

The Arc  
High Street  
Clowne  
S43 4JY

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

Contact: Matthew Kerry  
Telephone: 01246 242519  
Email: [matthew.kerry@bolsover.gov.uk](mailto:matthew.kerry@bolsover.gov.uk)

Tuesday, 11<sup>th</sup> June 2024

Dear Councillor,

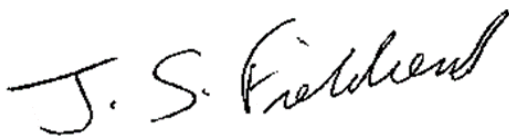
**LICENSING & GAMBLING ACTS SUB COMMITTEE**

You are hereby summoned to attend a meeting of the Licensing & Gambling Acts Sub Committee of the Bolsover District Council to be held in Committee Room 1, The Arc, Clowne on Thursday, 20<sup>th</sup> June, 2024 at 10:00 hours.

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 on page 3 onwards.

Yours faithfully,



Solicitor to the Council & Monitoring Officer

### **Equalities Statement**

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

#### **Access for All statement**

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246242424)
- **Email:** [enquiries@bolsover.gov.uk](mailto:enquiries@bolsover.gov.uk)
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

**LICENSING & GAMBLING ACTS SUB COMMITTEE  
AGENDA**

*Thursday, 20<sup>th</sup> June, 2024 at 10:00 hours taking place in Committee Room 1, The Arc,  
Clowne*

<b>Item No.</b>		<b>Page No.(s)</b>
<b>1.</b>	<b>Election of Chair for the meeting</b>	
<b>2.</b>	<b>Apologies for Absence</b>	
<b>3.</b>	<b>Declarations of Interest</b>	
	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 matters arising out of those items;	
	and if appropriate, withdraw from the meeting at the relevant time.	
<b>4.</b>	<b>Minutes</b>	4 - 8
	To consider the minutes of the Licensing & Gambling Acts Sub Committee meeting held on 7 <sup>th</sup> March 2024.	
<b>5.</b>	<b>To consider whether to suspend or revoke a Personal Licence, under the Licensing Act 2003, following a licence holder's conviction for relevant offences</b>	9 - 27

# Agenda Item 4

## LICENSING & GAMBLING ACTS SUB COMMITTEE

Minutes of a meeting of the Licensing & Gambling Acts Sub Committee of the Bolsover District Council held in Committee Room 1, The Arc, Clowne on Thursday, 7<sup>th</sup> March 2024 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillors David Bennett, Amanda Davis and Emma Stevenson.

Officers:- Louise Arnold (Legal Team Manager (Deputy Monitoring Officer)), Charmaine Terry (Environmental Health Team Manager – Licensing), Samantha Crossland (Licensing and Enforcement Officer), Amy Bryan (Governance and Civic Manager) and Matthew Kerry (Governance and Civic Officer).

Also in attendance at the meeting, observing, was Councillor Sally Renshaw.

### **LGASC1-23/24 ELECTION OF CHAIR FOR THE MEETING**

Moved by Councillor David Bennett and seconded by Councillor Amanda Davis  
**RESOLVED** that Councillor Emma Stevenson be elected as Chair for the meeting.

Councillor Emma Stevenson in the Chair

### **LGASC2-23/24 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **LGASC3-23/24 URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **LGASC4-23/24 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **LGASC5-23/24 MINUTES OF A MEETING ON 23<sup>RD</sup> NOVEMBER 2022**

Moved by Councillor Emma Stevenson and seconded by Councillor David Bennett  
**RESOLVED** that the minutes of a meeting of the Licensing & Gambling Acts Sub Committee held on 23<sup>rd</sup> November 2022 be approved as a true and correct record.

## LICENSING & GAMBLING ACTS SUB COMMITTEE

### **LGASC6-23/24 TO CONSIDER WHETHER TO SUSPEND OR REVOKE A PERSONAL LICENCE, UNDER THE LICENSING ACT 2003, FOLLOWING A LICENCE HOLDER'S CONVICTIONS FOR RELEVANT OFFENCES**

The Chair introduced the item and welcomed those present.

The Legal Officer confirmed that Mrs. Tracy Kay, whose Personal Licence was under consideration was not present. A copy of the report had been posted to Mrs. Kay's home address, but no response or representation had been received.

The Sub Committee agreed that it was in the public interest to continue with the hearing and to consider whether to suspend or revoke Mrs. Kay's Personal Licence in their absence.

The Chair explained the procedure that would be followed and stated that the hearing was not a court and as such strict court rules would not apply. Any evidence given would not be given under oath, but the Chair reminded parties that providing untrue statements was a criminal offence under the Licensing Act 2003.

With all those present confirming that they had received the relevant documents, the Chair proceeded and asked the Licensing Officer to present the report.

The Licensing Officer began by stating that the Council was responsible for granting Personal Licences under the Licensing Act 2003 ('the Act'). The Act set out four statutory objectives, each of equal importance, that had to be addressed by the Council when discharging its functions under the legislation. Those licensing objectives were:

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

In addition to the legislation, the Council had to have regard to the Revised Guidance issued under Section 182 of the Act and to the Council's own Statement of Licensing Policy.

The report set out that in 2019 the Council had adopted its current Statement of Licensing Policy ('the Policy') under the Act. The report set out paragraphs 2.1 and 2.2 of the Policy, which outlined the general principles of the Policy and the Act. The report also set out paragraph 7.32 of the Policy.

The Licence Holder, Mrs. Kay, had held a Personal Licence issued by the Council under the Licensing Act 2003 since 25<sup>th</sup> November 2005. A copy of the Personal Licence was attached as Appendix 1.

The Licensing Officer explained that whilst Mrs. Kay's licence showed an expiry date, the Deregulation Act 2015 amended the Act to remove the requirement to renew Personal Licences; any licence still valid on 1<sup>st</sup> April 2015 remained valid indefinitely until such a time when the licence lapsed or was revoked – there was no requirement for Personal Licences to be updated to remove the expiry date.

## LICENSING & GAMBLING ACTS SUB COMMITTEE

On 20<sup>th</sup> February 2023, the Licensing Team had received information via local police intelligence that Mrs. Kay may have been involved in an assault at a licensed premises, and an investigation was ongoing. Confirmation was subsequently received from Derbyshire Constabulary on 18<sup>th</sup> July 2023, that Mrs. Kay had been found guilty of a relevant offence, namely assault by beating. A copy of the notification was attached as Appendix 2.

Following a meeting with Derbyshire Constabulary on 3<sup>rd</sup> January 2024, to discuss local intelligence, it was brought to the attention of the Licensing Team that formal notification of Mrs. Kay's offence had not been received from the Magistrates' Court.

Subsequently, on 10<sup>th</sup> January 2024, in accordance with the legislation, the Licensing Team had posted a notice to Mrs. Kay, informing her that the Council was considering whether to suspend or revoke her Personal Licence and invited her to make representations. A copy of this notice was attached as Appendix 3.

The Licensing Officer confirmed that Mrs. Kay had not made any representations in support of her Personal Licence.

The Council's Licensing Team had contacted Chesterfield Magistrates' Court which had confirmed that Mrs. Kay had been convicted of assault by beating on 17<sup>th</sup> July 2023. A copy of the court extract was attached as Appendix 4.

The report set out the requirements of Sections 128, 132 and 132A of the Act. Section 132A of the Act outlined the process that should be followed in the event a Personal Licence holder had been convicted of any relevant offence.

Section 128 of the Act placed a duty on Personal Licence holders to notify the Court that they held a Personal Licence. On 16<sup>th</sup> January 2024, the Court had confirmed that there were no notes to show that Mrs. Kay had disclosed her Personal Licence to the Court relating to her appearance on 7<sup>th</sup> July 2023. A copy of the confirmation was attached as Appendix 5.

Section 132 of the Act placed a duty on Personal Licence holders to notify the Licensing Authority of any conviction for a relevant offence. The Licensing Officer confirmed that Mrs. Kay had not formally notified the Council of the conviction.

The Licensing Officer highlighted paragraph 2.10 of the report, which stated that Section 127 of the Act placed a duty on Personal Licence holders to notify the Licensing Authority of any change of name or address as stated on the Personal Licence. The Licensing Officer stated that Mrs. Kay had not formally updated the address on her licence.

Council records showed that Mrs. Kay ceased to be a DPS (Designated Premises Supervisor) on 31<sup>st</sup> July 2008, and was not currently nominated as a DPS at any Licensed Premises within the District.

A further check with Derbyshire Constabulary had confirmed that Mrs. Kay was not currently nominated as a DPS at any Licensed Premises in Derbyshire.

Having received confirmation of the offences, the Council was now required to determine whether any action should be taken in respect of Mrs. Kay's Personal Licence.

## LICENSING & GAMBLING ACTS SUB COMMITTEE

Following receipt of the above-mentioned offence, a search of Council records had revealed that Mrs. Kay had been licensed as a Hackney Carriage/Private Hire Driver with the Council. Mrs. Kay had held a Hackney Carriage/Private Hire Driver's Licence from September 2018, but it had been revoked in July 2023.

A check of Mrs. Kay's Hackney Carriage/ Private Hire Driver record had revealed other convictions, that were relevant offences for the purpose of the Act, details of which were set out in the report.

Whilst Mrs. Kay had declared the existence of the offences from 2015 and had declared her new address on her application for a Hackney Carriage/Private Hire Driver's licence, the taxi licensing and Act functions were managed separately, and the legislation placed specific obligations on Personal Licence holders to notify the Council of any relevant offences and any change of address. Licence holders were required to follow a statutory process to update their licence accordingly.

Records showed that Mrs. Kay had not followed that process.

The Chair invited all parties to ask questions of the Licensing Officer.

In answer to a question on why the Licence Holder still had a Personal Licence, the Licensing Officer explained that the case regarding Mrs. Kay's conviction for a relevant offence had been prematurely closed by the Licensing Team.

A Member of the Sub Committee asked why the License Holder would keep their Licence if they were not currently working in a Licenced Premises. The Licensing Officer explained that the Deregulation Act 2015 had removed the requirement to renew Personal Licences, and any licence still valid on 1<sup>st</sup> April 2015 remained valid indefinitely so a Licence Holder could retain it should they wish to use it again in future.

A Member of the Sub Committee asked if there was not a system in place for identifying relevant convictions across different types of licence. The Licensing Officer repeated that because the previous Licensing Officer had closed the case before leaving the Council, they had been unaware of the License Holder's history. However, a process had been brought in to address this.

The Chair stated that as the Licence Holder was not present the Sub Committee would move to hear closing statements.

The Licensing Officer confirmed that they had nothing further to add.

The hearing was adjourned at 10:20. The Licensing Officers left the room for the Sub Committee to deliberate.

The hearing reconvened at 10:29. The Licensing Officers returned to the meeting.

The Chair invited the Legal Officer to set out the Sub Committee's decision.

The Legal Officer stated that, after taking into consideration the Licensing Act 2003, the Revised Guidance issued under section 182 of that Act, and the Council's own Statement of Licensing Policy, the Sub Committee had made the decision to **REVOKE** the Personal Licence.

## **LICENSING & GAMBLING ACTS SUB COMMITTEE**

The decision would be sent to the Licence Holder and there was a right of appeal.

The meeting concluded at 10:30 hours.



## Bolsover District Council

### Licensing and Gambling Acts Sub-Committee on 20<sup>th</sup> June 2024

#### Report of the Environmental Health Team Manager (Licensing)

<b>Classification</b>	This report is public.
<b>Contact Officer</b>	Samantha Crossland - Licensing and Enforcement Officer

#### PURPOSE/SUMMARY OF REPORT

To consider whether to suspend or revoke a Personal Licence, under the Licensing Act 2003, following a licence holder’s conviction for relevant offences.

#### REPORT DETAILS

##### **1. Background**

1.1 Bolsover District Council is responsible for granting Personal Licences under the Licensing Act 2003 (‘the Act’).

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 In 2024 the Council adopted it’s current Statement of Licensing Policy under the Licensing Act 2003 (‘the Policy’). Paragraphs 2.1 and 2.2 of the Policy outline the general principles of the Policy and the Act:

*2.1 In exercising their functions under the Licensing Act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the Act.*

*The licensing objectives are:*

- (a) the prevention of crime and disorder;*
- (b) public safety;*
- (c) the prevention of public nuisance; and*
- (d) the protection of children from harm.*

*Each has equal importance.*

*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.*

1.5 Furthermore, Paragraph 7.47 of the Policy states the following:

*The Policing and Crime Act 2017 gives Licensing Authorities a discretionary power to revoke or suspend personal licences, with effect from 06<sup>th</sup> April 2017.*

*When a Licensing Authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months.*

*Only magistrates' courts can order the forfeiture or suspension of a personal licence for convictions received prior to 06<sup>th</sup> April 2017. The process which must be undertaken by the licensing authority to suspend or revoke a personal licence is set out at section 132A of the 2003 Act and is contained within the Home Office Guidance.*

## **2. Details of Proposal or Information**

2.1 Mr Mark Wayne Marriott has held a Personal Licence issued by Bolsover District Council under the Licensing Act 2003 since 19<sup>th</sup> July 2018. A copy of his current Personal Licence is attached at **Appendix 1**.

2.2 On 09<sup>th</sup> November 2023, the Licensing Team received information via local Police intelligence reports that Mr Marriott may have been involved in an assault at a licensed premises, and an investigation was ongoing. Confirmation was subsequently received from Derbyshire Constabulary on 21<sup>st</sup> March 2024, that Mr Marriott had been found guilty of a relevant offence, namely assault by beating. A copy of the intelligence report is attached as **Appendix 2** and the confirmation of conviction is attached as **Appendix 3**.

2.3 On 27<sup>th</sup> March 2024 the Licensing Team contacted the Magistrate's Court to confirm the outcome of the hearing. Chesterfield Magistrate's Court confirmed Mr Marriott was convicted of the offence below:

	<b>Date of Conviction</b>	<b>Conviction</b>	<b>Sentence</b>
Count 1	21 <sup>st</sup> March 2024	Assault by beating	<ul style="list-style-type: none"> <li>• FVS – Surcharge, to pay a surcharge of £55.00</li> <li>• COLLO – Collection order made, Make payments as ordered.</li> <li>• PDATE – Pay by date, date to pay in full by 04 April 2024</li> <li>• FCPC – Costs to Crown Prosecution Service. To pay costs of £85.00 to the Crown Prosecution Service.</li> <li>• FCOMP – Compensation, to pay compensation of £100.00</li> <li>• FO – Fine, fined £138.00</li> <li>• GPTAC – Guilty plea taken into account when imposing sentence.</li> </ul>

A copy of the court extract is attached at **Appendix 4**.

2.4 On 05<sup>th</sup> April 2024, the Licensing Team received an email from Mr Marriott stating that he had been convicted of assault by beating. A copy of the email is attached at **Appendix 5**.

2.5 On 17<sup>th</sup> April 2024, in accordance with the legislation, the Licensing Team posted a notice to Mr Marriott at his home address, informing him that the Council were considering whether to suspend or revoke his Personal Licence and invited him to make representations. A copy of this notice is attached at **Appendix 6**.

2.6 Mr Marriott subsequently provided his representations and two character references, which can be found attached as **Appendices 7 - 9**

2.7 Section 132A of the Act outlines the process that should be followed in the event a Personal Licence holder has been convicted of any relevant offence.

If the sub-committee decides not to revoke the Personal Licence, notice of the decision will be given to Derbyshire Constabulary who will be given 14 days to make representations. A supplementary report will then be prepared for the sub-committee to further consider the case.

2.8 Section 128 of the Act places a duty on Personal Licence holders to notify the Court that they hold a Personal Licence. Failure to comply with that duty is an offence and is punishable by a fine not exceeding £500.

On 28<sup>th</sup> March 2024 the Court confirmed that the Court were aware that Mr Marriott holds a Personal Licence. However, the bench took no action. A copy of the confirmation is attached as **Appendix 10**.

2.9 Council records show that Mr Marriott has been the Designated Premises Supervisor at the George & Dragon, Cragg Lane, Newton, DE55 5TN since 07<sup>th</sup> August 2018.

2.10 Having received confirmation of the offences the Council is now required to determine whether any action should be taken in respect of Mr Marriott's Personal Licence.

**3. Reasons for Recommendation**

3.1 None

**4 Alternative Options and Reasons for Rejection**

4.1 None

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**RECOMMENDATION(S)**

In accordance with section 132A of the Licensing Act 2003 the Council may:

- Suspend the Personal Licence for a period not exceeding 6 months;
- Revoke the Personal Licence; or
- Take no action.

Approved by N/A

**IMPLICATIONS.**

**Finance and Risk:**            Yes             No

**Details:**

An appeal against any 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:**

The aforementioned parties have the right to make an appeal to the Magistrates' Court if they are not satisfied with the outcome/conduct of this or any future hearing.

On behalf of the Solicitor to the Council

**Environment:**            Yes             No

**Details:**

**Staffing:**            Yes             No

**Details:**

On behalf of the Head of Paid Service

## DECISION INFORMATION

<p><b>Is the decision a Key Decision?</b>  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:</p> <p><b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b>  <i>(Only Key Decisions are subject to Call-In)</i></p>	No

<p><b>District Wards Significantly Affected</b></p>	None
<p><b>Consultation:</b>  <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input type="checkbox"/>  <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/>  <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/></p>	<p>Yes</p> <p>Details:  Derbyshire Constabulary</p>

<p><b>Links to Council Ambition: Customers, Economy and Environment.</b></p>
All

DOCUMENT INFORMATION	
Appendix No	Title
1	Personal Licence
2	Intelligence report from Police
3	Notification of conviction from Police
4	Court Extract
5	Notification from Mr Marriott
6	Notice to Mr Marriott
7	Representations from Mr Marriott
8	Character Reference from S Renshaw
9	Character Reference from K Flint
10	Confirmation from court that no action was taken

<p><b>Background Papers</b>  <i>(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 Executive, you must provide copies of the background papers).</i></p>
Application, supporting documentation and historical records.

Licensing Act 2003

**Personal Alcohol Licence 18/01019/LAPER**

**LOCAL AUTHORITY**



**Licensing Section  
District Council Offices  
2013 Mill Lane  
Wingerworth  
Chesterfield  
S42 6NG**

**Bolsover District Council** has granted a Personal Alcohol Licence to the person named on this licence. This person is authorised to sell or supply alcohol or to authorise the sale or supply of alcohol in accordance with the Licensing Act 2003.

**DURATION OF LICENCE**

Commences: **19 Jul 2018**

**NAME AND ADDRESS OF HOLDER OF PERSONAL LICENCE**

Mr Mark Wayne Marriott  
[Redacted]  
[Redacted]  
[Redacted]

A handwritten signature in black ink, appearing to read "K Rowland".

**Kevin Rowland**  
**Licensing Team Leader**

**ANNEX 1: RELEVANT CONVICTIONS**

**The Duties of a Personal Alcohol Licence Holder**



### **1. Change of Name and/or Address**

If you change your name and/or address you must notify the Licensing Section, Bolsover District Council within 14 days of the change. Your Personal Alcohol Licence must be returned with the notification, along with the correct fee, and a new licence will be issued.

**Note:** Wherever in England and Wales you may now decide to live, your Personal Alcohol Licence can be issued or renewed by Bolsover District Council. Do not send your Personal Alcohol Licence to any other Licensing Authority even if you are no longer resident in the Bolsover District Council district. Failure to notify a change of name and/or address is an offence.

### **2. Duty to Produce a Personal Alcohol Licence**

- a) The Licensing Authority is required to update your Personal Alcohol Licence whenever a change is required as a result of a notification from you or a Court. The Licensing Authority may require you to produce your Personal Alcohol Licence within a period of 14 days. Failure to provide your Personal Alcohol Licence to the Licensing Authority is an offence.
- b) You must provide your Personal Alcohol Licence for examination by a Constable or an Authorised Officer of the Licensing Authority whenever you are engaged in the supply or sale of alcohol. Failure to produce the licence for examination is an offence.

### **3. Theft, loss, etc of Personal Alcohol Licence**

Where your Personal Alcohol Licence has been lost, stolen, damaged or destroyed, you may apply to the Licensing Authority for a copy of the licence. A fee is payable for this service.

### **4. Surrender of Personal Alcohol Licence**

If you wish to surrender your Personal Alcohol Licence you must return the licence to the Licensing Section, Bolsover District Council together with a signed letter stating that you wish to surrender the licence.

### **5. Convictions after Grant of a Personal Alcohol Licence**

- a) If you appear in Court on a charge relating to a relevant offence, you must produce your Personal Alcohol Licence to the Court. If you cannot produce your Personal Alcohol Licence, you must notify the Court that you are a Personal Alcohol Licence holder.
- b) If you are informed that you have been granted a Personal Alcohol Licence after your first appearance in Court, you must inform the Court at the next hearing that you are now a Personal Alcohol Licence holder.
- c) Where you have produced your Personal Alcohol Licence to the Court, or notified them of its existence, you must also notify the Court at your next appearance, if any of the following events have occurred:
  - You have made or withdrawn an application for renewal of your Personal Alcohol Licence,
  - You have surrendered your Personal Alcohol Licence,
  - Your Personal Alcohol Licence has been renewed,
  - Your Personal Alcohol Licence has been revoked
- d) If you are convicted of a relevant offence the Court may order the forfeiture or suspension of your Personal Alcohol Licence. The Court will notify the Licensing Authority.
- e) You are required to notify this Licensing Authority of any convictions for a relevant offence. The notification must provide the nature and date of conviction and the sentence imposed. Your Personal Alcohol Licence must be returned with the notification. Failure to make this notification is an offence.

**Licensing Section,  
District Council Offices  
2013 Mill Lane  
Wingerworth  
Chesterfield  
S42 6NG**



## Appendix 2

**From:** Clarke, Adrian, 3306 <adrian.clarke@derbyshire.police.uk>  
**Sent:** Thursday, November 9, 2023 12:23 PM  
**To:** Licensing <Licensing@ne-derbyshire.gov.uk>  
**Subject:** Police Incidents - Further Update

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Warning External

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Further to previous incidents I updated you with. Can I make you aware of the below. Regards  
Ady

**Inc 1128-291023 (Fight) (THIS INVOLVES DPS FROM GEORGE & DRAGON, NEWTON**

**THE EXCHANGE, GROSVENOR ROAD, RIPLEY at 20:57 hours**

*FIGHT IN THE PUB, PARTIES NOW SPLIT UP BUT MALE BEING ARGUMENTATIVE. REUSING TO LEAVE. HE HAS ALREADY PUNCHED SOMEONE STRAIGHT IN THE FACE.*

*FCC- FURTHER CALL - ABOUT AN HOUR AGO I WENT TO THE TOILET AND GOT PUNCHED IN THE FACE I TRIED TO TALK TO HIM HE KEPT PUNCHING ME IN THE FACE ABOUT 5/6 TIMES AND I COULDN'T GET THROUGH TO HIM, THEN IT CALMED DOWN, THEN 15 MINS LATER HE APPROACHED ME I THOUGHT HE WAS GOING TO EXPLAIN HIMSELF BUT HE DIDN'T HE PUNCHED ME STRAIGHT IN THE FACE AND KNOCKED ME OUT. I DIDN'T HIT HIM BACK I JUST TRIED TO CALM HIM DOWN. I WAS UNCONSCIOUS FOR ABOUT A MINUTE. I HAVE THICK LIP, CUT ON RIGHT CHEEK, JAW IS KILLING ME, IM GOING TO A&E AT SOME POINT TONIGHT. ITS ALL ON CCTV SUSPECT IS MARK MARRIOTT HES THE LANDLORD OF TE GEORGE AND DRAGON IN NEWTON.*

*IM HOME NOW I GOT A TAXI.*

A2T - Spoken to [REDACTED] he has now been released from hospital, he appears to only have bruising and whiplash from the incident. He has provided a statement which is now on the occurrence and CCTV has now been collected from the incident. MARRIOTT and IP have been in a feud for a few years regarding their respective pubs. MARRIOTT has punched IP multiple times in the toilets of the XCHANGE, RIPLEY. This had been broken up by the landlord. There has then been a further assault in which MARRIOTT has walked across the bar and punched IP in the face. 23000671633 Assault - GBH/Serious EVENING. PUB. MALE SUSPECT PUNCHES VICTIM 5/6 TIMES IN THE FACE AND HEAD ON 2 SEPERATE OCCASSIONS, CAUSING SERIOUS PAIN TO JAW, CUT TO CHEEK, SWOLLEN LIP AND KNOCKED UNCONSCIOUS.

OIC update - MARRIOTT and IP have been feuding for a few years now over their businesses, this has escalated to IP believing that MARRIOTT is the suspect in previous damage to his pub. This has all been reported to police before.

On this occasion IP had walked to toilet and MARRIOTT is seen to corner IP in the cubicle and punch him several times to the head. The landlord of the pub eventually intervened and calmed down the situation.

A few minutes later MARRIOTT had walked through the pub and swung a punch at IP which had caused him to become unsteady. IP believes he went unconscious at this point and was on the floor. In the CCTV it shows MARRIOTT throw the punch and IP retaliate by swinging a punch at MARRIOTT.

Outstanding Suspect – Mark Marriott – Ongoing Investigation



### Appendix 3

**From:** Clarke, Adrian, 3306 <adrian.clarke@derbyshire.police.uk>

**Sent:** Thursday, March 21, 2024 1:47 PM

**To:** Crossland, Samantha <Samantha.Crossland@ne-derbyshire.gov.uk>; King, Tariq <Tariq.King@ne-derbyshire.gov.uk>

**Subject:** FW: Mark Marriott - DPS - George & Dragon - Newton - (PL0082)

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Warning External

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[@Samantha.crossland@Ne-derbyshire.gov.uk](mailto:Samantha.crossland@Ne-derbyshire.gov.uk) [@King, Tariq](#)

Sam / Tariq,

This has now been concluded at court today, I have already received a call from Mark Marriott and advised he should update the Council direct.

I have checked the court results.

On 29/10/2023 at RIPLEY, DERBYSHIRE assaulted [REDACTED] by beating him 'Contrary to section 39 of the Criminal Justice Act 1988.' -- CCCJS CODE: 'CJ88116'

FCOMP - Compensation

To pay compensation of £100.00.

FO - Fine

Fined £138.00

FCPC - Costs to Crown Prosecution Service

To pay costs of £85.00 to the Crown Prosecution Service

FVS - Surcharge

To pay a surcharge of £55.00

Sam, can you give me a call to discuss.

Thanks

Ady

## Appendix 4



Chesterfield Magistrates' Court  
Magistrates' Court  
Tarrow Lane  
Chesterfield  
Derbyshire  
S41 7TW

### Court Extract

Mark Wayne MARRIOTT



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#### Case details

Case reference	30DI2488823
ASN	2400000000000215507V

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#### Hearing details

First hearing	21 Mar 2024	Chesterfield Magistrates' Court
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#### Result details

Results	FVS - Surcharge To pay a surcharge of £55.00	21 Mar 2024
	COLLO - Collection order Collection order made. Make payments as ordered.	21 Mar 2024
	PDATE - Pay by <u>date</u> Pay by date. Date to pay in full by: 04/04/2024.	21 Mar 2024
	FCPC - Costs to Crown Prosecution Service To pay costs of £85.00 to the Crown Prosecution Service	21 Mar 2024

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#### Offence : Assault by beating

Offence Date: 29 Oct 2023

On 29/10/2023 at RIPLEY, DERBYSHIRE assaulted [REDACTED] by beating him  
'Contrary to section 39 of the Criminal Justice Act 1988.'  
- CCCJS CODE: 'CJ88116'



<b>Allocation decision</b>	<b>Summary-only offence</b>	21 Mar 2024
<b>Plea</b>	<b>Guilty</b>	21 Mar 2024
	<b>Conviction Date</b>	21 Mar 2024
<b>Results</b>	FCOMP - Compensation To pay compensation of £100.00.	21 Mar 2024
	FO - Fine Fined £138.00	21 Mar 2024
	GPTAC - Guilty plea taken into account Defendant's guilty plea taken into account when imposing sentence.	21 Mar 2024

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#### Representation Details

<b>Defence representation</b>	Amie Godson	(Defence)	21 Mar 2024
<b>Prosecution representation</b>	Ali Zaki	(Prosecution)	21 Mar 2024

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<b>Defendant attendance</b>	Mark MARRIOTT	Wayne	21 Mar 2024	<b>Present - in person</b>
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#### Decision / Order made by

<b>Judiciary</b>	Chair: Mrs Railton JP Winger1: Mrs Herdman JP Winger2: Mrs Beddoe-Newsam JP	(Magistrate)	21 Mar 2024
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I certify the above extract to be a true copy.



**Chesterfield Magistrates' Court**  
Magistrates' Court  
Tanton Lane  
Chesterfield  
Derbyshire  
S41 7TW

Date certified:

Court officer:

## Appendix 5

**From:** Mark Marriott [REDACTED]  
**Sent:** Friday, April 5, 2024 10:12 PM  
**To:** Licensing <Licensing@ne-derbyshire.gov.uk>  
**Subject:** Fwd: mark marriott personal licence

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Warning External

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----- Forwarded message -----

**From:** Mark Marriott [REDACTED]  
**Date:** Wednesday, April 3, 2024  
**Subject:** mark marriott personal licence  
**To:** [charmaine.terry@ne-debyshire.gov](mailto:charmaine.terry@ne-debyshire.gov)

Hi Charmaine,

Further to our telephone conversation regarding my personal licence.

My address is [REDACTED]

I attended Chesterfield Magistrates Court on Thursday 21st March and pled guilty to the charge of assault by beating, CCCJS code CJ88116.

Case reference 30D12468823.

A fine was imposed as sentence - Costs to CPS £85

Fine	£138
Compensation	£100
Surcharge	£55

I hope this is all the information you need from me, I can be contacted on [REDACTED]

Mark Marriott

**Appendix 6**

e-mail: [licensing@ne-derbyshire.gov.uk](mailto:licensing@ne-derbyshire.gov.uk)  
Our Ref: 18/01019/LAPER  
Please Ask For: Samantha Crossland  
Direct Line: 01246 217884  
Date: 17<sup>th</sup> April 2024

Mr Mark Wayne Marriott



**Joint Environmental Health  
Service**

Dear Mr Marriott,

**NOTICE – Licensing Act 2003 – s.132A**  
**Personal Licence Number: 18/01019/LAPER**  
**Licence Holder: Mr Mark Wayne Marriott**

On 5<sup>th</sup> April 2024 you notified Bolsover District Council (the Council) that you had been convicted of a relevant offence on 21<sup>st</sup> March 2024 which falls under Schedule 4 paragraph 19 of the Licensing Act 2003:-

*“A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).”*

In accordance with section 132A of the Licensing Act 2003, the Council hereby gives notice that they are considering whether to suspend or revoke your licence.

You are entitled to make representations regarding:

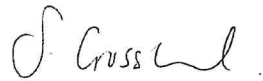
- The relevant offence that you committed;
- Any action the court considered taking in respect of your personal licence; and
- Any other relevant information (including information regarding your personal circumstances).

Should you have any representations to make, please ensure that we receive them by no later than **15<sup>th</sup> May 2024**.

This matter will be referred to the Licensing Sub-committee for their consideration. Details of the hearing will follow shortly after the expiration of the above date.

Should you have any queries, please do not hesitate to contact me on the details above.

Yours sincerely

A handwritten signature in cursive script that reads "S. Crossland".

Samantha Crossland  
Licensing & Enforcement Officer

## Appendix 7

**From:** Mark Marriott <[REDACTED]>  
**Sent:** Tuesday, May 7, 2024 6:50 PM  
**To:** Licensing <Licensing@ne-derbyshire.gov.uk>  
**Subject:** representations

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Warning External

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Dear Samantha Crossland

In relation to Mr Mark Wayne Marriott  
Licence number - 18/01019/LAPER

The charge that I was convicted with was assault by beating on 21st March 2024, dating from 29/10/2023, CCCJS code CJ88116.

The outcome of sentencing was a financial penalty, £100 compensation to the victim, fine £138 and costs to CPS £85, surcharge £55. Total £378, which I paid immediately.

The court was aware of my personal licence but did not refer to taking any action against it.

I submitted five good character references to the court which they took into consideration, these include references from a headteacher, police officer and local councillor, the court kept these or I could have also forwarded them to you.

I really regret my actions on this day and it is very out of character for me, this was the culmination of 6 years of provocation from the victim.

I enjoy my work and being a landlord at the pub which we have built up to be a central part of the community, we host charity events, support local clubs, adult and childrens football clubs, childrens christmas parties and have done a santa run around surrounding villages.

I now just want to put this mistake behind me and move forward with being a personal licence holder and landlord of The George & Dragon.

Yours Sincerely  
Mark Marriott



## Appendix 8

**From:** Mark Marriott <[REDACTED]>  
**Sent:** Monday, May 13, 2024 5:48 PM  
**To:** Licensing <Licensing@ne-derbyshire.gov.uk>  
**Subject:** Re: representations

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Warning External

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Dear Samantha,

Please see below, another good character reference that was sent via email in relation to the respective court case.

To the presiding magistrate

Character reference Mark Marriott

I am writing to provide a character reference in relation to Marks court case.

I worked as a Residential social worker for Derbyshire county council , for over 20 years , so I am trained in safeguarding . Last year I semi retired and changed roles to become a parish and district councillor.

I run , alongside my husband an inflatable hire company established over 32years , and also play the organ regularly at the parish church .

I have known Mark almost all my life, and have always found him to be very hardworking , sociable , helpful and well liked in both our own village , and surrounding villages.

Running the business we do , gives us a good sense of characters that we also hire to .

We are a small parish , but quite a close knit community , of which Mark is an integral part . Providing our village with everything from entertainment to charity events. Only this last weekend has hosted a charity event raising money for children's cancer awareness and at Christmas put on a free children's event, teaming up with other businesses within the parish.

Mark , alongside his wife Michelle, whom I have also known all my life , have worked hard to build up one of the best venues in the area . This takes a certain character and true belief , as it takes up and over almost all their lives. I think the amount of clientele that visit the George , is testament in itself to that , whilst also keeping up their own professions .

I am aware of the charges today , and obviously don't condone them.

However , knowing Mark as I do, this is not the Mark I've known and know .

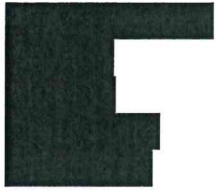
We can all make mistakes and some mistakes are more costly than others , and not just in monetary terms.

I haven't hesitated to write this reference for you today in support of Mark , and hope it helps give you a strength of his character .

Kind regards.

Sally Renshaw

## Appendix 9



17 March 2024

To whom it may concern,

I have known Mr Marriot for over 30 years and have found him to be an invaluable member of the community. When I first met him, he was representing local teams in football and was a well-liked member of the teams he played for. He would often give up his time to support the teams in fundraising events.

However, it is in the later years that I really got to know him in my role as a Headteacher. I have found Mr Marriott to be a kind, caring and an extremely generous supportive member of the community. During my time as Headteacher of two local schools Mr Marrott gave both time and resources at no cost to the schools to support them with building projects that would otherwise have cost the schools thousands of pounds out of already stretched budgets. This meant that the money saved could be redirected to support the children in their educational journey.

Not only did he support the schools I worked at, but he also supported the local Nursery with providing support through free labour to disassemble and remove what had become an unsafe large climbing frame. He then gave further help by erecting a new shed that was needed for storage by the nursery.

As the landlord of the George and Dragon he has supported several local football and cricket teams by allowing them to use the pub as a base to run from. He supported them in fundraising events that enabled them to raise valuable money to cover the many costs associated with running a local sports team. As well as supporting these teams he has also supported numerous charities fundraising events.

Furthermore, at Christmas time he has supported the local villages both within and outside the parish by organising a selection box drop for all the children. In dressing as Santa Clause and delivering selection boxes to all the children in these villages he brought great joy to many. This was done at considerable cost to himself but was done through kindness and caring for others.

Mr Marriott is a kind, caring and supportive member of the community who has done many things to help others and he continues to support the community through many events. I feel privileged to have got to know Mr Marriott over many years and knowing him as I now do I feel he will continue to support the community in the future.

If you have any further queries with regards to Mr Marriotts qualities, I would be happy to expand on this.

Yours Sincerely

Kevin Flint

## **Appendix 10**

**From:** Pagden, Ellie <Ellie.Pagden@justice.gov.uk>  
**Sent:** Thursday, March 28, 2024 11:18 AM  
**To:** Crossland, Samantha <Samantha.Crossland@ne-derbyshire.gov.uk>  
**Subject:** RE: Information regarding Personal Licence holder Mark Wayne Marriott

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**Warning External**

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Dear Samantha

The court were aware of him holding a personal licence however the bench took no action on this.

He was fined £138 and ordered to pay compensation to the victim of £100.

Kind regards

**Ellie Pagden**

**Trainee Legal Adviser**

Derby Magistrates' Court | HMCTS | St Mary's Gate | Derby | DE1 3JR

**Phone:** 01332 362000

**Web:** [www.gov.uk/hmcts](http://www.gov.uk/hmcts)

 HM Courts & Tribunals Service