

North East Derbyshire District Council

Licensing and Gambling Act Sub-Committee

3 May 2022

TO HEAR REPRESENTATIONS MADE UNDER THE LICENSING ACT 2003

Report of the Environmental Health Team Manager (Licensing)

Classification: This report is public

Report By: Darren Rowley, Licensing & Enforcement Officer (Licensing)
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PURPOSE / SUMMARY

To hear representations made under the Licensing Act 2003 and determine whether to grant a Premises Licence.

RECOMMENDATIONS

The Licensing Sub-Committee may;

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

Approved by the Portfolio Holder – N/A
(Delete completely for Scrutiny Reports)

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details:

An appeal against this decision would incur costs in preparing a defence case and to attend Court. Costs may be recovered at the discretion of the Magistrates in the event that the application is dismissed. Costs could be awarded against the Authority in the event that the appeal is successful.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes ☒

No ☐

Details:

All parties have the right to make an appeal to the Magistrates' Court if they are not satisfied with the outcome/conduct of the hearing.

On Behalf of the Solicitor to the Council

Staffing: **Yes** ☐

No ☒

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

| Decision Information | |
|---|---|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i> | No |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | No |
| District Wards Significantly Affected | Dronfield |
| Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/> | Yes Details: Statutory Consultation with Responsible Authorities and the Public |

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

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 North East Derbyshire District Council is responsible for the licensing and regulation of Premises Licences under the Licensing Act 2003. As part of those responsibilities the Licensing and Gambling Acts Sub-Committee is required to consider any application for a premises licence where valid representations have been received and not withdrawn.
- 1.2 The Licensing Act 2003 is clear that four statutory objectives, each of equal importance, must be addressed by the Council when discharging its functions under the legislation.
- Those licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.3 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 and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.
- 1.5 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.
- 1.4 In 2018 the Council adopted a revised Licensing Act 2003 Policy. The Council must have regard to this policy when making a determination.

2. Details of Proposal or Information

- 2.1 On 14th March 2022 North East Derbyshire District Council's Licensing Section received a Premise Licence application for The Lockdown Distillery at **21 Gosforth Green, Dronfield, S18 1PS** ('the Premises') from Daniel Thomas Tomlinson who resides at the same address.
- 2.2 A copy of the application and the proposed plan can be found attached as **Appendix 1** and **Appendix 2**.
- 2.3 The application seeks to licence the premises for the activities and times outlined in the table below.

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

- 2.4 The application seeks to allow the retail sale / supply of alcohol via such facilities as on line sales and telephone orders by way of off sales only.
- 2.5 The application has been processed in line with the legislation and the consultation deadline for the application was 14 April 2022.
- 2.6 On 12 April 2022 a concerned resident engaged with the applicant regarding the application and as a result of those discussions on 14 April 2022 the applicant agreed to add additional conditions to the operating schedule. A copy of the additional conditions can be found attached as **Appendix 3**
- 2.7 On 14 April 2022 a joint representation was received from two members of the public, Mr & Mrs Rushworth. This representation is attached as **Appendix 4**
- 2.8 This party has a legal right to make a representation.
- 2.9 The applicant and resident have been encouraged to enter into mediation but have so far been unable to reach an agreement.

3 Reasons for Recommendation

- 3.1 None

4 Alternative Options and Reasons for Rejection

- 4.1 None

DOCUMENT INFORMATION

| Appendix No | Title |
|--|--|
| 1 | Application Form |
| 2 | Proposed Plan |
| 3 | Additional conditions agreed with 1 st resident |
| 4 | Representation received from 2 nd resident |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| Application and supporting documentation | |

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 Daniel Tomlinson

(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 21 Gosforth Green | | | |
| Post town | DRONFIELD | Postcode | S18 1PS |
| Telephone number at premises (if any) | | [REDACTED] | |
| Non-domestic rateable value of premises | | [REDACTED] | |

Part 2 – Applicant details

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

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | 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 | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |

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Lockdown Distillery

- 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 <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname Tomlinson | | | First names Daniel | | |
| <div style="background-color: black; width: 100px; height: 15px; display: inline-block;"></div> I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes | | | | | |
| Nationality British | | | | | |
| Current residential address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| Daytime contact telephone number | | <div style="background-color: black; width: 100px; height: 15px; display: inline-block;"></div> | | | |
| E-mail address (optional) | | | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | | | |

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SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | | | | | | |
|---|--|------------------------------|--|-------------------------------|--|--|----------|--------------------------------|--|--|
| Mr <input type="checkbox"/> | | Mrs <input type="checkbox"/> | | Miss <input type="checkbox"/> | | Ms <input type="checkbox"/> | | Other Title (for example, Rev) | | |
| Surname | | | | | | First names | | | | |
| Date of birth | | | | | | I am 18 years old or over <input type="checkbox"/> Please tick yes | | | | |
| Nationality | | | | | | | | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information) | | | | | | | | | | |
| Current residential address if different from premises address | | | | | | | | | | |
| Post town | | | | | | | Postcode | | | |
| Daytime contact telephone number | | | | | | | | | | |
| E-mail address (optional) | | | | | | | | | | |

(B) OTHER APPLICANTS

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

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |

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| |
|---------------------------|
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| DD | MM | YYYY |
|----|----|------|
| 1 | 2 | 0 |
| 4 | 2 | 0 |
| 2 | 2 | 2 |

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

| DD | MM | YYYY |
|----|----|------|
| | | |
| | | |
| | | |

THE DISTILLERY IS A NEWLY BUILT WOODEN OUTHOUSE THAT IS SITUATED 2M FROM MY PROPERTY AT THE SIDE OF THE GARDEN. IT IS 9MX3.5M WITH A HEIGHT OF 2.5M. THERE IS DOUBLE DOOR ACCESS TO THE FRONT BUILDING. IT IS FULLY EQUIPPED WITH PVC HYGENIC WALLS IN MY WORK AREA. IN THE DISTILLERY THERE IS ALSO A WATERFLOW AND WORKING ELECTRICITY. IT IS A SECURE LOCKED BUILDING WHICH WILL HAVE CCTV COVERAGE. ALL SALES WILL BE MADE VIA THE PHONE/EMAIL OR WEBSITE. NO ALCOHOL WILL BE PURCHASED ON SITE. NO CUSTOMERS WILL BE GRANTED ACCESS TO THE DISTILLERY. THE DISTILLING WILL NOT CAUSE ANY DISTRUPTION TO PUBLIC/NEIGHBOURS (INCLUDING AIR/NOISE POLLUTION) ALL BOTTLED ALCOHOL WILL BE STORED IN THE DISTILLERY.

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

| |
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|--|

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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Provision of late night refreshment (if ticking yes, fill in box I)

☐

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

☒

In all cases complete boxes K, L and M

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

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

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

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|--|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | 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 (please read guidance note 6) | | |
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E

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

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

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

I

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

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|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Both <input type="checkbox"/> | | |
| Mon | 7am | 10pm | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| | | | | | |
| | | | | | |
| Tue | 7am | 10pm | | | |
| | | | | | |
| Wed | 7am | 10pm | | | |
| | | | | | |
| Thur | 7am | 10pm | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| | | | | | |
| Fri | 7am | 10pm | | | |
| | | | | | |
| Sat | 7am | 10pm | | | |
| | | | | | |
| Sun | 7am | 10pm | | | |
| | | | | | |

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

| | |
|---|---------|
| Name Daniel Tomlinson | |
| Date of [REDACTED] | |
| Address 21 Gosforth Green Dronfield | |
| Postcode | S18 1PS |
| Personal licence number (if known) [REDACTED] | |
| Issuing licensing authority (if known) [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).

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | <u>State any seasonal variations</u> (please read guidance note 5) |
| Day | Start | Finish | <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> (please read guidance note 6) |
| Mon | | | |
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| Tue | | | |
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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)

The Distillery is a secure locked building which will have CCTV coverage. All sales will be made via the phone/email or website. No alcohol will be purchased on site. No customers will be granted access to the distillery. The distilling will not cause any disruption to public/neighbours (including air/noise pollution). All bottled alcohol will be stored in the distillery which is securely locked.

1. No supply of alcohol will be made under the premises licence –
(a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The premises licence holder (myself) will ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
4. The designated premises supervisor (myself) in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
(a) a holographic mark, or (b) an ultraviolet feature.

Full training is provided to all staff including delivery staff on commencement of employment relating to all age-restricted products sold and any system or procedures they are expected to follow in the course of dealing with these goods. Training should be refreshed regularly; at least yearly.

Records detailing the training provided shall be kept on the premises for production upon request of an authorised person acting on behalf of a responsible authority as detailed within Section 13 of the Licensing Act 2003.

A challenge 25 proof of age scheme shall be operated at all times and advertised on the website and any social media associated with the company and its alcohol sales. When an order is received over the telephone or online, the customer will be informed that alcohol will only be delivered to a person aged 18 or over and that the Challenge 25 policy will be adhered to at all times.

Anyone accepting a delivery of alcohol appearing under 25 years of age then photographic ID will be required to prove their age. The only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo. Where a person receiving the delivery appears to be under the age of 25 and satisfactory photographic ID cannot be provided then the alcohol delivery will be refused.

A documented record of all refused sales / deliveries of alcohol will be operated at all times and made available for inspection upon request by an authorised person acting on behalf of a responsible authority as detailed within Section 13 of the Licensing Act 2003.

Any alcohol packaged for delivery will be clearly labelled that it contains alcohol. Any couriers delivering the alcohol will have a challenge 25 age verification policy in place. A record of the couriers used to deliver alcohol will be kept on the premises for 12 months.

b) The prevention of crime and disorder

There will be no access to the public / no customers in distillery.
The only access to the distillery is going through the property.
It is securely locked and will have CCTV coverage.
The garden where the distillery is located will be fenced off

c) Public safety

No public will be granted access to the distillery.
All alcohol will be sold off the premises (will be sold via phone/email or website) the distillery is securely locked and will have CCTV coverage with sends motion sensed notifications to my phone. The premises will be fenced off.

d) The prevention of public nuisance

No public will be on site at the distillery. There will be no noticeable noises in the distillery.
There will be no noise/air pollution. There will only be one courier pick up/delivery per day.

e) The protection of children from harm

No access to the property (no children on site). The website has warning notices on all alcohol stating that they will not be sold/delivered to anyone under the age of 18. If I take on any new staff members, they will be trained on the sale of alcohol. Local deliveries will be made by myself meaning that id checks will be in place

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☐
- I understand that I must now advertise my application. ☐

Appendix 1 – page 18 / 18

Lockdown Distillery

- I understand that if I do not comply with the above requirements my application will be rejected. ☐
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom 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.

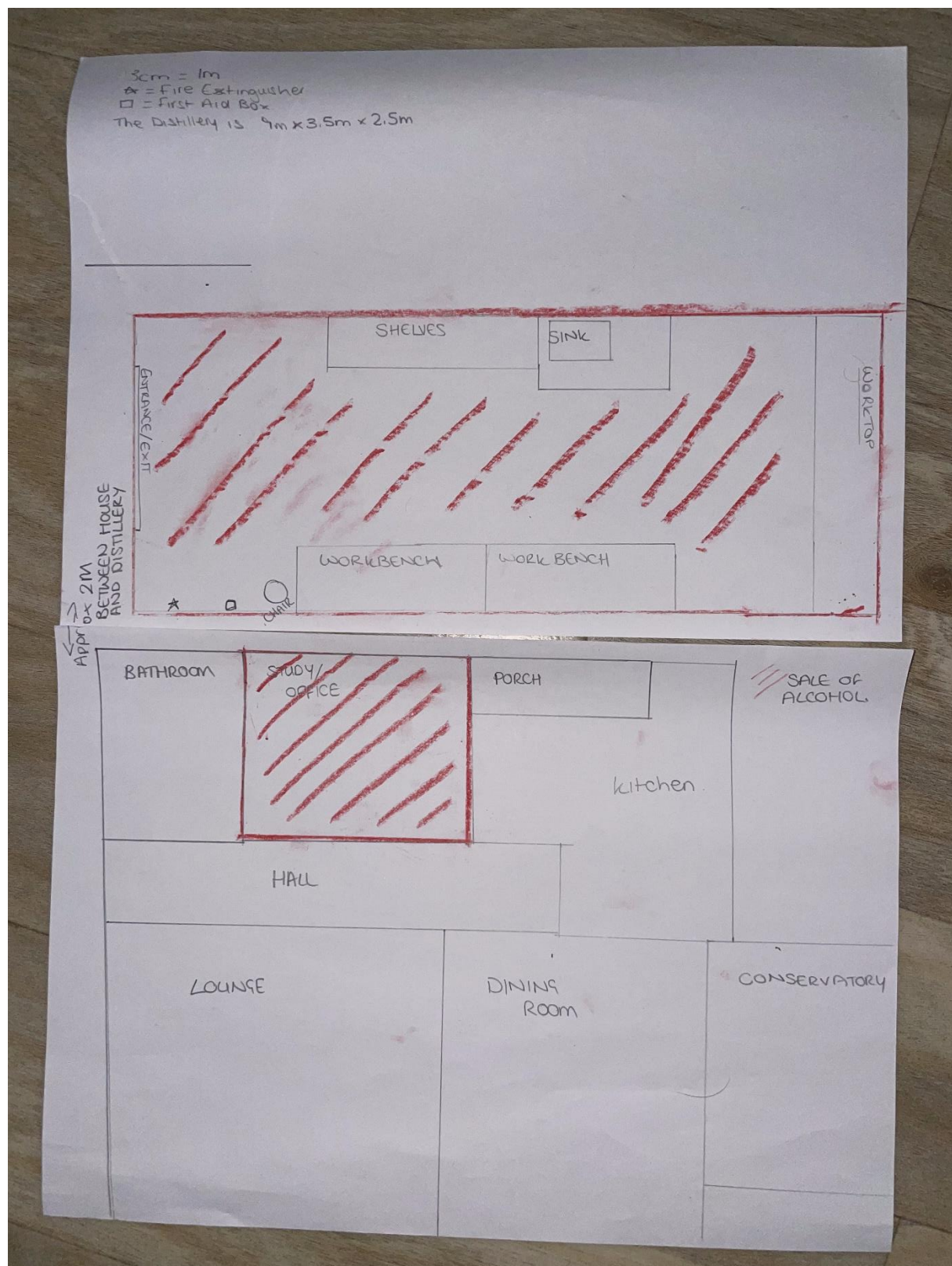
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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.

| | |
|--------------------|---|
| Declaration | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, 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) |
| Signature | |
| Date | 12.03.22 |
| Capacity | |

Appendix 2 – page 1 / 1
Lockdown Distillery



Appendix 3 – page 1 / 1
Lockdown Distillery

From: Daniel Tomlinson [mailto:*****]
Sent: 14 April 2022 16:36
To: Rowley, Darren <Darren.Rowley@ne-derbyshire.gov.uk>
Subject: Re: Licensing application 21 Gosforth Green

Warning External

Hi Darren

Yes, please if you could change this and get the ball rolling that would be great

Many thanks

Daniel

On 14 Apr 2022, at 16:15, Rowley, Darren <Darren.Rowley@ne-derbyshire.gov.uk> wrote:

Hello Daniel

For the avoidance of doubt ... as these points will be added to your Operating schedule and thus turned into conditions on your Premise Licence ... can I clarify

1....There will be no access to members of the public to 21 Gosforth Green for the off sale / supply / or collection of alcohol

2.....One collection / pick up a day via a courier service will be in a van no larger than a standard size Ford Transit / Tourneo

3.....There will be two supplies deliveries a month (ie alcohol & bottles)

Are these a fair and accurate description of the amendments you wish to make to your Operating Schedule with immediate effect?

Could you respond ASAP please

Regards

Darren Rowley

Licensing & Enforcement Officer

Joint Environmental Health Service
Email: darren.rowley@ne-derbyshire.gov.uk

Tel: 01246 21 615

Appendix 4 – page 1 / 1
Lockdown Distillery

From: [REDACTED]
Sent: 14 April 2022 22:43
To: [REDACTED]
Subject: Objection to an application for a premises licence at 21 Gosforth Green, Dronfield, S18 1PS

Warning External

:Dear Licensing at North East Derbyshire Council

We are writing to register our objection to the application for a premises licence by Mr Tomlinson at 21 Gosforth Green.

We are objecting on the grounds of the prevention of public nuisance.

Gosforth Green is a small cul-de-sac with a footpath along one side of the road only. This means cars can only park along one side of the road. The street consists of private houses and gardens and the residents are families, elderly and some disabled residents.

We currently experience regular parking issues where parked cars and blocking access for other vehicles to reach the top of the road where Mr Tomlinson's property is located.

As Gosforth Green is a small cul-de-sac there is not sufficient room for large commercial vehicles to turn around at the top of the cul-de-sac. Your own refuse collection department will confirm that they are required to reverse the wrong way down the street when emptying the bins.

The property where the proposed license has been applied for has parking for two vehicles. The area immediately outside the property is a turning circle for vehicles and not suitable for parking. The planning application mentions staff working from the site, with that would come a need for staff parking. No provision has been made within the application for the provision for staff parking. This leaves the assumption that the staff are intending to park on Gosforth Green itself causing further parking issues for the existing residents.

The granting of this application can only have a detrimental effect on the lives of all the families who reside around the premises and we request that for consider our objections and above and refuse this application

Yours faithfully

Mr and Mrs Rushworth