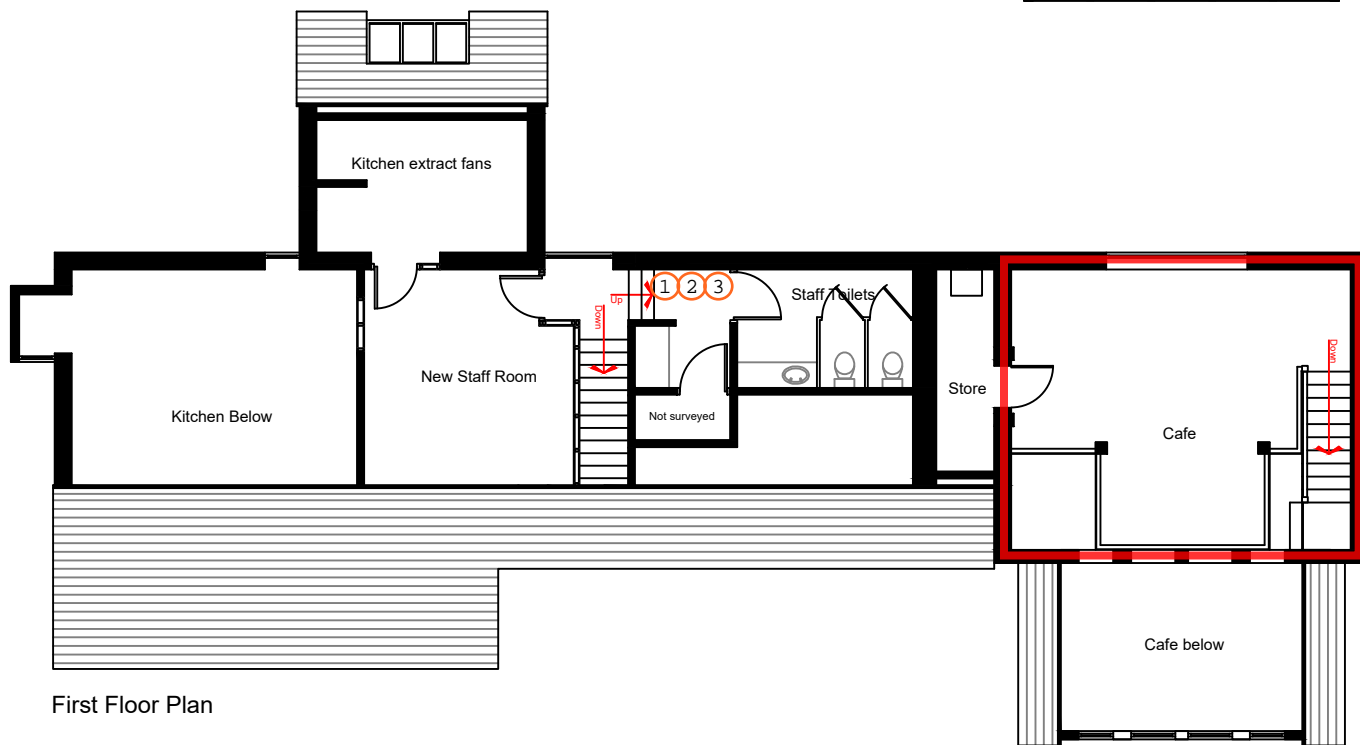
CHECKED: REVISION:



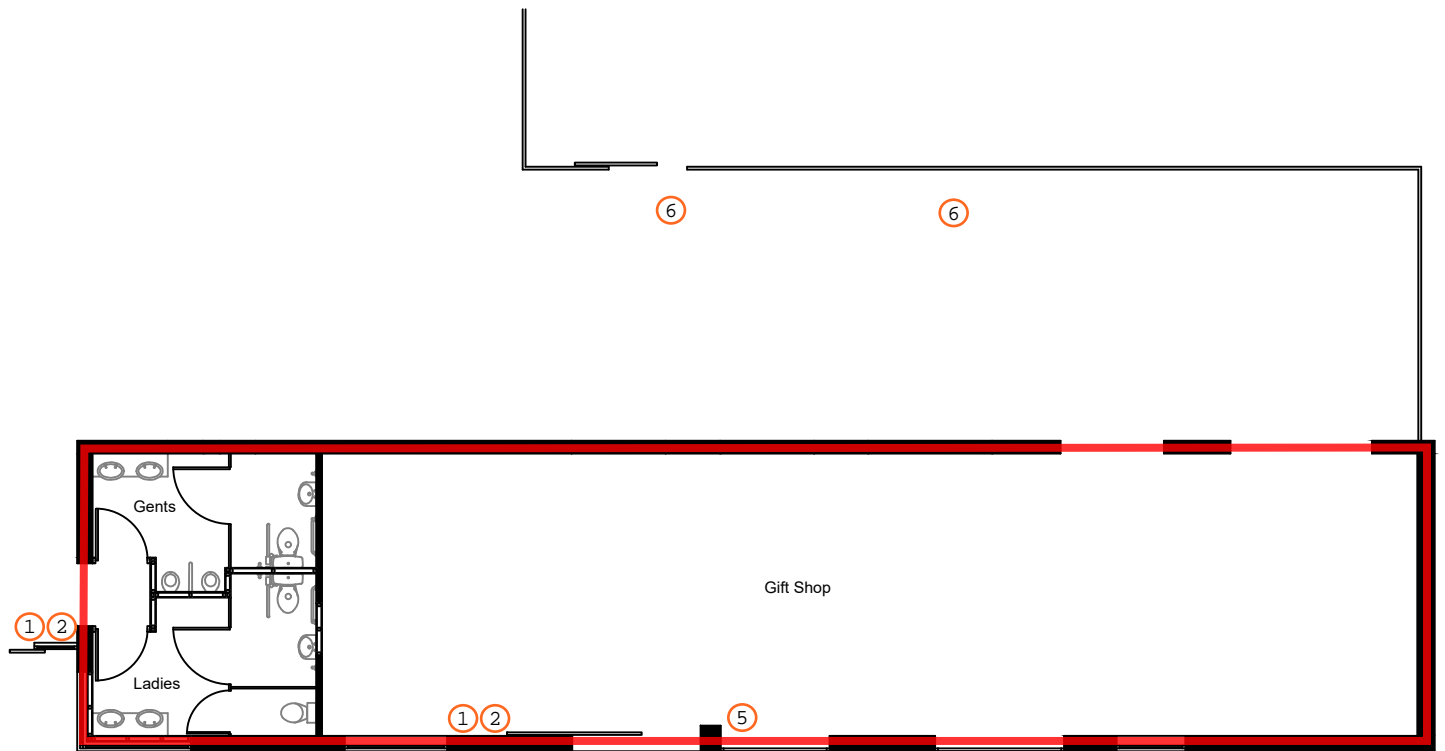
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Ground Floor Plan



First Floor Plan



**BISTRO/RESTAURANT & GIFT SHOP
DRAWING NUMBER:01**

FIRE KEY:

- ① - FOAM FIRE EXTINGUISHER
- ② - CO2 EXTINGUISHER
- ③ - FIRE BLANKET
- ④ - WET CHEMICAL
- ⑤ - CALL POINT
- ⑥ - DIRECTIONAL OVERHEAD FIRE EXIT SIGN
- - LICENSED AREA
SALE OF ALCOHOL

Certified copy

Plan number

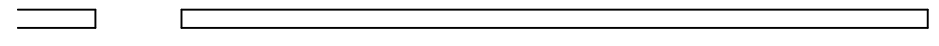
GH1A/Dunston Hall/22.09.23

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FIRE KEY:

- ① - FOAM FIRE EXTINGUISHER
- ② - CO2 EXTINGUISHER
- ③ - FIRE BLANKET
- ④ - WET CHEMICAL
- ⑤ - CALL POINT
- ⑥ - DIRECTIONAL OVERHEAD FIRE EXIT SIGN

 - LICENSED AREA
SALE OF ALCOHOL



Page 13



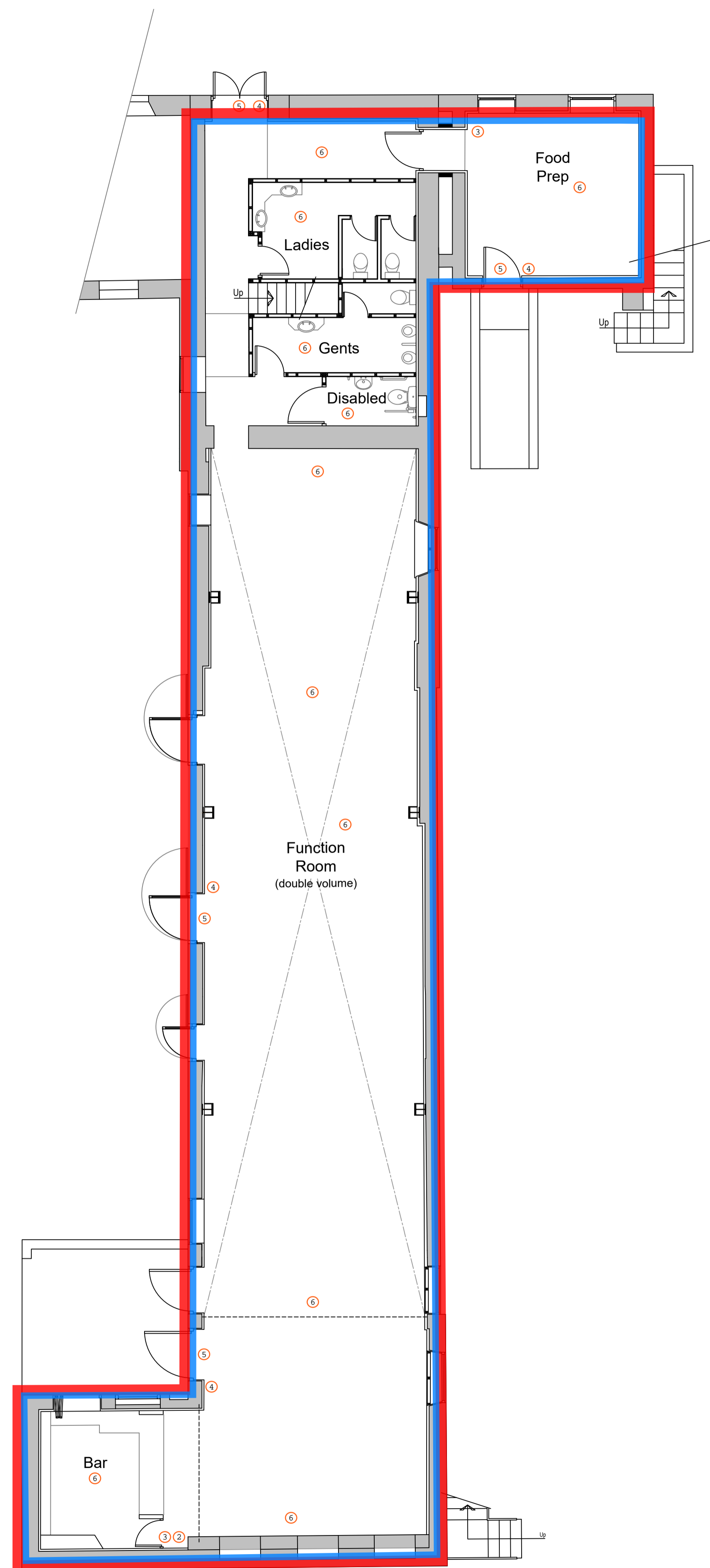
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Plan number

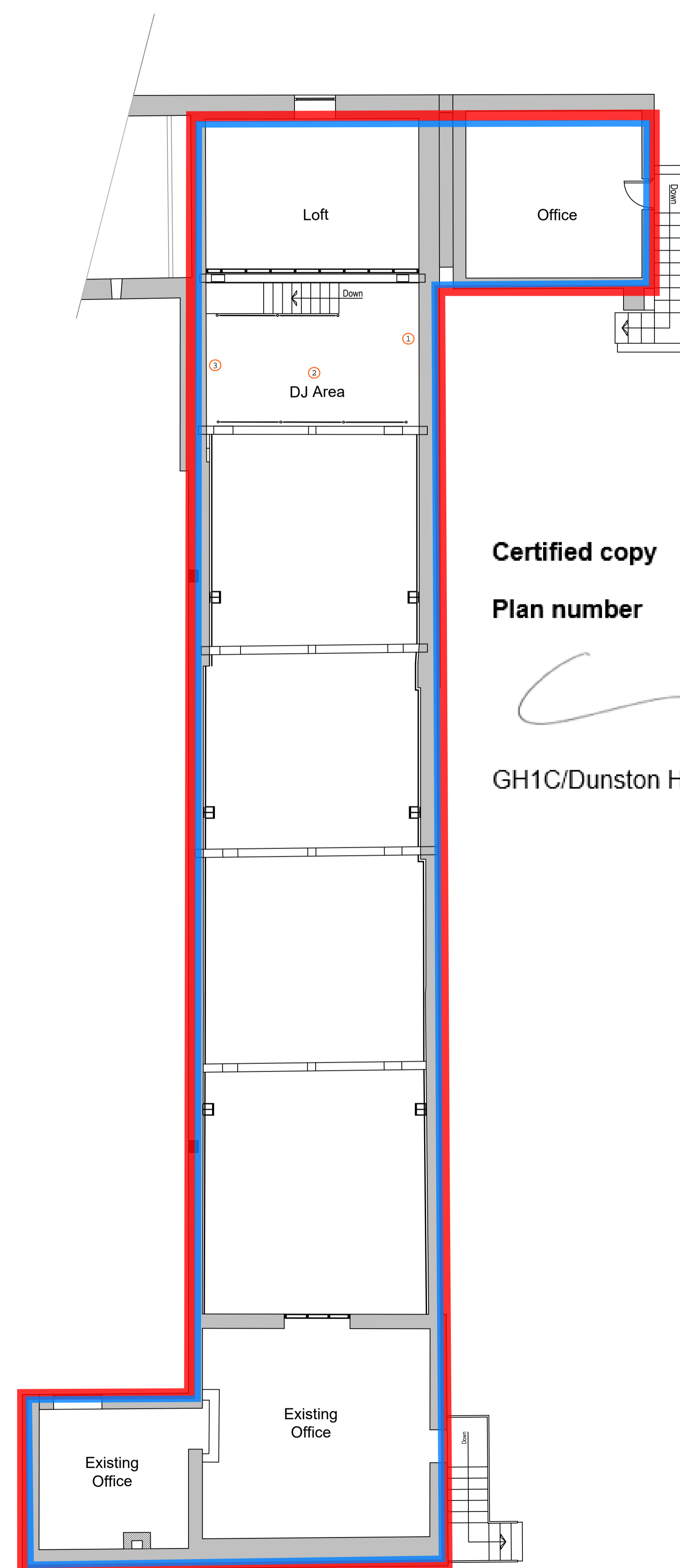
GH1B/Dunston Hall/22.09.23

Any information contained on the plan which is not prescribed under the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 should taken as being illustrative only

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BARN/STABLES



Certified copy

Plan number

GH1C/Dunston Hall/22.09.23

- NOTES
- LICENSED AREA SALE OF ALCOHOL
 - LICENSED AREA REGULATED ENTERTAINMENT & LATE NIGHT REFRESHMENT
- FIRE KEY:
- ① - WATER FIRE EXTINGUISHER
 - ② - FOAM EXTINGUISHER
 - ③ - CO2 EXTINGUISHER
 - ④ - CALL POINT
 - ⑤ - FIRE EXIT
 - ⑥ - SMOKE DETECTOR

REV.	DESCRIPTION:	BY:	DATE:



CLIENT:
Dunston Hall Leisure Ltd.


PROJECT TITLE:
FUNCTION ROOM AT DUNSTON HALL, DUNSTON ROAD, CHESTERFIELD, S41 9RL

DRAWING TITLE:
Floor Plans

SCALE AT A1: 1:75	DATE: Aug 23	DRAWN: DAG	CHECKED:
PROJECT NO: 0010	DRAWING NO: SK060	REVISION:	

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 LICENSED AREA
SALE OF ALCOHOL

 LICENSED AREA
REGULATED ENTERTAINMENT
& LATE NIGHT REFRESHMENT

FIRE KEY:

- ① - FOAM FIRE EXTINGUISHER
- ② - CO2 EXTINGUISHER
- ③ - FIRE BLANKET
- ④ - WET CHEMICAL
- ⑤ - CALL POINT

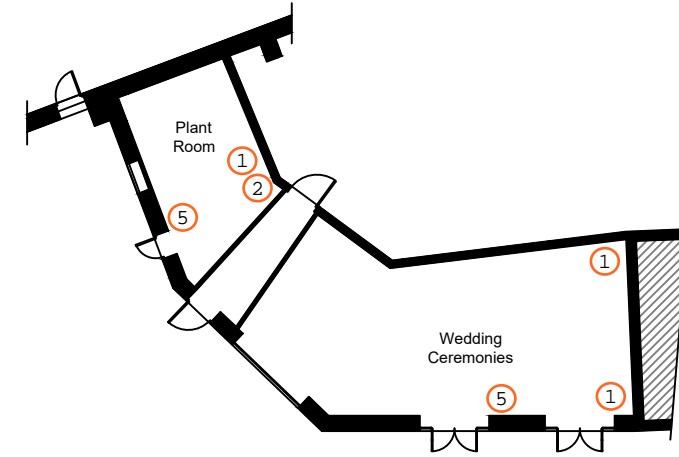
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Plan number



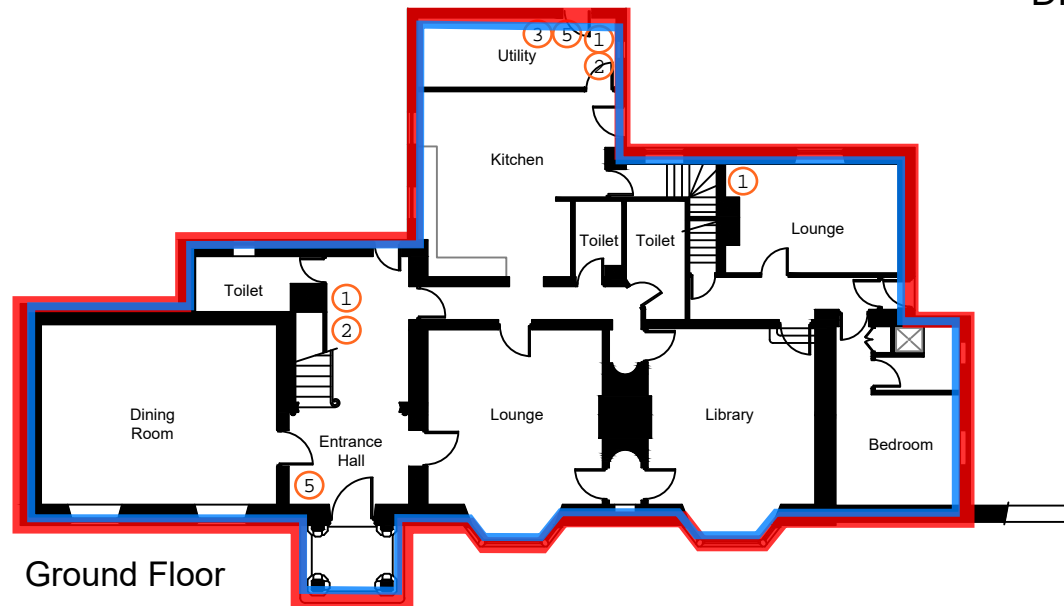
GH1D/Dunston Hall/22.09.23

OUTBUILDING

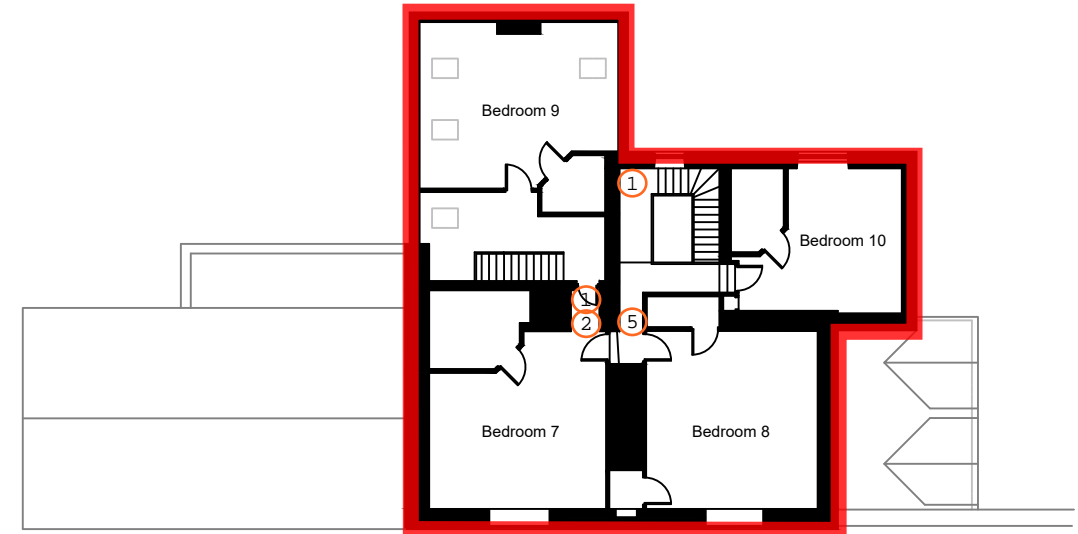


DUNSTON HALL

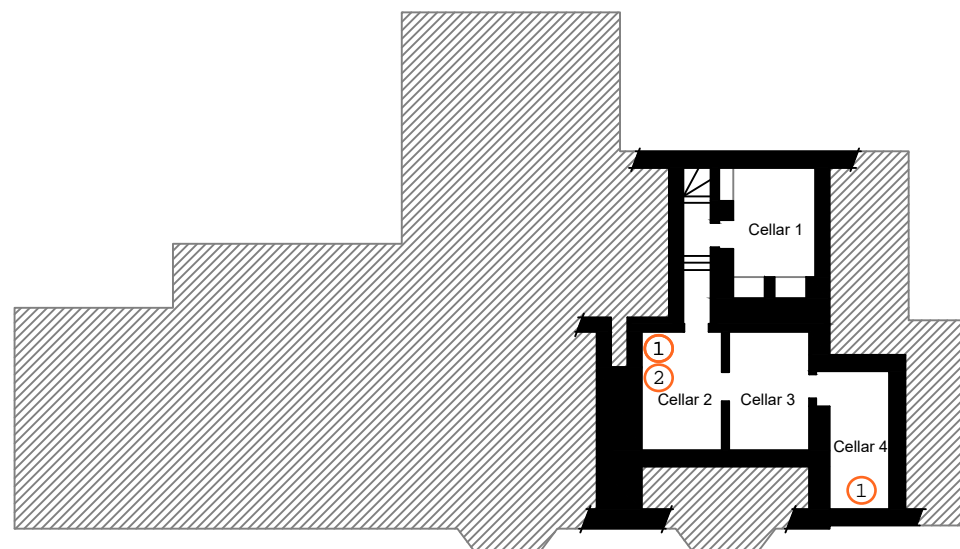
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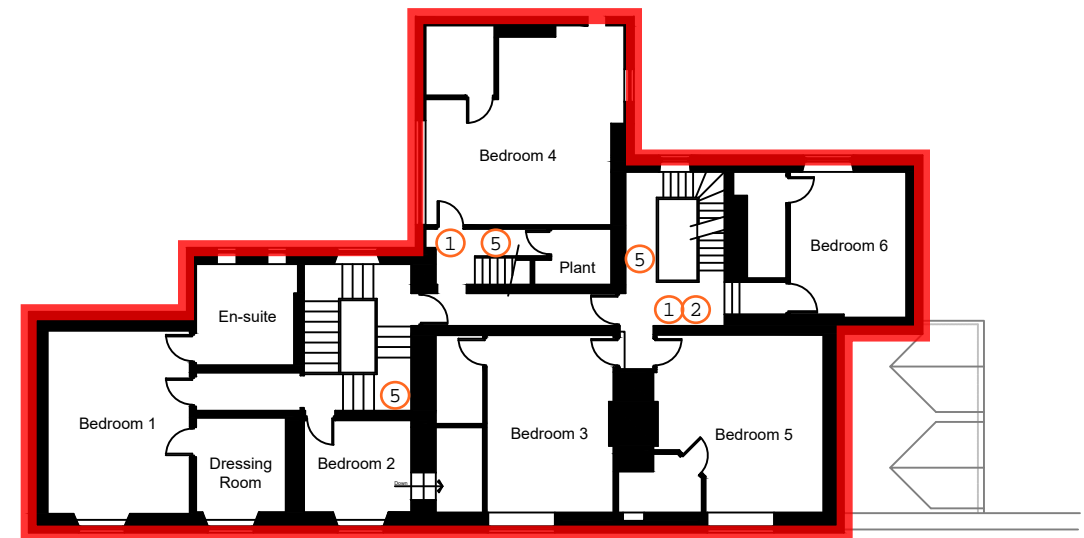
Ground Floor



Second Floor



Basement



First Floor

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**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.

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Dunston Hall, Dunston Road, Dunston	
Post town Chesterfield	Post code S41 9RL

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- | | Please tick ✓ | |
|---|-------------------------------------|-----------------------------|
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Dunston Hall Leisure Limited
Address Dunston Hall Leisure Limited, Dunston Road, Chesterfield, Derbyshire, S41 9RL
Registered number (where applicable) 12947578
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

As soon as possible.

A	S	A	P						
---	---	---	---	--	--	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

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

Dunston Hall dates back to the 16th century and is part of a wider site operated by Dunton Hall Leisure that comprises Dunston Hall Garden Centre and Dunston Hall Farm.

Dunston Hall has had the benefit of an ongoing restoration since 2021 to create a multi-use space alongside the established Garden Centre with new facilities including the Bistro/Restaurant and Barn/Stables function spaces. The Hall itself also operates as a holiday let and wedding venue and has approved premises status from Derbyshire County Council for marriages/civil ceremonies.

Car parking provision for over 150 cars is available on site across the different business elements.

The Bistro/Restaurant successfully applied for a premises licence in 2021 and operates the provision of licensable activities under premises licence PL/VF/0496. Numerous Temporary Event Notices have also been used throughout the site to approve licensable activities, principally in relation to a Marquee operated in external areas.

This application seeks to license the premises specifically to authorise the following activities under the Licensing Act 2003:

- sale of alcohol by retail;
- live music;
- recorded music;
- performance of dance; and
- late night refreshment.

The appropriate drawings deposited with this application are:

- Plan number:
 - SK056 (site plan);
 - 01 (Bistro/Restaurant and Gift Shop);
 - 02 (Garden Centre / Glass House);
 - SK060 (Barn/Stables); and
 - 03 (Hall).

The licensable activities and timings proposed differ depending on the area but essentially it is intended for the entire site edged red on drawing SK056 (site plan) to be licensed for the sale of alcohol for those hours stated in Box J with regulated entertainment and late night refreshment being limited to the Barn/Stables and Hall (see areas edged blue on the deposited plans).

Permitted times for licensable activities will be limited across discrete areas as set out below.

1. Marquee

The Marquee has been operated for licensable activities under Temporary Event Notices principally for wedding receptions but also for markets with stalls and a pay bar (for example Christmas and summer markets).

Should this application be granted then there is no intention for regulated entertainment to be provided in the Marquee under the premises licence.

The Marquee area is therefore to be licensed as follows but with a restriction that sale of alcohol will not take place in the Marquee after 18.00 other than 3 times per month.

- sale of alcohol by retail – 12.00 to 23.00 daily.

2. Bistro / Restaurant

As stated above, the Bistro has operated under premises licence PL/VF/0496 since 2021. The current premises licence application seeks to substantially mirror that premises licence as it applies to the Bistro area and therefore seeks licensable activities as follows:

- sale of alcohol by retail – 12.00 to 23.00 daily.

However, the sale of alcohol for the Bistro areas will be limited as per premises licence PL/VF/0496 in that its sale shall not take place after 21.00 except on 12 occasions per calendar year.

3. Gift Shop and Garden Centre / Glass House

The Gift Shop and Garden Centre / Glass House are to be licensed as follows principally for the provision of alcohol as gift items such as, but not limited to, including alcohol within gift boxes and with biscuits, fudge etc.

- sale of alcohol by retail – 08.30 to 18.00 daily.

4. Barn / Stables

The Barn/Stables will principally be used as a function space such as for wedding receptions.

The Barn/Stables will therefore be licensed as follows but with a restriction that events providing regulated entertainment shall not take place in the Barn/Stables or Hall (see point 5 below) more than three times per week.

- sale of alcohol by retail – 12.00 to 01.00 daily;
- live music – 12.00 to 00.00 daily;
- recorded music – 12.00 to 00.00 daily;
- performance of dance – 12.00 to 00.00 daily; and
- late night refreshment – 23.00 to 01.00 daily.

5. Hall

The Hall has 10 letting bedrooms, accommodating in the region of 25 guests but can be used as a modest function space as well.

Accordingly, the Hall will therefore be licensed as follows but with a restriction that events providing regulated entertainment will not take place in the Hall or Barn/Stables (see point 4 above) more than three times per week.

- sale of alcohol by retail – 12.00 to 01.00 daily;
- live music – 12.00 to 00.00 daily;
- recorded music – 12.00 to 00.00 daily;
- performance of dance – 12.00 to 00.00 daily; and
- late night refreshment – 23.00 to 01.00 daily.

Non- standard timings

A non-standard timing is also proposed that the premises shall remain open to permit the sale of alcohol to residents 24 hours a day, which is a typical allowance for premises with letting bedrooms.

Box L – Public Opening

The timings stated in Box L reflect the widest public opening hours for the different licensed areas sought in connection to the provision of licensable activities.

However, Dunston Hall and its businesses may be open to members of the public for non-licensable activities outside the hours stated in Box L and in respect of the hotel/letting residents then they will be permitted access 24 hours a day.

In light of the proposed operation, it is not anticipated that the application will adversely affect the four licensing objectives and the Operating Schedule has been completed on that basis.

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

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

Please tick yes

Provision of regulated entertainment (please read guidance note 2)

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed				State any seasonal variations for performing plays (please read guidance note 5)	
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon					
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
Mon	12.00	00.00	Please give further details here (please read guidance note 4) Live music and amplified voice.	Both	
Tue	12.00	00.00			
Wed	12.00	00.00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	12.00	00.00			
Fri	12.00	00.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12.00	00.00			
Sun	12.00	00.00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	00.00	Please give further details here (please read guidance note 4)	Recorded music, with or without a DJ, during normal hours or as part of functions and including audience participation.	
Tue	12.00	00.00			
Wed	12.00	00.00	State any seasonal variations for playing recorded music (please read guidance note 5)	N/A – save as below	
Thur	12.00	00.00			
Fri	12.00	00.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	
Sat	12.00	00.00			
Sun	12.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	12.00	00.00	Please give further details here (please read guidance note 4)	Principally to permit acts performing under this premises licence to incorporate elements of dance performances.	
Tue	12.00	00.00			
Wed	12.00	00.00	State any seasonal variations for the performance of dance (please read guidance note 5)	N/A – save as below	
Thur	12.00	00.00			
Fri	12.00	00.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	
Sat	12.00	00.00			
Sun	12.00	00.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
				Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).		Indoors	X
Day	Start	Finish			Outdoors	
Mon	23.00	01.00	Please give further details here (please read guidance note 4)		Both	
Tue	23.00	01.00				
Wed	23.00	01.00	To allow the provision of hot food and drinks for consumption on and off the premises at management's discretion.			
Thur	23.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Fri	23.00	01.00	N/A – save as below			
Sat	23.00	01.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)			
Sun	23.00	01.00				
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
Mon	08.30	01.00	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A – save as below	Both	X
Tue	08.30	01.00			
Wed	08.30	01.00			
Thur	08.30	01.00			
Fri	08.30	01.00			
Sat	08.30	01.00			
Sun	08.30	01.00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			The premises shall remain open to permit the sale of alcohol to hotel/letting residents 24 hours a day.		

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

Name: Adam Charles Staniforth-Fulleylove
Date of Birth: [REDACTED]
Address: [REDACTED]
Postcode: [REDACTED]
Personal Licence number (if known): 19/01164/LAPER
Issuing licensing authority (if known): Bolsover 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)

None.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5)	
Day	Start	Finish	None	
Mon	08.30	01.30		
Tue	08.30	01.30		
Wed	08.30	01.30		
Thur	08.30	01.30		
Fri	08.30	01.30		
Sat	08.30	01.30		
Sun	08.30	01.30		
				Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
				The premises shall remain open to hotel/letting residents and their guests 24 hours a day.

M

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

I have undertaken my own risk assessment and propose to take the following steps.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic drinks may not be removed from the licensed premises in open containers except for consumption in external areas provided for that purpose or areas within the control of the premises licence holder.
3. Staff selling alcohol or undertaking deliveries of alcohol will receive training on matters concerning the prevention of sales of alcohol to under 18s and drunk persons. Refresher training should be provided to such staff at regular intervals (at least every 6 months). Records detailing the training will be kept for a minimum of 2 years and made available to an authorised person on request.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 25 years and clear prominent signage to that effect will be displayed at appropriate locations including points of sale.
6. A refusals book (or equivalent) will be maintained and audited by management. It will be retained for a minimum of 2 years and made available to an authorised person on request.
7. CCTV is installed with recording facilities such recordings shall be retained for a period of 28 days (except where such retention cannot be achieved due to reasonable periods of maintenance or repair) and made available within a reasonable time upon request by the police as long as the request is in accordance with data protection principles.
8. Sale of alcohol shall only be permitted in the Marquee between 12.00 and 23.00 daily and shall not take place in the Marquee after 18.00 other than 3 times per month.
9. The sale of alcohol shall only be permitted in the Bistro/Restaurant between 12.00 and 23.00 daily but shall not take place in the Bistro/Restaurant after 21.00 except on 12 occasions per calendar year.
10. The sale of alcohol by retail shall only be permitted in the Gift Shop and Garden Centre / Glass House between 08.30 to 18.00 daily.

11. The sale of alcohol by retail shall only be permitted in the Barn/Stables or Hall between 12.00 and 01.00 the following mornings daily other than pursuant to any non-standard timings.
12. Regulated entertainment shall not be provided in the Barn/Stables or Hall more than three times per week.

c) Public safety

No further risks have been identified which need to be addressed, save as below

13. To comply with the reasonable requirements of the fire officer from time to time
14. The premises will have adequate safety and firefighting equipment and such equipment will be maintained in good operational order.
15. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
16. Fire Exits and means of escape shall be kept clear and in good operational condition.
17. Information will be provided on the premises regarding local taxi provision.
18. When leaving the premises, customers will be advised to leave safely and to take account of neighbouring residents.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

19. Prominent, clear and legible notices shall be displayed at appropriate locations requesting the public respect the needs of local residents and to leave the premises and area quietly.
20. A telephone number that operates when the premises is providing licensable activities will be provided to the Licensing Authority.
21. Any noise complaints made by residents to the premises will be recorded in an incident book and retained for at least 12 months.
22. When regulated entertainment comprising live or recorded music is provided in enclosed spaces then external windows and doors shall be kept closed except for the purposes of access/egress or in the event of an emergency.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

23. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
24. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years
25. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
26. The challenge 25 age verification scheme will be operated for any deliveries of alcohol undertaken by staff. Failure to produce satisfactory proof of age will result in the delivery being refused. Documented records of all refused deliveries of alcohol will be kept for a minimum of 2 years and made available to an authorised person on request.
27. It will be made clear on any website in respect of any online alcohol sales that the Challenge 25 policy is operated and that alcohol will not be delivered to anyone who appears to be under 25 who does not have an acceptable form of identification. Anyone making a telephone order will be given the same information.
28. Any couriers delivering the alcohol will have an appropriate age verification policy in place. A written record will be kept of couriers used for each delivery, this record will be kept for a minimum of 12 months.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {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 (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. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
--------------------	--

Signature: John Gaunt & Partners 

Date: 22/9/23

Capacity: Solicitors.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature:.....

Date:.....

Capacity:

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any)	0114 2668664
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) probson@john-gaunt.co.uk	

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:
 - 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.
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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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Licensing Act 2003
Premises Licence

PL/VF/0496

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

THE BISTRO AT DUNSTON HALL GARDEN CENTRE
DUNSTON HALL GARDEN CENTRE, DUNSTON ROAD, CHESTERFIELD, S41 9RL

WHERE THE LICENCE IS TIME LIMITED THE DATES

Granted 23/12/2022

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From/ Time To
Sale by Retail of Alcohol Location: Both	Monday	12:00 - 21:00
	Tuesday	12:00 - 21:00
	Wednesday	12:00 - 21:00
	Thursday	12:00 - 21:00
	Friday	12:00 - 21:00
	Saturday	12:00 - 21:00
	Sunday	12:00 - 21:00

Sale by Retail of Alcohol

Non Standard Activities

Seasonal Variations

THE OPENING HOURS OF THE PREMISES

Activity	Day	Time From/ Time To
Opening Times	Monday	08:30 - 23:00
	Tuesday	08:30 - 23:00
	Wednesday	08:30 - 23:00

THE OPENING HOURS OF THE PREMISES		
	Thursday	08:30 - 23:00
	Friday	08:30 - 23:00
	Saturday	08:30 - 23:00
	Sunday	08:30 - 23:00
Opening Times <i>Non Standard Activities</i> <i>Seasonal Variations</i>		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES
Sale by Retail of Alcohol Both

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE	
Adam Charles Staniforth-Fulleylove Email: Phone: Mobile:	The Bistro at Dunston Hall Garden Centre Dunston Road, Dunston Chesterfield, Derbyshire S41 9RL

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS, TELEPHONE NUMBER AND EMAIL OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL	
Adam Charles Staniforth-Fulleylove Email: Phone: Mobile:	The Bistro at Dunston Hall Garden Centre Dunston Road, Dunston Chesterfield, Derbyshire S41 9RL

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL
Licence No. 19/01164/LAPER Issued by Bolsover

ANNEXES
<u>ANNEX 1 – MANDATORY CONDITIONS</u> ANNEX 1 - MANDATORY CONDITIONS.

ANNEXES

Retailing 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.

The Licensing Act 2003 (Mandatory Conditions) Order 2014 Conditions in force from 28th May 2014

(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). In this condition:-

a. '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;

b. 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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 office to prevent the supply in question; and

e. 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

(3). Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4). Where the permitted price on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 In force from 1st October 2014 Mandatory Licensing Conditions

1. (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) In this paragraph, 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;

ANNEXES

(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).

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

3. (1) 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.

(2) 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.

(3) 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-

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must 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: ♦ 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.'

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with recommendations given by;

a) a ♦ film classification body ♦ designated under Section 4 of the Video Recordings Act 1984 specified in the licence (currently only the British Board of Film Classification - BBFC) or by the licensing authority itself.

If the Premises Licence has conditions in respect of Door Supervision.

(except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

b) be entitled to carry out that activity by virtue of Section 4 of the Act.

2. But nothing in subsection (1) require such a condition to be imposed:

a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that schedule (occasions prescribed by regulations under that Act.

3. For purposes of this section;

a) 'security activity' means an activity to which paragraph 2(1) (a) of that Schedule applies, and which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and paragraph 8(5) of that Schedule (interpretation

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of references to an occasion) applies as it applies in relation to paragraph 8 of that schedule.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General - all four licensing objectives

The restaurant is attached to a garden centre. it is set back off the road and is enclosed with a fence and gates. alcohol will be served in a restaurant setting and provide an outside children's play area with beer garden within the enclosed area.

Strong management controls and effective training of all staff will be put in place, so that they are aware of all rules and regulations regarding the license.

- ◆ No selling alcohol to underage people.
- ◆ No drunk and disorderly behaviour on the premises and surrounding areas
- ◆ No harm to children
- ◆ Operating schedule providing the hours of operation and licensable activities during those hours.
- ◆ Designated premises supervisor confirmed that person should be in day-to-day control of the premises, to provide good training on the licensing act, and also make or authorise each sale.
- ◆ Clear challenge 25 information to prevent the supply of alcohol to underage drinkers.
- ◆ CCTV system installed with 6 months of stored recording

The prevention of crime and disorder

CCTV has been placed in all areas and will be maintained at the premises in order to address the prevention of crime. CCTV images will be provided to an officer of a Responsible Authority upon reasonable request.

A clear and legible notice will be displayed outside the premises indicating the hours of operation under the terms of premises license

The staff will be trained in asking customers to vacate the premises in orderly and respectful manner. Risk assessments will be carried out from time to time including where appropriate risk assessment to determine the necessity for door supervisors

Staff will follow the national guidance and implement policies to promote socially responsible drinking by making sure customers are not sold alcohol when drunk or intoxicated.

Public safety

All equipment will be adequately maintained and tested at intervals. Internal and external lighting will promote the safety objective.

All health and safety at work, fire precautions and other relevant legislation will be complied with. Trained staff will adhere to environmental health requirements.

A log book will be kept in the premises in which shall be entered particulars of inspections made; those required to be made; and information compiled with any public safety conditions. The log book shall be kept available for inspection when required.

Information will be provided on the premises regarding local taxi provision.

When leaving the premises, customers will be advised to leave safely and to take account of neighbouring residents.

The prevention of public nuisance

Noise reduction measures, to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and leave the premises and the area quietly.

ANNEXES

A telephone number that operates when the premises is providing licensable activities will be provided to the Licensing Authority.

Any noise complaints made by residents to the premises will be recorded in an incident book and retained for at least 12 months.

Sale of alcohol shall not take place after 21.00 except on 12 occasions per calendar year.

The protection of children from harm

All training is provided on commencement of employment on the law relating to all age restricted products sold and any system or procedures in place which employees are expected to follow.

Refresher training should be provided at regular intervals (at least 6 monthly). Records detailing the training will be kept for a minimum of two years and made available on request to an officer of a responsible authority.

A Challenge 25 scheme will be operated at the premises. Acceptable forms of identification will be a pass accredited proof of age card, photo driving license or passport.

Failure to do produce satisfactory proof of age will result in a refused sale.

Clear prominent signage informing customers of the scheme will be displayed in store.

A refusal log will be maintained in store which the designated premises supervisor (or deputy in writing) will, at least weekly, examine the record and action as necessary. The records will be retained for a minimum of two years and made available to an officer of a responsible authority on request.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Council's Licensing Committee met on 31 March 2021 to determine the new premises licence application.

Decision

That the application for a New Premises Licence by Beverley Paterson, in respect of The Bistro at Dunston Hall Garden Centre, Dunston Road, Dunston, Chesterfield, S41 9RL be granted in accordance with the application subject to:

(a) the relevant mandatory conditions;

(b) the conditions set out in the operating schedule submitted with the application;

(c) the additional conditions volunteered by the applicant that the sale of alcohol shall not take place after 21.00 except on 12 occasions per calendar year, that a telephone number that operates when the premises is providing licensable activities be provided to the Licensing Authority and that any noise complaints made by residents to the premises shall be recorded in an incident book and retained for at least 12 months;

(d) the following additional conditions (under the public safety licensing objective):

(i) that information be provided on the premises regarding local taxi provision;

(ii) that when leaving the premises customers be advised to leave safely and to take account of neighbouring residents.

ANNEX 4 – PLANS

ANNEX 4 - PLANS

The Plan for this premise is referenced as
SA1 / PLVF 0496 / 31.03.2021



Licensing Act 2003
Premises Licence Summary

PL/VF/0496

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

THE BISTRO AT DUNSTON HALL GARDEN CENTRE
DUNSTON HALL GARDEN CENTRE, DUNSTON ROAD, CHESTERFIELD, S41 9RL

WHERE THE LICENCE IS TIME LIMITED THE DATES

Granted 23/12/2022

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity	Day	Time From/ Time To
Sale by Retail of Alcohol Location: Both	Monday	12:00 - 21:00
	Tuesday	12:00 - 21:00
	Wednesday	12:00 - 21:00
	Thursday	12:00 - 21:00
	Friday	12:00 - 21:00
	Saturday	12:00 - 21:00
	Sunday	12:00 - 21:00

Sale by Retail of Alcohol

Non Standard Activities

Seasonal Variations

THE OPENING HOURS OF THE PREMISES

Activity	Day	Time From/ Time To
Opening Times	Monday	08:30 - 23:00
	Tuesday	08:30 - 23:00
	Wednesday	08:30 - 23:00
	Thursday	08:30 - 23:00
	Friday	08:30 - 23:00
	Saturday	08:30 - 23:00
	Sunday	08:30 - 23:00

THE OPENING HOURS OF THE PREMISES

Opening Times

Non Standard Activities

Seasonal Variations

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Sale by Retail of Alcohol
Both

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Adam Charles Staniforth-Fulleylove

The Bistro at Dunston Hall Garden Centre
Dunston Road, Dunston Chesterfield,
Derbyshire S41 9RL

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Adam Charles Staniforth-Fulleylove



LICENSING AUTHORITY

Environment Services, Chesterfield Borough Council, Customer Service Centre, 85
New Square, Chesterfield, S40 1AH Tel: 01246 345230

Representation Form

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 your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We ALEXANDRA LANDER & WILLIAM LANDER wish to make a representation in relation to an application that has been made in respect of the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description

DUNSTON HALL, DUNSTON ROAD

Post town CHESTERFIELD

Post code (if known) S41 9RL

Name of Premises Licence holder or Club holding Club Premises Certificate (if known)

ADAM CHARLES STANFORTH - FULLYLOVE

Number of Premises Licence or Club Premises Certificate (if known)

Part 2 – Represantor details

97 06ed
(A) DETAILS OF INDIVIDUAL REPRESENTOR (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

Please tick yes

I am over 18 years old or over

Current postal address if different from premises address

Post town Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER REPRESENTOR (Business, Residents Association etc)

Name and address
Telephone number (if any)
E-mail address (optional)

This Representation relates to the following licensing objective(s)

Please tick one or more boxes ✓

✓
✓
✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for making the Representation (please read guidance note 1)

The Prevention of Crime and Disorder <i>PLEASE SEE ATTACHED SHEET-</i>
Public Safety <i>Please see attached sheet-</i>
The Prevention of Public Nuisance <i>Please see attached sheet.</i>
The Protection of Children from Harm <i>N/A.</i>

Please use this box if you wish to provide further details, additional sheets can be used if necessary.

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PLEASE SEE ATTACHED PAGE.

CRIME AND DISORDER POINTS.

This site covers a very large area with four areas where alcohol will be on sale from 08.30 to 01.00 the following morning 365 days a year! The supervision of the sales of alcohol split across 4 points of sale will require a large number of trained staff to comply with the 12 points the applicant has specified in his b) The prevention of crime and disorder comment in the application.

Will CCTV cover all the areas where alcohol is on sale, will it cover other secluded areas on the site where there is potential for crime and disorder. The applicant does not give any detail other than the bland statement "CCTV is installed" is that referring to 1 camera? The lack of detail is disturbing and leaves open the potential for crime and disorder especially on such a large site.

PUBLIC SAFETY POINTS

The applicant states in the application that there is car parking across the site for 150 cars, potentially that could mean 4 people per car, 600 people on site perhaps more if coaches were used.

How many staff per 100 visitors is the applicant going to have on site to ensure he can comply with his statements in c) Public Safety. For example staff will be trained on matters of safety, evacuation and use of emergency equipment as required. I wonder where it is envisaged potentially 600 people could be evacuated to, the neighbouring farmers field! Have any evacuation routes, places of evacuation to, been submitted? Bearing in mind a lot of events will take place at night and this is not in a well lit public area.

THE PREVENTION OF PUBLIC NUISANCE

There will be noise causing a public nuisance at the venue as evidenced by the Councils own environmental health departments involvement due to complaints re noise from neighbours.

I note that in d) The prevention of public nuisance, the applicant has stated

20. A telephone number that operates when the premises is providing licensable activities will be provided to the Licensing authority.

And at: 21. Any noise complaints made by residents to the premises will be recorded in an incident book and retained for at least 12 months.

As licensable activities could, under the terms of this application take place 365 days a year from 08.30 to 01.00, a telephone number held by the Licensing authority is not much use outside 09.00 to 17.00 Monday to Friday to residents. Are we expected to call round to the hall at whatever hour of the night or morning we have a cause for complaint and ask them to turn the music down or curb the loud noise from revellers! With all the potential Health and Safety risk that entails.

Can nearby neighbours have a contact number and name to call, at least that would be seen as a practicable working with your neighbours solution.


WILLIAM N. LANDEN.

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

Part 3 – Signatures (please read guidance note 2)

Signature of Representor or Representor’s Solicitor or other duly authorised agent (please read guidance note 3). If signing on behalf of the Representor please state in what capacity.

Signature
William N. Lander

Date 19.10.2023

Capacity
Representor

Please Note – Your address will be a matter of public record, if the application to which this Representation relates is referred to the Licensing Committee to determine at a Hearing.

Contact name (where not previously given) and postal address for correspondence associated with this Representation (please read guidance note 4)		
<i>WILLIAM N. LANDER</i> [Redacted]		
Post town	<i>CHESTERFIELD</i>	Post code
		[Redacted]
Telephone number (if any)	[Redacted]	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	[Redacted]	

COUNCIL’S PRIVACY STATEMENT.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also, and on occasions will be required to, share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information see the privacy notice on the council website, www.chesterfield.gov.uk/privacy or contact the council’s data protection officer on 01246 345345.

Chesterfield Borough Council collects personal information when you contact us for any services we provide. We will use this information to provide these services. We may need to share your information with service providers and

other departments within CBC to ensure that you receive the best possible service, your personal data can be used for the national fraud initiative. If so, this will be made clear in our privacy notice. We will not share your information with third parties for marketing purposes or any other reason unless required to do so by law.

For more information explaining how we protect and use your information please see our privacy policy at www.chesterfield.gov.uk/privacy

Notes for Guidance

1. The Representation must be based on one or more of the licensing objectives. Please list any additional information or details for example dates of problems if available.
2. The Representation form must be signed.
3. A Representor's agent (for example Solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. This is the address and contact details which we shall use to correspond with you about this Representation.

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