

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

The Arc
High Street
Clowne
S43 4JY

Contact: Tom Scott
Telephone: 01246 217045
Email: tom.scott@bolsover.gov.uk

Wednesday 28th July 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 Thursday, 5th August, 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



Bolsover
District Council

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**

***Thursday, 5th August, 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.	Determination of a Premises Licence Application under the Licensing Act 2003 and Representations made Against	3 - 38

Bolsover District Council

Licensing & Gambling Acts Sub-Committee

5th August 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: Sian Harpham

Contact Officer: Sian Harpham

PURPOSE / SUMMARY

To consider representations made against an Application for a Premises Licence for **RKNS Discount Stores, 17 Market Street, South Normanton, Alfreton, DE55 2AB.**

RECOMMENDATIONS

The Licensing Sub-Committee may;

1. Grant the Premises Licence application as applied for;
2. Grant the Premises Licence 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 Premises Licence 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 checked="" 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	South Normanton West
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 type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Ward Members

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

Supporting our Communities to be Healthier, Safer, Cleaner and Greener.

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.

1.2 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.

1.3 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.

1.4 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.

1.5 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 14th June 2021, an application for a Premises Licence for **RKNS Discount Stores, 17 Market Street, South Normanton, Alfreton, DE55 2AB** was received by Bolsover District Council from **Flint Bishop LLP** acting on behalf of **Mrs Rachel Chandrakumar of 2 Kirkby Mill View, Kirkby-in-Ashfield, NG17 8QF**. A copy of the application is attached as **Appendix 1**.

- 2.2 The application seeks to licence the premises for the activities and times outlined in the table below.

Licensable Activity	Proposed Times
Supply of Alcohol (Off Sales only)	Monday to Sunday: 07:00 to 22:00
Opening Times	Monday to Sunday: 07:00 to 22:00

- 2.3 A copy of the proposed plan is attached at **Appendix 2**.
- 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 the Responsible Authorities. However, Derbyshire County Council's Trading Standards have held informal discussions with the applicant's agent without submitting a formal representation. As a result of these discussions the applicant's agent has requested that further conditions be added to the application. These conditions are attached as **Appendix 3** and the request to add them to the application is attached as **Appendix 4**.
- 2.6 The consultation deadline for this application was the 12th July 2021. By this time, the Licensing Team had received 1 valid representation from an individual member of the public, Mr Christopher Pienaar, which relates to all four of the licensing objectives. To support his representation, Mr Pienaar has also submitted a petition that includes 45 signatures from local residents. This representation and petition is attached as **Appendix 5**.
- 2.7 Upon receipt of this representation Mr Pienaar was notified that the petition attached to his representation would be treated as supporting evidence to the representation and as a result the Licensing Section would correspond solely with him as the lead to the petition.
- 2.8 This party has a legal right to make a representation.
- 2.9 As a result of the application being referred to the Licensing Sub-Committee, the applicant's agent has requested that a number of photos of the premises be included in the report, these photos are attached as **Appendix 6**.

3 Reasons for Recommendation

Not applicable

4 Alternative Options and Reasons for Rejection

Not applicable

DOCUMENT INFORMATION

Appendix No	Title
1	Application for a premises licence
2	Plan of premises
3	Additional conditions
4	Request to add additional conditions
5	Representation and petition
6	Photographs
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	

Application for a premises licence to be granted 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 Rachel Chandrakumar

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description RKNS Discount Stores 19 Market Street			
Post Town	South Normanton	Postcode	DE55 2AB
Telephone number at premises			
Non-domestic rateable value of premises		£8,900.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual | | please complete section (B) |
| | i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other | | |
| | (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

- f) a health service body ☐ please complete section (B)
- g) a person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health & Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ Please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ Please complete section (B)

If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐
- I am making the application pursuant to a
 - Statutory function or ☐
 - A function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname Chandrakumar		First names Rachel			
I am 18 years old or over		<input checked="" type="checkbox"/>		Please tick yes	
Current postal address if different from premises address		2 Kirby Mill View Kirkby in Ashfield			
Post Town	Nottingham		Postcode	NG17 8QF	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over			<input type="checkbox"/>	Please tick yes	
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
	07	2021

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)

The premises operate as an off licence in South Normanton

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

a) plays (if ticking yes, fill in box A)

Please tick yes

☐

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 L)

☐

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

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
Thur					
			<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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur					
			<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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
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 5)		
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 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur					
			<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 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07:00	22:00			
Tue	07:00	22:00			
Wed	07:00	22:00			
Thur	07:00	22:00	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 6)		
Fri	07:00	22:00			
Sat	07:00	22:00			
Sun	07:00	22:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr Subramaniam Chandrakumar
Date of Birth 7/6/1978
Address 2 Kirby Mill View, Kirby in Ashfield, Nottingham, NG17 8QF
Personal Licence number (if known) BLP0668
Issuing licensing authority (if known) Blaby District Council

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 9)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	22:00	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 (please read guidance note 6)
Tue	07:00	22:00	
Wed	07:00	22:00	
Thur	07:00	22:00	
Fri	07:00	22:00	
Sat	07:00	22:00	
Sun	07:00	22:00	

M- Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

b) The prevention of crime and disorder

CCTV will be installed, with images to be retained for 31 days and made available to the police, providing the request is permitted by data protection legislation.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

The Premises will operate a Challenge 25 age verification policy.
They will also operate a refusals register and maintain an incident log, with all records kept for at least 6 months and made available to the responsible authorities upon request.

**Checklist:
agreement**

Please tick to indicate

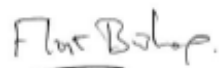
- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).
☐

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	11/06/2021
Capacity	Solicitor

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
Karen Cochrane Flint Bishop LLP St. Michael's Court St. Michael's Lane Derby DE1 3HQ	
Telephone number (if any)	01332 226148
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	



From: Ruth Elliott (Commissioning Communities and Policy)

Sent: 15 June 2021 09:36

To: Karen Cochrane

Subject: New Premises Licence Application - 21/00529/LAPL01 - RKNS Discount Stores, 17 Market Street, South Normanton, Alfreton, DE55 2AB

Hi Karen

Thanks for your time today. Below are the conditions we like to see placed on the licence under 'protection of children from harm'. If you can liaise with your client to see if these are acceptable.

1. Full training is provided to staff on commencement of employment on the law relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. Refresher training should be provided at regular intervals (at least 6-monthly).

Records detailing the training provided will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

2. The age verification policy applying to the premises is 'Challenge 25'; that means anyone attempting to purchase alcohol (or other min.18 restricted product) that appears under the age of 25 years will be asked to prove their age. Acceptable forms of identification will be a PASS-accredited proof of age card, photo driving licence or passport. Failure to produce satisfactory proof of age will result in a refused sale.

Clear, prominent and unobstructed signage informing customers of the age verification policy in operation and the age restrictions on products, will be clearly displayed at:

- all entry points to the premises,
- adjacent to the products, where displayed, and
- all points of sale.

3. A system of recording sales refused under the age verification policy will be operated at all times.

At least weekly, the Designated Premises Supervisor (or deputy, authorised in writing) will:

- examine the record and compare it against the normal operating pattern for the premises
- indicate any action required following that examination
- sign off/endorse the record to indicate the above points have been carried out

The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Records shall be retained on the premises for a minimum of 2 years.

Many Thanks

Ruth Elliott

Ruth Elliott | Trading Standards Officer | Commissioning, Communities and Policy | Derbyshire County Council | County Hall, Matlock, Derbyshire DE4 3AG | Direct dial: 01629 539856

From: Karen Cochrane

Sent: 22 June 2021 10:18

To: 'Ruth Elliott (Commissioning Communities and Policy)'

Cc: 'licensing@bolsover.gov.uk'

Subject: RE: New Premises Licence Application - 21/00529/LAPL01 - RKNS Discount Stores, 17 Market Street, South Normanton, Alfreton, DE55 2AB

Morning Ruth,

I can confirm my clients have responded that they are happy with the proposals detailed in your email of the 15.6.21. I will request the licensing officer amend the application to incorporate your proposals.

Kind regards,

Karen

Karen Cochrane

Solicitor

Licensing

DD 01332 226 148 ext: 274

M 07771 643 586

F 01332 207 601

DX 729320 DERBY 24

Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ

[Subscribe and keep up-to-date with our licensing updates](#)



Bolsover District Council
Licensing Authority
North East Derbyshire
District Council Offices
213 Mill Lane
Wingerworth
Chesterfield
S42 6NG

Submission Coordinator
Christopher Pienaar
8 Bright Street
South Normanton
Derbyshire
DE55 2AN

7th July 2010

Residents Submission Opposing Liquor License Application - 19 Market Street South Normanton

Please find enclosed a submission to the notice advertising an application for a license to serve liquor at 19 Market Street, South Normanton, Derbyshire. This submission is made with the authority of the 45 local residents listed herein, who live in the immediate vicinity of the building at 19 Market Street, and have signed to oppose this application.

Yours sincerely



CJT Pienaar

Application apposing the issuing of a license to supply alcohol 19 Market Street
South Normanton.

27th June 2021

Residents Application Coordinator
Christopher Pienaar;
8 Bright Street,
South Normanton,
Derbyshire, DE55 2AN

We the listed residents (see appendixes) of Bright Street Market Street, Queen Street and West Street, South Normanton, are writing to oppose (i) the granting of a license to sell alcohol at 19 Market Street, South Normanton and (ii) any related development at the property. Our reasons are as follows;

1. Prevention of Public nuisance

- a) The sale of alcohol from the premises will attract an increased demand for local parking when the demand for parking is already well oversubscribed, both during the day and night on Market Street, Bright Street, and Queen Street. This can be backed up with photographic evidence held and available for submission or inspection.
- b) A builder working for a developer who may be the applicant, on hearing our concerns on parking, said that they were also buying the house adjoined to 19 Market Street– 4 Bright Street - to develop this into two separate houses, and that any spare parking would be used for whatever they developed at 19 Market Street. It is unknown if this is the same developer that has applied, but if so, two houses would themselves need 4 parkings, leaving no other space. These cars would be coming and going at the most narrow part of the road next to the intersection with Market street - increasing the existing problems. The previous owner had 1 car in this (single) house. We understand that a few years back Planning permission for two new build houses opposite number 4 Bright Street had a condition applied that they had to have their entrance and parking built on Market Street, so as to avoid parking or further traffic at the narrow end of Bright Street. However in this case the on-road parkings are over subscribed.
- c) Based on our experience locally, premises selling alcohol and staying open to 10pm will attract clients more likely to cause a disturbance and problems in the immediate area as noise, arguments and damage to property. This is attested to by the significant problems cause by the late opening of the Hawthorne pub when late opening was introduced, and noisy groups would walk through the local streets drunk and disorderly (please see Derbyshire County Council Neighborhood surveys) making a loud noise, arguing, fighting, tipping over bins and sometimes damaging property, making it very difficult to get a good night's sleep and causing high levels of stress for residents.

2. Public safety

- a) These groups in 1 (c) above would walk up the street, waking people up, damaging property, and in one case banging on the door and threatening the residents. They also created concerns for the safety of family members who may be walking home at the time. Such disturbances increased stress levels and reduced the quality of life for local residents. Residents currently report groups gathering at night outside of the low cost liquor shop at number 55 Market Street – just 30 meters or so down Market Street from number 19, and creating a disturbance. Such behavior also results in residents being concerned to go out walking somewhere at night
- b) The additional traffic also will clog up the top end of Bright Street which is already acknowledged as a problem because of having been narrowed through an earlier development that appeared to be allowed to encroach on the road space. Also see 1(b) above , Cars parking on the corner of Bright

Street and Market street make it difficult to turn in or out of the street and obscure the view of cars turning out into Market Street. This will be aggravated by more cars seeking to park in these streets to buy alcohol.

- c) It is understood that Bright Street is a *residential* area in which only businesses with low traffic generating storage activities are allowed. Traffic and nuisance creating businesses on Bright Street have been prevented or forced to move by Bolsover District Council in the past.
- d) The critical lack of parking in the immediate area on the road and the narrow space at the end of Bright Street means that people from the wider area park on pavements. This means that children and adults living in, or walking along Bright Street, are either unable to, or are restricted in using the one pavement available, with cars often racing by in the street. Attracting further traffic will further aggravate this situation, especially at the narrow end of Bright Street adjoining this building.

3. Prevention of crime and disorder

- a) There is a known history of alcohol abuse and related nuisance behavior with young people in South Normanton , one of the reasons for the introduction of Community Policing and the CAN network to the village. We are not in agreement with any initiative that could add to this problem and place our children and other residents at further risk.

4. Protection of Children from Harm

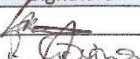

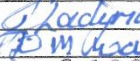
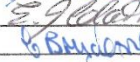
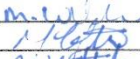
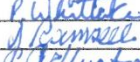
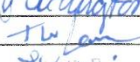
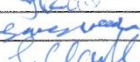
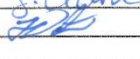

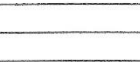
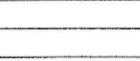
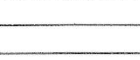

- a) There is a known history of alcohol abuse and related nuisance behavior with young people in South Normanton , one of the reasons for the introduction of Community Policing and the CAN network to the village and we believe that a successful application will add to these problems.
- b) Please see 1 (c) and 2 (a) where it has mainly been Children and Young People involved such activities, placing them at risk of harm, anti-social behavior warrants or arrest and being drawn from gateway alcohol abuse into the youth drug culture prevalent within South Normanton

5. General

- a) *Need*
There are more than sufficient alcohol sales outlets in South Normanton including immediately to the left and right of 19 Market Street
- b) *Safety and Wellbeing*
We work very hard to improve our community and well-being. We believe that we have a right to be safeguarded against such developments.
- c) *Long Standing experience*
Many of the residents of these streets have lived here for a very long time and have personal experience of the issues that they are raising, some have lived here all of their lives. The Co-ordinator of this application on behalf of residents, has significant experience as a youth worker, community development worker, Director of local and other youth charities, 13 years as a Parent and Community Governor at Frederick Gent Secondary school and has lived with his family on Bright Street for 24 years

We are appealing for protection against this *serving of alcohol license application* (and any related planning development) as we believe that this will very negatively impact our lives, safety and mental health.

Petition to appeal against the issuing of a license to supply alcohol 19 Market Street
South Normanton

Number	Name	Address	Contact	Signature
16	GARY	16 BRIGHT STREET	07506211041	
18	RUBY EDWARDS	18 BRIGHT STREET	07506211041	
8	CIMIS PICKARD	8 BRIGHT STREET	07886354119	
17	GRAHAM	17 BRIGHT STREET	07447 00015	
17	JANE	17 BRIGHT ST	01773 784435	
11	DOROTHY WALL	11 BRIGHT ST	0173 583118	
20	JOAN CLARKE	20 BRIGHT STREET	01773 784566	
26	CHRIS BRUDEN	26 BRIGHT STREET	0173 783088	
22	MAURICE WILKINS	22 BRIGHT ST	07904853445	
19	MARILYN	19 BRIGHT ST	0791812688	
21	PAULA NATHAN	21 BRIGHT ST	07402880015	
30	JUNE RAMSEY	30 BRIGHT ST	07453273192	
30	Sonia Adlington	30 BRIGHT ST	01723 264431	
1	Timmy Fearon	West St	01773 811087	
15	SEAN KING	15 BRIGHT ST	01473 784363	
14	JAMES WOOD	14 BRIGHT ST	07895 860427	
12	JUDY CLARK	12 BRIGHT STREET	07345672568	
28	Z ZANTER	28 BRIGHT STREET	01996825061	

Petition to appeal against the issuing of a license to supply alcohol 19 Market Street
South Normanton

Number	Name	Address	Contact	Signature
10B	Chelmerman Mushay	15B Market Street	0779032072	Shawn
15A	Natasha Wankles	15A Market Street	07930746905	11/4
15	Natalie Gill	15 Market Street	07476127227	Nellie
11	Annikalee	11 Market Street	07538296273	11/4
	DBOND	9 MARKET STREET		99Bund
	Josetha Bond	9 MARKET STREET		11/4
	A Freeman	8 MARKET ST.		A Freeman
	C SWAIN	7 " "		C Swain
	D Agne	4 MARKET		11/4
12	V. Karmirou	12 MARKET STREET		11/4
20	N. MCGING	20 Market Street		11/4
22	C. Stevenson	22 Market Street		11/4
24	S. Stoppard	24 Market St		Shawn
26	D. KILBAS	26 MARKET ST		Shawn
36	T.S. Macleay ARNDT	36 MARKET ST.		Amey
37	A. J. Arndt	37	0780172037	11/4
41	SPIROS	41 MARKET ST		11/4
29	Lynne	29 MARKET ST		11/4
25	Robert	25 MARKET ST		11/4
23	D. J. J.	23 MARKET		11/4

Petition to appeal against the issuing of a license to supply alcohol 19 Market Street
South Normanton

[illegible]





