

## LICENSING & GAMBLING ACTS SUB-COMMITTEE

### MINUTES OF MEETING HELD ON THURSDAY, 26 MARCH 2026

#### **Present:**

Councillor Carol Lacey  
Councillor Richard Welton

Councillor Tony Lacey

#### **Also Present:**

T Scott	Governance and Scrutiny Officer
L Delamore	Licensing and Enforcement Officer
A Smith	Legal Services Manager
L Spinks	Senior Legal Officer

#### **LGS/ Appointment of Chair for the Meeting**

1/25-

26 **RESOLVED** – That Councillor C Lacey was appointed as Chair of the meeting.

#### **LGS/ Declarations of Interest**

2/25-

26 None.

#### **LGS/ Procedure for the Meeting**

3/25-

26 Members confirmed receipt of the procedure.

#### **LGS/ Matters of Urgency**

4/25-

26 None.

#### **LGS/ Report of the Licensing Team Leader**

5/25-

26 The Sub-Committee considered a report from the Environmental Health Team Manager (Licensing). The purpose of the report was to hear representations made under the Licensing Act 2003 relating to a Premises Licence application from the Low On Fuel Café, Matlock Road, Alfreton.

The applicant was present at the meeting and confirmed receipt of the report and procedure to be followed at the meeting.

The report included representations from 7 members of the public objecting to the application. 3 of these people attended the meeting.

One of the people who had objected in the report submitted a letter to the panel before the meeting. The Chair read out the letter as below:

“I am unable to attend the meeting of the Licencing and Gambling Sub-Committee at 1.30pm on Thursday 26 March 2026 due to work commitments, but I have

requested that my additional comments, contained below, are read out at the meeting on my behalf.

“Since my original representation of 23 February 2026, I have now liaised directly with the Planning Enforcement Officer, who was already aware of several alleged breaches of Planning at the Low on Fuel Café premises. I have now been assured by the PEO that a planning application will be required to change the use of the access to the rear of the car park onto School lane in Brackenfield and that Mr Martin has been made aware of this.

“There are several other issues I wish to raise regarding the application, as follows:

1. “The live music hours requested by the Low on Fuel Café are excessive and not in keeping with a quiet country-side location like Brackenfield, they are more appropriate for licenced premises in busy city centres. I therefore request that the Committee look to considerably reduce the times when live music can be played.

2. “In section E and M of the application, Mr Martin states that “sound levels will be monitored and managed to prevent disturbance to neighbouring properties”. With all due respect this is physically impossible. I live in the vicinity of the Plough Inn and can already hear loud voices and arguing late at night from the car park. On this basis how would the applicant prevent me from hearing drums and musical instruments from live or recorded music, even if unamplified? I can also hear the annual events of Cromford Steam Rally held further away at Dewy Lane each year and the Pentrich music festival at Coney Green Farm, so it is simply not possible that I would not hear outdoor music from the Low of Fuel Cafe. I therefore request that the application for live music to be played outdoors should be rejected in full as it will cause a public nuisance which will destroy the peace and tranquillity of Brackenfield village. It would be completely detrimental to my enjoyment of both my home (where I have bi-folding doors to the outside) and outdoor spaces, particularly in the summer when I am outdoors most of the time tending to my garden and horses and enjoying not only my property but the surrounding country lanes. It would also prevent me from sleeping with the windows open.

3. “I am also concerned at what the decibels may reach for amplified music played inside the premises and how far this may travel. I therefore request that the Committee attach a condition on volume for music played inside the premises, this should be set to the lower end of the scale and have monitoring in place to ensure decibels are not exceeded. I feel this is essential to ensure indoor live music does not affect the quality of life for those living nearby.

4. “Finally, I wish to clarify the situation with regards to public firework displays. It is my understanding that Low on fuel Café had a fireworks display at 10pm lasting around 20 minutes on Bonfire Night in 2025. I am not aware of any prior warning given to local residents on that occasion. This caused a great deal of distress to my horses, fortunately I was at home when it happened and could be with them and they, thankfully, were not hurt during the explosions. I would ask that it is pointed out to Mr Martin that he has chosen to live in the country-side, in an area close to livestock and that Brackenfield village is home to a high

population of horses who do not take well to fireworks. In my 20 years of being in the village, I have never known anyone else to have them. If he insists on having public fireworks then I would ask that the Committee ensures all rules and regulations for public firework displays are adhered to and that Mr Martin ensures the villagers are aware of the time and date it will take place so that those of us who wish to can provided the necessary care to our animals.”

The Chair asked the 3 objectors in attendance a number of questions about the reasons behind their representations.

RESOLVED – The decision of the Licensing Sub-Committee (in exercise of its powers delegated by North East Derbyshire District Council as Licensing Authority) was to:

GRANT the Premises Licence, as modified, pursuant to section 18(3) of the Licensing Act 2003, subject to the conditions set out below, which the Sub-Committee considers appropriate for the promotion of the licensing objectives:

1. The Sub-Committee must have regard for the Live Music Act 2012 (The Sub-Committee has no power at the application stage to restrict or condition live music taking place in accordance with the Live Music Act 2012)
2. The premises must install a Noise Limiting Device
3. The premises must undertake Management of the Outdoor Area (The outdoor area of the premises in which amplification equipment is used shall be clearly defined)
4. Dispersal (Prominent signage shall be displayed at the exits of the premises requesting customers to leave quietly and to respect nearby residents)
5. The Sub-Committee encourages the applicant and local residents who have made representations in relation to this application to engage in formal mediation