



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

The Chair and Members of Licensing
Committee - Group 2

Councillors Bellamy, Avis Murphy,
Brunt, Derbyshire, Peter Innes,
Redihough

5 December 2017

Dear Councillor,

Please attend a meeting of the LICENSING COMMITTEE - GROUP 2 to be held on WEDNESDAY, 13 DECEMBER 2017 at 11.00 am in Committee Room 1, 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 - 8)

Minutes of the Meetings of the Licensing Committee held on 18 October, 25 October and 1 November, 2017.

4. Application for variation of a premises licence by Koo Chesterfield Limited in respect of Koo, 475a Chatsworth Road, Brampton, Chesterfield, S40 3AD. (LC180) (Pages 9 - 72)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', 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, 18th October, 2017
Members Present:	Councillor Bellamy (Chair) A Murphy (Vice-Chair) J Barr Flood Rayner
Apologies for Absence	Councillor Burrows

Declarations of Interest:	None
Name:	-
Nature:	-
Minute No:	4 (17/18)
Subject:	Application for a Review of a Premises Licence for The Avenue, Beetwell Street, Chesterfield, S40 1SH (LC200)
Meeting in Public Private	Private
Name of Applicant:	Mrs V Carty, Technical Officer, Environmental Health, Chesterfield Borough Council
Applicant's Representatives:	-
Responsible Authorities who made Representations:	Mr M Neale-Eyre, Derbyshire Fire and Rescue
Premises Licence Holder	Mr P Birch Represented by Mr P Robson
Interested Parties who made Representations:	-
Record of Decision	<p>* That the meeting be adjourned to Wednesday 1 November, 2017 and that the time period for hearing the review be extended accordingly.</p> <p>That, subject to the provisos mentioned at the meeting, the Premises Licence Holder be permitted to call evidence from his Health and Safety consultant.</p> <p>That any further documents to be relied upon by the parties at the hearing be submitted by noon on 27 October, 2017.</p>
Signed as a correct record:	
Date:	

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LICENSING COMMITTEE RECORD OF DECISIONS

Date of Hearing and Determination:	Wednesday, 25th October, 2017
Members Present:	Councillor Bellamy (Chair) A Murphy (Vice-Chair) Bexton L Collins Parsons Slack
Apologies	Councillor Brown

Declarations of Interest:	None
Name:	-
Nature:	-
Minutes:	Minutes of the Licensing Committee meeting held on 22 August, 2017 signed by the Chair as a correct record.
Minute No:	5 - 17/18
Subject:	Application for a New Premises Licence by Inspired Venues Ltd, in respect of The Crafty Dog, 261 Chatsworth Road, Chesterfield, S40 2BL. (LC170)
Meeting in Public Private	Public
Name of Applicant:	Mr N Turner Mr A Watterson
Applicant's Representatives:	-
Responsible Authorities who made Representations:	N/A
Premises Licence Holder	N/A
Interested Parties who made Representations:	Miss Z Gillibrand / Mr R Dunks Miss N Compton
Record of Decision	* That the application for a New Premises Licence by Inspired Venues Ltd in respect of the Crafty Dog, 261 Chatsworth Road,

	<p>Chesterfield, S40 2BL be granted in accordance with the application subject to:</p> <p>(a) the relevant mandatory conditions</p> <p>(b) the conditions set out in the operating schedule submitted with the application.</p>
Signed as a correct record:	
Date:	

LICENSING COMMITTEE RECORD OF DECISIONS

Date of Hearing and Determination:	Wednesday, 1st November, 2017
Members Present:	Councillor Bellamy (Chair) A Murphy (Vice-Chair) Flood Rayner
Apologies for Absence	Councillor J Barr

Declarations of Interest:	None
Name:	-
Nature:	-
Minute No:	6 (17/18)
Subject:	Application for a Review of a Premises Licence for The Avenue, Beetwell Street, Chesterfield, S40 1SH (LC200)
Meeting in Public Private	Private
Name of Applicant:	Mrs V Carty, Technical Officer, Environmental Health, Chesterfield Borough Council
Applicant's Representatives:	-
Responsible Authorities who made Representations:	Mr M Neale-Eyre, Derbyshire Fire and Rescue
Premises Licence Holder	Mr P Birch Represented by Mr P Robson (Witness – Mr A Huckerby)
Interested Parties who made Representations:	-
Record of Decision	<p>*That in the interest of public safety the premises licence for The Avenue, Beetwell Street, Chesterfield, S40 1SH</p> <p>(a) be suspended for a period of up to one month conditional on the following actions:</p> <ul style="list-style-type: none"> (i) installation of the equipment to mute the sound system on the sounding of the fire alarm as required by the Fire Safety Enforcement Notice; (ii) amendment of the health and safety policy documentation to be generic, site specific and to include accurate names of the relevant companies; (iii) amendment of the training matrix to clearly identify which staff have received which training, the length of

	<p>the training, who has provided the training and when this has been signed off;</p> <p>(iv) the job descriptions for the roles of Bar Manager and Venue Manager are clearly set out.</p> <p>(b) be subject to the following additional conditions:</p> <p>(i) all members of staff or contracted workers shall not be permitted to participate in the provision of licensable activities until they have:</p> <ul style="list-style-type: none"> signed the health and safety handbook acknowledgement form confirming when they received the health and safety handbook, that they have read the handbook and understood and accepted its contents received induction training covering fire procedures such as locations of exits/escape routes, evacuation and assembly procedures, emergency other than fire procedure evacuation plan, location of first aid kit and accident book. <p>(ii) records of all induction training shall be retained at the premises for at least 24 months and be provided for inspection by an authorised officer on request.</p> <p>(iii) no person under the age of 18 shall be permitted on the premises, at any time when licensable activities are taking place or could be taking place under the terms of the licence, unless accompanied by a parent or guardian.</p>
Signed as a correct record:	
Date:	

FOR PUBLICATION

APPLICATION FOR VARIATION OF A PREMISES LICENCE
BY KOO CHESTERFIELD LIMITED
IN RESPECT OF
KOO, 475a CHATSWORTH ROAD, BRAMPTON, CHESTERFIELD,
S40 3AD. (LC180)

MEETING:	LICENSING COMMITTEE
DATE:	WEDNESDAY 13 TH DECEMBER 2017
REPORT BY:	LICENSING OFFICER Steve Ashby
WARD	HOLMEBROOK

1.0 APPLICATION

1.1 The Applicant is Koo Chesterfield Limited.

1.2 The premises is
Koo,
475a Chatsworth Road,
Brampton,
Chesterfield,
S40 3AD

2.0 PURPOSE OF REPORT

2.1 For Members to determine an application for a variation of a premises licence in respect of Koo.

2.2 Relevant representations have been made and not withdrawn, thus the application cannot be granted or refused under officer delegated authority.

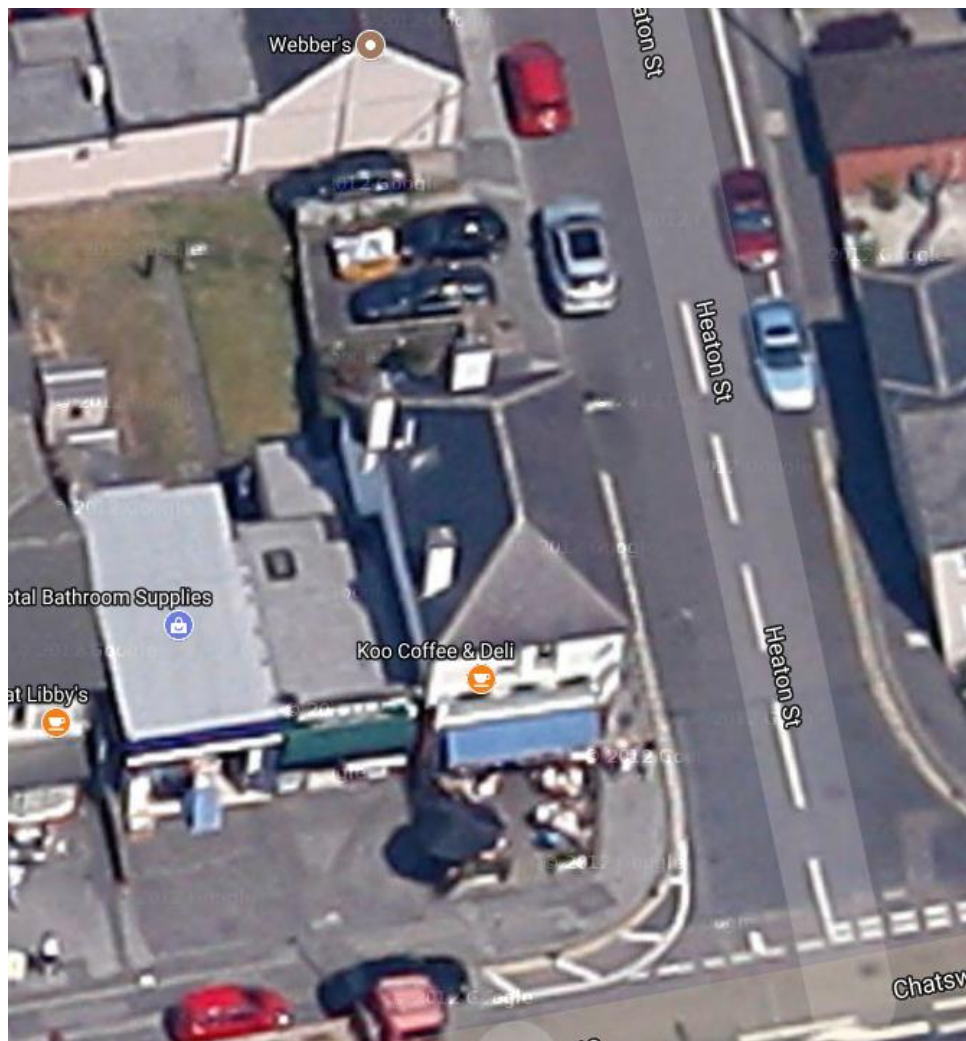
3.0 **BACKGROUND**

3.1 Koo is a café and bistro on Chatsworth Road, Chesterfield.

The premises has an outdoor seating area to the front with a low fence boundary, which has been authorised for such use with planning permission being granted.

There is an enclosed yard to the rear with a brick wall boundary and a two vehicle car park beyond the yard. Both are considered as potential seating areas for the future.

There are no alternative planning permissions granted for these two areas.



- 3.2 The premises is currently licensed for the sale by retail of alcohol, the playing of recorded music (indoors) and the performance of live music (indoors) as below.

The sale by retail of alcohol for consumption ON and OFF the premises

- Mon, Tues, Wed, & Thursday 10:00 - 20:00
- Friday & Saturday 10:00 - 23:00
- Sunday 10:00 - 16:00

Playing of recorded music (Indoors)

- Mon, Tues, Wed, & Thursday 12:00 - 19:00
- Friday & Saturday 12:00 - 22:00

Performance of live music (Indoors)

- Mon, Tues, Wed, & Thursday 12:00 - 19:00
- Friday & Saturday 12:00 - 22:00

Premises opening hours

- Mon, Tues, Wed, & Thursday 09:00 - 20:00
- Friday & Saturday 09:00 - 23:00
- Sunday 09:00 - 17:00

- 3.3 The premises licence holder has made this application to be able to provide services in line with other local businesses on Chatsworth Road.

- 3.4 The variation application seeks to
- Add the activities of plays, films, dance and late night refreshment to the licence.
 - Extend the scope of licensable activities to include the outside areas at the front and rear of the premises
 - Amend the premises operating schedule to remove some outdated conditions and insert greater control measures to address the additional licensable activities requested.
 - Extend the permitted hours of licensable activities at the venue as shown in the following table.

	Monday to Thursday	Friday	Saturday	Sunday
Indoor and outdoor <ul style="list-style-type: none"> • Plays • Films • Live Music • Recorded music • Performance of dance • Late Night refreshment Opening Hours	08.00 am to 01.00 am	08.00 am to 01.30 am	09.00 am to 01.30 am	09.00 am to 01.00 am
Sale and supply of alcohol (on and off the premises) inside the premises and on the outside spaces to the front and rear	08.00 am to 12.30 am	08.00 am to 01.00 am	09.00 am To 01.00 am	09.00 am To 12.30 am
Outside licensable activities	All licensable activities will cease outdoors at 11.00 pm (although consumption of alcohol may continue)			
Non-standard timings for <ul style="list-style-type: none"> • Recorded music • Late night refreshment • Sale and supply of alcohol 	On New Year's Eve only, the premises will be open from 01.00 am until opening hours on New Year's Day where opening times will resume in line with normal opening hours.			

4 APPLICATION

- 4.1 A copy of the application form and plan are attached as Appendix 1 and 1a.
The current Premises Licence is attached at Appendix 2.
- 4.2 Applications for a variation of a Premises Licence are required to be advertised by way of
- site notice displayed at the premises
 - an advert in the local press
 - copies of the application submitted to all Responsible Authorities
 - a copy of the application posted on the Chesterfield Borough Council's Licensing Authority website page.
- 4.3 A copy of the appropriate local press advert taken from the Derbyshire Times on Thursday 2nd November 2017 is attached at appendix 3.
- 4.4 The site notices displayed on the premises, advertising the application were viewed by licensing enforcement staff on 4th November 2017. They were 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 application was posted on Chesterfield Borough Council's website.
- 4.7 The statutory deadline for representation was 24th November 2017.

5 REPRESENTATIONS

- 5.1 Responsible Authorities and Interested Parties (persons/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.

- 5.2 Any representation received should be neither frivolous nor vexatious. The representations must be relevant to the likely effect of the proposed variation on the promotion of at least one of the 4 licensing objectives which are
- (1) the prevention of crime and disorder
 - (2) public safety
 - (3) prevention of public nuisance
 - (4) the protection of children from harm.

Representations which are not relevant must be rejected.

- 5.3 If a representation has been made but is subsequently withdrawn, it is no longer a relevant representation and provided there are no other relevant representations the application can be dealt with under officer delegated authority.

- 5.4 Seven letters or e-mails of representation have been received in total in respect of this application, one of which has subsequently been withdrawn.

5.5 Representation from Pollution Control

- 5.6 An e-mail of representation was received from Chesterfield Borough Council Pollution Control Officer Mr Andrew Daley. This e-mail can be seen at appendix 4.

- 5.7 Mr Daley's representation was made in relation to the Prevention of Public Nuisance licensing objective. His representation related to the fact that if the licence variation were granted, it would allow regulated entertainment outside the premises to the front and rear. He stated

- The front seating area at Koo is directly adjacent to the street. Any loudspeakers placed in this area would be in contravention of legislation contained in the 1974 Control of Pollution Act, which specifically prohibits such activity.
- Allowing entertainment in the rear courtyard of the premises would introduce more noise to local residents and would likely give rise to complaints of nuisance.

In conclusion Mr Daley stated he would not want to see any of the outside areas at the premises used for regulated entertainment.

5.8 The representation was drawn to the attention of the applicant and after discussion; the application was amended with the following agreed change.

- No regulated entertainment will take place at the front of the premises.
- Regulated entertainment on the outside area at the rear of the premises will consist only of incidental recorded music until 11.00 pm with the volume turned down at 6.00 pm.
- Live amplified entertainment will be specifically excluded from this area.

5.9 The amendment to the application satisfied the concerns of Mr Daley who subsequently withdrew his representation.

5.10 Representations from Local residents

5.11 Six letters and e-mails of representations have been received and accepted from local residents. Redacted copies of the representations are shown at Appendices numbered 5 to 10.

5.12 These representations address the prevention of crime and disorder, public safety and prevention of public nuisance licensing objectives. They raise concerns in respect of a number of issues:

Change of use of the premises

- The application would change the premises (which was originally a delicatessen) from its current form as a café / bistro to something totally different i.e. a regular late night venue with very late opening on Fridays, Saturdays and Sundays with music.
- This change is unacceptable in a quiet, residential area.
- There is insufficient space to accommodate the evolution of the premises into a cross between a restaurant, a cinema, a theatre and a night club. Previous functions at the premises (not exclusively in warm weather) have resulted in patrons overflowing onto the pavements outside the premises, causing obstruction and forcing pedestrians to walk in the road to get passed.

Noise and disturbance

- This is a residential area. The increased hours would pose a detrimental effect to the neighbourhood in terms of noise pollution and extended alcohol consumption.

- Noise from the premises is absorbed into the sounds of the busy traffic on Chatsworth Road during the day and early evening but this would not be the case at night.
- Activities in the outside area will face residential properties.
- Loud music is already played in the premises to the annoyance of nearby residents; any extension will only make matters worse – becoming more frequent and later.
- As functions wind down later at night, there will be a congregation of attendees outside, leading to disturbance and loud (sometimes drunken) chatter, flirting, arguments, phone calls, car horns and slamming doors. Most of Koo's nearby neighbours are elderly, aren't up late and so will be disturbed.
- Late night opening will result in doors and windows of the premises being left open which will allow voices and music to carry to nearby properties.
- The premise is predominantly not used by local residents and so there is no local benefit to these changes.

Parking

- Parking is a key issue. Space is very limited in the vicinity. Longer hours would put a strain on already congested streets.
- The immediate area around the property is heavily congested and residents already find it difficult to park. Koo customers are reported to have parked across resident's driveways and if asked to move, have responded with aggressive verbal abuse and profanity.

Nonstandard timings

- The non-standard timing for New Year is totally unacceptable.

Consultation

- One of the representations raised a concern that a single notice displayed on the premises was insufficient to advertise the application, that the notice was too small and that there was no consultation between the applicant and nearby residents.

Suggested alternative

- A proposed change of hours was included in one of the representations which suggested
 - Live music, late night refreshment and dancing (indoors and outdoors) cease at 11.00 pm from Sunday to Thursday and midnight on Friday and Saturday.
 - The sale and supply of alcohol cease
 - at 10.30 pm from Sunday to Thursday
 - at 11.30 pm on Friday and Saturday indoors
 - and at 10.30 pm on Friday and Saturday outdoors.

5.13 Information from Chesterfield Borough Council Planning Department

5.14 Whilst no representation was received from the planning department an e-mail was forwarded which identified the following information.

- The seating area at the front of the premises received planning permission to be used for this purpose in 2007.
- Neither the yard at the rear of the premises nor the car parking spaces beyond the yard currently have planning permission that would enable the use which this application seeks to licence.

5.15 This e-mail can be seen at appendix 11.

6.0 ADDITIONAL INFORMATION

6.1 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 variation of the licence that has been requested.

6.2 The applicant has proposed significant changes to the operating schedule.

6.3 The original operating schedule is attached at appendix 12.

6.4 Some of the changes serve to update the licence by removing unnecessarily bureaucratic requirements. The additional conditions volunteered below are intended to provide greater control

measures to address the changes proposed in the variation application.

The proposed new operating schedule can be seen at appendix 13 and the main changes are summarised below.

General

These two conditions serve to preserve the current nature of the premises and guard against it's future development into an HVVD (high volume vertical drinking) establishment.

- The occupancy will be 50% seated customers and substantial food will be available during all alcohol licensed hours.
- Sales of alcohol will be ancillary to the main use of the venue as a food establishment.

Prevention of Crime and Disorder

The conditions here are intended to deter excessive consumption of alcohol, prevent removal of alcohol from the premises other than in sealed containers and provide a structured use of CCTV.

- Koo's primary purpose is as an eating establishment therefore food and snacks are always readily available to customers.
- All off-sales will be supplied in sealed containers only
- External tables will be provided with notices informing customers not to consume any drinks beyond the external dining area/curtilage of the premises
- "Drinking up time" will be allowed for customers consuming alcohol in keeping with our stated closing times.
- CCTV will be in place both inside and outside the venue. Any CCTV footage or images will be retained for 30 days and will be supplied to a Police Officer or an Officer of a Responsible Authority upon request.

Prevention of Public Nuisance

These additional conditions concentrate on minimising the impact of the premises on it's neighbours.

- The licence holder and management shall take a proactive approach to noise control and where appropriate shall monitor sound levels inside and carry out patrols outside the premises to ensure that noise levels do not cause noise nuisance to local residents or businesses.
- We will pay appropriate regard to noise sensitive premises and the volume of music will be under the control of

management and will be controlled to prevent noise nuisance to our neighbours.

- There will be signage to caution customers from making noise when leaving the premises and to leave in a considerate manner. When it is deemed necessary by management, members of staff will be assigned to the exit door at the end of business to remind customers to leave quietly, thereby respecting our neighbours.
- The licence holder will ensure that any litter in the immediate vicinity of the premises is cleared on a daily basis and as far as is practicable we will ensure that the premises and surrounding areas are tidy.

Protection of children from harm

The challenge 25 age verification policy is adopted along with a system of training which will be documented.

- Full training is provided to staff on commencement of employment on relevant current legislation, and any system or procedures they are expected to follow in the course of their working capacity.
- Training updates will be provided at regular intervals (at least six monthly) with records detailing the training provided to be kept on the premises for a minimum of two years for production, on request, to a Constable or an authorised officer of a Responsible Authority.
- A 'Challenge 25' or (similar) Proof of Age Scheme will be operated. Anyone attempting to purchase alcohol who appears under the age of (25) years will be asked for proof of age; acceptable forms of ID being PASS Accredited card, photo driving licence or passport.
- Failure to produce satisfactory proof of age will result in a refused sale. Clear prominent and unobstructed signage of the scheme will be displayed at all public entry points and at points of sale.
- A system of recording all sales refused will be operated at all times. At least weekly, the Designated Premises Supervisor (or authorised deputy) will examine the record and compare it against the normal operating pattern for the premises, indicating any action taken in relation.
- The refusal record shall be kept on the premises for a minimum period of two years for production, on request, to a Constable or an authorised officer of a Responsible Authority.

7 OPTIONS

- 7.1 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.
- 7.2 The Licensing Committee may
- grant the application as requested
 - grant it subject to conditions
 - or refuse the application.
- 7.3 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.

8 RECOMMENDATION

- 8.1 That the Committee
- Give consideration to
 - the content of the application
 - the representations made by local residents
 - the agreed amendment to the application after the withdrawn representation by the Chesterfield Borough Council Pollution Control Officer
 - and determine whether this application be granted, granted with conditions, or refused.



Steve Ashby
LICENSING OFFICER

For more information on this report please contact the author,
Steve Ashby on 01246 345230 or email
steve.ashby@chesterfield.gov.uk

APPENDIX 1

Received 26/10/17
Paid £1910 £5

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Koo Chesterfield Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
PL/VF/0304

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
475a Chatsworth Road
Brampton

Post town	Chesterfield	Postcode	S40 3AD
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£5400
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Part 2 – Applicant details

Daytime contact telephone number	07900363835
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E-mail address (optional)	Sian.spencer@hotmail.co.uk
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Current postal address if different from premises address	21 Lake View Avenue Walton
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Post town	Chesterfield	Postcode	S40 3DR
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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Koo's current premise licence was proposed in 2007 prior to Chatsworth Road's developments and therefore does not allow for Koo to be a competitive business. Koo would like to be able to provide services in line with other local businesses on Chatsworth Road and therefore we are requesting increases in opening times and times for selling and supplying alcohol. We trust that these suggestions are fair and we are eager to ensure that the four licensing objectives are still at the top of our agenda.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	0800	0100			
Tue	0800	0100			
Wed	0800	0100	<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur	0800	0100			
Fri	0800	0130	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7) All licensable activities will cease in outdoor areas at 11.00pm.		
Sat	0900	0130			
Sun	0900	0100			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	0800	0100			
Tue	0800	0100			
Wed	0800	0100	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur	0800	0100			
Fri	0800	0130	<u>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</u> (please read guidance note 7)		
Sat	0900	0130			
Sun	0900	0100	All licensable activities will cease outdoor at 11:00pm		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
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 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	0800	0100			
Tue	0800	0100			
Wed	0800	0100	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	0800	0100			
Fri	0800	0130	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) All licensable activities will cease outdoors at 11.00pm		
Sat	0900	0130			
Sun	0900	0100			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u> All recorded music will cease in outdoor areas at 11.00pm		
Mon	0800	0100			
Tue	0800	0100	<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Wed	0800	0100			
Thur	0800	0100	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u> On New Years Eve only Koo will be open from 0100 until opening hours on New Years day where opening times will resume in line with normal opening hours. The hours for recorded music will also be extended to these hours.		
Fri	0800	0130			
Sat	0900	0130			
Sun	0900	0100			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	0800	0100			
Tue	0800	0100			
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed	0800	0100			
Thur	0800	0100			
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) All licensable activities can cease outdoors at 11.00pm		
Fri	0800	0130			
Sat	0900	0130			
Sun	0900	0100			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	0800	0100			
Tue	0800	0100			
Wed	0800	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	0800	0100			
Fri	0800	0130	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) On New Years Eve only Koo will be open from 0100 until opening hours on New Years day where opening times will resume in line with normal opening hours. The hours for late night refreshments will also be extended to these hours.		
Sat	0900	0130			
Sun	0900	0100			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input checked="" type="checkbox"/>	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) In line with the four licencing objectives Koo agree to cease the sale and supply of alcohol and all licensable activities in the outside areas (front and rear) at 11.00pm .			
Mon	0800	0030				
	0800	2300				
Tue	0800	0030				
	0800	2300				
Wed	0800	0030				
	0800	2300				
Thur	0800	0030				<u>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</u> (please read guidance note 7) On New Years Eve only Koo will be open from 0100 until opening hours on New Years day where opening times will resume in line with normal opening hours. The supply of alcohol will also be extended to these hours.
	0800	2300				
Fri	0800	0100				
	0800	2300				
Sat	0900	0100				
	0900	2300				
Sun	0900	0030				
	0900	2300				

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 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	0800	0100	
Tue	0800	0100	
Wed	0800	0100	
Thur	0800	0100	
Fri	0800	0130	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) On New Years Eve only Koo will be open from 0100 until opening hours on New Years day where opening times will resume in line with normal opening hours.
Sat	0900	0130	
Sun	0900	0100	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The occupancy will be 50% seated customers and substantial food will be available during all alcohol licensed hours.

Sales of alcohol will be ancillary to the main use of the venue as a food establishment.

b) The prevention of crime and disorder

Koo's primary purpose is as an eating establishment therefore food and snacks are always readily available to customers.

All off-sales will be supplied in sealed containers only;

External tables will be provided with notices informing customers not to consume any drinks beyond the external dining area/curtilage of the premises;

'Drinking up time' will be allowed for customers consuming alcohol in keeping with our stated closing times.

We operate a drugs policy and all staff will be made aware of the policy as part of their training. Any person found to be using drugs on the premises will be reported to the police and banned from the premises.

CCTV will be in place both inside and outside the venue. Any CCTV footage or images will be retained for 30 days and will be supplied to a Police Officer or an Officer of a Responsible Authority upon request.

c) Public safety

Drinking vessels will be collected from external tables on a regular basis.

The licence holder and management shall take a proactive approach to noise control and where appropriate shall monitor sound levels inside and carry out patrols outside the premises to ensure that noise levels do not cause noise nuisance to local residents or businesses.

We will pay appropriate regard to noise sensitive premises and the volume of music will be under the control of management and will be controlled to prevent noise nuisance to our neighbours.

There will be signage to caution customers from making noise when leaving the premises and to leave in a considerate manner. When it is deemed necessary by management, members of staff will be assigned to the exit door at the end of business to remind customers to leave quietly, thereby respecting our neighbours.

The licence holder will ensure that any litter in the immediate vicinity of the premises is cleared on a daily basis and as far as is practicable we will ensure that the premises and surrounding areas are tidy.

e) The protection of children from harm

Full training is provided to staff on commencement of employment on relevant current legislation, and any system or procedures they are expected to follow in the course of their working capacity.

Training updates will be provided at regular intervals (at least six monthly) with records detailing the training provided to be kept on the premises for a minimum of two years for production, on request, to a Constable or an authorised officer of a Responsible Authority.

A 'Challenge 25' or (similar) Proof of Age Scheme will be operated. Anyone attempting to purchase alcohol who appears under the age of (25) years will be asked for proof of age; acceptable forms of ID being PASS Accredited card, photo driving licence or passport.

Failure to produce satisfactory proof of age will result in a refused sale. Clear prominent and unobstructed signage of the scheme will be displayed at all public entry points and at points of sale.

A system of recording all sales refused will be operated at all times. At least weekly, the Designated Premises Supervisor (or authorised deputy) will examine the record and compare it against the normal operating pattern for the premises, indicating any action taken in relation.

The refusal record shall be kept on the premises for a minimum period of two years for production, on request, to a Constable or an authorised officer of a Responsible Authority.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- I understand that if I do not comply with the above requirements my application will ☐

be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>M. Hencibay</i>
Date	<i>26.10.17</i>
Capacity	<i>Owner</i>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). 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 15)

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)			

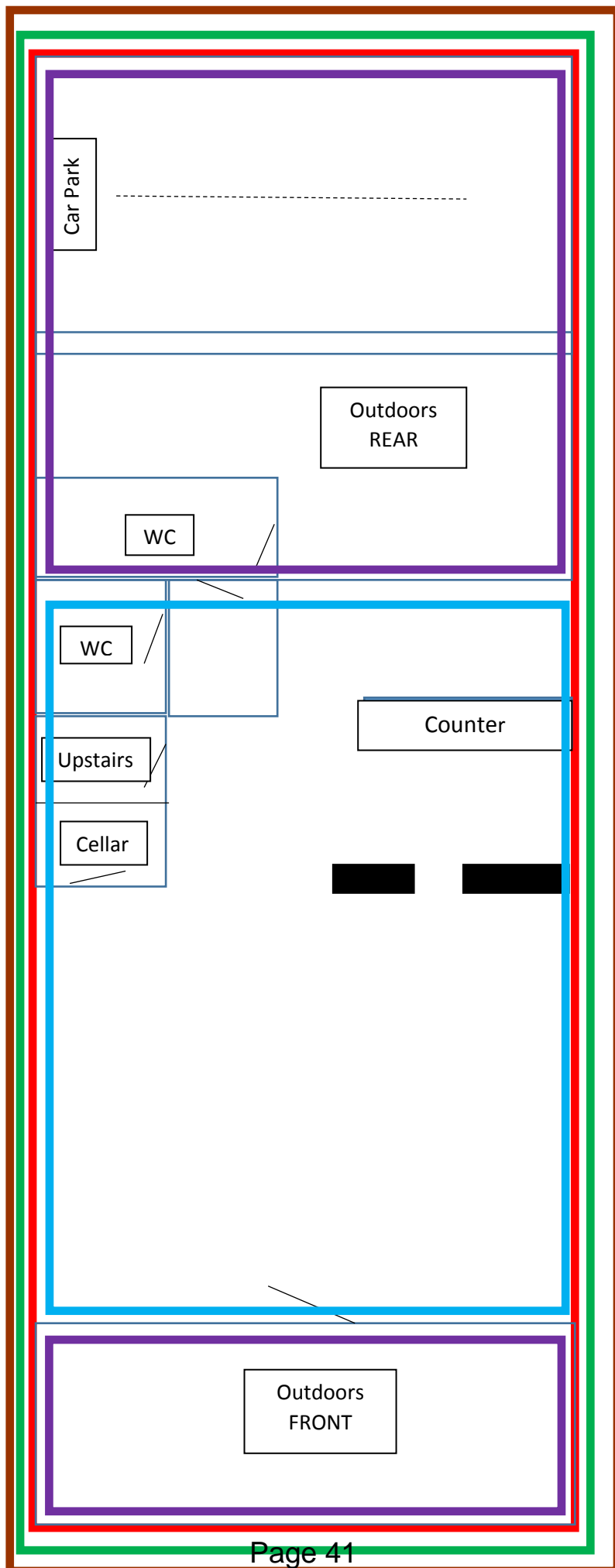
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or

(iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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



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Licensing Act 2003

Premises Licence

PL/VF/0304

Part 1 - Premises Details

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

Koo

475A Chatsworth Road, Brampton, Chesterfield, Derbyshire, S40 3AD.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Granted

05/02/2007

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Mon, Tues, Wed, & Thursday	Noon	7:00pm
	Friday & Saturday	Noon	10:00pm
F. Playing of recorded music (Indoors)	Mon, Tues, Wed, & Thursday	Noon	7:00pm
	Friday & Saturday	Noon	10:00pm
M. The sale by retail of alcohol for consumption ON and OFF the premises	Mon, Tues, Wed, & Thursday	10:00am	8:00pm
	Friday & Saturday	10:00am	11:00pm
	Sunday	10:00am	4:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon, Tues, Wed, & Thursday	9:00am	8:00pm
Friday & Saturday	9:00am	11:00pm
Sunday	9:00am	5:00pm

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2





Licensing Act 2003

Premises Licence

PL/VF/0304

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Koo Chesterfield Ltd

91-97 Saltergate, Chesterfield, Derbyshire, S40 1LA.

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

Koo Chesterfield Ltd

10943313

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Sian Alexandra SPENCER-BRAY

21 Lake View Avenue, Chesterfield, Derbyshire, S40 3DR.
Telephone 07900 363835

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. PA/VF/1387

Issued by Chesterfield

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

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.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The following text is from the Operating Schedule:-

General

The licence holders and Designated Premises Supervisor fully appreciate our responsibilities in



Licensing Act 2003

Premises Licence

PL/VF/0304

ANNEXES continued ...

providing regulated entertainment and alcohol under the Licensing Act 2003.

We will continue to be mindful of our obligations towards our employees, customers and neighbours in promoting the licensing objectives.

We recognise our obligations under other primary legislation which supports the Licensing Act 2003, including Public Order & Safety requirements; Health & Safety; Fire Safety; Statutory Nuisance; and, child protection measures. We recognise the constructive support offered by the responsible authorities in promoting this primary legislation and the Licensing Act, 2003.

Our valued and discerning customers choose Koo as a result of the standards we strive to achieve. We recognise that the steps we need to take to observe the licensing objectives rely on good customer knowledge and ensuring appropriate procedures are implemented.

The change of use of the premises in 2006 involved Chesterfield Borough Council's Building Control Section.

Prevention of Crime and Disorder

Staff are aware of the need to be vigilant to ensure that customers are supervised throughout the premises. The premises operates a waiter/tress service which assists such supervision.

Customers will not be served outside the premises unless they have a seat. The external area of the premises is demarcated from the public highway.

We recognise the need to drink responsibly, and the additional obligations placed on our personnel in retailing alcohol. Specifically in relation to alcohol:-

- drinking vessels will be collected to reduce, so far as as reasonably practicable, the risk of them being used as weapons;
- we support the Portman Group's Code of Practice which seeks to ensure that drinks are packaged and promoted in a socially responsible manner;
- sales of alcohol of consumption off the premises is intended to predominantly take place in connection with our co-ordinated wine tasting evenings/event via an ordering system. Some stock will be carried for off-sales. All off-sales will be supplied in sealed containers only;
- external tables will be provided with notices informing customers not to consume any drinks beyond the external dining area/curtilage of the premises;



Licensing Act 2003

Premises Licence

PL/VF/0304

ANNEXES continued ...

- 'drinking up time' will be allowed for customers consuming alcohol in keeping with our stated closing times.

We operate a zero-tolerance in relation to illegal drugs. All staff will be trained in drug awareness. Without exception, any person found to be using drugs on the premises will be reported to the police and banned from the premises. Chesterfield Police will be contacted immediately if a member of staff suspects that a person is dealing drugs on the premises. Any drugs seized or found on the premises will be handed over to the Police.

We will support liaison between the police and licensees in the interest of Koo, our customers, employees and our community. Where appropriate Koo will have regard to relevant Codes of Practice developed between Chesterfield Police and licensees in carrying on its business. We acknowledge the aspirations of the Licensing Authority, through its Statement of Licensing Policy, in encouraging licensees to promote the licensing objectives in the Borough of Chesterfield.

Public Safety

We recognise our responsibilities under the Public Safety objective and under complementary legislation, including Health & Safety and Fire Safety requirements.

Our premises are fitted with an RCD circuit-breaker to power circuits.
Live music performances, comprising a live soloist, will only be provided inside the premises.
Recorded music will be generated internally.

We will ensure that emergency exits exist and routes are unobstructed at all relevant times.

Public Liability Insurance is held for the premises.

Prevention of Public Nuisance

As far as is practicable we will ensure that the premises and surrounding areas are tidy.
We recognise the importance of Koo observing the Public Nuisance objective.

We will pay appropriate regard to noise sensitive premises in this respect. The volume of music is under the control of management and will be controlled to prevent noise nuisance to our neighbours.

When it is deemed necessary by management, members of staff will be assigned to the exit



Licensing Act 2003

Premises Licence

PL/VF/0304

ANNEXES continued ...

door at the end of business to remind customers to leave quietly, thereby respecting our neighbours.

Protection of Children from Harm

We will display prominent signage about the laws relating to children and alcohol.

We will insist that anyone who appears to be under 21 years to produce suitable identification to prove their age. Suitable forms of identification include a passport, photo-card driving licence, Citizen Card or Portman Group Card. We will provide training and regular updates to all staff in respect of the issues surrounding young people and children.

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

There was no hearing in relation to this application, so no conditions were imposed by the Licensing Committee.



Licensing Act 2003

Premises Licence Summary

PL/VF/0304

Premises Details

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

Koo

475A Chatsworth Road, Brampton, Chesterfield, Derbyshire, S40 3AD.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable Granted **05/02/2007**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Mon, Tues, Wed, & Thursday	Noon	7:00pm
	Friday & Saturday	Noon	10:00pm
F. Playing of recorded music (Indoors)	Mon, Tues, Wed, & Thursday	Noon	7:00pm
	Friday & Saturday	Noon	10:00pm
M. The sale by retail of alcohol for consumption ON and OFF the premises	Mon, Tues, Wed, & Thursday	10:00am	8:00pm
	Friday & Saturday	10:00am	11:00pm
	Sunday	10:00am	4:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon, Tues, Wed, & Thursday	9:00am	8:00pm
Friday & Saturday	9:00am	11:00pm
Sunday	9:00am	5:00pm

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Koo Chesterfield Ltd 91-97 Saltergate, Chesterfield, Derbyshire, S40 1LA.



Licensing Act 2003

Premises Licence Summary

PL/VF/0304

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

Koo Chesterfield Ltd

10943313

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

Sian Alexandra SPENCER-BRAY

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

In accordance with the relevant provisions of the Licensing Act 2003 and, where applicable, any embedded restrictions by way of any converted Licence(s).



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Classified

SELF HELP

Rethink
Mental
Illness.

HAVE A MENTAL HEALTH ISSUE?

Self Help Group - Rethink Mash

Meets Every Saturday 2-6pm.

Ionithe Road, Community Centre Chesterfield
Contact Adrian Rimmington 01246 206951 For Further Information

Rethink
Mental
Illness.

HAVE A MENTAL HEALTH ISSUE?

Self Help Group - Rethink Mash

Meets Every Saturday 2-6pm.

Ionithe Road, Community Centre Chesterfield
Contact Adrian Rimmington 01246 206951 For Further Information

PUBLIC NOTICES

PUBLIC NOTICES

Derbyshire Alcohol Advice Service CIO

CHARITY NO. 1159537

Notice of the Annual General Meeting

to be held at
First Floor, Dents Chambers, 81 New Square Chesterfield,
S40 1AH

Wednesday 15th November 11.30am-12pm

Everyone welcome!

We will be:

Presenting our Annual Report 2017 & Annual Accounts
Providing information about the services we provide
Please email daas@daas.uk.com or telephone our office to confirm your
attendance by Monday 30th October
Tel: 01246 206514

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:

any persons having a claim against
or an interest in the Estate of 3
South Street North New Whittington
Chesterfield Derbyshire S43 2AA,
who died on 25/04/2017 are

ERNEST GEORGE BARRETT (Deceased)

Pursuant to the Trustee Act 1925
any persons having a claim against
or an interest in the Estate of 3
South Street North New Whittington
Chesterfield Derbyshire S43 2AA,
who died on 25/04/2017 are

PUBLIC NOTICES

Derbyshire County Council Primary Education Provision in Wirksworth

About this consultation

Derbyshire County Council is now seeking views on the
most appropriate location for primary school education
in Wirksworth to support existing and new pupils.
Below is a brief summary of the issues.

Background

The strategic housing growth in Wirksworth as
identified in the Derbyshire Dales Local Plan shows
that an additional 771 dwellings will be built in
Wirksworth within the period of the Local Plan up to
2033. In addition, Wirksworth has also been subject to
a number of recently approved planning applications
for sizeable new housing developments.

The additional number of school aged children
generated by the above allocated development will be
154 primary aged school children and 116 secondary
school aged children. The existing infant and junior
schools serve the current population, but these sites
are constrained and do not have the ability to expand
to serve any future demographic or planned growth
within their normal areas.

Options

- Should the existing infant and junior schools be
replaced with a new school to serve the whole of
Wirksworth OR should the existing infant and junior
schools be retained and a new additional primary
school be provided to serve the population
increase in Wirksworth?

Where would be the best location for a new school
whether it is as a replacement school for existing
pupils and pupils generated by new development,
or new stand alone school to address population
increase through the growth of Wirksworth?

Further information is available within the full
consultation document which aims to provide objective
supporting evidence to assist consultees with their
consideration. The full consultation document will be
available for inspection at the following locations:

- Reception at Derbyshire County Council House,
County Hall, DE4 3AG Monday to Friday 8.45am-
5.15pm (except Bank holidays)
- www.derbyshire.gov.uk - search 'have your say'
and 'consultations'
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and 'consultations'

Representations

The consultation will run from Thursday 2 November
2017 - Sunday 17 December 2017.
Representations should be made by e-mail or letter
and can be made via the following methods:

- Via Email - all responses must be emailed
to planningpolicy@derbyshire.gov.uk
 - Via Post - Planning Policy and Monitoring,
Derbyshire County Council, County Hall, DE4 3AG
- All responses received by 5pm on the 17 December
2017 will be considered. Late responses will not be.

CHESTERFIELD BOROUGH COUNCIL TOWN & 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/17/00601/FUL - Erection of two bungalows on
land north east of Cambrlan Close, Brockwell for P
and A Coupland.

Reason for Advertisement - Minor Application and
Not in Accordance with the Local Plan.

CHE/17/00726/COU - Change of use of first floor
from A1 to beauty salon at Century House, 417A
Chatsworth Road, Chesterfield for Miss Rebecca
Hales.

Reason for Advertisement - Minor Application and
Conservation Area

CHE/17/00745/LBC - Listed Building Consent to fix
a blue plaque on the entrance to Ringwood Hall,
Chesterfield Road, Birmingham for Chesterfield &
District Civic Society.

Reason for Advertisement - Listed Building
Consent

CHE/17/00692/ADV - Three illuminated fascia and
one hanging sign at 296-298 Chatsworth Road,
Chesterfield for Mrs Dorothy Robinson.

Reason for Advertisement - Conservation Area
CHE/17/00725/FUL - Demolition of existing site
buildings and construction of two dwellings with
associated infrastructure on land ad. 756
Chatsworth Road, Chesterfield for Proctors
Nursery.

Reason for Advertisement - Minor Application and
Not in Accordance with the Local Plan.

A copy of each application and the documents and plans submitted
with it are available for inspection at the Planning Services
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 Planning Services, Town Hall, Chesterfield.
Under the Local Government (Access to Information) Act 1985, an letter
public information which may have to be made available for
comment. Any correspondence will be published on the Council's web
site. For householders, minor commercial and signage applications any
representations received from interested parties must be 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 necessary, 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 Planning Services, Town Hall, Chesterfield.

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

CHESTERFIELD BOROUGH COUNCIL LICENSING ACT 2003 - SECTION 34 NOTICE OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE

Name of Applicant: Koo Chesterfield Limited
Name and Address of Premises: Koo, 475a
Chatsworth Road, Chesterfield, S40 3AD has
applied to Chesterfield Borough Council for a
variation of a Premises Licence in respect of the
premises.

The variation applied for is to:

- Increase in permitted hours for live music and
recorded music (indoors and outdoors) to 01.00 am
Sunday to Thursday and 01.30 am Friday and
Saturday.
- Increase in permitted hours for sale and supply
of alcohol on and off premises to 12.30 am Sunday
to Thursday and 01.00 am Friday and Saturday and
in the outside areas to front and rear to 11.00 pm
Monday to Sunday.
- Addition of permission for plays, films, dance and
late night refreshment (indoors and outdoors)
Monday - Thursday 08.00 am - 1.00 am, Friday
08.00 am - 1.30 am, Saturday 09.00 am - 1.30 am
and Sunday 09.00 am - 01.00 am.
- Extend hours New Year from 01.00 am to New
Year's Eve to closing on New Year's Day.
- All licensable activities will cease in the outside
areas at 11.00 pm.
- Amendments to the premises operating schedule
to reflect the changes to the licensable activities.

A copy of the application may be inspected at the
Licensing Counter, Customer Service 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 23 November 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 26 October 2017

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:

A/A/2017/1174

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From: Andy Daley
Sent: 31 October 2017 10:25
To: Steve Ashby
Subject: Full Variation Application for Koo Deli, 475A Chatsworth Road

Hi Steve

I write on behalf of Pollution Control, a Responsible Authority, in respect to the Variation Application dated 26 Oct 2017.

I wish to make a representation against this application on the grounds of Prevention of Public Nuisance.

The application, if granted, would allow regulated entertainment outside the premise to both the front and the rear of the premises.

Since the front of Koo is directly out onto the street, loudspeakers will not be allowed to cover that area. Legislation contained in the Control of Pollution Act 1974 specifically prohibits loudspeakers on the street for commercial purposes.

Further, allowing regulated entertainment to the rear courtyard will introduce more noise to local residents and it is likely that any such activity would give rise to complaints of nuisance.

Consequently I would not want the proposed use of any outside area to allow any regulated forms of entertainment, thus my objection to this application.

Thanks

Andy

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RECEIVED

20 NOV 2017

LICENSING

Steve Ashby**From:****Sent:****To:****Subject:**

Steve Ashby

Koo, 475a chatsworth rd, brampton s403ad - variation of premises licence

Dear Mr Ashby, it is currently a bistro and cafe and would in my opinion with the changes proposed become something totally different. It would become a regular late night venue, with very late opening on Friday, Saturday and Sunday, with music. It is situated on Chatsworth Rd, which is a very busy road, and during the day any noise is "absorbed" by the traffic. At night it would be a different matter and would carry to the very near residential properties, including my own at :

This is a residential area and the proposal as it stands would be totally unacceptable, as follows:

- a) live music indoors and outdoors - 1am sunday to thursday and 1.30am friday and saturday, this could be 11pm s to th and 12pm f and s.
- b) sale and supply of alcohol - this should be s to th 10.30pm and 11.30pm f and s; and should be 10.30pm in the outside areas. In addition, I would not like to see and outside activity at the back of the premises, as this faces the main residential area..
- c) late night dance and refreshment - as above.
- d) toattally disagree with the proposition fro new years eve in its entirety.
- e) my main concern relates to outside activity

Regardless, what will happen is that the doors and windows will be open (it's a small place), with people sitting outside until all hours, with their voices carrying, and local residents will be left with the nuisance. When they leave it will also impact on the immediate vicinity ie noise, car doors slamming, taxis etc. I have witnessed it at "maison mes amis", further down the road.

This is a quiet residential area and let's keep it that way.

Thanks.

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

RECEIVED
20 NOV 2017
LICENSING

19 November 2017

Dear Sir or Madam

**Re: NOTICE OF APPLICATION FOR A VARIATION OF PREMISES LICENCE –
Koo Chesterfield Ltd, 475a Chatsworth Road, Chesterfield, S40 3AD**

Proposed increase in permitted hours for music and recorded music. Increase in permitted hours for sale and supply of alcohol. Addition of permission for plays, films, dance and late night refreshments. Extended hours New Year from 01.00am New Year's Eve to closing on New Year's Day.

I write in connection with the above licence application. As a local resident I know the area well. I wish to strongly object to the amendments of the premises licence at this location.

The proposed amendments of the premise licence are ill-considered in what is predominantly a residential area. They would represent a further extension of the original business established here in 2006 as a delicatessen/coffee shop. My objections are as follows:

1. The immediate area is already heavily congested and residents increasingly find it difficult to park outside of or even near to their own properties. Koo has no designated parking facilities and its customers already use Heaton Street and the nearby St. Thomas' Church car park. I have lost count of the number of times I have had to ask their customers not to leave their vehicles' blocking my driveway; such requests are sometimes met with aggressive verbal abuse and profanities.
2. The business started as a delicatessen/coffee shop before evolving into a restaurant and bar. It now wishes to evolve further into a cross between a restaurant, a cinema, a theatre and a night club. It does not have sufficient space to properly provide these services and we have already witnessed how functions, especially but not exclusively in warmer weather, lead to their patrons spilling out onto the pavements at the junction of Chatsworth Road and Heaton Street. On one occasion the whole path was blocked with additional tables, chairs and people and I was forced to ask the party revellers to allow me to pass through them with my dog. I was advised to 'go round, walk in the road.' That would be the busy Chatsworth Road. I fail to see why I should have to put the life of my dog and myself at risk because other people think it is okay to block a public footpath.
3. It is not only people who spill out of the venue. With their doors and windows thrown open, we are all subject to the loud music being played in Koo's,

whether we like it or not. This would be even more irritating should it become a regular and/or late night occurrence.

4. When functions wind down, attendees sometimes congregate on the street corner or in small groups as they return to their cars or use their mobile phones to call for taxi's. Local residents then have to put up with loud (sometimes drunken) chatter, flirting, arguments and the like plus a chorus of car horns, slamming car doors and so on. This is not funny for those trying to sleep. Most of Koo's their nearest neighbours are elderly people who aren't usually still up in the early hours of the morning.
5. It is, of course, only my personal opinion, but I am not aware that the business enjoys **much** patronage from local residents. We therefore see few positives but plenty of negatives from having it on our doorstep.
6. Last, but by **no** means least, I am surprised that the business owners consider one small **notice** of their intentions, stuck in a corner of a side window on Heaton Street, as adequate consultation with local residents. Perhaps they would have **been** better advised to 'knock on doors' or at least put a flyer through the **letterbox** of their neighbours. Instead, it seems they wish to keep their **expansion** plans secret – I wonder why?

If this application is **to** be decided by councillors, please take this as notice that I would like to speak **at the** meeting of the committee dealing with it. I would be grateful if you would **provide** me with the location and timing details of this meeting as soon as possible.

Yours faithfully,



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

Sender:

14 November 2017

RECEIVED

21 NOV 2017

LICENSING

Dear Sir / Madam

Reference:

NOTICE OF APPLICATION FOR A VARIATION OF A PREMISES LICENCE - Koo Chesterfield Limited, 475a Chatsworth Road, Chesterfield. S40 3AD

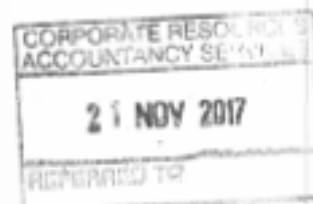
Proposed increase in permitted hours for live music and recored music. Increase in permitted hours for sale and supply of alcohol. Addition of permission for plays, films dance and late night refreshments. Extended hours New Year from 01.00am New Year's Eve to closing on New Year's Day

I write in connection with the above licence application. I have examined the plans and I know the site well. I wish to object strongly to the amendments of the premises licence at this location.

The proposed amendments of the premises licence is particularly ill-considered: it is a residential area, and increased hours here would pose a detrimental effect to the neighbourhood in terms of noise pollution and extended alcohol consumption. Parking is also a key issue as space is very limited in the vicinity. Longer hours here would put a strain on already congested streets.

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let us know as soon as possible the date of the meeting.

Yours faithfully,



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

14 November 2017

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- Koo Chesterfield Limited. 475a Chatsworth Road, Chesterfield. S40
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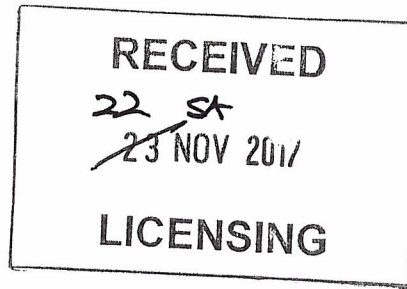
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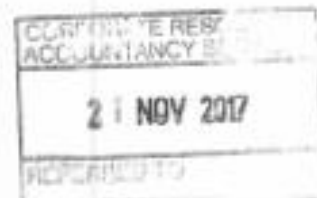
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Yours faithfully,



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From: Eva Buxton
Sent: 30 October 2017 16:05
To: Steve Ashby
Cc: Amy Hayes
Subject: RE: CBC - Full variation for Koo, Chatsworth Road, Chesterfield

Good afternoon Steve

Yes, they will need planning permission to use the rear yard for a seating area. They applied for the front area in 2007 to be used as a seating area as it was not included in the original consent in 2006.

Thanks

Eva

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ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The following text is from the Operating Schedule:-

General

The licence holders and Designated Premises Supervisor fully appreciate our responsibilities in providing regulated entertainment and alcohol under the Licensing Act 2003.

We will continue to be mindful of our obligations towards our employees, customers and neighbours in promoting the licensing objectives.

We recognise our obligations under other primary legislation which supports the Licensing Act 2003, including Public Order & Safety requirements; Health & Safety; Fire Safety; Statutory Nuisance; and, child protection measures. We recognise the constructive support offered by the responsible authorities in promoting this primary legislation and the Licensing Act, 2003.

Our valued and discerning customers choose Koo as a result of the standards we strive to achieve. We recognise that the steps we need to take to observe the licensing objectives rely on good customer knowledge and ensuring appropriate procedures are implemented.

The change of use of the premises in 2006 involved Chesterfield Borough Council's Building Control Section.

Prevention of Crime and Disorder

Staff are aware of the need to be vigilant to ensure that customers are supervised throughout the premises. The premises operates a waiter/tress service which assists such supervision.

Customers will not be served outside the premises unless they have a seat. The external area of the premises is demarcated from the public highway.

We recognise the need to drink responsibly, and the additional obligations placed on our personnel in retailing alcohol. Specifically in relation to alcohol:-

- drinking vessels will be collected to reduce, so far as as reasonably practicable, the risk of them being used as weapons;
- we support the Portman Group's Code of Practice which seeks to ensure that drinks are packaged and promoted in a socially responsible manner;
- sales of alcohol of consumption off the premises is intended to predominantly take place in connection with our co-ordinated wine tasting evenings/event via an ordering system. Some stock will be carried for off-sales. All off-sales will be supplied in sealed containers only;

- external tables will be provided with notices informing customers not to consume any drinks beyond the external dining area/curtilage of the premises;

- 'drinking up time' will be allowed for customers consuming alcohol in keeping with our stated closing times.

We operate a zero-tolerance in relation to illegal drugs. All staff will be trained in drug awareness. Without exception, any person found to be using drugs on the premises will be reported to the police and banned from the premises. Chesterfield Police will be contacted immediately if a member of staff suspects that a person is dealing drugs on the premises. Any drugs seized or found on the premises will be handed over to the Police.

We will support liaison between the police and licensees in the interest of Koo, our customers, employees and our community. Where appropriate Koo will have regard to relevant Codes of Practice developed between Chesterfield Police and licensees in carrying on its business. We acknowledge the aspirations of the Licensing Authority, through its Statement of Licensing Policy, in encouraging licensees to promote the licensing objectives in the Borough of Chesterfield.

Public Safety

We recognise our responsibilities under the Public Safety objective and under complementary legislation, including Health & Safety and Fire Safety requirements.

Our premises are fitted with an RCD circuit-breaker to power circuits.
Live music performances, comprising a live soloist, will only be provided inside the premises.
Recorded music will be generated internally.

We will ensure that emergency exits and routes are unobstructed at all relevant times.

Public Liability Insurance is held for the premises.

Prevention of Public Nuisance

As far as is practicable we will ensure that the premises and surrounding areas are tidy.
We recognise the importance of Koo observing the Public Nuisance objective.

We will pay appropriate regard to noise sensitive premises in this respect. The volume of music is under the control of management and will be controlled to prevent noise nuisance to our neighbours.

When it is deemed necessary by management, members of staff will be assigned to the exit door at the end of business to remind customers to leave quietly, thereby respecting our neighbours.

Protection of Children from Harm

We will display prominent signage about the laws relating to children and alcohol.

We will insist that anyone who appears to be under 21 years to produce suitable identification to prove their age. Suitable forms of identification include a passport, photo-card driving licence, Citizen Card or Portman Group Card. We will provide training and regular updates to all staff in respect of the issues surrounding young people and children.

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