

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY, 19TH DECEMBER, 2017

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 19TH DECEMBER, 2017, at 9.30 am.

PRESENT:

Chair - Councillor Linda Curran

Councillors Iris Beech, Steve Cox and Charlie Hogarth.

1 DECLARATIONS OF INTEREST, IF ANY

There were no declarations of interest made at the meeting.

2 MINUTES OF THE MEETING HELD ON 16TH OCTOBER, 2017

RESOLVED that the minutes of the Licensing Sub-Committee meeting held on 16th October 2017, be approved as a correct record and signed by the Chair.

3 APPLICATION FOR A NEW PREMISES LICENCE - BAWTRY HALL, SOUTH PARADE, BAWTRY, DONCASTER, DN10 6JH

The Sub-Committee considered an application for a new premises licence in respect of Bawtry Hall, South Parade, Bawtry, Doncaster, DN10 6JH.

The premises concerned related to a stately home. The application was for a new premises licence to allow the premises to carry out licensable activities between the hours, as detailed in the report. A summary of the application was attached as Appendix B to the report.

Following discussions with the Environmental Health department, the Applicant had asked for additional conditions to form part of his application. These conditions were also shown at Appendix B and relevant correspondence is reproduced at Appendix F.

Representations regarding the application had been received from nearby residents, copies of which were attached at Appendix E of the report. A copy of the application had been sent to each of the Responsible Authorities. Details of the application have been published on the Council website.

One of the persons, who had made written representations, had indicated that the premises were located in an area that was subject to a Cumulative Impact Policy, namely Area 3, Bawtry Town Centre (Section 7 of Doncaster Council's Statement of Licensing Policy 2016 - Licensing Act 2003). Doncaster Council's Highways Network Management Team had confirmed that the premises address is South Parade, which was not subject to the Cumulative Impact Policy.

Subsequently, the Licensing Authority had contacted the Planning Department to seek clarification regarding the use of the entrance onto South Parade, as referred to in the

written representations. A copy of the response received was attached to the report at Appendix G.

It was noted that the Senior Planning Officer dealing with applications for Bawtry Hall and the Highways Officer had advised that the existing permitted uses for the site includes a wedding venue, restaurant/café, offices and residential uses. Planning has an application to convert the restaurant/café area to a wedding venue/function area/conferencing area including gardens. The Highways team have been consulted and have assessed the accesses.

The existing uses for the site were only allowed to use the Pemberton access and could operate now within the uses they have planning for including, taxi's down Pemberton and could be a similar intensity as the proposed use. The access from South Parade has never been allowed in any planning applications due to the Highway safety risk of traffic backing up and accessing the site near the junction. It has only ever been allowed to be used for pedestrians.

The Senior Planning Officer and Highways Officer do not support the use of the South Parade access for more than two wedding vehicles a day for the above reasons and the planning application will be restricted to this.

At the moment the applicant can still use Pemberton for the existing wedding use that is allowed and can operate, for the café/restaurant if they implemented this, offices and residential.

The latest closing time for an approved permission is only allowed until 23:00 (above uses).

The new planning permission for more wedding/functions/conferencing space, is applied for until 2.00 am (17/02457/FUL and 17/02458/LBC).

The Sub-Committee Members, the Applicant, Responsible Authorities and persons who had made representations, had received the agenda prior to the meeting.

At the commencement of the meeting, the Chair made introductions and outlined the procedure to be followed.

Subsequent to the despatch of the agenda papers, David Smith, Licensing Officer in presenting the report, drew Members' attention to a drafting error in paragraph 4 of the report in relation to the operating hours of the premises, which had been amended to 2:00 hours.

The Applicant and Agent acting on behalf of the applicant were in attendance at the meeting, made representations and answered questions.

The Persons, who had made written representations, were in attendance at the meeting, made representations in respect of their objection to the application and answered questions.

During the course of the meeting, the Agent acting on behalf of the Applicant amended Condition 3 of the additional conditions agreed with Environmental Health (Appendix B of the report) in the following terms:-

'Speakers used to relay amplified music, singing and speech provided as part of the regulated entertainment shall not be positioned outside the premises, (fabric of the building) except for background music for functions held in the grounds up to 9.00 pm.'

All parties were then asked to leave the room whilst the Sub-Committee deliberated on the application in private and reached a decision.

RESOLVED that the Licensing Sub-Committee having considered the application for a new premises licence in respect of Bawtry Hall, South Parade, Bawtry, Doncaster, DN10 6JH and having taken into account the written representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy, have decided to Grant the Application in the terms as set out in Appendix B, subject to the following amendments and additional conditions:-

Condition 2 at Appendix B, be amended so that the time is changed from 11.00 pm to 9.00 pm.

Condition 3 at Appendix B, be amended so that 'except for background music for functions held in the grounds. Such background music shall not be audible at the boundary of the nearest noise sensitive property after 9.00 pm.

Condition 4 at Appendix B, be replaced with 'Clear and prominent signage must be affixed to all external exit doors and displayed in the car parks informing guests to leave the premises quietly whether exiting on foot or in a vehicle to respect neighbouring properties.

Additional Conditions:-

Contact details to enable residents to raise concerns regarding events taking place at the premises are made available by the Premises, including being placed on the Premises Website.

For events where guests total 50 or more there shall be Marshals in place so that the guests and vehicles arriving, leaving and parking at the venue can be appropriately directed and monitored.

The Sub-Committee noted the Applicant has shown a commitment to promoting the licensing objectives, both in the operating schedule and in their representations today. It was submitted and the Sub-Committee agrees that residents should not have to put up with noise emanating from this premises that amounts to a public nuisance. Bottle banks are not to be emptied until after 9.00 am and not on a Sunday. The Sub-Committee also noted the concerns of the objectors and the fact that the area is subject to existing parking issues arising from Bawtry. It was also noted that the only permissible access to the Premises is via a residential estate. Recently there have been 8 events for up to 150 guests taking place until 12.30 am. It was noted that there have been some parking issues, but no complaints of noise although none of the events have taken place outside and the Applicant has confirmed that his intention is to have events outside. The Applicant has volunteered 9.00 pm as a time after which

residents should not hear noise emanating from the premises from background music through speakers. The Sub-Committee also feels that Condition number 2 at Appendix B should be consistent with that time.

The Applicant has explained that the Premises will be using the car park at the front of the Hall where there are 70 car parking spaces. The Applicant confirms Marshalls will be in place. The Premises can use the car park at the Crown Hotel in Bawtry as an overflow. There are 200 spaces at the Crown Hotel. Pedestrians will be exited out of the main gate and taxis will be asked to pick up and drop off at the Market Square in Bawtry. All the events will be pre booked events only.

The Sub-Committee was therefore satisfied that, with the amended and added conditions, this would ensure the promotion of the licensing objectives.

CHAIR: _____

DATE: _____