

For publication

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

Meeting: Licensing Committee

Date: Monday 13th November 2023

Cabinet portfolio: Health and Wellbeing

Report by: Glenn Holden, Licensing Officer

Ward Dunston

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

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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1.2 A relevant representation has been made in respect of the application and not withdrawn.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