

To: Chair & Members of the Licensing &
Gambling Acts Sub Committee

The Arc
High Street
Clowne
S43 4JY

Contact: Tom Scott
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Tuesday 16th November 2021

Dear Councillor

LICENSING & GAMBLING ACTS SUB COMMITTEE

You are hereby summoned to attend a meeting of the Licensing & Gambling Acts Sub Committee of Bolsover District Council to be held at the Council Chamber, The Arc, Clowne on Wednesday, 24th November, 2021 at 10:00 hours.

Whilst COVID restrictions have now been eased, we are still taking social distancing measures where possible for the safety of everyone involved in meetings.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised onwards.

Yours faithfully



Solicitor to the Council & Monitoring Officer



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

**If you require this agenda in large print
or another format please call us on 01246 217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

**LICENSING & GAMBLING ACTS SUB COMMITTEE
AGENDA**

*Wednesday, 24th November, 2021 at 10:00 hours taking place at the Council Chamber,
The Arc, Clowne*

Item No.		Page No.(s)
1.	Apologies for Absence	
2.	Urgent Items of Business	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes	3 - 4
	To consider the minutes of the Licensing & Gambling Acts Sub Committee meeting held on 5 th August 2021.	
5.	To Hear Representations Made Under the Licensing Act 2003 and Determine Whether to Grant an Application for a Variation of a Premises Licence	5 - 42

Agenda Item 4

LICENSING & GAMBLING ACTS SUB COMMITTEE

Minutes of a meeting of the Licensing & Gambling Acts Sub Committee of Bolsover District Council held in the Council Chamber on Thursday 5th August 2021 at 10:00 hours.

PRESENT:-

Members:-

Councillor Ray Heffer in the Chair

Councillors Rose Bowler and Rita Turner.

Officers:- Kevin Shillitto (Solicitor), Charmaine Terry (Environmental Health Team Manager - Licensing), Sian Harpham (Licensing and Enforcement Officer) and Tom Scott (Governance Officer).

Also in attendance at the meeting for Minute Number LGASC5-21/22 was the applicant (Ms Rachel Chandrakumar), the applicant's husband (Mr Subramaniam Chandrakumar), the applicant's solicitor (Mrs Karen Cochrane), the objector (Mr Christopher Pienaar) and Councillor Maxine Dixon.

LGASC1-21/22 APPOINTMENT OF CHAIRMAN

The nomination of Councillor Ray Heffer as Chairman for the municipal year 2021/22 was moved by Councillor Rose Bowler and seconded by Councillor Rita Turner.

RESOLVED that Councillor Ray Heffer be appointed Chairman of Licensing & Gambling Acts Sub Committee for the municipal year 2021/22.

LGASC2-21/22 APOLOGIES FOR ABSENCE

No apologies for absence were received.

LGASC3-21/22 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

LGASC4-21/22 DECLARATIONS OF INTEREST

There were no declarations made at the meeting.

LGASC5-21/22 DETERMINATION OF A PREMISES LICENCE APPLICATION UNDER THE LICENSING ACT 2003 AND REPRESENTATIONS MADE AGAINST

The applicant (Ms Rachel Chandrakumar) attended the meeting for Committee to determine whether or not to grant an application for a Premises Licence.

LICENSING & GAMBLING ACTS SUB COMMITTEE GENERAL LICENSING SUB COMMITTEE

The applicant was accompanied by her husband (Mr Subramaniam Chandrakumar) and her solicitor (Mrs Karen Cochrane).

Also in attendance was Mr Christopher Pienaar to present his submitted representation against the application as detailed in Appendix 5 of the report.

The Licensing and Enforcement Officer presented the report.

The Hearing Procedure (Licensing Act 2003 / Gambling Act 2005) was followed.

In providing more detail on the applicant and her husband, Mrs Karen Cochrane informed the Committee that they both had years of experience of running licensed premises and currently ran a post office together in Swanwick. Regarding some of the points in the representation, Mrs Cochrane stated that the premises would include CCTV cameras and alcohol related anti-social behaviour was something they had already addressed at their other licensed premises.

In presenting the representation against the application, Mr Christopher Pienaar explained that 45 residents local to the property had signed a petition because of concerns about public nuisance, public safety, crime and disorder, parking, protection of children and necessity. He stated that many of these residents had resided in the area for decades and had lived experience of the issues being raised.

The Solicitor for the Council asked the parties if they had any objections to Councillor Maxine Dixon being present as an observer for the deliberations. There were no objections.

The applicant, her husband, her solicitor, the objector, the Environmental Health Team Manager – Licensing and the Licensing and Enforcement Officer left the meeting whilst the Committee deliberated and returned for the announcement of the decision.

Moved by Councillor Rose Bowler and seconded by Councillor Rita Turner.

RESOLVED that the Sub Committee –

1. Grants the Premises Licence application as applied for (including the conditions added by Trading Standards).

(Environmental Health Team Manager – Licensing/Licensing and Enforcement Officer/
Solicitor)

The meeting concluded at 10:55 hours.

Bolsover District Council

Licensing & Gambling Acts Sub-Committee

24 November 2021

To hear representations made under the Licensing Act 2003

Report of the Joint Assistant Director for Environmental Health

Classification: This report is public

Report By: Lindsey Delamore

Contact Officer: Lindsey Delamore

PURPOSE / SUMMARY

To hear representations made under the Licensing Act 2003 and determine whether to grant an application for a variation of a premises licence at **The Headstocks, 47 Wharf Road, Pinxton, Nottingham, NG16 6LH.**

RECOMMENDATIONS

The Licensing Sub-Committee may;

1. Grant the variation application as applied for;
2. Grant the variation application, modified to such an extent as the Authority considers appropriate for the promotion of the licensing objectives and any mandatory conditions; or
3. Refuse the application.

Approved by the Portfolio Holder – N/A

IMPLICATIONS

Finance and Risk: Yes No

Details:

An appeal against this decision would incur costs in preparing a defence case and to attend Court. Costs may be recovered at the discretion of the Magistrates in the event that the application is dismissed. Costs could be awarded against the Authority in the event that the appeal is successful.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

All parties have the right to make an appeal to the Magistrates' Court if they are not satisfied with the outcome/conduct of the hearing.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	Pinxton
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Environment - Working with partners to reduce crime and anti-social behaviour

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

1.1 Bolsover District Council is responsible for the licensing and regulation of Premises Licences under the Licensing Act 2003. As part of those responsibilities the Licensing and Gambling Acts Sub-Committee is required to consider any application for a premises licence where valid representations have been received and not withdrawn.

1.2 The Licensing Act 2003 is clear that four statutory objectives, each of equal importance, must be addressed by the Council when discharging its functions under the legislation.

Those licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

1.3 In addition to the legislation, the Council must have regard to the Revised Guidance issued under section 182 of the Licensing Act 2003 and to the Council's own licensing policy.

1.4 The legislation and statutory guidance are clear that each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.

1.5 A premises may only undertake licensable activities where it holds both planning permission and a premises licence to enable it to do so. Planning and Licensing are separate systems of regulatory control; planning deals with the use of the land, and licensing with the detailed operation of a premises where licensable activities take place. Similar considerations are likely to arise in both and there is overlap between the two, but each regime involves consideration of different, albeit related matters and each operate independently. The guidance provides that licensing committees are not bound by decisions made by a planning committee and vice versa.

1.6 In September 2018 the Council adopted a revised Licensing Act 2003 Policy. A number of paragraphs within the policy are relevant in this case. These paragraphs are set out below:

2.2 *In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Bolsover.*

2.4 *Guidance on the Licensing Objectives is available on the Government's website at: <https://www.gov.uk/guidance/alcohol-licensing>*

2.5 *Licensing law is not the primary mechanism for the general control of antisocial behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various authorisations will be focused on matters which are within the control of the individual licence holder and others.*

4.2 *The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action. Equally any planning approval for a premises does not imply that approval will be giving under the Licensing regime.*

Further information can be found in the Council's Licensing Act 2003 Policy.

2. Details of Proposal or Information

2.1 On 16th September 2021, an application to vary a Premises Licence for **The Headstocks, 47 Wharf Road, Pinxton, Nottingham, NG16 6LH** was received by Bolsover District Council from **Mrs Kelly Allcock of 226 Wharf Road, Pinxton, Nottingham, NG16 6HA**. A copy of the current Premises Licence is attached as **Appendix 1** and a copy of the application is attached as **Appendix 2**.

2.2 The application seeks to vary the operating schedule to the Premises Licence as outlined below:

Licensable activity	Details of Variation
Sale By Retail Of Alcohol	<ul style="list-style-type: none"> • To extend the terminal hour from 22:00 to 23:00 7 days a week. • To add sale by retail of alcohol for consumption off the premises. • To add the following non-standard timings: Christmas Eve 12:00 to 23:00, Christmas Day 11:00 to 23:00, Boxing Day 12:00 to 23:00, New Year's Eve 12:00 to 01:00, New Year's Day 12:00 to 23:00 Easter Monday 12;00 to 23:00, May Day 12:00 to 23:00 Spring Bank Holiday Monday 12:00 to 23:00 and August Bank Holiday Monday 12:00 to 23:00
Live Music	<ul style="list-style-type: none"> • To add the provision of live music indoors and outdoors at the following times: Standard timings: Monday to Thursday 16:00 – 22:00 Friday 14:00 – 22:00 Saturday & Sunday 12:00 – 22:00 Non- standard timings: Christmas Eve 12:00 to 23:00, Christmas Day 11:00 to 23:00, Boxing Day 12:00 to 23:00, New Year's Eve 12:00 to 01:00, New Year's Day 12:00 to 23:00 Easter Monday 12;00 to 22:00, May Day 12:00 to 22:00 Spring Bank Holiday Monday 12:00 to 22:00 and August Bank Holiday Monday 12:00 to 22:00
Recorded Music	<ul style="list-style-type: none"> • To include the provision of recorded music outdoors. • To extend the terminal hour from 22:00 to 23:00 7 days a week. • To add the following non-standard timings: Christmas Eve 12:00 to 23:00, Christmas Day 11:00 to 23:00, Boxing Day 12:00 to 23:00, New Year's Eve 12:00 to 01:00, New Year's Day 12:00

	to 23:00 Easter Monday 12:00 to 23:00, May Day 12:00 to 23:00 Spring Bank Holiday Monday 12:00 to 23:00 and August Bank Holiday Monday 12:00 to 23:00
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- 2.3 The application also seeks to vary the plan attached to the Premises Licence. A copy of the proposed plan is attached at **Appendix 3**.
- 2.4 The application has been processed in line with the legislation and all Responsible Authorities were notified of this application.
- 2.5 The Licensing Team did not receive any formal representations from Responsible Authorities.
- 2.6 The consultation deadline for this application was the 3rd November 2021. By this time, the Licensing Team had received 1 valid representation from an individual member of the public, Mr Kevin Newman, which relates to the prevention of public nuisance, crime and disorder and public safety. This representation is attached as **Appendix 4**.
- 2.7 This party has a legal right to make a representation.
- 2.8 During the consultation both the applicant and the objector engaged in mediation. The following condition has been offered by the applicant, however, this has not been agreed by the objector, Mr Newman.

‘The external area of the premises shall not be used for the provision of licensable activities or consumption of beverages after 22:00 hours’.

Details of the proposed additional condition is attached as **Appendix 5**.

3 Reasons for Recommendation

Not applicable

4 Alternative Options and Reasons for Rejection

Not applicable

DOCUMENT INFORMATION

Appendix No	Title
1	Current Premises Licence
2	Variation Application Form
3	Plan

4	Representation
5	Proposed Condition
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	



Premises Licence

Part A

Licensing Act 2003

Premises Licence Number

19/00507/LAPL01

PART 1 - PREMISES DETAILS

Postal address of premises or, if none, ordinance survey map reference or description	
47A Wharf Road, <u>Pinxton</u> , Nottingham, NG16 6LH,	
Telephone Number	None

Where the licence is time limited the dates
Not applicable

Licensable activities authorised by the licence	
Activity	Location (Indoors, Outdoors or Both)
Sale By Retail Of Alcohol	N/A
Recorded Music	Indoors
Adult Entertainment or Services:	
No adult entertainment or services are allowed.	

The times the licence authorises the carrying out of licensable activities			
<u>Sale By Retail Of Alcohol</u>			
Monday to Thursday	From: 16:00	To: 22:00	
Friday	From: 14:00	To: 22:00	
Saturday	From: 12:00	To: 22:00	
Sunday	From: 12:00	To: 22:00	
<u>Recorded Music</u>			
Monday to Thursday	From: 16:00	To: 22:00	
Friday	From: 14:00	To: 22:00	
Saturday	From: 12:00	To: 22:00	
Sunday	From: 12:00	To: 22:00	

The opening times of the premises		
Monday to Thursday	From: 16:00	To: 22:00
Friday	From: 14:00	To: 22:00
Saturday	From: 12:00	To: 22:00
Sunday	From: 12:00	To: 22:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
Alcohol is supplied for consumption on the Premises


PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence
Mrs Kelly Allcock, [REDACTED]
E-mail: [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)
N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol
Philip Bassnett, [REDACTED]

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 Number: PE/1628V1 Licensing Authority: Ashfield District Council

Original Issue date of Premises Licence	02.05.2019
Date of last change	02.05.2019
Signature of Licensing Team Leader	

ANNEX 1

MANDATORY CONDITIONS

Mandatory Conditions where Licence Authorises the Supply 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.
3.
 - (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;
 - 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).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5
- (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 licences 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.
- 6 The responsible person shall 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: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (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.

Minimum Drinks Pricing

- 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.

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "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;
- (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 officer 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.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
- (2) 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.

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 this section.
- 2 Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
- 3 Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- 4 In this section "children" means any person aged under 18; and
"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

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) requires 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 club with 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 the 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
- (b) paragraph 8(5) of that Schedule (interpretation 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

General – all four licensing objectives

None

The prevention of crime and disorder

1. The premises will be monitored by CCTV.
2. The CCTV system will be capable of showing the time and date and will record for a period of not less than 30 days
3. A log will be kept of any events.
4. A risk assessment will be carried to establish if door staff are required. All door staff will be SIA registered.
5. Full training will be given to staff and refresher training will be given every 6 months.

Public safety

1. A fire risk assessment will be carried out and any relevant action will be taken.
2. Smoke alarms will be installed and a log book will be maintained to show regular checks of this and other electrical / gas appliances.

The prevention of public nuisance

1. Adequate waste receptacles for customers to use in and out of the premises will be provided.
2. Noise will be monitored and any relevant action taken.
3. Opening hours will be displayed.

The protection of children from harm

1. A Challenge 25 age verification policy will be in place at the premises.
2. All staff will be trained on the Challenge 25 policy and when to ask for ID.
3. All staff will be trained on the Challenge 25 policy and acceptable forms of ID (including passports and photo card driving licences which bear a holographic mark.)
4. Posters will be displayed outlining the age verification policy.

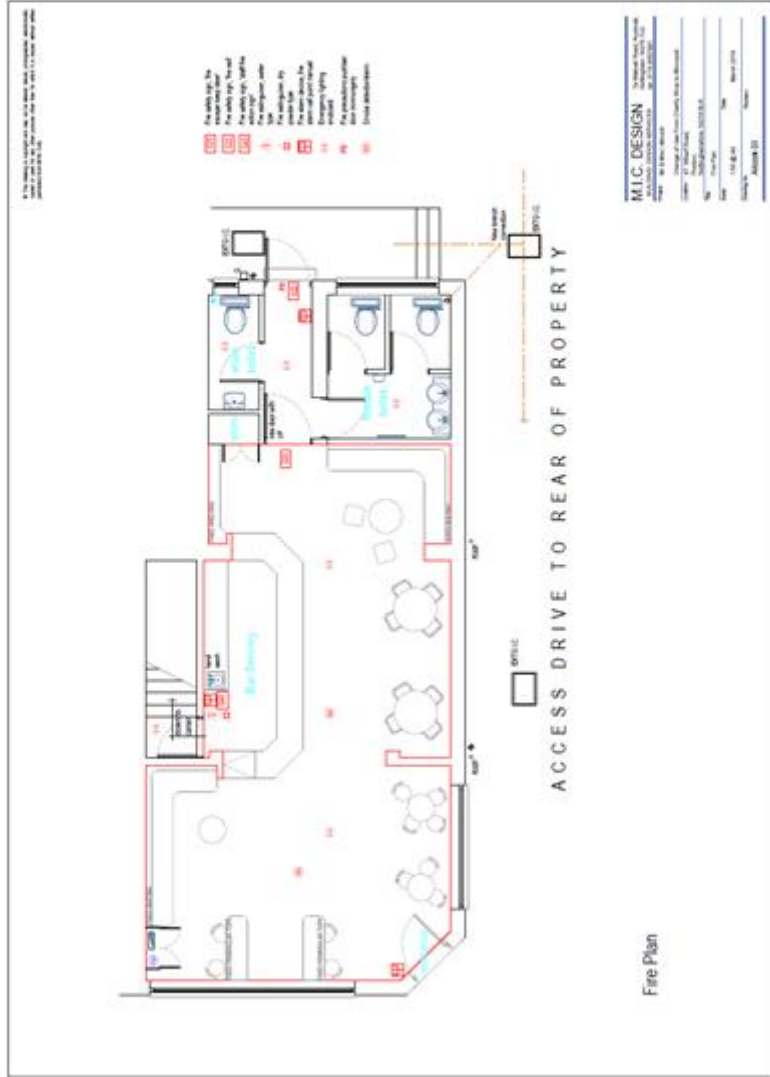
ANNEX 3

**CONDITIONS ATTACHED AFTER A HEARING BY THE
LICENSING AUTHORITY**

None

ANNEX 4

PLANS



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 **KELLY ALLCOCK**

(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

19/00507/LAP101

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
47 WHARF ROAD			
PINXTON			
NOTTS			
Post town	NOTTINGHAMSHIRE	Postcode	NG16 6LH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 2500.00

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	nottinghamshire
Postcode	

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)

opening hours to change to give me leeway at closing time so people are all not leaving at the same time. Also to add our rear beer garden onto the perimeter , alcohol being served indoors at the bar to be taken to outdoor seating.

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)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

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

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) _____ _____ _____ State any seasonal variations for the exhibition of films (please read guidance note 6) _____ _____ _____ 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 (please read guidance note 7) _____ _____ _____		
Mon	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Tue	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Wed	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
<u>Thur</u>	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Fri	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Sat	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Sun	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5) [Redacted]	
Day	Start	Finish		
Mon	[Redacted]	[Redacted]	State any seasonal variations for indoor sporting events (please read guidance note 6) [Redacted]	
	[Redacted]	[Redacted]		
Tue	[Redacted]	[Redacted]		
	[Redacted]	[Redacted]		
Wed	[Redacted]	[Redacted]		
	[Redacted]	[Redacted]		
<u>Thur</u>	[Redacted]	[Redacted]		<u>Non standard timings.</u> 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) [Redacted]
	[Redacted]	[Redacted]		
Fri	[Redacted]	[Redacted]		
	[Redacted]	[Redacted]		
Sat	[Redacted]	[Redacted]		
	[Redacted]	[Redacted]		
Sun	[Redacted]	[Redacted]		
	[Redacted]	[Redacted]		

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	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	<u>Please give further details here</u> (please read guidance note 5) <input type="text"/>		
Tue	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Wed	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6) <input type="text"/>		
<u>Thur</u>	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Fri	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	<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) <input type="text"/>		
Sat	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Sun	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			

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	Please give further details here (please read guidance note 5) both amplified and unamplified music outside will be seasonal and not too offend, only special occasions, birthdays for example.		
Mon	16.00	22.00			
			State any seasonal variations for the performance of live music (please read guidance note 6) public holidays		
Tue	16.00	22.00			
			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 (please read guidance note 7) christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00 Easter Monday 12.00-22.00 May day 12.00-22.00 Spring bank holiday <u>monday</u> 12.00-22.00 august bank holiday Monday 12.00-22.00		
Wed	16.00	22.00			
Thur	16.00	22.00			
Fri	14.00	22.00			
Sat	12.00	22.00			
Sun	12.00	22.00			

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> music from a tv or radio for music or asports programme		
Mon	16.00	23.00			
			<u>Please give further details here (please read guidance note 5)</u> music from a tv or radio for music or asports programme		
Tue	16.00	23.00			
			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u> public holidays		
Wed	16.00	23.00			
			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u> public holidays		
Thur	16.00	23.00			
			<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> christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00		
Fri	14.00	23.00			
			<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> christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00		
Sat	12.00	23.00			
			<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> christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00		
Sun	12.00	23.00			
			Easter Monday 12.00-23.00 May day 12.00-23.00 Spring bank holiday <u>monday</u> 12.00-23.00 august bank holiday Monday 12.00-23.00		

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	Please give further details here (please read guidance note 5) <input type="text"/>		
Tue	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Wed	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	State any seasonal variations for the performance of dance (please read guidance note 6) <input type="text"/>		
<u>Thur</u>	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Fri	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>	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 (please read guidance note 7) <input type="text"/>		
Sat	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			
Sun	<input type="text"/> ----- <input type="text"/>	<input type="text"/> ----- <input type="text"/>			

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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon	[] ----- []	[] ----- []		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	[] ----- []	[] ----- []	Please give further details here (please read guidance note 5) []		
Wed	[] ----- []	[] ----- []			
<u>Thur</u>	[] ----- []	[] ----- []	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) []		
Fri	[] ----- []	[] ----- []			
Sat	[] ----- []	[] ----- []	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 (please read guidance note 7) []		
Sun	[] ----- []	[] ----- []			

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon	<input type="checkbox"/>	<input type="checkbox"/>	Please give further details here (please read guidance note 5) <input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>				
Tue	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>				
Wed	<input type="checkbox"/>	<input type="checkbox"/>	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) <input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>				
<u>Thur</u>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>				
Fri	<input type="checkbox"/>	<input type="checkbox"/>	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 (please read guidance note 7) <input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>				
Sat	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>				
Sun	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>				

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"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	16.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 6) christmas new years eve public holidays		
Tue	16.00	23.00			
Wed	16.00	23.00			
<u>Thur</u>	16.00	23.00	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 (please read guidance note 7)		
			christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00 Easter Monday 12.00-23.00 May day 12.00-23.00 Spring bank holiday <u>monday</u> 12.00-23.00 august bank holiday Monday 12.00-23.00		
Fri	14.00	23.00			
Sat	12.00	23.00			
Sun	12.00	23.00			

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).

if nudity or semi-nudity was to occur at the premises then children will be moved away from the area, and not allowed in that area it would be closed off and enclosed, the only time should this occur is if a party has organised for a semi nude artist

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	16.00	23.00	christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00 Easter Monday 12.00-23.00 May day 12.00-23.00 Spring bank holiday <u>monday</u> 12.00-23.00 august bank holiday Monday 12.00-23.00
Tue	16.00	23.00	
Wed	16.00	23.00	
<u>Thur</u>	16.00	23.00	
Fri	14.00	23.00	
Sat	12.00	23.00	
Sun	12.00	23.00	
			<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) christmas eve 12.00-23.00 christmas day 11.00-23.00 boxing day 12.00-23.00 new year eve 12.00 -1.00am new years day 12.00-23.00 Easter Monday 12.00-23.00 May day 12.00-23.00 Spring bank holiday <u>monday</u> 12.00-23.00 august bank holiday Monday 12.00-23.00

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.



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

we have been running well and working with the licensing objectives to keep the establishment a safe place.

b) The prevention of crime and disorder

1. We have in place a three strikes and your out policy when it comes to customer noise and nuisance which is kept at the premises and available for inspection if needed so by police or any other authorised person

This will state 1. Reason for being told to leave

2. the person who made the decision

3. date & time

2. All records will be kept confidential for 12 months

3. Cctv is now installed on our outside area too

4. Our outside area will only be used till the hours of 22.00 to reduce noise and light for our neighbours

5. all deliveries shall be kept to once or twice a week to keep noise to a minimum

6. we are part of the local pub watch

7. notices are in place to all our customers must respect our neighbours

c) Public safety

1. I shall make a first aid box fully available on the premises

2. all lighting indoors and outdoors will be turned down or off to help ensure it does not become a nuisance to our neighbours

3. I shall ensure our fire extinguishers are serviced yearly and our fire alarm/smoke alarms are checked on a weekly basis.

d) The prevention of public nuisance

1. noise levels shall be monitored by our dba noise machine and recorded

2. shall take action on readings being more than 85dba

Regulated entertainment indoors will be turned down

New checks will be made for lower levels of dba

2. shall be working with a 4 point check system when regulated entertainment or busier days occur

3. will keep doors and windows closed when regulated entertainment is taking place expect for when needed for an emergency or very hot

4. shall split regulated entertainment into sections so noise is shorter over the period of the show

5. outdoor events will be informed to environmental health by the premises licence holder

e) The protection of children from harm

1. there shall be no advertising or posters outside of the premises to the general public or photographs displaying semi nudity

2. i shall ensure if nudity or semi-nudity was to occur at the premises then children will be moved away from the area, not allowed in that area and it would be closed off ,the only time should this occur is if a party has organised for a semi nude artist

3. i will make sure parents are told if any nudity is booked

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	K allcock
Date	16.09.2021
Capacity	

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)			



From: Melanie Robinson [REDACTED]
Sent: 20 October 2021 21:52
To: EnvironmentalHealthAdmin <EnvironmentalHealthAdmin@ne-derbyshire.gov.uk>
Subject: Objection to application for license application THE Headstocks Pinxton

Warning External

Dear Ms Lindsey Delamore

Here I am writing to the objection of The Headstocks license application that has been made.

The reasons for this is firstly the safety issues, as it's a shared drive and cars travel across the suppose beer garden to gain access to premises back gardens.

The second reason is the noise and antisocial behaviour that comes from the beer garden at the rear of the property.

Thirdly The Headstocks currently are not sticking to the license agreement that is currently in place. At the weekend the micro pub is open beyond midnight with music to loud and antisocial behaviour.

Other neighbours of Wharf Road have expressed that they are fed up of the disturbance by the noise and opening times.

A site visit would be recommended before decision made regarding the new application.

Yours sincerely

Mr Kevin Newman

From: kelly allcock [REDACTED]
Sent: 28 October 2021 15:51
To: Lindsey Delamore <Lindsey.Delamore@bolsover.gov.uk>
Subject: Re: Objection to application for license application THE Headstocks Pinxton

Warning External

Hi lindsey

I've sent Mr Newman a text about our emails and what you need but if you can add the condition that we've agreed on

The outside area will not be used after 22.00hours

Thank you

Kelly