

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

Friday, 12th July 2024

Dear Councillor,

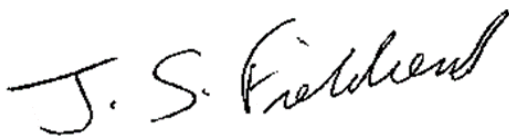
LICENSING & GAMBLING ACTS SUB COMMITTEE

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 Monday, 29th July, 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
- **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**

*Monday, 29th July, 2024 at 10:00 hours taking place in Committee Room 1, The Arc,
Clowne*

Item No.		Page No.(s)
1.	Election of Chair for the meeting	
2.	Apologies for Absence	
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 matters arising out of those items;	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes	4 - 7
	To consider the minutes of the Licensing & Gambling Acts Sub Committee meeting held on 20 th June 2024.	
5.	To consider whether to suspend or revoke a Personal Licence, under the Licensing Act 2003, following a licence holder's conviction for relevant offences	8 - 35

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, 20th June 2024 at 10:00 hours.

PRESENT:-

Members:-

Councillors David Bennett, Anne Clarke, Emma Stevenson, and Rita Turner.

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

LGASC1-24/25 ELECTION OF CHAIR FOR THE MEETING

Moved by Councillor Rita Turner and seconded by Councillor Anne Clarke
RESOLVED that Councillor Emma Stevenson be elected as Chair for the meeting.

Councillor Emma Stevenson in the Chair

LGASC2-24/25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

LGASC3-24/25 DECLARATIONS OF INTEREST

There were no declarations of interest made.

LGASC4-24/25 MINUTES OF A MEETING ON 7TH MARCH 2024

Moved by Councillor David Bennett and seconded by Councillor Anne Clarke
RESOLVED that the minutes of a meeting of the General Licensing Sub Committee held on 7th March 2024 be approved as a true and correct record.

LGASC5-24/25 TO CONSIDER WHETHER TO SUSPEND OR REVOKE A PERSONAL LICENCE, UNDER THE LICENSING ACT 2003, FOLLOWING A LICENCE HOLDER'S CONVICTION FOR RELEVANT OFFENCES

The Chair introduced the item and welcomed those present.

The Licence Holder confirmed that he knew the Chair, Councillor Emma Stevenson, at which point Councillor Stevenson withdrew from the Sub Committee and Councillor David Bennett, observing as a substitute member, replaced Councillor Stevenson on the Sub Committee.

LICENSING & GAMBLING ACTS SUB COMMITTEE

Moved by Councillor Rita Turner and seconded by Councillor David Bennett
RESOLVED that Councillor Anne Clarke be elected as Chair for the meeting.

Councillor Anne Clarke in the Chair

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 asked the Licensing Officer to present the report.

The Licensing Officer stated the Council was responsible for granting Personal Licences under the Licensing Act 2003 ('the Act'). The Act set out 4 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 2024 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 7.47 of the Policy.

The Licence Holder, Mr. Mark Wayne Marriott, had held a Personal Licence issued by Bolsover District Council under the Act since 19th July 2023. A copy of the Personal Licence was attached as Appendix 1 of the report.

On 9th November 2023, the Licensing Team had 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 21st March 2024, that Mr. Marriott had been found guilty of a relevant offence, namely assault by beating. A copy of the intelligence report was attached as Appendix 2 and the confirmation of conviction was attached as Appendix 3.

On 27th March 2024, the Licensing Team contacted the Magistrate's Court to confirm the outcome of the hearing; Mr. Marriot had been convicted of assault be beating. A copy of the court extract was attached as Appendix 4.

On 5th April 2024, the Licensing Team had received an email from Mr. Marriott stating he had been convicted of assault by beating. A copy of the email was attached as Appendix 5.

On 17th April 2024, in accordance with the legislation, the Licensing Team had posted a

LICENSING & GAMBLING ACTS SUB COMMITTEE

notice to Mr. Marriott at his home address informing him that the Council were considering whether to suspend or revoke his Personal Licence and inviting him to make representations. A copy of this notice was attached as Appendix 6.

Mr. Marriott subsequently provided his representations and two character references, which could be found attached as Appendices 7 and 9.

Council records showed Mr. Marriott had been the Designated Premises Supervisor at the George & Dragon, Cragg Lane, Newton, DE55 5TN since 7th August 2018.

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

The Chair invited all parties to ask questions of the Licensing Officer. With no questions proposed, Mr. Marriott was invited to address the Sub Committee.

Mr. Marriott stated that for the last 6 years he had been the Designated Premises Supervisor ('DPS') of the George & Dragon on Cragg Lane, Newton. Previous to this, he had worked for the Injured Party ('IP') at the establishment where they were a DPS themselves. When Mr. Marriott had first taken over the George & Dragon public house, the relationship he had with the IP had been civil. However, with more customers making use of the George & Dragon rather than the IP's establishment, the relationship had deteriorated.

Multiple phone calls to the police and the Council had been made raising 'issues' at the George & Dragon; these alarms proved false, with no issues identified. Mr. Marriott stated he believed these false alarms were raised by the IP in acts of jealousy at the subsequent success of the George & Dragon; Mr. Marriott stated the IP's establishment had closed and reopened 3-4 times in the last 6 years due to the IP's struggling business.

The IP had blamed Mr. Marriott for the smashing of windows and the crushing of the TV aerial at the IP's establishment; Mr. Marriott denied carrying out these acts. Throughout the last 6 years, Mr. Marriott stated he had never retaliated against the IP for the false alarms raised and the allegations made towards him. Mr. Marriott explained that with the success of the George & Dragon, even if inclined to act in such a way and damage the IP's establishment, he did not need to; the success of the George & Dragon was clear.

For the night of the incident, Mr. Marriott was in another establishment (where he was not a DPS) and visited the bathroom. A voice had passed close behind him and Mr. Marriott had investigated, finding the IP in one of the cubicles. Mr. Marriott stated that, after a brief disagreement, there had only been incidents of shoving, with no punches thrown. Mr. Marriott stressed that if punches had been thrown, neither he nor the IP would have held back, and both would have been badly injured.

Mr. Marriott stated the IP had lied about his injuries to the police, or had caused them himself, in an attempt for Mr. Marriott to lose his DPS licence. Recently, the IP had developed a relationship with someone who Mr. Marriott believed was a bad influence on the IP and likely why the IP was pursuing such a tactic.

Mr. Marriott reiterated he admitted shoving the IP, conceding in Court this was still assault. If a violent incident had taken place, though, Mr. Marriott insisted he would have been injured too, but his face had remained mark free that night.

LICENSING & GAMBLING ACTS SUB COMMITTEE

Mr. Marriott ended his time stating this incident was the culmination of 6 years of stress which had involved harassment by the IP likely raising false alarms at the George & Dragon; this had even resulted in riot police being dispatched to the premises. Mr. Marriott had apologised to the IP for the incident, admitted the situation should not have developed to the extent it had, but reiterated the IP wanted him to lose his licence and his successful business; this was all the result of the IP's jealousy.

The Licensing Team Manager asked a question about the police report, noting that it was from the IP's account and Mr. Marriott's account of what had happened was different; Mr. Marriott was asked whether he had any evidence in support of his account. Mr. Marriott answered he had seen video footage and images taken on that night, though he had no footage or photos with him to support his account that only acts of shoving had taken place.

With no other questions, the hearing was adjourned at 10:25 hours. Mr. Marriott and the Licensing Officers left the room for the Sub Committee to deliberate.

The hearing reconvened at 10:41 hours. Mr. Marriott and 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 report of the Licensing Officer, the written representations made by Mr. Marriott, the verbal representations made at the Sub Committee, the conviction information, the Licensing Act 2003, in particular Part 6 – Personal Licences and the (revised) statutory guidance under section 182 of the Licensing Act 2003, in particular paragraphs 4.75 – 4.84, the Sub Committee had made the decision to **SUSPEND** the Personal Licence for a period of 2 months.

The decision letter would be posted to the Licence Holder. There was a right of appeal against the decision to the Magistrates Court, exercisable within 21 days of receipt of the notification.

The meeting concluded at 10:44 hours.

Bolsover District Council

**Licensing and Gambling Acts Sub-Committee on
Monday, 29th July 2024**

Report of the Environmental Health Team Manager (Licensing)

Classification	This report is public.
Contact Officer	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 6 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 6 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 July 2018. A copy of his current Personal Licence is attached at **Appendix 1**.

2.2 On 09 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 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 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:

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

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

- 2.4 On 05 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 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 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 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**.

- 2.8 Council records show that Mr Marriott has been the Designated Premises Supervisor at the George & Dragon, Cragg Lane, Newton, DE55 5TN since 07 August 2018.

Licensing Sub-Committee Decision

- 2.9 On 20 June 2024, in line with the procedure set out in legislation, the Licensing and Gambling Acts Sub-Committee convened to consider whether to suspend or revoke Mr Marriott's Personal Licence. After considering the facts of Mr Marriott's case, the sub-committee decided to suspend Mr Marriott's Personal Licence for a period of 2 months. A copy of the decision notice is attached as **Appendix 11**.

2.10 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 must 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.

2.11 On 21 June 2024, in accordance with the legislation, the Licensing Team gave notice to the chief officer of Derbyshire Constabulary that the sub-committee had decided not to revoke Mr Marriotts Personal Licence, and invited them to make representations regarding the issue of whether the licence should be suspended or revoked having regard to the crime prevention objective. A copy of the notice is attached as **Appendix 12**.

2.13 On 02 July 2024 the Licensing Team received a letter from Derbyshire Constabulary outlining their representations regarding the decision taken by the Licensing Sub-Committee. A copy of the letter is attached as **Appendix 13**.

2.14 Having received representations from the chief officer of Derbyshire Constabulary, the Council is now required to reconsider Mr Marriott’s case, and the subsequent representation, and decide whether any further 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

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

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

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

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


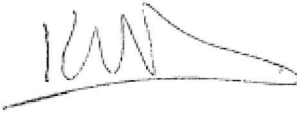
DOCUMENT INFORMATION

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
11	Decision Notice
12	Notice to the chief officer of police
13	Representations from Derbyshire Constabulary

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 Executive, you must provide copies of the background papers).

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
<p>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.</p>	
DURATION OF LICENCE	
Commences: 19 Jul 2018	
NAME AND ADDRESS OF HOLDER OF PERSONAL LICENCE	
Mr Mark Wayne Marriott <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 80px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 60px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 40px; height: 15px;"></div>	 <u>Kevin Rowland</u> <u>Licensing Team Leader</u>
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

Warning External

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)

Warning External

[@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
 Tarncliffe Lane
 Chesterfield
 Derbyshire
 S41 7TW

Court Extract

Mark Wayne MARRIOTT



Case details

Case reference 30DI2488823
 ASN 2400000000000215507V

Hearing details

First hearing 21 Mar 2024 Chesterfield Magistrates' Court

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

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'



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

Representation Details

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

Defendant attendance	Mark Wayne	21 Mar 2024	Present - in person
	MARRIOTT		

Decision / Order made by

Judiciary	Chair: <u>Mrs Railton</u> JP Winger1: <u>Mrs Herdman</u> JP Winger2: <u>Mrs Beddoe-Newsam</u> 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

Warning External

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

From: Mark Marriott [REDACTED]
Date: Wednesday, April 3, 2024
Subject: mark marriott personal licence
To: 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
Our Ref: 18/01019/LAPER
Please Ask For: Samantha Crossland
Direct Line: 01246 217884
Date: 17th 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 5th April 2024 you notified Bolsover District Council (the Council) that you had been convicted of a relevant offence on 21st 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:

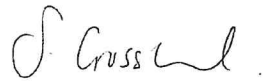
- The relevant offence that you committed;
- Any action the court considered taking in respect of your personal licence; and
- Any other relevant information (including information regarding your personal circumstances).

Should you have any representations to make, please ensure that we receive them by no later than **15th 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 black ink that reads "S. Crossland". The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

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

Warning External

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

Warning External

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 .

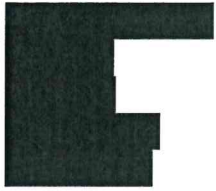
We can all make mistakes and some mistakes are more costly than others , and not just in monetary terms.

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

Warning External

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

 HM Courts & Tribunals Service

DECISION NOTICE

THE LICENSING ACT 2003

LICENSING AND GAMBLING ACTS SUB-COMMITTEE HEARING TO CONSIDER WHETHER A PERSONAL LICENCE HOLDER REMAINS SUITABLE TO HOLD A LICENCE UNDER THE LICENSING ACT 2003

Hearing Venue: Bolsover District Council

Date: 20 June 2024

Time: 10am

Personal Licence Holders name: Mr Mark Marriott

Personal Alcohol Licence No: 18/01019/LAPER

Decision of the Sub Committee

The decision of the Licensing Sub-Committee in exercise of its powers delegated by Bolsover District Council ('BDC') as Licensing Authority was to:

Suspend the personal licence for two months

Facts and Reasons

The Committee made the following findings of fact:

1. Mr Mark Marriott holds a Personal Licence with BDC and has done since 19 July 2018. Mr Marriott is the Designated Premises Supervisor (and landlord) of the George and Dragon Pub.
2. On 9 November 2023 BDC's licensing section was notified by Derbyshire Constabulary that Mr Marriott may have been involved in an assault at a licensed premises and an investigation was ongoing. On 21 March 2024 Derbyshire Constabulary informed the licensing section that Mr Marriott had been convicted of a relevant offence, namely an assault by beating. Chesterfield Magistrates Court subsequently confirmed the details of the conviction.
3. Where a Personal Licence Holder is alleged to have committed a relevant offence they must inform the Court that they hold a Personal Licence, to fail to do so contravenes section 128 of the Licensing Act 2003 ('the Act'). Furthermore where the Personal Licence Holder is convicted of a relevant offence the Licence Holder must notify the Licensing Authority of the conviction – failure to do so is again a criminal offence under the section 132 of the Act. The Court confirmed that Mr Marriott had informed the Court that he was a Personal Licence Holder (the court had not taken any action in this respect) – Mr Marriott also informed the licensing section of his conviction in writing on 5 April 2024. Mr Marriott had therefore complied with the requirements imposed upon him under sections 128 and 132 of the Act.

4. Mr Marriott had been written to in accordance with section 132A of the Act and invited to make representations ahead of the Licensing Authority's consideration of whether to revoke or suspend his Personal Licence due to the relevant offence. Mr Marriott provided a written representation as well as two character references
5. Mr Marriott attended the Sub-Committee and made further representations. Mr Marriott stated that he had previously worked for the injured party to the offence, and that when he had resigned from that role to run his own premises the injured party had held a vendetta against him. Mr Marriott stated that that vendetta had been going on for six years and had included complaints being made to authorities but none had been upheld or taken any further.
6. Mr Marriott stated that the offence was merely pushing and shoving and averred that no injuries were caused. It was noted by the Sub-Committee that Mr Marriott had pled guilty to the offence of 'assault by beating'.
7. Under section 132A of the Act the Licensing Authority may suspend or revoke a Personal Licence where the applicant is convicted of a relevant offence.

The Sub-Committee's reasoning for their decision was:

1. Members considered the offence and the fact that Mr Marriott had pled guilty so had admitted what had happened.
2. As a Personal Licence Holder Mr Marriott should take the role, and its responsibilities seriously. Personal Licence holders should prioritise upholding the licensing objectives.
3. The relevant offence had taken place in a licensed premises (although not the one where Mr Marriott is a Designated Premises Supervisor) and therefore undermined the principle of the prevention of crime and disorder.
4. Mr Marriott has not appeared before a Sub-Committee before and it appeared he did not have any other complaints against him historically.
5. The relevant offence and the undermining of the licensing objectives warranted action being taken against Mr Marriott's Personal Licence.
6. In considering the information presented the Sub-Committee also noted BDC's Statement of Licensing Policy which states at paragraph 7.47: *"The Policing and Crime Act 2017 gives Licensing Authorities a discretionary power to revoke or suspend personal licences, with effect from 6 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."*
7. In addition Members considered the Statutory Guidance at paragraph 4.77 which states *".....Where the court has considered the personal licence and decided not to take action, this does not prevent the licensing authority from deciding to take action itself. Licensing authorities have different aims to courts in that they must fulfil their statutory duty to promote the licensing objectives, and therefore it is appropriate for the licensing authority to come to its own decision about the licence"*, and paragraph 4.79 which states *"the licensing authority must notify the licence*

holder and chief of police of the decision made (even if the police did not make representations). The licence holder may appeal the licensing authority's decision to revoke or suspend their personal licence. A decision to revoke or suspend the licence does not take effect until the end of the period allowed for appealing the decision (21days)".

8. The conviction of a relevant offence in a licensed premises undermines the licensing objectives, particularly in respect of the prevention of crime and disorder. In accordance with the statutory guidance as set out above, it is our duty to promote the licensing objectives. On that basis the Sub-Committee suspends Mr Marriott's Personal Licence for a period of two months.

Considerations

The Sub-Committee considered all the evidence carefully including:

- The report of the Licensing Officer
- The written representations made by Mr Marriott, as well as the verbal representations made at the Sub-Committee
- The conviction information
- The Licensing Act 2003, in particular Part 6 – Personal Licences
- The (revised) statutory guidance under section 182 of the Licensing Act 2003, in particular paragraphs 4.75 – 4.84

The Sub-Committee also took into account the Council's Statement of Licensing Policy, the Human Rights Act 1998 and the licensing objectives, in particular:

- The prevention of crime and disorder

Right to Appeal

The parties to the Sub-Committee are reminded that there is a right to appeal against the decision to the Magistrates Court, exercisable within 21 days of receipt of this notification. Please see the Important Notes overleaf.

Signed

A. Clarke

Councillor Anne Clarke – Chair of the sub-committee

Dated: 21.06.2024

IMPORTANT NOTES - GUIDANCE NOTES ON APPEALING AGAINST THE COUNCIL'S DECISION

Please read these notes carefully

If you wish to appeal against this decision Schedule 5 to the Licensing Act 2003 governs how you should make your appeal to the Magistrates' Court.

The appeal must be commenced by Notice of Appeal to the Justices' Chief Executive for the local Magistrates' Court at the address below. You should contact the Magistrates' Court or your solicitor immediately to obtain the correct documentation to ensure that your appeal is made correctly.

Unless you are exempt, the Magistrates' Court will require you to pay a fee when you lodge your appeal. You should contact the Magistrates' Court or your solicitor immediately to find out how much you will have to pay.

You must lodge your appeal with the Court within the period of 21 days beginning with the day on which you were notified of the decision. This means that the signed Notice of Appeal and court fee [if applicable] must reach the Court within 21 days. The Court cannot accept appeals lodged once this appeal period has expired.

On appeal, the Magistrates' Court may-

- (a) dismiss the appeal;
- (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority;
- (c) remit the case to the Licensing Authority to dispose of it in accordance with the discretion of the Court;
- (d) make such order for costs as it thinks fit.

You are strongly advised to take this decision notice to the Magistrates' Court or your solicitor when seeking advice on how to appeal.

**The Magistrates' Court Office is at:
Chesterfield Justice Centre, Tupton Lane, Chesterfield, S41 7TW**

e-mail: licensing@bolsover.gov.uk
Our Ref: 18/01019/LAPER
Please Ask For: Samantha Crossland
Direct Line: 01246 217884
Date: 21st June 2024

Chief Officer of Police
Derbyshire Constabulary
Licensing
'C' Division Headquarters
Beetwell Street
Chesterfield
Derbyshire
S40 1QP

Joint Environmental Health
Service

Dear Sirs,

Licensing Act 2003: Notice of Intended Action
Licence Holder: Mr Mark Wayne Marriott
Licence Number: 18/01019/LAPER

In accordance with section 132A of the Licensing Act 2003 ('the Act'), the Council's Licensing and Gambling Act's Sub-Committee met on 20th June 2024 to consider whether to suspend or revoke the above Personal Licence held by Mr Mark Marriott, following his conviction for a relevant offence.

Mr Marriott was convicted of the following offence at Chesterfield Magistrates Court on 21st March 2024:

Assault by beating

After careful consideration, the Council's Licensing and Gambling Act's Sub-Committee are proposing **not** to revoke Mr Marriott's Personal Licence, but to suspend the licence for a period of two months. A full and detailed notice outlining the decision can be found enclosed.

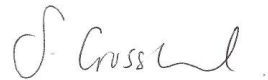
In accordance with Section 132A (10) of the Act, the Council hereby gives notice of the intended action and invites you to make representations about whether you think Mr Marriott's licence should be suspended for a period of up to 6 months or revoked. Any representation you make must have regard to the prevention of crime and disorder objective.

Please make any representations by no later than 4th July 2024.

Please send your representation by email to: licensing@bolsover.gov.uk or by post to:

Licensing Team
Council Offices
2013 Mill Lane
Wingerworth
Chesterfield
S42 6NG

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. Crossland'.

Samantha Crossland
Licensing & Enforcement Officer

Contact: PC Andrew Clay, 3279
Direct Tel: 0300 122 8517

Our ref: PID 1041

The Licensing Authority
Council Offices
2013 Mil Lane
Wingerworth
Chesterfield
S42 6NG

Monday 2nd July 2024

Dear Sirs,

Licensing Act 2003: Notice of Intended Action
Licence Holder: Mr Mark Wayne Marriott
Licence Number: 18/01019/LAPER

I write with reference to the above decision notice from the Licensing Sub Committee 20TH June 2024.

I would be grateful if you would accept this correspondence as formal notification that the Chief Officer of Police wishes to make a representation to this outcome. It is the view of the Chief Officer of Police that the Prevention of Crime & Disorder Licensing Objective has been undermined with the conviction Mr Marriot received - Assault by Beating.

Mr Marriotts personal licence number 18/01019/LAPER was issued by Bolsover District council. As the holder of a personal licence, Mr Marriott would have had to have undertaken a personal licence course and exam, demonstrating that he fully understands the responsibilities that come with holding such a licence. Therefore, it is the opinion of the Chief Officer of Police, that Mr Marriott would be very much aware of the Licensing objectives and his need to always promote these as not only a personal Licence holder but also a Designated Premises Supervisor of a busy venue. This has clearly been undermined as a result. The offence Mr Marriott was convicted of occurred in a licensed premises. He has also as a result been placed on a pub watch ban voted for by other licensees at local venues to prevent further issues. This again clearly undermines Mr Marriotts position as a personal licence holder and designated premises supervisor.

As the Authority is aware, one of the principal responsibilities of a personal licence holder is to adhere to and promote the Licensing objectives, it is the Chief Officer of Police's stance that Mr Marriott has shown that he cannot demonstrate his ability to uphold the Licensing objectives as a personal licence holder and designated premises supervisor and therefore is unable to supervise the behaviour of members of public in a pub.

The Chief Officer of Police is therefore satisfied that should Mr Marriott continue to be a personal licence holder and designated premises supervisor the Licensing objectives will be further undermined.

If you have any queries in respect of this, please do not hesitate to contact me.

Yours sincerely

A CLAY

PC 3279 Andrew Clay
Licensing Officer (Chesterfield & North East Derbyshire)
North Licensing Unit
Derbyshire Constabulary
North Division DHQ
Beetwell Street, Chesterfield, S40 1QP

Tel: 0300 122 8517

E-mail: andrew.clay@derbyshire.police.uk