

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)

Wednesday, 21<sup>st</sup> August 2024

Dear Councillor,

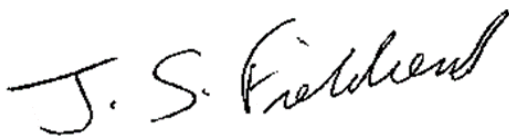
**LICENSING & GAMBLING ACTS SUB COMMITTEE**

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 Friday, 30<sup>th</sup> August, 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**

***Friday, 30<sup>th</sup> August, 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 29 <sup>th</sup> July 2024.	
<b>5.</b>	<b>To hear representations made under the Licensing Act 2003 and determine whether to grant an application for a Premises Licence at Bennies Kitchen, The Old School, Mill Street, Clowne, Chesterfield, S43 4JN</b>	9 - 48

# 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 Monday, 29<sup>th</sup> July 2024 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillors Amanda Davis, Will Fletcher and Jeanne Raspin.

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

### **LGASC6-24/25 ELECTION OF CHAIR FOR THE MEETING**

Moved by Councillor Jeanne Raspin and seconded by Councillor Will Fletcher  
**RESOLVED** that Councillor Amanda Davis be elected as Chair for the meeting.

Councillor Amanda Davis in the Chair

### **LGASC7-24/25 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **LGASC8-24/25 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **LGASC9-24/25 MINUTES**

**RESOLVED** that the minutes of a meeting of the Licensing & Gambling Acts Sub Committee held on 20<sup>th</sup> June 2024 be approved as a true and correct record.

### **LGASC10-24/25 TO CONSIDER WHETHER TO SUSPEND OR REVOKE A PERSONAL LICENCE, UNDER THE LICENSING ACT 2003, FOLLOWING A LICENCE HOLDER'S CONVICTION FOR RELEVANT OFFENCES**

In attendance for this item was the Licence Holder Mr. Mark Wayne Marriott and PC Andy Clay of the Derbyshire Constabulary.

The Chair introduced the item and welcomed those present.

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

## LICENSING & GAMBLING ACTS SUB COMMITTEE

was a criminal offence under the Licensing Act 2003.

With all those present confirming they had received the relevant documents, the Chair invited 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 19<sup>th</sup> July 2018. A copy of the Personal Licence was attached as Appendix 1 of the report.

On 9<sup>th</sup> 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 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 was attached as Appendix 2 and the confirmation of conviction was attached as Appendix 3.

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

On 5<sup>th</sup> 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 17<sup>th</sup> April 2024, in accordance with the legislation, the Licensing Team had 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 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 - 9.

Section 128 of the Act placed a duty on Personal Licence holders to notify the Court that

## LICENSING & GAMBLING ACTS SUB COMMITTEE

they held a Personal Licence. On 28<sup>th</sup> March 2024, the Court confirmed it was aware Mr. Marriott held a Personal Licence; the bench took no action. A copy of the confirmation was attached as Appendix 10.

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

Having received confirmation of the offences, the Council was required to determine whether any action would be taken in respect of Mr. Marriott's Personal Licence. On 20<sup>th</sup> June 2024, a Sub Committee convened to consider whether to suspend or revoke the Personal Licence. After consideration, the Sub Committee decided to suspend Mr. Marriott's Personal Licence for a period of two months. A copy of the decision notice was attached as Appendix 11.

Section 132A of the Act outlined the process that would be followed in the event a Personal Licence holder was convicted of any relevant offence. As the Sub Committee had decided not to revoke the Personal Licence, on 21<sup>st</sup> 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. Marriott's Personal Licence, inviting them to make representations regarding the crime prevention objective. A copy of the notice was attached as Appendix 12.

On 2<sup>nd</sup> July 2024, the Licensing Team received a letter from Derbyshire Constabulary outlining their representations regarding the decision taken by the Sub Committee. A copy of the letter was attached as Appendix 13.

Having received representations from the chief officer of Derbyshire Constabulary, the Council was now required to reconsider Mr. Marriott's case, and the subsequent representation, and decide whether any further action would 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 he had attended the previous Sub Committee and was not sure why this Sub Committee was being held. He reiterated the negative history that had transpired between him and the Injured Party ('IP') since his taking over of the George & Dragon public house on Cragg Lane, Newton. With the success of the George & Dragon, the IP's business had subsequently failed, with Mr. Marriott stating the IP had proceeded to go after his Personal Licence and business.

False alarms had been raised numerous times, resulting in officers of the Council, the police and even riot police being called to the George & Dragon; no issues were identified on each occasion.

Mr. Marriott stated he did not know why a representative of Derbyshire Constabulary was present, as only acts of shoving between him and the IP had taken place. From CCTV evidence that the police must have, Mr. Marriott stated the IP had followed him into every establishment on the day of the incident, actively seeking the altercation.

The police and the Council were not aware of all that had transpired in the previous six years, but on the day of the incident, Mr. Marriott was in another establishment (where he

## LICENSING & GAMBLING ACTS SUB COMMITTEE

was not a Designated Premises Supervisor (DPS)) and visited the bathroom. A voice had passed close behind him and Mr. Marriot 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 stated what occurred was not right and should not have happened. He hoped the positive reference letters provided by members of his local community would help prove his true character.

The Chair invited all parties to ask questions of Mr. Marriott. With no questions proposed, the representative from Derbyshire Constabulary, PC Andy Clay, was invited to address the Sub Committee.

PC Clay appreciated that he was not present for the first hearing held on 20<sup>th</sup> June 2024, but that did not change the fact Mr. Marriott had been convicted of assault by beating and the Derbyshire Constabulary believed the two month suspension previously given by the Sub Committee was not appropriate and undermined the Licensing Act 2003.

This was because Mr. Marriott was a DPS and Personal Licence holder, and the incident had taken place in another premises in North East Derbyshire, resulting in a Pub Watch ban (Mr. Marriott was not allowed entry into premises in that district).

A DPS held great responsibility, and while the incident in question was a single incident, Mr. Marriott had still lost his temper.

There was a "Walk Away" Campaign being trialled in Chesterfield, which would be extended to neighbouring districts in the future. This campaign highlighted that one single punch could kill. The incident may not have reflected Mr. Marriott's character, but he had still been convicted of assault by beating.

To a question from Mr. Marriott, PC Clay answered there was CCTV footage of Mr. Marriott throwing a punch at the IP when the IP was sat down at a table. Mr. Marriott reiterated the IP had followed him into every establishment on the day of the incident, and while he had thrown a punch it had not connected.

The Chair intervened and explained there was no need for the Sub Committee to explore the intricacies of the incident; Mr. Marriott had been convicted of assault by beating in Court.

In answer to a question from the Legal Adviser, Mr. Marriott confirmed he had pled guilty to the assault. The Legal Adviser explained Members had to understand Mr. Marriott had pleaded guilty to the offence.

Mr. Marriott added that he was standing up for his family, that he had attended the Sub Committee twice now, and that the incident had been a mistake. He had only shoved the IP, who had only laughed at him in return. Mr. Marriott stated the "Walk Away" campaign was a good thing, but reiterated he had dealt with any/all issues at the George & Dragon, and there had been nothing to report to the authorities. The IP, negatively influenced by his current partner, was the one seeking confrontation.

PC Clay stated he appreciated Mr. Marriott's version of events, as well as the character references provided to the Sub Committee, but he and Derbyshire Constabulary had to

## LICENSING & GAMBLING ACTS SUB COMMITTEE

deal with the facts as they were presented.

In their closing statements, Mr. Marriott explained he had been to Court, paid the fines, had attended the first Sub Committee and the Council had delivered a two month suspension – he had been punished for his actions; PC Clay noted he had read the character references provided and could see Mr. Marriott's level of frustration on all that had transpired, but he had been convicted of assault by beating and the Council needed to respond accordingly.

The hearing was adjourned at 10:22 hours. Mr. Marriott, PC Clay, and the Licensing Officer left the room for the Sub Committee to deliberate.

The hearing reconvened at 10:59 hours. Mr. Marriott, PC Clay and the Licensing Officer returned to the meeting.

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

The Legal Officer stated that Members had considered; the Police's representation about their view of the severity of the offence and the impact on the licencing objectives, the report of the Licensing Officer, as well as the representations made by Mr. Marriott, the Sub Committee had made the decision to **REVOKE** the Personal Licence on the basis that the licensing objective, namely in respect of crime and disorder had been undermined.

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 11:00 hours.



## Bolsover District Council

### Meeting of the Licensing and Gambling Acts Sub-Committee

30th August 2024

### To hear representations made under the Licensing Act 2003

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

<b>Classification</b>	This report is public
<b>Report By</b>	Lindsey Delamore, Licensing and Enforcement Officer, 01246 217237, <a href="mailto:lindsey.delamore@bolsover.gov.uk">lindsey.delamore@bolsover.gov.uk</a>
<b>Contact Officer</b>	Lindsey Delamore, Licensing and Enforcement Officer, 01246 217237, <a href="mailto:lindsey.delamore@bolsover.gov.uk">lindsey.delamore@bolsover.gov.uk</a>

## PURPOSE/SUMMARY OF REPORT

To hear representations made under the Licensing Act 2003 and determine whether to grant an application for a Premises Licence at **Bennies Kitchen, The Old School, Mill Street, Clowne, Chesterfield, S43 4JN.**

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## REPORT DETAILS

### **1. Background**

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

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

Those licensing objectives are:

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

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

- 1.4 The legislation and statutory guidance are clear that each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy. Conditions attached to licences must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 1.5 A premises may only undertake licensable activities where it holds both planning permission and a Premises Licence to enable it to do so. Planning and Licensing are separate systems of regulatory control; planning deals with the use of the land, and licensing with the detailed operation of a premises where licensable activities take place. Similar considerations are likely to arise in both and there is overlap between the two, but each regime involves consideration of different, albeit related matters and each operate independently. The guidance provides that licensing committees are not bound by decisions made by a planning committee and vice versa.
- 1.6 In May 2024 the Council adopted a revised Licensing Act 2003 Policy. A number of paragraphs within the policy are relevant in this case. These paragraphs are set out below:
- 2.2 *In carrying out its licensing functions, the Licensing Authority must also have regard to the licensing objectives, its Policy Statement and any statutory guidance under the Act and is bound by The Human Rights Act 1998. The Council must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in Bolsover.*
- 2.4 *Guidance on the Licensing Objectives is available on the Government's website at: <https://www.gov.uk/guidance/alcohol-licensing>*
- 2.5 *Licensing law is not the primary mechanism for the general control of antisocial behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various authorisations will be focused on matters which are within the control of the individual licence holder and others.*
- 4.2 *The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The*

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

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

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

2.1 On 5<sup>th</sup> July 2024, an application for a Premises Licence for **Bennies Kitchen, The Old School, Mill Street, Clowne, S43 4JN** was received by Bolsover District Council from **Mr Peter Hopkinson**. A copy of the application is attached as **Appendix 1** and proposed plan as **Appendix 2**.

2.2 The application seeks to licence the premises for the below:

<b>Licensable Activity</b>	<b>Hours requested</b>	<b>on Premises Licence</b>
Live Music (Indoors & Outdoors)	Monday to Sunday	12:00 – 00:00
Recorded Music (Indoors & Outdoors)	Monday to Sunday	09:00 – 01:00
Anything of a similar description to that falling within Live Music, Recorded Music & Performance of Dance (Indoors)	Monday to Sunday	23:00 – 01:00
Late Night Refreshment (Indoors & Outdoors)	Monday to Sunday	12:00 – 00:00
Supply of Alcohol (For consumption ON the Premises)	Monday to Sunday	09:00 – 01:00
Opening hours	Monday to Sunday	09:00 – 01:00

2.3 The application has been processed in line with the legislation and all Responsible Authorities were notified of this application.

- 2.4 On 18<sup>th</sup> July 2024, Derbyshire Constabulary contacted the applicant to suggest additional conditions be imposed upon the licence.
- 2.5 On 21<sup>st</sup> July 2024, the applicant agreed to all conditions suggested by Derbyshire Constabulary. A copy of the agreed conditions are attached as **Appendix 3**.
- 2.6 The Licensing Team has not received any formal representations from any other Responsible Authorities.

### **3.0 Member of the Public Representation 1**

- 3.1 On 5<sup>th</sup> August 2024, a representation was received from Ms Frances Heavey-Cook in relation to public nuisance and crime and disorder. A copy of Ms Heavey-Cook's representation is attached as **Appendix 4**.
- 3.2 During the consultation period the applicant entered into mediation with Ms Frances Heavey-Cook to try and resolve the concerns listed in the representation letter. As part of this process, a letter was sent to Ms Frances Heavey-Cook and a copy of this letter is attached as **Appendix 5**. At the time of writing this report, Ms Ms Frances Heavey-Cook's representation is unresolved.

### **4.0 Member of the Public Representation 2**

- 4.1 On 7<sup>th</sup> August 2024, a representation was received from Mr Simon Holmes and Mrs Anita Holmes in relation to Public Nuisance. A copy of Mr and Mrs Holmes representation is attached as **Appendix 6**.
- 4.2 During the consultation period, the applicant informed the Licensing Team that he had entered into verbal mediation with Mr and Mrs Holmes. At the time of writing this report, Mr and Mrs Holmes representation is unresolved.
- 4.3 At the time of the report, both representations from Ms Frances Heavey-Cook and Mr Simon Holmes and Mrs Anita Holmes remain valid and unresolved. Both of these parties have a legal right to make a representation.

### **5.0 Reasons for Recommendation**

- 5.1 None

### **6.0 Alternative Options and Reasons for Rejection**

- 6.1 None

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## **RECOMMENDATION(S)**

- 1. That the Licensing and Gambling Acts Sub-Committee considers the grant of a premises licence for Bennies Kitchen.
- 2. That the Licensing and Gambling Acts Sub-Committee:

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

Approved by the Portfolio holder - N/A

**IMPLICATIONS:**

**Finance and Risk:**            Yes             No

**Details:**  
 An appeal against this decision would incur costs in preparing a defence case and to attend Court. Costs may be recovered at the discretion of the Magistrates in the event that the application is dismissed. Costs could be awarded against the Authority in the event that the appeal is successful. In the event that a licence is granted other than in accordance with the Council's Licensing Policy, the reasons for departing from Policy could be subject to scrutiny and the Council's reputation harmed if the decision is not reasonable.

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes             No

**Details:**  
 The parties have the right to make an appeal to the Magistrates' Court if they are not satisfied with the outcome of the hearing.

On behalf of the Solicitor to the Council

**Staffing:**            Yes             No

**Details:**  
 On behalf of the Head of Paid Service

**DECISION INFORMATION**

<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>BDC:</b>          Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p><b>NEDDC:</b>          Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p><b>Is the decision subject to Call-In?</b>          (Only Key Decisions are subject to Call-In)</p>	No

<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	No  Details:

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

<b>DOCUMENT INFORMATION</b>	
<b>Appendix No</b>	<b>Title</b>
1	Application for a Premises Licence
2	Application Proposed Plan
3	Copy of Agreed Conditions
4	Ms Heavey-Cook's Representation
5	Applicant's Mediation Letter to Ms Heavey-Cook
6	Mr Simon Holmes and Mrs Anita Holmes' Representation

<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 Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</i>
<b>Application Form and Supporting documentation</b>

## Application for a premises licence to be granted under the Licensing Act 2003

### Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Peter Hopkinson  
(Insert name(s) of applicant)

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

### Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description <b>Bennies Kitchen, The School House, Mill Street, Clowne, Chesterfield, S43 4JN</b>			
<b>Post town</b>	Chesterfield	<b>Postcode</b>	<b>S43 4JN</b>

Telephone number at premises (if any)	<b>[REDACTED]</b>
Non-domestic rateable value of premises	<b>£ 10,000</b>

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) individual applicants** (fill in as applicable)

Mr	<input checked="" type="checkbox"/>	Mrs		Miss		Ms		Other Title (for example, Rev)	
<b>Surname</b> Hopkinson					<b>First names</b> Peter				
<b>Date of birth</b>			I am 18 years old or over			<input checked="" type="checkbox"/> Please tick yes			
<b>Nationality</b>			British						
Current residential address if different from premises address			[REDACTED]						
<b>Post town</b>		Chesterfield				<b>Postcode</b>		S40 3LW	
<b>Daytime contact telephone number</b>			[REDACTED]						
<b>E-mail address (optional)</b>			[REDACTED]						
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)									



Please see attached document for right to work

**Second individual applicant** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

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

Name
Address

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 9 2 0 2 4

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>This Premises will sell alcohol and food to be consumed within the licensed area on site including outside with our boundary. the venue will also provide entertainment for its customers including Music, Live Music, TV and sport and Functioning facilities for booking.</p>
---

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

--

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

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

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	x
f)	recorded music (if ticking yes, fill in box F)	x
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	x

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	x
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	x

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
					Both
Mon	12:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4) Performances at this venue will both be amplified and unamplified sound		
Tue	12:00	00:00			
Wed	12:00	00:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	12:00	00:00			
Fri	12:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	12:00	00:00			
Sun	12:00	00:00			



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	x
Mon	00:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 4) Performances at this venue will both be amplified and unamplified sound  The hours for music will be 9am until 1am every day of the week.		
	09:00	00:00			
Tue	00:00	01:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
	09:00	00:00			
Wed	00:00	01:00			
	09:00	00:00			
Thur	00:00	01:00			
	09:00	00:00			
Fri	00:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
	09:00	00:00			
Sat	00:00	01:00			
	09:00	00:00			
Sun	00:00	01:00			
	09:00	00:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	Both
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	x
Mon	12:00	00:00		Outdoors	
				Both	
Tue	12:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4) Comedy Acts, Cabaret Acts,		
Wed	12:00	00:00			
Thur	12:00	00:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri	12:00	00:00			
Sat	12:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	12:00	00:00			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors		
				Outdoors		
Day	Start	Finish		Both	x	
Mon	00:00	01:00	<b><u>Please give further details here</u></b> (please read guidance note 4)			
	23:00	00:00				
Tue	00:00	01:00				
	23:00	00:00				
Wed	00:00	01:00		<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
	23:00	00:00				
Thur	00:00	01:00				
	23:00	00:00				
Fri	00:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
	23:00	00:00				
Sat	00:00	01:00				
	23:00	00:00				
Sun	00:00	01:00				
	23:00	00:00				

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	x	
Day	Start	Finis h		Off the premises		
				Both		
Mon	00:00	01:00 am	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)			
	09:00 am	00:00				
Tue	00:00	01:00 am				
	09:00 am	00:00				
Wed	00:00	01:00 am				
	09:00 am	00:00				
Thur	00:00	01:00 am		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
	09:00 am	00:00				
Fri	00:00	01:00 am				
	09:00 am	00:00				
Sat	00:00	01:00 am				
	09:00 am	00:00				
Sun	00:00	01:00 am				
	09:00 am	00:00				

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

<b>Name</b>	Jonathan Paul Smith
<b>Date of birth</b>	██████████

<b>Address</b> [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [REDACTED]	

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

Gambling machines may be used within the designated areas in the building with max stakes of £100. Bingo maybe played in some instances with max prize of £100

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
<b>Day</b>	<b>Start</b>	<b>Finis h</b>	
Mon	00:00	01:00 am	
	09:00 am	00:00	
Tue	00:00	01:00 am	
	09:00 am	00:00	

Wed	00:00	01:00 am	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
	09:00 am	00:00	
Thur	00:00	01:00 am	
	09:00 am	00:00	
Fri	00:00	01:00 am	
	09:00 am	00:00	
Sat	00:00	01:00 am	
	09:00 am	00:00	
Sun	00:00	01:00 am	
	09:00 am	00:00	

## M

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

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

All Laws, Policies and legislation will be adhered to, to help prevent anything happening within the objectives stated below to ensure that all customers and children are safe at all times within the premises.  
 All Security for the premises will regularly be tested and maintained to prevent an issues that may present themselves.  
 Anything of any value will be locked away in a safe in a locked room whilst no one is on the premises and all alarms will be set to prevent crime and disorder after the premises is closed.

**b) The prevention of crime and disorder**

Security systems will be in place to help combat crime and disorder within the premises area.  
 All staff will be fully trained to monitor certain situations to help towards the prevention of crime and disorder without putting themselves in harms way.  
 Creating communication systems with other local premises to avoid the spread of trouble and within the local area.

**c) Public safety**

To follow all legislation around health and safety, food Safety and fire safety within the premises to avoid any accidents and injury and for the public not to come in harms way.  
 The Premises doesn't provide parking but advertising will be present advising people not to drink drive.

**d) The prevention of public nuisance**

all customers will be asked to leave the premises quietly and this will be advertised around the entrances and exits of the building.  
 All Glassware and drinks will be finished on the premises before the customer leaves so that these are not being taken out of the premises and onto the streets.  
 Entertainment will be kept within the agreed hours within accordance to the premises license to avoid pollution to local residence.

**e) The protection of children from harm**

Children will not be able to come within the premises after 9pm unless they are part of a private function within a segregated area of the premises and must be accompanied by a responsible adult at all times.  
 Children will not be allowed around any adult gaming / gambling within the premises.

**Checklist:**

**Please tick to indicate agreement**

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

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so



by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	██████████
Date	05/072024
Capacity	██████████

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
  15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **Home Office online right to work checking service.**

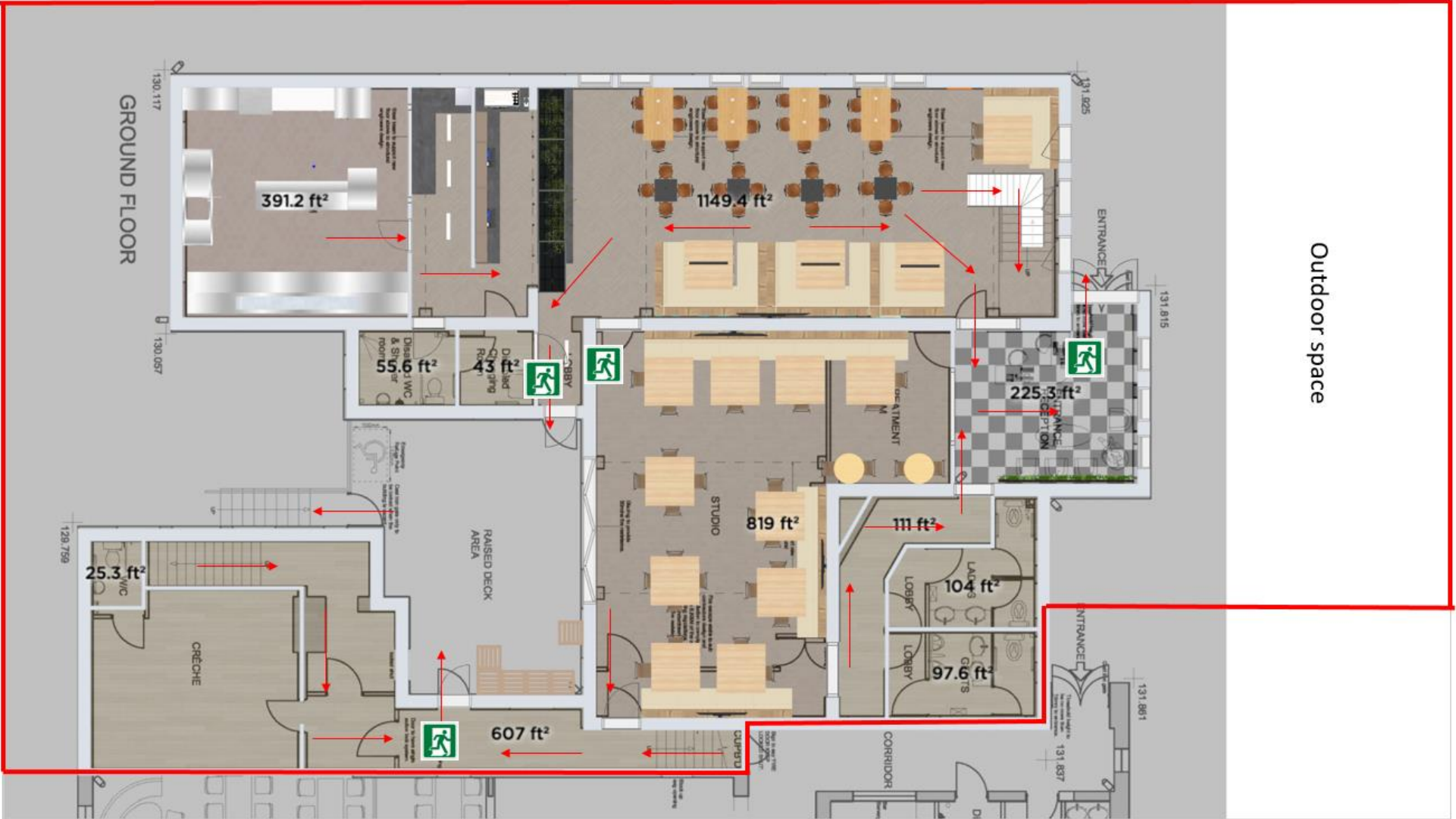
As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



Outdoor space

**Fell, Lucy**

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**Subject:** FW: New Premise Licence - Bennies Kitchen

---

**From:** Lindsey Delamore <Lindsey.Delamore@bolsover.gov.uk>

**Sent:** Tuesday, July 23, 2024 12:51 PM

**To:** [REDACTED]

**Subject:** FW: New Premise Licence - Bennies Kitchen

Good afternoon both,

I can confirm the agreed conditions shall be included on the licence should it be granted.

Kind regards,

Lindsey Delamore  
Licensing & Enforcement Officer  
Joint Environmental Health Service

[North East Derbyshire District Council](#)

01246 217237  
[licensing@ne-derbyshire.gov.uk](mailto:licensing@ne-derbyshire.gov.uk)  
[www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)

**Social media and online links:**

 <https://linktr.ee/neddc>

[Bolsover District Council](#)

01246 217237  
[licensing@bolsover.gov.uk](mailto:licensing@bolsover.gov.uk)  
[www.bolsover.gov.uk](http://www.bolsover.gov.uk)

**Social media and online links:**

 <https://linktr.ee/businessinbolsover>

---

**From:** [REDACTED]

**Sent:** 21 July 2024 10:01

**To:** North Division Licensing [REDACTED]

**Subject:** Re: New Premise Licence - Bennies Kitchen

**Caution:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear [REDACTED].

Regarding your requirements on the premise license application of Bennies Kitchen Mill Street, Clowne S43 4JN, I have read and understand all the requirements that you would like me to implement and I can confirm that I agree to do this.

Regards,

---

**From:** North Division Licensing [REDACTED]  
**Sent:** 18 July 2024 16:44  
**To:** [REDACTED]  
**Subject:** FW: New Premise Licence - Bennies Kitchen

Dear [REDACTED],

Further to our telephone conversation, please find below email I sent last Thursday with regard to your new premise licence application.

Please feel free to contact me on the telephone number I gave you, to discuss further. Alternatively, if you are happy with the conditions as worded, please confirm your agreement by return email.

I look forward to hearing from you.

Kind regards,

---

Derbyshire Constabulary North Division Licensing Team  
Chesterfield Police Station  
Beetwell Street  
Chesterfield  
Derbyshire  
S40 1QP

<http://www.twitter.com/NorthLicensing>

All e mails from this e mail address should be treated as restricted & confidential unless stated other wise

---

**From:** [REDACTED]  
**Sent:** 11 July 2024 13:16  
**Cc:** [REDACTED]  
**Subject:** New Premise Licence - Bennies Kitchen

[@'trading.standards@derbyshire.gov.uk'](mailto:'trading.standards@derbyshire.gov.uk')

---

Derbyshire Police Licensing are in receipt of your application for a new premise licence.

Whilst we appreciate the steps that you have taken in your application to address the licensing objectives and the consideration that you have given to them, below is some wording which we would seek to have on the premise



licence, to further enforce the provisions for the prevention of crime & disorder, prevention of public safety and the protection of children from harm. We do not think that the wording suggested is too onerous, as it follows in line with your own licensing conditions, but simply strengthens them further.

Please would you consider adding the following wording to the operating schedule of the licence:-

### **Crime & Disorder**

- Incident Logs

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The incident book shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority and/or Police Officer. The records will be retained for at least 12 months.

- CCTV

1. CCTV shall be installed at the Premises in the form of a recordable system, capable of providing clear, good quality, real time, images in all lighting conditions. Cameras shall encompass all entrances and exits to the premises, any external seating or smoking areas, all areas where the sale, supply or consumption of alcohol occurs and all other areas where licensable activity takes place.
2. CCTV Equipment shall be maintained in good working order and checked on a regular basis to ensure it displays the correct time and date. The system shall record in real time and operate whilst the premise is open to the public.
3. CCTV recordings shall be retained for a period of 31 days and made available to any authorised officer on reasonable request for evidential purposes, in accordance with Data Protection Legislation.
4. CCTV Recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.
5. There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.

- Substance Misuse

The premises licence holder will produce and implement a suitable and sufficient written drugs policy.

- Restrictions on drinking areas

The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that any outside area included in the licence will be controlled in a safe and effective manner to the same standard operated within the premises building and will pay special attention to the impact that the use of the outside area has on the surrounding community.

- Door supervisors

Door supervisors and/or security staff will be deployed on a risk assessed basis. All ticketed public events will be uniquely risk assessed for additional security. These risk assessments will be kept for 2 years and if required produced to an authorised officer.

### **Prevention Public Safety**

- The premises licence holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of the training shall be maintained and shall be available upon request by an authorised officer of the Licensing Authority or the Police.
- A prominent, legible notice requesting people to leave the premises and the area quietly will be displayed at the exit.
- The licence holder, or persons authorised by them, will control the volume of regulated entertainment taking place at the premises.
- Where drinks are going to be consumed in outdoor areas they will be served in plastic or toughened glass.

### **Protection of Children From Harm**

1. Full training will be provided to all staff on the law relating to all age-restricted products sold and systems or procedures they are expected to follow in the course of dealing with these goods. Refresher training will be provided at regular intervals (at least 6 monthly). Records detailing the training provided will be made available on the premises for production on request to an officer of a Responsible Authority. Records shall be retained for a minimum of 2 years.
2. The Challenge 25 proof of age scheme will be operated at all times. Anyone attempting to purchase alcohol that appears to be under 25 years of age will be asked for proof of age. The only forms of acceptable identification shall be either a valid photographic driving license, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo. Failure to produce satisfactory proof of age will result in a refused sale.
3. Clear prominent signage informing customers of the age verification policy in operation will be displayed throughout the premises.
4. A system of recording all refused sales will be operated at all times. The refusal log will be maintained on site which the Designated Premises Supervisor (or Deputy authorised in writing) will, at least monthly, examine the record and action as necessary. The records will be retained for a minimum of two years (either on the premises or at Head Office) and made available to an Officer of a Responsible Authority on request.
5. Accompanied children (under 18) will only be allowed to remain on the premises until 21:00 hrs unless they are part of a private function within a segregated area of the premises and must be accompanied by a responsible adult at all times.

If you are happy that the suggested conditions are acceptable and achievable, please could you confirm, by return email, your agreement to have these conditions at the operating schedule on your licence. We must stress that any conditions added to a licence must be complied with at all times, failure to comply is a breach. It is therefore important that you address with us any concerns that you may have, before agreeing to them.

If you would like to discuss this email or if have any questions, then please do not hesitate to contact us either by return email or on the telephone number below.

We look forward to hearing from you.

With kind regards,

Derbyshire Constabulary North Division Licensing Team  
Chesterfield Police Station  
Beetwell Street  
Chesterfield  
Derbyshire  
S40 1QP

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**Fell, Lucy**

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**Subject:** FW: Objection to Licence for Bennies, Kitchen, Mill Street, Clowne

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**From:** Frances Heavey-Cook <cookfvhc@gmail.com>  
**Sent:** Monday, August 5, 2024 11:23 AM  
**To:** Licensing <Licensing@ne-derbyshire.gov.uk>  
**Subject:** Re: Objection to Licence for Bennies, Kitchen, Mill Street, Clowne

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**Warning External**

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Subject: 24/01134/LAP01 Objection to Licence for Bennies, Kitchen, Mill Street, Clowne



I am writing to formally object to the application for a late alcohol music and entertainment licence for the premises located at Bennies kitchen, Mill Street, Clowne. As a resident of Clowne, I have significant concerns regarding the potential impact of this establishment on our community, particularly given its proximity to residential properties and the limited availability of parking in the area.

My objections are based on the following grounds:

1. Prevention of Crime and Disorder.

The presence of a licensed premises in this location could lead to an increase in crime and disorder..

Such establishments often attract individuals who may engage in anti-social behaviour particularly during late hours. This could result in incidents such as vandalism, public intoxication, and disturbances which would place additional strain on our law enforcement and diminish the quality of life for residents.

2. Public Safety.

The proposed location for this licensed premises poses significant public safety concerns. With limited parking available, patrons may be tempted to park illegally or in unsafe areas, increasing the risk of accidents. Additionally, the potential for increased foot traffic in this area could result in safety hazards, particularly for pedestrians who share the streets with vehicles. This will be made worse by taxi pick up and drop offs potentially blocking the road. Emergency service vehicles may struggle to service the licensed premises or other nearby residential premises.

3. Prevention of Public Nuisance.

The noise and disruption associated with licensed premises can be considerable especially during the evenings and weekends. Residents in the vicinity are likely to experience disturbances from loud music vibration from bass, and patrons congregating outside, and increased traffic.

This could severely impact the peace and quiet that our community values, leading to a decrease in residents' overall well being and property values. It is also likely to impact their physical and mental health.

4. Sufficient existing provision.


There are already too many licenced premises in a very small area and this is having a "hub" effect concerning noise at night and anti social behaviour.

This is bad for Clowne because it attracts criminal damage as well as making living conditions difficult.

This disincentivises new economically active young people from making their family homes in Clowne.  
This is desperately needed to keep alive the strong sense community and support local businesses.

Thank you for your attention to this matter.

Yours faithfully



Dear Frances Heavey-Cook

I have received your objection towards the Premises License application for the venue formally housing Bennies Kitchen.

Firstly I would like to describe exactly what we have planned for the venue.

The venue is quite large which provides us with enough space to provide a relaxed environment for dining, drinking and functioning facilities. We look to open the venue as a restaurant and a bar with general evening and weekend entertainment on a moderate level as you would find in the current venues within Clowne and surrounding areas.

The Venue has only applied for a license until 1am which falls in line with all other premises within our local area. Other local premises within walking distance also have a license until 1am and the neighboring Premises the tap house has an entertainment license until 2am which ours will end before this.

We feel that there has also been some confusion around when we will use the 1am closing time. We have applied for these hours so that it covers us for when seasonal dates fall on a week day so that we don't have to constantly apply for extended opening hours and also to keep consistency for if we have a private booking using our function suite.

We are going to be working with the local authorities and also other local businesses to crack down on anti-social behavior so that it doesn't become an issue/get any worse than it already is in the future. We will be providing door staff and security for the venue at weekends to prevent any issues around the venue and this will also reassure customers and local residents that the area will be safe for all to attend and we can also monitor and prevent any issues from occurring.

We will also be joining/creating a local pub watch which will also prevent any anti-social behavior, so if there is any trouble in a venue the people involved will not be able to attend any of the other venues in the area.

In regards to parking the venue has 5 customer carparking spaces at the side of the venue and all of the other customers will be advised to not park on the streets and use the carparking facilities within walking distance to the venue located next door to the Nags Head and also the carpark off of Church Street. In the planning for the local area this also states that Tesco carpark is used for public parking as well as customer parking.

Due to noise as stated on your letter of objection the license application states that live and recorded entertainment will go on until 1am. Inside the venue this will be the case but any sound from music will not be played outside of the venue past 10pm as this falls in line with the national guidelines.

All other venues in the area have an entertainment cut off of the same time if not later than what we have applied for.

To stop the spread of sound leaving the building we are covering all windows in a thick Perspex to help towards the soundproofing and will also be taking other measures into consideration to stop this as much as possible.

Due to the distance that you live from the property you should have no issue with sound as you will be too far away.

In regards to people standing outside of the venue this is no different to any other venues in the village especially the one that is connected to the property. This will be a shared area between both venues and as it is already being used for this purpose this should not be an issue.

Your point on your objection is that there are already too many licensed properties in the area. I would like to add that the amount of licensed properties is nothing in comparison to how it has been in the past and this never caused a significant amount of trouble.

Your final point I don't see the relevance that has towards the objectives that are set by licensing and has no relevance to the application form that has been submitted

We are working really hard to develop a venue that caters for everyone including families within the local area and we would like to think that this is going to be a great addition to the offerings within the local community.

I have added a copy of the licensing objectives and also copy of the licensing conditions that are in place for the venue.

If you do have any questions please do not hesitate to get in touch with us on the details below.

Jonathan Smith - [REDACTED]

[REDACTED]

Kind regards

Peter Hopkinson (Premises license applicant and Business Owner)

Jonathan Smith (Assigned Designated Premises Supervisor and Personal License Holder)

**Mellors, Lisa**

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**Subject:** FW: Bennies Kitchen, reference 24/01134/LAPL01

**From:** [REDACTED]  
**Sent:** Monday, August 5, 2024 11:28 PM  
**To:** EnvironmentalHealthAdmin <[EnvironmentalHealthAdmin@ne-derbyshire.gov.uk](mailto:EnvironmentalHealthAdmin@ne-derbyshire.gov.uk)>  
**Subject:** Bennies Kitchen, reference 24/01134/LAPL01

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**Warning External**

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Hello, myself [REDACTED] and my husband [REDACTED] totally object to the licensing proposal for all of the said hours including the sale of alcohol recorded and live music.

The premises are too close to residential properties, our property [REDACTED] so live music inside and outside at any time would create noise pollution affecting our social and mental well-being.

Any venture that Mr Peter Hopkinson has taken in the past has always led problems including music playing too loud and longer than licensed. Excessive alcohol related issues with broken bottles and glasses, violence, disorderly conduct, vandalism, trespassing and urinating in peoples gardens. All of which the police have had to attend on several occasions.

We currently have an existing problem with noise pollution during the weekends and bank holidays where live and recorded music is played upto 1am. This has a huge impact on our sleep patterns as we both work full-time as I'm [REDACTED]. This residence is 'The Nags Head ' which is [REDACTED]

The environmental health officer dealing with the case was Emily Todd, contact details 07814 472141, [emily.todd@ne-derbyshire.gov.uk](mailto:emily.todd@ne-derbyshire.gov.uk)

Added to this, another establishment with the same mind set would severely affect our family life and our neighbourhood including neighbours with children.

Massive licensing restrictions on the 'Old School Tap House ' which is next door to the proposed premises, have created a calmer atmosphere which is more suited for a residential area.

We have lived in our home since [REDACTED] and feel passionate about our local community and we would kindly like you consider our strong objectives to the licensing proposal.

If you wish to speak to myself or my husband to discuss further, please contact me on [REDACTED]

Kind regards [REDACTED]