



**Licensing Act 2003**  
Premises Licence

**PL/VF/0496**

**Part 1 – Premises Details**

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

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

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Granted 23/12/2022

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Sale by Retail of Alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

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

**Sale by Retail of Alcohol**

*Non Standard Activities*

*Seasonal Variations*

**THE OPENING HOURS OF THE PREMISES**

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

**THE OPENING HOURS OF THE PREMISES**

Thursday	08:30 - 23:00
Friday	08:30 - 23:00
Saturday	08:30 - 23:00
Sunday	08:30 - 23:00

**Opening Times***Non Standard Activities**Seasonal Variations***WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

Sale by Retail of Alcohol  
Both

**Part 2****NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Adam Charles Staniforth-Fulleylove  
Email:  
Phone:  
Mobile:

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

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)****NAME, ADDRESS, TELEPHONE NUMBER AND EMAIL OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Adam Charles Staniforth-Fulleylove  
Email:  
Phone:  
Mobile:

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

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. 19/01164/LAPER  
Issued by Bolsover

**ANNEXES****ANNEX 1 – MANDATORY CONDITIONS**

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## ANNEXES

### Retailing of Alcohol

1. No supply of alcohol may be made under the premises licence -

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

(1). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2). In this condition:-

a. 'permitted price' is the price found by applying the formula  $P = D + (D \times V)$ , where -

i. P is the permitted price,

ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol and

iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

c. 'relevant person' means, in relation to premises in respect of which there is in force a premises licence -

i. the holder of the premises licence,

ii. the designated premises supervisor (if any) in respect of such a licence, or

iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence

d. 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or office to prevent the supply in question; and

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

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

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

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

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

## ANNEXES

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
- (a) a holographic mark, or
- (b) an ultraviolet feature.
4. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ♦ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.'
- If the Premises Licence allows Exhibition of Films
1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with recommendations given by;
- a) a ♦film classification body♦ designated under Section 4 of the Video Recordings Act 1984 specified in the licence (currently only the British Board of Film Classification - BBFC) or by the licensing authority itself.
- If the Premises Licence has conditions in respect of Door Supervision.  
(except theatres, cinemas, bingo halls and casinos)
1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of Section 4 of the Act.
2. But nothing in subsection (1) require such a condition to be imposed:
- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- b) in respect of premises in relation to:
- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- (ii) any occasion within paragraph 8(3)(d) of that schedule (occasions prescribed by regulations under that Act).
3. For purposes of this section;
- a) 'security activity' means an activity to which paragraph 2(1) (a) of that Schedule applies, and which is licensable conduct for the purposes of that Act, ( see Section 3(2) of that Act) and paragraph 8(5) of that Schedule (interpretation

## ANNEXES

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

### **ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

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General - all four licensing objectives

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

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

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

The prevention of crime and disorder

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

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

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

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

Public safety

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

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

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

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

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

The prevention of public nuisance

Noise reduction measures, to address the public nuisance objective.

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

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

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

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

The protection of children from harm

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

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

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

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

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

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

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

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

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

#### Decision

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

(a) the relevant mandatory conditions;

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

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

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

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

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

### **ANNEX 4 – PLANS**

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



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Premises Licence Summary

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

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

Adam Charles Staniforth-Fulleylove