

**From:** Vanessa Carty  
**Sent:** 08 May 2017 10:20  
**To:** Steve Ashby  
**Subject:** RE: 5 Breckland Road, application for premises licence

Morning Steve

Thank you for your enquiry – the representation makes some very valid and relative points in respect of health and safety aspects of the use of the delivery yard.

Looking at the photographs the rear yard of the property is a shared delivery yard and so it should not be accessed by members of the general public.

I would expect that each of the businesses using the yard will have in place health and safety procedures covering workplace transport requiring personal protective equipment such as safety clothing and footwear. There will also be issues regarding the storage and collection of waste materials (including possibly hazardous chemicals). The applicant should also have assessed the risks of using this area and have put suitable and sufficient controls in place to protect himself, his employees and other people affected by his business activities(i.e. the other businesses sharing the yard, delivery drivers etc.).

Customers of the proposed venue should also not use the rear yard for a smoking facility as it is not suitable for this purpose and I suspect the applicant does not have permission for this activity.

I am not aware of any proposed events to be held in this area however I would not think this would be appropriate as again the yard is a shared facility and permission would presumably be needed from the landlord and other tenants.

In summary;

1. The yard is used for deliveries/collections and should not be accessed by members of the general public.
2. It is not suitable as a smoking area due to delivery vehicles, waste storage and possible storage of hazardous chemicals.
3. The yard is not suitable to hold events unless permission has been obtained from the landlord, other users and suitable health and safety measures were put in place appropriate to the event being held.
4. The applicant should have in place suitable and sufficient health and safety management systems (including risk assessments) for his daily business activities and any proposed events.
5. The applicant has not made any contact with health and safety at Chesterfield Borough Council for advice in respect of the proposals in respect of this application or proposed events.

If you require any further information or assistance please do not hesitate to contact me.

Regards

Vanessa

Mrs Vanessa Carty - Technical Officer

Environmental Health  
Chesterfield Borough Council  
Stonegravels Depot  
Old Brickworks Lane  
Stonegravels, Chesterfield  
S41 7LF

Direct Tel: 01246 345756  
Mobile: 07973 297466  
E-mail: [vanessa.carty@chesterfield.gov.uk](mailto:vanessa.carty@chesterfield.gov.uk)



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**From:** Steve Ashby  
**Sent:** 05 May 2017 16:45  
**To:** Vanessa Carty  
**Subject:** 5 Breckland Road, application for premises licence

Dear Vanessa

I write with reference to a licensing application at 5 Breckland Road, Walton, Chesterfield.

The applicant has alluded to using the loading yard at the rear of the premises as a smoking area.



The text below is a paragraph from a representation in relation to the use of the yard.

**Mr Eyre has withheld information, he has made no reference to the proposed events in the rear yard and I have many questions on this site. this is a loading bay with shared access for multiple properties. does Mr Eyre have permission from the other business's to use the yard for this purpose?**

**I am a former HGV Class 1 driver and as large vehicles deliver to this site on a regular basis I dont understand how Mr Eyre can have permission to have members of the public in this area smoking and drinking surely they will have to wear appropriate Hi visability clothing and have completed the relevant health and safety training in order to have access to the loading bay? I would like to see Mr Eyre's risk assesments for this area and all written permission from the other lease holders of the site. I would also imagine that members of the public would also not be allowed access under the influence of alcohol as surely this would invalidate all business insurance for everyone at the site. Please could Mr Eyre provide all documents to show he has notified his insurance company and all the other lease holders of his intentions to have members if the public in a loading bay drinking alcohol and smoking.**

Are you able to comment on the content of this representation from a health and safety viewpoint?  
I would like to be able to respond in committee from a qualified perspective.

Thank very much

Steve

Steve Ashby  
Licensing Officer  
Chesterfield Borough Council,  
Customer Service Centre,  
85 New Square, Chesterfield. S40 1AH  
01246 345780