



Please ask for Brian Offiler
Direct Line: 01246 345229
Email committee.services@chesterfield.gov.uk

The Chair and Members of Licensing
Committee - Group 3

Councillors Bellamy, Derbyshire,
Jeannie Barr, Dean Collins, Flood,
Rayner

25 April 2017

Dear Councillor,

Please attend a meeting of the LICENSING GROUP 3 to be held on WEDNESDAY, 3 MAY 2017 at 2.00 pm in Council Chamber, Town Hall, Chesterfield, S40 1LP, 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. Minutes (Pages 3 - 4)

Minutes of the Meeting of the Licensing Committee held on 1 March, 2017.

4. Application for a New Premises Licence by Stephen Eyre, in respect of 5 Breckland Road, Walton, Chesterfield, Derbyshire, S40 4RW (LC170) (Pages 5 - 58)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Sandy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

LICENSING COMMITTEE RECORD OF DECISIONS

| | |
|---|---|
| Date of Hearing and Determination: | Wednesday, 1st March, 2017 |
| Members Present: | Councillor Derbyshire (Vice-Chair, in the Chair) J Barr Flood Rayner |
| Apologies for Absence | Councillor Bellamy |

| | |
|--|---|
| Declarations of Interest: | None |
| Minutes: | Minutes of the Licensing Committee meeting held on 4 January, 2017 were signed by the Chair as a correct record. |
| Minute No: | 7 (16/17) |
| Subject: | Application for a Variation of a Premises Licence by Christopher Ian Sinclair, in respect of Spireite, 388 Sheffield Road, Chesterfield, S41 8LF (LC180) |
| Meeting in Public Private | Public |
| Name of Applicant: | Christopher Ian Sinclair |
| Applicant's Representatives: | - |
| Responsible Authorities who made Representations: | - |
| Premises Licence Holder | Christopher Ian Sinclair |
| Interested Parties who made Representations: | None Present |
| Record of Decision | * That the application for a variation of the Premises Licence by Christopher Sinclair in respect of the Spireite, 388 Sheffield Road, Chesterfield, S41 8LF be granted in accordance with the application subject to a condition restricting the sale of alcohol from the outside bar to no later than 21.00 on Chesterfield Football Club home match days and no later than 23.00 for occasional beer festivals / special events (necessary to promote the licensing objective of prevention of public nuisance). |

| | |
|------------------------------------|--|
| Signed as a correct record: | |
| Date: | |

For publication

Application for a New Premises Licence by Stephen Eyre, in respect of 5 Breckland Road, Walton, Chesterfield, Derbyshire, S40 4RW (LC170)

Meeting: Licensing Committee

Date: Wednesday 3rd May 2017

Cabinet portfolio: Health and Wellbeing

Report by: Steve Ashby, Licensing Officer

For publication

1.0 Purpose of report

1.1 For Members to determine the application made by Stephen Eyre for a new premises licence in respect of

5 Breckland Road
Walton
Chesterfield
Derbyshire
S40 4RW.

1.2 Relevant representations have been made in respect of the application and not withdrawn. Consequently the application cannot be granted or refused under officer delegated authority.

2.0 Recommendation.

That the Committee hear details of this license application and determine whether it is

- Granted
- granted with conditions
- or refused.

2.1 Copies of the Application Form and premises plan are attached to this report at Appendix 1.

3.0 **Report Details.**

3.1 The premise is a single storey retail unit, previously operated as a food takeaway premise.

It is situated on a small retail development that benefits from a limited number of parking bays, within a housing estate in the Walton suburb of Chesterfield.

3.2 The shop itself is the end unit of the development; other premises in the same location include One-stop (a licensed supermarket) and a post office.



Figure #1 – premises store front

The One Stop store has a terminal hour for alcohol sales of 2300 hours Monday to Saturday and 2230 hours on Sunday.

3.3 The retail development is sited on a bus route within a significant suburban housing estate.

Other nearby amenities include a community centre and Evangelical church.

There are service route bus stops on either side of the premises.



Figure #2 – aerial view of the premises.

3.4 As can be seen in the aerial photograph in figure #2, the premise has a loading bay to the rear, car parking to the front, with residential homes close to one side. There are further residential homes a little further away across the road at the front of the premises and numerous residential properties as distance from the unit increases.

4.0 **Application**

4.1 The application received in Licensing on 14th March 2017 is for a Premises Licence to establish a "micropub" at 5 Breckland Road.

The application does not seek any licensable activity other than the sale and supply of alcohol, both on and off the premises.

- The hours applied for are 11.00 to 22.30 hours Monday to Saturday and 11.00 to 22.00 hours on Sunday.
- Non-standard timings of 11.00 hours on Christmas Eve to 01.00 hours on Christmas Day and 11.00 hours on New

Year's Eve to 02.00 hours on New Year's Day are also sought.

- Opening hours of the premises are identified in the application as 11.00 to 22.35 hours Monday to Saturday and 11.00 to 22.00 hours on Sunday.

- 4.2 Applications for a new Premises Licence are required to be advertised by way of an advert in the local press, a site notice displayed at the premises and copies of the application submitted to all Responsible Authorities.
- 4.3 A copy of the appropriate local press advert taken from the Derbyshire Times on Thursday 23rd March 2017 is attached at appendix 2.
- 4.4 The site notices displayed on the premises, advertising the application were viewed by licensing enforcement staff on 18th March 2017 and 1st April 2017 and found to be displayed correctly and completed appropriately.
- 4.5 The application was submitted on line through the internet and as such, the Chesterfield Borough Council Licensing Authority circulated a copy of the application to the responsible Authorities.
- 4.6 The statutory deadline for representation was 11th April 2017.

Responsible Authorities and Interested Parties are entitled to make representations to the Licensing Authority provided they are relevant.

A number of representations have been received and accepted from local residents, Derbyshire Police and Chesterfield Borough Council Licensing Authority 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
- protection of children from harm

Redacted copies of the letters of representation are shown at Appendices numbered 3 to 9.

- 4.7 The representations received from local residents regarding this application predominantly express concerns over:
- Late night noise
 - The disparity between the opening hour proposed by the applicant at the planning committee hearing and those in the premises licence application and the impact upon the four licensing objectives.
 - Concerns about customers drinking outside in warmer weather being noisy
 - Public health and safety concerns regarding smoking
 - Concerns about noise from bottle disposal and deliveries
 - A lack of parking
 - Litter
 - Previous antisocial behaviour problems at the same location and concerns that a public house would add to those issues.
 - The creation of a public house on a quiet residential estate where none had previously existed and the impact upon quiet family life.
 - The area in the vicinity of the premises currently used as a children's playing area, with a concern that children would be unnecessarily exposed to alcohol or intoxicated people.
- 4.8 The Police and Licensing authority representations refer to similar issues raised by the residents, expressing a concern that the licence application's operating schedule contains insufficient control measures to address those concerns.
- 4.9 Reference is made in the resident's representations to the planning application that allowed a change of use of the premises from hot food takeaway to licensed premises. The application, made in 2016 was determined in February 2017. The decision notice is attached at appendix 10.
- 4.10 Committee heard the planning application which attracted a 162 name petition opposing the plan as well as 36 individual letters, of which 22 made representations against the application and 14 supported it.
- 4.11 The concerns raised were very similar to those identified in this later premises licence application. There was some element of the

fear of the unknown, some reference to previous problems that had been prevalent historically at the location and included:-

- Anticipated noise nuisance when the premises would be in operation, supported by reference to historical noise nuisance and antisocial behaviour at the same location.
- Smoking presenting a health and safety concern and a fire risk
- Limited availability of car parking provision
- The introduction of a public house into a residential neighbourhood where none had previously existed
- Litter problems
- Concerns over personal safety
- Negative impact upon children in the area
- Exposing children to intoxicated individuals in a location where children regularly frequent
- Underage drinking
- Intimidating to older residents
- Extended opening hours
- Loud music
- Increased deliveries noise
- A development not in keeping with the local environment or the demographic of the area.

4.12 During the consultation phase of the planning application, Mr Eyre submitted a business plan to better identify the proposed activities at the venue. This appeared to allay concerns and saw the withdrawal of a representation made by local councillors.

4.13 A copy of the business plan can be seen at appendix 11.

4.14 Mr Eyre addressed a number of the representations by proffering the following explanations and clarity.

- An intention to provide a community real ale public house with the emphasis on the provision of a civilised, quality environment and products, thus deterring high volume consumption and poor behaviour.
- No intention to provide any music or entertainment
- An acknowledgment that although a licencing application would probably seek a licence for activities between 11.00 hours and 22.00 hours, the reality would probably be a premises that would be
 - Closed on Monday, Tuesday and Wednesday

- Open from 16.00 hours to 19.00 hours on Thursday and Friday
- Open 11.00 hours to 20.00 hours on Saturday
- And 11.00 hours to 19.00 hours on Sunday.
- Smokers would be encouraged to frequent the enclosed yard at the rear of the premises, thereby reducing the potential for noise nuisance to the nearby residents of Breckland Road and Foxbrook Court.
- The issue of litter would be addressed by way of the majority of consumables at the premises being recycled and with an intention not to sell cans, lessening the opportunity for them being carelessly discarded. Any accumulation of litter would be cleared.
- Rather than adding to the issue of antisocial behaviour, a later opening premise would reduce such behaviour by providing an extra presence to deter it.

4.15 The key issue here for the residents is the disparity between the business plan offered up in response to the planning committee hearing and the content of this new premises licence application.

4.16 As part of the application process the applicant is required to describe in the operating schedule the additional steps that are intended to be taken in order to promote the licensing objectives for the new premises licence that has been requested.

4.17 Under the Licensing Act 2003 these volunteered proposed steps will be attached to the premises licence as conditions which must be complied with. These are set out in Part M of the application form.

4.18 It can be seen that the licence application offers no assurance of the limited operating hours previously alluded to, which has clearly prompted some of the representations to be made.

4.19 The application does support other aspects of the business plan by stating:-

- The premises will cater for middle aged drinkers in an atmosphere of quiet surroundings. With no late opening hours there will be little chance that the premises will attract any crime or disorder. The premises will be well run and staff will have sufficient training to enable them to prevent any incidents in or around the premises.
- Notices will be posted reminding patrons to be quiet on leaving the premises.
- Glass bottles will only be transferred to external bins between 9am and 5pm.
- Smokers will be directed to use the rear yard.
- No children under the age of 18 will enter the premises unless accompanied by an adult. The premises will run an under 21 age policy.

5.0 **Conclusion**

- 5.1 When carrying out its licensing functions, the Licensing Authority must do so with a view to promoting the 4 licensing objectives and also with regard to its Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
- 5.2 Where either the applicant or a person who made relevant representations is aggrieved by the decision of the Licensing Authority, appeal is to the Magistrates' Court.
- 5.3 As relevant representations have been made in respect of the application and not withdrawn, the application cannot be granted or refused under officer delegated authority.
- 5.4 The Licensing Committee is therefore asked to give consideration to the application and determine it by
- granting it as requested
 - granting it subject to conditions
 - or refusing the application.

Steve Ashby

LICENSING OFFICER

25.04.17

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

This page is intentionally left blank



Chesterfield
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

Not Currently In Use

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?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Stephen

* Family name

Eyre

* E-mail

sceyre@btinternet.com

Main telephone number

07838375647

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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

| | |
|-------------------------------|---|
| * Building number or name | <input type="text" value="6"/> |
| * Street | <input type="text" value="Stanford Way"/> |
| District | <input type="text" value="Walton"/> |
| * City or town | <input type="text" value="Chesterfield"/> |
| County or administrative area | <input type="text"/> |
| * Postcode | <input type="text" value="S42 7NH"/> |
| * Country | <input type="text" value="United Kingdom"/> |

Section 2 of 19

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 | <input type="text" value="5"/> |
| Street | <input type="text" value="Breckland Road"/> |
| District | <input type="text" value="Walton"/> |
| City or town | <input type="text" value="Chesterfield"/> |
| County or administrative area | <input type="text" value="Derbyshire"/> |
| Postcode | <input type="text" value="S40 3LJ"/> |
| Country | <input type="text" value="United Kingdom"/> |

Further Details

| | |
|---|------------------------------------|
| Telephone number | <input type="text"/> |
| Non-domestic rateable value of premises (£) | <input type="text" value="5,300"/> |

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- 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
- Other (for example a statutory corporation)

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

| | |
|-------------------------------|---|
| Building number or name | <input type="text" value="6"/> |
| Street | <input type="text" value="Stanford Way"/> |
| District | <input type="text" value="Walton"/> |
| City or town | <input type="text" value="Chesterfield"/> |
| County or administrative area | <input type="text"/> |
| Postcode | <input type="text" value="S42 7NH"/> |
| Country | <input type="text" value="United Kingdom"/> |

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

| | |
|------------------------|--|
| E-mail | <input type="text" value="sceyre@btinternet.com"/> |
| Telephone number | <input type="text" value="07838375647"/> |
| Other telephone number | <input type="text"/> |

Section 5 of 19

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.

Micropub selling alcoholic and soft drinks.

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

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

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

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

- Yes No

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 19

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

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

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.

From 11:00 hrs Christmas Eve to 01:00 hrs Christmas Day
From 11:00 hrs New Years Eve to 02:00 hrs New Years Day

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

Continued from previous page...

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'.

Section 16 of 19

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.

None

Section 17 of 19

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="11:00"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text" value="22:35"/> |

SUNDAY

| | | | |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="11:00"/> | End | <input type="text"/> |
| Start | <input type="text"/> | End | <input type="text" value="22:00"/> |

State any seasonal variations

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

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.

Opening times in line with Christmas and New Year sale of alcohol

Section 18 of 19

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)

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

The premises will cater for middle aged drinkers in an atmosphere of quiet surroundings. With no late opening hours there will be little chance that the premises will attract any crime or disorder. The premises will be well run and staff will have sufficient training to enable them to prevent any incidents in or around the premises.

b) The prevention of crime and disorder

c) Public safety

Notices will be posted reminding patrons to be quiet on leaving the premises.

Continued from previous page...

d) The prevention of public nuisance

Glass bottles will only be transferred to external bins between 9am and 5pm.
Smokers will be directed to use the rear yard.

e) The protection of children from harm

No children under the age of 18 will enter the premises unless accompanied by an adult. The premises will run an under 21 age policy

Section 19 of 19

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 |

Continued from previous page...

Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

* I/we understand 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.

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 ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

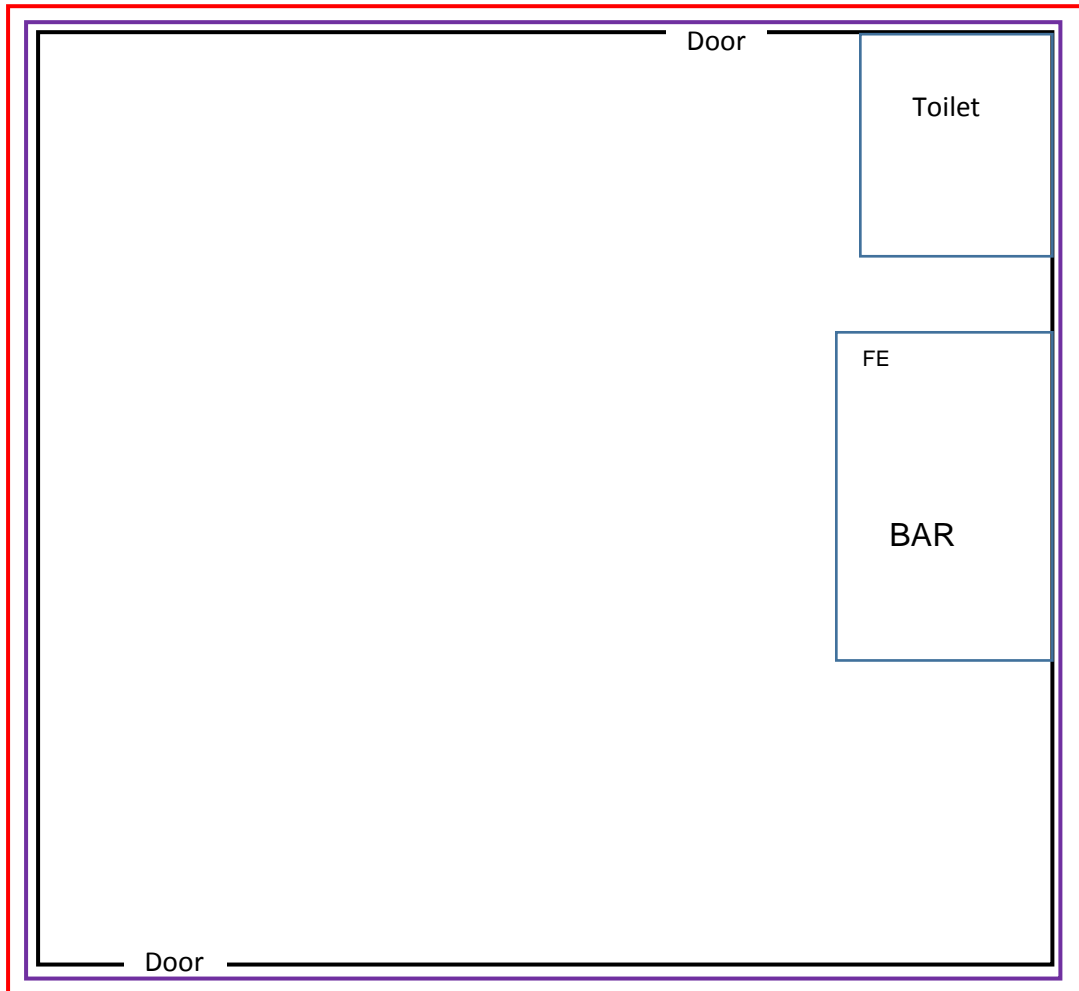
Date and time submitted

Approval deadline

Error message

Is Digitally signed

Plan of Licensed Premises at
5 Breckland Road Walton Chesterfield S40 3LJ



FE = Fire Extinguisher

No stage or raised area. No steps on entering or leaving the premises. No kitchen

This page is intentionally left blank

COUNCIL - COUNCIL TAX 2016/17

Under the Local Government Finance Act 1992, the Authority is required to publish notice of the amounts of the Council Tax for the financial year 2016/17. The amount of Council Tax for each of the categories of dwellings is set out in the table below.

| | D £ | E £ | F £ | G £ | H £ |
|-------|----------|----------|----------|----------|----------|
| 10.94 | 1,722.31 | 2,105.05 | 2,487.79 | 2,870.52 | 3,444.62 |
| 11.48 | 1,722.91 | 2,105.78 | 2,488.66 | 2,871.52 | 3,445.82 |
| 15.44 | 1,727.37 | 2,111.23 | 2,495.10 | 2,878.95 | 3,454.74 |
| 14.03 | 1,759.53 | 2,150.54 | 2,541.55 | 2,932.55 | 3,519.06 |
| 19.24 | 1,754.15 | 2,143.96 | 2,533.78 | 2,923.58 | 3,508.30 |
| 20.20 | 1,743.98 | 2,131.53 | 2,519.09 | 2,906.63 | 3,487.96 |
| 22.14 | 1,768.66 | 2,161.70 | 2,554.74 | 2,947.77 | 3,537.32 |
| 30.43 | 1,777.98 | 2,173.09 | 2,568.20 | 2,963.30 | 3,555.96 |
| 37.69 | 1,729.90 | 2,114.32 | 2,498.75 | 2,883.17 | 3,459.80 |
| 43.73 | 1,736.70 | 2,122.63 | 2,508.58 | 2,894.50 | 3,473.40 |
| 50.16 | 1,721.43 | 2,103.97 | 2,486.52 | 2,869.05 | 3,442.86 |
| 54.17 | 1,748.44 | 2,136.98 | 2,525.53 | 2,914.07 | 3,496.88 |
| 45.85 | 1,851.58 | 2,263.04 | 2,674.51 | 3,085.97 | 3,703.16 |
| 25.28 | 1,715.94 | 2,097.26 | 2,478.59 | 2,859.90 | 3,431.88 |
| 57.38 | 1,752.05 | 2,141.39 | 2,530.75 | 2,920.08 | 3,504.10 |
| 19.82 | 1,822.30 | 2,227.26 | 2,632.22 | 3,037.17 | 3,644.60 |

Effective from 1st March 2017
 Council Tax Band S43 4JY

**Amber Valley Borough Council
 Town and Country Planning Act 1990
 Notice is hereby given that the following
 applications have been made to Amber
 Valley Borough Council**

Reference:
 AVA/2017/0245

Applicant Name:
 8B (Uk) Ltd.

Address:
 Butchers Arms
 127 Hands Road
 Heanor
 Derbyshire
 DE75 7HB

Proposal:
 Erection of 11 new dwellings to the rear of existing public House

Under Section 5A of the Listed Buildings and Conservation Areas Act 1990 it is the opinion of the Local Planning Authority, that this development affects the setting of a listed building.

Any person who wishes to make representations to the above named Council about any applications should make them in writing by 13 April 2017

Development Management
 Amber Valley Borough Council
 Town Hall
 Market Place
 Ripley
 Derbyshire DE5 3BT

**CHESTERFIELD BOROUGH COUNCIL
 LICENSING ACT 2003 – SECTION 17
 NOTICE OF APPLICATION FOR A
 PREMISES LICENCE**

Name of Applicant: STEPHEN EYRE
Name and Address of Premises: 5 Breckland Road Walton Chesterfield S40 3LJ has applied to Chesterfield Borough Council for a Premises Licence in respect of the premises.

The relevant licensable activities which it is proposed will be carried on or from the premises are: SUPPLY OF ALCOHOL, MONDAY TO SATURDAY DAY 11:00 – 22:30 HRS. SUNDAY 11:00 – 22:00 HRS 11:00 HRS CHRISTMAS EVE TO 01:00 CHRISTMAS DAY. 11:00 NEW YEARS EVE TO NEW YEARS DAY 02:00 HRS

A copy of the application may be inspected at the Licensing Counter, Customer Services Centre, 85 New Square, Chesterfield S40 1AH.

Any interested party or responsible authority who wishes to make representations to Chesterfield Borough Council must do so no later than 11 APRIL 2017 and such representations must be made in writing and addressed to The Licensing Section, Customer Service Centre, 85 New Square, Chesterfield S40 1AH.

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5000.

Dated 15 MARCH 2017

**CHESTERFIELD BOROUGH COUNCIL
 TOWN & COUNTRY PLANNING ACT 1990**

**CHESTERFIELD BOROUGH COUNCIL
 TOWN AND COUNTRY PLANNING ACT 1990**
 Notice is hereby given under the above Act that the following applications have been made to Chesterfield Borough Council for planning permission:-

CHE/17/00167/FUL - Two storey rear extension at 12 Devonshire Street, Brimington for Mr Neil Hardy.
Reason for Advertisement - Conservation Area
CHE/17/00107/COU - Change of use from D1 to D2 (yoga studio) at 19 South Street, Chesterfield for Mrs T Boynton.

Reason for Advertisement - Conservation Area
CHE/17/00097/LBC - Take down end wall of brick built dairy adjoining farmhouse on Dunston Barns property, rebuild end wall in stone within farmhouse boundary to cut off access to Dunston Barns property and also take down wooden coal store situated in yard at rear of farmhouse at Dunston Grange Farm, Dunston Lane, Newbold for Mr Philip Simpson.

Reason for Advertisement - Listed Building Consent
 23 March 2017
H BOWEN
Chief Executive

A copy of each application and the documents and plans submitted with it are available for inspection during the normal office hours of 8.30 am and 5.00 pm (4.30 pm on Fridays) at the Customer Service Centre, New Square, Chesterfield or on the Council's web site at www.chesterfield.gov.uk

Any person who wishes to make representations to the Council about an application should make them in writing within 21 days of the date of publication of the notice to the Development Management and Conservation Manager, Planning Service, Town Hall, Chesterfield.

Under the Local Government (Access to Information) Act 1985, any letter received by the Council from you may have to be made available for public inspection both before and after the determination of the item concerned. Any correspondence will be published on the Council's web site. For householders, minor commercial and signage applications any representations received from interested parties made at the application stage will be sent to the secretary of State should there be an appeal and there will be no further opportunity to comment.

Where decisions are made by planning committee the Borough Council allows the public to address Planning Committee. Guidance on speaking at planning committee is available on the Council's website
H BOWEN - Chief Executive

**DERBYSHIRE COUNTY COUNCIL
 TEMPORARY ROAD CLOSURE
 ST PHILIPS DRIVE, HASLAND**

WHEN: 10 April 2017 to 12 April 2017
WHERE: Close St Philips Drive, Hasland at its junction with Hasland Road.
REASON: To facilitate new clean water connection works.
ALTERNATIVE ROUTE: Hasland Road – The Green – Stortforth Lane – St Philips Drive and Vice Versa.
 Access will be maintained, whenever reasonably possible, on the affected length of road. The road will

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

Town and Country Planning
 (Development Management
 Procedure) Order 2010 Article 13
 Planning (Listed Buildings & Conservation Areas)
 Act 1990 Section 67 or 73
Regulation 5 of the 1990 Regulations
 Town and Country Planning Act 1990
 Town and Country
 Planning (Development Plans and Consultation)
 (Departure) Direction Order 1999

The following applications have been submitted to North East Derbyshire District Council and can be viewed at <http://planapps-online.northern-derbyshire.gov.uk/online-applications/> or at District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG. Any comments should be made within 21 days. By law, comments are open to public inspection and will be displayed on our website.

- NED17/00247/RM at Biwater Industries Limited Market Street Clay Cross Chesterfield
 - NED17/00259/FLH at Whitfield Farm Sloade Lane Ridgeway Sheffield
 - NED17/00307/FL at Elm Tree Inn Mansfield Road Heath Chesterfield
 - NED17/00262/FL at Shirland Church Hall Main Road Shirland
 - NED17/00266/OL at The Old Rectory Church Street Ashover Chesterfield
 - NED17/00227/OL at Land Opposite The Avenue Visitor Centre On The South Side Of Mill Lane Wingerworth
 - NED17/00290/FL at 3 Stretton Road Morton Alfreton DE55 6GW
- D. Swaine, Chief Executive Officer
 Date: 23 March 2017

**DERBYSHIRE COUNTY COUNCIL
 TEMPORARY ROAD CLOSURE
 FOLJAMBE ROAD, CHESTERFIELD**

WHEN: 13 April 2017
WHERE: Close Foljambe Road, Chesterfield (Southbound Only) between Saltergate and West Bars Roundabout.
REASON: To facilitate Utility works.
ALTERNATIVE ROUTE: Saltergate – Clarence Road – West Bars – Foljambe Road (Not Vice Versa)
 Access will be maintained, whenever reasonably possible, on the affected length of road. The road will

Derbyshire County Council made an order for collecting goods or

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

Derbyshire County Council made an order for collecting goods or services from premises in a southerly direction for a southerly direction

This page is intentionally left blank



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 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

5 BRECKLAND ROAD
WALTON

Post town CHESTERFIELD

Post code (if known) S40 3LJ

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

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

Part 2 – Representor details

(A) DETAILS OF INDIVIDUAL REPRESENTOR (fill in as applicable)

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

Surname First names

Please tick ✓ yes

I am over 18 years old or over

Current postal address if different from premises address

Post town

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

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

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

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

Opening Hours until 22:30 Monday to Saturday and 22:00 on Sundays, plus 01:00 Christmas Day and 02:00 New Year's Day.

Main concern is noise late into the evening when people close by are trying to sleep. Noise referring to loud voices chatting and laughing, particularly outdoors.

The Protection of Children from Harm

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

From the Planning Application the nearby residents learned of the Applicant's business plan, which included intentions for opening hours. The pub would likely be closed on Mondays and Tuesdays, potentially Wednesdays, would open until 20:00/21:00 on Thursdays & Fridays, 19:00/20:00 on Saturdays and 19:00 on Sundays. The Planning Department seemed to be happy with these intentions. Nearby residents also seemed happy with the compromise. The Applicant has now applied for Licensing hours of 11:00-22:30 Monday to Saturday and 22:00 on Sundays, plus 01:00 Christmas Day and 02:00 New Year's Day. These hours do match the intentions given to the Planning Department. I presume this is to give the Applicant flexibility to open longer hours if there is a demand to do so.

It is possible for the pub customers to wish to drink outdoors, particularly in the summer months, congregating at the front of the pub or on the public footpath to the side. In the later part of the evening when it is usually very quiet, loud voices chatting and laughing would particularly be heard by residents on Breckland Road and the top of Foxbrook Court. The Applicant suggested he would direct smokers to the back yard, which is used for deliveries and shared by the other units. Loud voices chatting and laughing would be heard by residents on Foxbrook Court and The Way. I do not believe the perimeter wall would contain the sound. Some residents have queried whether this meets with Health & Safety regulations and also the security of the other units as this has not been made clear.

I am not against customers chatting and enjoying themselves, but when it occurs very close to your bedroom window at a time of night when the area is very quiet and you are trying to sleep, the sound is amplified and becomes a nuisance. There are children in the area and adults who have to get up early for work, so value a good night's sleep. If the Applicant's requested opening hours are granted, the pub could open every night and hence the residents' sleep disturbed every night. There is also the possibility that customers will remain outside the pub after closing time to stand and chat.

There are residents in the area that chose to live in Walton because it is quiet at night. Anti-social behaviour has been a problem in the past, but this seems to have been dealt with by the Police and is rarely a problem now. I would be happy with the Applicant's intentions submitted to the Planning Department and would be satisfied if he could be formerly held to this.

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

Signature

| |
|--|
| |
|--|

Date

27th March 2017.

Capacity

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)

| | |
|---|------------------|
| | |
| Post town | Post code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | |

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 Representer’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.

This page is intentionally left blank

| |
|--|
| 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. |

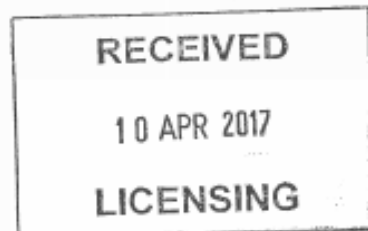
We wish to make a representation in relation to an application that has been made in respect of the premises described in Part 1 below

Part 1 – Premises or club premises details

| | |
|--|-------------------------------------|
| Postal address of premises or club premises, or if none, ordnance survey map reference or description | |
| 5 Breckland Road, Walton | |
| Post town Chesterfield | Post code (if known) S40 3LJ |

| |
|---|
| Name of Premises Licence holder or Club holding Club Premises Certificate (if known) |
| Mr Steven Eyre |

| |
|---|
| Number of Premises Licence or Club Premises Certificate (if known) |
| Not known |



Part 2 – Representor details

(A) **DETAILS OF INDIVIDUAL REPRESENTOR** (fill in as applicable)

| | | | | | | | | | | |
|----------------|--------------------------|---|--------------------------|-------------------------------------|------|--------------------------|----|--------------------------|--------------------------------------|--------------------------|
| Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Miss | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other title (for example, Rev) | <input type="checkbox"/> |
| Surname | | | | | | | | | | |

| | | |
|--|--------------|--------------------------|
| | | Please tick ✓ yes |
| I am over 18 years old or over | | X |
| Current postal address if different from premises address | | |
| Post town | Chesterfield | |
| Daytime contact telephone number | | |
| Email address (optional) | | |

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

| | |
|----------------------------------|--|
| | |
| 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 | X |
| 2) | public safety | X |
| 3) | the prevention of public nuisance | X |
| 4) | the protection of children from harm | X |

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

| |
|---|
| <p>The Prevention of Crime and Disorder</p> <p>The area surrounding the shop parade has previously had on going problems with anti-social behaviour affecting local residents. Adding a pub to the area is likely to exacerbate any such behaviour.</p> |
| <p>Public Safety</p> <p>There is an increased risk of anti social behaviour associated with the late opening times proposed, with the increased time people are allowed to consume alcohol during the day and into the late evening This will pose a</p> |

great level of anxiety and concerns for their safety for any resident wanting to 'pop to the shop' during the later hours of the day.

The Prevention of Public Nuisance

We live in a quiet residential area populated with many young families. Having a Micro Pub in this area especially with the proposed unsociable hours is obviously going to cause a significant amount of noise with people using the premises.

The Protection of Children from Harm

Children play in the area surrounding the shops, they walk directly past the premises every working day on their way to and from school, which parents in the heart of this residential area trust them to do. Allowing the sale and consumption of alcohol at this location during the proposed times is going to have a negative impact on the freedoms and lifestyle of the children that live here.

As the area is also used by many local children as a safe area to play, they would be exposed to adults of all ages influenced by alcohol and would be affected by the behaviour of those groups after having a drink. Drink will always lower peoples sensibilities and inhibitions, and our children should not be exposed to this in their safe 'home' area.

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

Many local residents objected to the planning permission for change of use from Take-away to Public House due to noise pollution, anti-social behaviour etc. In order to try and change the opinion of local residents, Mr Eyre issued a statement saying that it was going to be a 'local community pub' and that it would only be open four days a week from approximately 16:00-20:00. Since the planning permission has been given, the hours for a licence that Mr Eyre has applied for differs greatly from the hours given in his statement. It is difficult not to think that residents have been misled in order for Mr Eyre to be given planning permission. When the police commented on the planning application I believe that they recommended that the opening times needed to be reduced significantly, but I fail to see that this has been done.

There are many detailed objections which can be seen on the planning site, which we would urge you to look at and take into consideration, there is also a petition signed by 162 local residents.

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

Date

31-3-2017

Capacity

RESIDENT

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) | |
| | |
| Post town | Post code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | |

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.


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.

Iwish 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

5 Breckland Rd, Walton, Chesterfield, S40 3LJ

Post town Chesterfield

Post code S40 3LJ

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

Applicant : Mr S Eyre

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

Part 2 – Representor details

(A) DETAILS OF INDIVIDUAL REPRESENTOR (fill in as applicable)

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

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

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

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

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

Limitation of opening hours to 2100 Hrs as a maximum all year round to prevent nuisance to a largely residential and quiet area with young children.

Installation of CCTV to monitor the "youth" issue in the surrounding area.

The Protection of Children from Harm

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

The Applicant published their business plan after opposition to the planning application which roughly stated openings hours of approx. 4/5 days per week with early evening opening on weekdays and daytime opening at weekends with a closing time of approx. 2000-2100 Hrs.

The application is therefore different to this business plan and I feel that since planning has already been approved then it seems only right that the licensing hours are limited to this business plan to allay fears in the local community.

Derbyshire Police also sent a letter of concern during the planning approval phase also noting concerns over the opening hours in a residential area and the inclusion of CCTV.

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

Date 10th April 2017

.....

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) | |
| See Above | |
| Post town | Post code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) : See Above | |

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.

This page is intentionally left blank

Comments for Planning Application CHE/16/00837/FUL

Application Summary

Application Number: CHE/16/00837/FUL

Address: 5 Breckland Road Walton Derbyshire S40 3LJ

Proposal: Change of use from hot food takeaway to public house (Licensing Act 2003) - A5 to A4

Case Officer: Joe Freegard

Customer Details

Name:

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Policy
- Residential Amenity
- Traffic or Highways
- Visual

Comment: residential area full of young families. problems with antisocial behaviour and underage drinking.

From: [redacted]
Sent: Mon, 30 Jan 2017 16:52:04 +0000
To: Michelle Hendry
Subject: Re: CHE/16/00837/FUL Change of use 5 Breckland Road

Dear Sir/Madame.

I write to object to the proposed change of use to the Hot Food Takeaway to a public house at 5 Breckland Road.

We live on [redacted] and have young children. we have lived here 11 years and we have had persistent problems with Antisocial behavior in the alley adjacent to the proposed public house. We feel that this application will only serve to add to these problems as I note they wish to trade till 11pm 6 days a week. We feel this will lead to a considerable increase in noise and litter and crime in the area.

Please speak to PC Dave Randall about the problems we have faced on the estate with regards to the problems caused with alcohol consumption on a quiet family estate.

I am also concerned as to noise created by deliveries and the emptying of bottle banks. we already suffer considerable disruption from deliveries to the ONE STOP. this will also visually affect the area as it has no designated smoking area so residents will have to pass through people smoking day and night to access the other services available at the parade of shops. there is not enough parking on site and this will cause considerable disruption to the business's present and an increase in noise and pollution.

We already litter pick regularly due to the litter dropped in the alley and we certainly don't want to add glass bottles been thrown into are gardens.

Many great Pubs and Bars are available on Chatsworth Road which is only minutes away and so we feel that this application has no benefit to the residents only to cause distress and impact on a quiet family environment. many of us that live here have moved here for the quality of life for us and our children. This will be completely gone if our children are woken all night, the park is full of glass bottles and we have to suffer more petty vandalism and disruption. We did not want to live next to a pub and would not have chosen to live next to one so now feel that this is very unfair, especially as you did not notify the local residents and it is only because of our close community bond that we have taken our own time to make sure everyone knows.

Kind Regards,

[redacted]

This page is intentionally left blank

APPENDIX 8

Tel: 101
Text Relay: 18001 101
www.derbyshire.police.uk

Contact: Pc 229 Holden
Direct Tel: 0300 122 8517
Ext:
Fax:
Our ref:
Your ref:

Licensing Officer
Licensing Officer
Chesterfield Borough Council
Customer Service Centre
85 New Square
Chesterfield
S40 1AH

21st March 2017

Dear Sir, Madam,

Ref: Application for Premises Licence: 5 Breckland Road Walton Chesterfield S40 3LJ

On behalf of the Chief Officer of police, I give formal notice of objection in respect of the application for a premises licence in relation to **5 Breckland Road Walton Chesterfield S40 3LJ**

Derbyshire Constabulary are satisfied that the granting of the application would undermine the prevention of crime and disorder, public safety, the prevention of public nuisance and protection of children from harm **objectives**. The reasons for this being the unsuitable operating schedule proposed by the applicant.

If you have any queries in respect of this please do not hesitate to contact us.

Yours faithfully



Sgt 2541 Booth



This page is intentionally left blank

Environment Services
 Customer Service Centre
 85 New Square
 Chesterfield
 Derbyshire S40 1AH



CHESTERFIELD
 BOROUGH COUNCIL

E-Mail: mick.bargh@chesterfield.gov.uk

Licensing Authority,
 Chesterfield Borough Council,
 Customer Service Centre,
 85 New Square,
 Chesterfield.
 S40 1AH

Please ask for
 Direct Line 01246 345453
 Our Ref
 Your Ref

Date 11th April 2017

Dear Sir/Madam,

Application for Premises Licence – 5 Breckland Road, Walton, Chesterfield.

I wish to make a representation on behalf of the Licensing Authority regarding the recent application for an alcohol premises licence by Mr Stephen Eyre for 5 Breckland Road, Walton.

The grounds for the representation are that in the application's current form, there are insufficient control measures in place to address the four licensing objectives, namely

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

During the planning application phase for this premises, a significant number of residents local to the premises made representations regarding issues which gave them cause for concern including:

- Noise nuisance
- Late night disturbance
- Anti-social behaviour
- Smoking issues in terms of health and litter
- Siting an on-licensed premise in a residential suburb area where families with young children reside, particularly where no such premises had previously existed. This impacts on those residents who had chosen such a location for that very reason.
- Parking issues, particularly on street parking and a lack of parking spaces on the designated car park.
- Litter

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345 Text: 07960 910 264 Email: info@chesterfield.gov.uk

- Personal safety
- Anxiety when passing premises for those more vulnerable or infirm residents
- Safety of children
- The hours of operation of the premises.
- Under age alcohol sales

Clearly these concerns, although made in response to the planning application, also address the four licensing objectives.

Some of those local residents that made the initial representations against the planning application have raised the same concerns in response to the premises licence application.

Mr Eyre's application cites the following control measures in his proposed operating schedule to address the licensing objectives.

- General – all four licensing objectives
The premises will cater for middle aged drinkers in an atmosphere of quiet surroundings. With no late opening hours there will be little chance that the premises will attract any crime or disorder. The premises will be well run and staff will have sufficient training to enable them to prevent any incidents in or around the premises.
- The prevention of crime and disorder
None stated
- Public safety
Notices will be posted reminding patrons to be quiet on leaving the premises.
- The prevention of public nuisance
Glass bottles will only be transferred to external bins between 9am and 5pm. Smokers will be directed to use the rear yard.
- The protection of children from harm
No children under the age of 18 will enter the premises unless accompanied by an adult. The premises will run an under 21age policy.

The Licensing Authority is concerned that these volunteered conditions appear insufficient to adequately address the licence objectives, particularly in light of the other concerns raised.

Yours sincerely,


Michael Bargh
Licensing Enforcement Officer

File Nô. 2/

CHESTERFIELD BOROUGH COUNCIL

Form TCP3

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order
2010**

Mr Stephen Eyre
6 Stanford Way
Walton
CHESTERFIELD
S42 7NH

Planning Service
Town Hall
Chesterfield
S40 1LP

In pursuance of the powers vested in the Chesterfield Borough Council under the above Act and Orders, and with reference to your application (**Office Code No. CHE/16/00837/FUL**) submitted on the **30th December 2016** and validated on the **30th December 2016** for **Change of use from hot food takeaway to public house (Licensing Act 2003) - A5 to A4** at **5 Breckland Road, Walton, Derbyshire, S40 3LJ**, , for **Mr Stephen Eyre**

In the manner described on the application and shown on the accompanying plan(s) and drawing(s) **NOTICE IS HEREBY GIVEN** that permission for the proposed development is **GRANTED subject to the following condition(s):-**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. All external dimensions and elevational treatments shall be as shown on the approved plan/s: Location Plan with the exception of any approved non material amendment.

Reason(s) for Condition(s)

01. The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.
02. In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009

Statement of Positive and Pro-active Working with Applicant

The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

01. The Local Planning Authority offers a free pre-application advice service which, in this instance, was not utilised to establish the nature of the application. Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for, conditions being used to address outstanding issues with the development.

Note(s)

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.

Dated 23rd February 2017

Signed..........

From:STEPHEN EYRE
Sent:Sun, 5 Feb 2017 12:25:23 +0000
To:Chris Wright;Alexis Diouf (Cllr);Vickey Diouf (Cllr);Nick Redihough (Cllr)
Subject:Business plan 5 Breckland Road

Chris

As promised here is my business plan for 5 Breckland Road, Walton. If you need any further information please get in touch.

I'm not sure whether I have mentioned it but I am away on holiday from 8th to 18th Feb. I don't usually stay in contact when I am holiday but I will try once a day to log into my email.

In essence I want to run a community real ale pub. I am not sure that there is a definitive definition for a real ale pub but my understanding is that it's a place that sells good quality beers probably produced locally but in any event by low volume producers. The beer is likely to be more expensive than that produced by high volume brewers and the taste more distinctive and less generic. The ambience is also a factor in real ale pubs. They are not necessarily vertical drinking establishments but they are a place where friends can meet for a quiet drink and a chat. In effect these premises are aimed at the over 25s as these are the people most likely to pay a small premium for their drink. Drunken behaviour is not a hall mark of this type of premises.

My business plan will include the provision of better quality beers, lagers, ciders, wines and soft drinks with the beers either being supplied from the cask or by bottles. Canned alcohol drinks will not be used. I have no intention of staging live or recorded music with the only background noise likely to come from a television or radio.

Books, magazines and newspapers will be available to read lending to the ambience of a convivial place to relax and unwind. Traditional bar games, chess, draughts and monopoly type board games would be a fun addition.

Although my application for a premises licence under the Licensing Act will possibly request licensing times of 11am to 10pm every day its unlikely that I will ever use those times. At the moment my plan is to remain closed Monday, Tuesday and possibly Wednesday. On Thursday and Friday opening will be from around 4 or 5pm and closing around 8 or 9pm. Saturday opening at 11am and closing around 7 or 8pm and Sunday 11am to 6 or 7pm. If its clear that there is no business after a particular time then I will close earlier. As Walton has never had a pub it remains unclear whether there will be enough business to make it a going concern and within 3 months of opening it should be clear what the future holds. However, I will not surrender my standards in order to make it a going concern and I will not be afraid to close the business.

In terms of smokers who may want to use the premises they will be directed towards the back yard. The benefit of this is that they will not be allowed to congregate on the front path possibly intimidating other users of the shops. In the back yard they will cause no noise for those householders opposite on Breckland Road. The rear yard is surrounded by a 6 foot high brick wall which will stop any chatter from reaching houses on Foxwood Court. As the prevailing winds come from the west some fumes and noise will be blown to Moorland View Road and not Foxwood Court. I am not a big fan of smoking and smokers will not be encouraged so there will be no outside shelter provided. I would

suggest the noise and fumes coming from a fast food takeaway would far outweigh anything coming from the outside (or inside) of my premises.

Litter has also been cited as something that will increase if the premises change to a pub. This is wrong. Pubs do not create much litter as around 95% of their consumables can be reused or recycled. As I will not be selling beer in cans there will be reduced opportunity for people to drink on their way home and throw down any empty cans. No doubt litter will on occasions be blown towards the premises and I will monitor this and when it becomes necessary any debris whether of the pub's or other premises making will be cleared.

Another problem cited is anti-social behaviour. I have monitored children on their skateboards using the car park to play. As with most children they do shout and get excited about things happening in their world and no doubt this causes anxiety in people using the shops. Apart from OneStop the other businesses on the parade close around tea time. By have another premises open until late evening there will be an added 'pair of eyes' watching the children and this may quell their noise. Its very doubtful that the over 25s using my premises are going to cause any ASB so there is a strong likelihood that there will be a reduction in overall ASB.

So in conclusion my business model for these premises is nothing like the one envisaged by some people. It is highly likely that my pub would sit more comfortably and quietly into its surroundings than the previous fast food takeaways. It will also be more of an amenity especially if I can be allowed to portion of some of the interior into a meeting room.

In short this pub is going to be a strong addition to the amenities of Walton Dam, Walton Park and the countryside on the edge of the district.

Regards

Stephen Eyre