



# City of Doncaster Council

## Agenda

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To all Members of the

## **LICENSING SUB-COMMITTEE**

Notice is given that a Meeting of the above Committee is to be held as follows:

**Venue:** Council Chamber, Civic Office, Waterdale, Doncaster DN1 3BU

**Date:** Friday, 12th May, 2023

**Time:** 10.00 am

### **BROADCASTING NOTICE**

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**Damian Allen**  
**Chief Executive**

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Issued on: Wednesday, 3rd May, 2023

Governance Services Officer for this meeting

Amber Torrington  
01302 737462

**City of Doncaster Council**

**[www.doncaster.gov.uk](http://www.doncaster.gov.uk)**

## Items for Discussion:

## Page No.

1. Apologies for Absence
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
3. Declarations of interest, if any.
4. Minutes of the Licensing Sub-Committee meetings held on 11th January, 16th January and 16th March, 2023 1 - 12

### **A. Reports where the Public and Press may not be excluded.**

5. Application for a premises licence - The Local, 132 Sprotbrough Road, Sprotbrough, Doncaster, DN5 8BA. 13 - 58

**(Appendices E and F to the report are not for publication as they contain personal information protected by Data Protection Legislation, not required to be published in accordance with the Licensing Act 2003).**

## **Members of the Licensing Sub-Committee**

Chair – Councillor Linda Curran

Councillors Bev Chapman, Martin Greenhalgh and David Nevett

# Public Document Pack Agenda Item 4

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### LICENSING SUB-COMMITTEE

WEDNESDAY, 11TH JANUARY, 2023

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on WEDNESDAY, 11TH JANUARY, 2023, at 10.00 am.

#### PRESENT:

Chair - Councillor Dave Shaw

Councillors Nick Allen and Bev Chapman.

#### APOLOGIES:

An apology for absence was received from Councillor John Healy.

#### 1 Declarations of interest, if any

There were no declarations made at the meeting.

#### 2 Minutes of the meeting held on 20th October, 2022

RESOLVED that the minutes of the meeting held on 20th October 2022 be approved as a correct record and signed by the Chair.

#### 3 Exclusion of the Public and Press

RESOLVED that the public and press be excluded from the remaining proceedings of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information as defined in paragraph 1, (*information relating to an individual*) of Schedule 12A to the Act, is likely to be disclosed.

#### 4 Application for a New Private Hire Drivers Licence (Exclusion paragraph 1 information relating to an individual)

The Committee considered an application for a new Private Hire Driver Licence.

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

The Sub-Committee Members, the applicant and the Senior Licensing Practitioner confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application, explaining the circumstances, which had led to the requirement for the Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a new Private Hire Drivers Licence.

The applicant explained her past actions and responded to a number of questions from Members.

After the applicant had made a closing statement, and was thanked for her attendance she was notified that she would receive the decision of the Sub-Committee in writing within 7 working days. The applicant and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, having considered the suitability to hold a Private Hire Drivers Licence decided that the applicant is a 'fit and proper' person to hold a Private Hire Drivers Licence.

5 Application for a New Private Hire Drivers Licence (Exclusion paragraph 1, information relating to an individual)

As the applicant was not in attendance at the outset of the meeting, the Sub-Committee decided to adjourn proceedings for 10 minutes to allow the applicant the opportunity to attend the hearing.

RESOLVED that the meeting stand adjourned at 10.40 am in order to facilitate the attendance of the applicant.

The meeting reconvened at 10.47 am when the applicant was in attendance.

The Sub-Committee considered an application for a new Private Hire Drivers Licence.

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

The Sub-Committee Members, the applicant and the Senior Licensing Practitioner confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application, explaining the circumstances which had led to the requirement for the Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a new Private Hire Drivers Licence.

The applicant explained his past actions and responded to a number of questions from Members.

The applicant was thanked for his attendance and notified that he would receive the decision of the Sub-Committee in writing in 7 working days. The applicant and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, having considered the suitability to hold a Private Hire Drivers Licence decided that the applicant is a 'fit and proper' person to hold a Private Hire Drivers Licence.

6 Review of an Existing Hackney Carriage & Private Hire Drivers Licence and Review of an Existing Hackney Carriage Vehicle Licence (Exclusion paragraph 1, information relating to an individual)

The Sub-Committee considered an application for a review of an existing Hackney Carriage and Private Hire Drivers Licence, and a review of an existing Hackney Carriage Vehicle Licence.

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

The Sub-Committee Members, the applicant and the Senior Licensing Practitioner confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application, explaining the circumstances which had led to the requirement for the Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a new Private Hire Drivers Licence.

The applicant's representative, tabled additional documentation in support of the applicant's case.

The applicant explained his past actions and responded to a number of questions from Members.

After the applicant's representative had made a closing statement, the applicant and his representative were thanked for their attendance and notified that the applicant would receive the decision of the Sub-Committee in writing in 7 working days. The applicant, his representative and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, having reviewed the suitability to hold a Hackney Carriage and Private Hire Drivers Licence and Hackney Carriage Vehicle Licence decided that the applicant is a 'fit and proper' person to hold a Hackney Carriage and Private Hire Drivers Licence and Hackney Carriage Vehicle Licence.

CHAIR: \_\_\_\_\_

DATE: \_\_\_\_\_

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## DONCASTER METROPOLITAN BOROUGH COUNCIL

### LICENSING SUB-COMMITTEE

MONDAY, 16TH JANUARY, 2023

A MEETING of the LICENSING SUB-COMMITTEE was held in Room 7B, Ground Floor, CIVIC OFFICE, WATERDALE, DONCASTER on MONDAY, 16TH JANUARY, 2023, at 10.00 am.

#### PRESENT:

Chair - Councillor Dave Shaw

Councillors Charlie Hogarth, Emma Muddiman-Rawlins and Thomas Noon.

#### 1 DECLARATIONS OF INTEREST, IF ANY

There were no declarations made at the meeting.

#### 2 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that the public and press be excluded from the remaining proceeding of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information, as detailed in Paragraph 1 (information relating to any individual) of Part 1 of Schedule 12A to the Act, was likely to be disclosed.

#### 3 APPLICATION FOR A NEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (EXCLUSION PARAGRAPH 1, INFORMATION RELATING TO AN INDIVIDUAL)

The Committee considered an application for a new Hackney Carriage/Private Hire Drivers Licence.

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

The Sub-Committee Members, the applicant and the Senior Licensing Practitioner confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application, explaining the circumstances, which had led to the requirement for the Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a Hackney Carriage and Private Hire Drivers Licence.

The applicant informed the Sub-Committee that he had changed his name in 2020. The applicant tabled for Members' information a written explanation in mitigation to the events that had led for his licence being revoked.

Subsequently, in accordance with Council Procedure Rule 17(l) the meeting was adjourned at 10.10 am to allow the Sub-Committee time to consider the additional information presented. The applicant and Senior Licensing Practitioner left the room. The meeting re-convened at 10.30 am with all parties invited back into the meeting.

The Committee and the applicant were invited to ask questions of the Senior Licensing Practitioner. No questions were put by the Committee or the applicant to the Senior Licensing Practitioner.

The applicant then responded to a number of questions from Members, explaining his past actions.

After the applicant had made a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days. The applicant and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

RESOLVED that

- (1) the Sub-Committee having considered the report, taken into account the representations made and the additional information tabled at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, and having considered the suitability to hold a Hackney Carriage and Private Hire Drivers Licence, decided that the applicant was a 'fit and proper' person to hold a Hackney Carriage and Private Hire Drivers Licence;
- (2) the Hackney Carriage and Private Hire Drivers Licence be granted for a period of 12 months; and
- (3) the Council write to the applicant suggesting that the applicant undertake a 'Pass Plus' driver approved advanced driving course, but this is not a condition of his licence.

4 APPLICATION FOR A NEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (EXCLUSION PARAGRAPH 1, INFORMATION RELATING TO AN INDIVIDUAL)

The Sub-Committee considered an application for a new Hackney Carriage / Private Hire Drivers Licence.

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

The Sub-Committee Members and the Senior Licensing Practitioner confirmed that they had received a copy of the agenda papers which had been circulated to all parties prior to the meeting. The applicant indicated that he had not received the agenda papers as he had recently moved address in December, however he confirmed that he had received email notification from the Licensing department regarding the date of the hearing.

The applicant submitted for Members' consideration a personal statement and also provided character references which had not been included in the agenda papers.

It was subsequently agreed that in accordance with Council Procedure Rule 17(l) that the meeting stand adjourned at 11:07am to allow the applicant sufficient time to read the documentation in relation to his application.

The meeting reconvened at 11.29 am and all parties were invited back into the meeting. The applicant confirmed that he had read the documentation pertaining to his application.

The Senior Licensing Practitioner introduced the report and outlined the key points in relation to the application, explaining the circumstances, which had led to the requirement for the



Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a new Private Hire Drivers Licence. The Committee and the applicant were invited to ask questions of the Senior Licensing Practitioner. The Senior Licensing Practitioner responded to questions from Members and the Senior Legal Officer. No questions were put by the applicant to the Senior Licensing Practitioner.

The applicant explained his past actions and responded to a number of questions from Members.

After the applicant had made a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days. The applicant and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

RESOLVED that that the Sub-Committee having considered the report, taken into account the representations made and the additional information tabled at the hearing, together with the Council's Hackney Carriage and Private Hire Licencing Policy, having considered the suitability to hold a Hackney Carriage/Private Hire Drivers Licence decided that the applicant is a 'fit and proper' person to hold a Hackney Carriage/Private Hire Drivers Licence.

CHAIR: \_\_\_\_\_

DATE: \_\_\_\_\_

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**CITY OF DONCASTER COUNCIL**

**LICENSING SUB-COMMITTEE**

**THURSDAY, 16TH MARCH, 2023**

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on THURSDAY, 16TH MARCH, 2023, at 10.00 am.

**PRESENT:**

Chair - Councillor Linda Curran

Councillors Nick Allen, Charlie Hogarth and Emma Muddiman-Rawlins

5 **Declarations of interest, if any.**

There were no declarations made at the meeting.

6 **Application for a New Premises Licence, Askern Music Festival, Thornhurst Manor, Holme Lane, Holme, Doncaster, DN5 0LR.**

The Sub-Committee considered an application for a new Premises Licence in respect of Askern Music Festival, Thornhurst Manor, Holme Lane, Holme, Doncaster, DN5 0LR.

The Sub-Committee Members, the Applicants and their representative and the persons making representations had received the agenda prior to the meeting. Copies of the representations were attached to the report at Appendix E.

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

The Senior Licensing Practitioner introduced the report and outlined the salient points in relation to the application.

The applicants, represented by Mr Andrew O Grady, Director of Askern Music Festival, and their representative, Mr Phillip Williams, were in attendance at the meeting and made representations and answered questions.

With the agreement of all parties, additional information in the form of a site map was circulated to the Sub Committee at the meeting.

Mr S Allen, Mrs V Carter and Mr P Edwards, who had all made written representations in respect of the application, and were speaking on behalf of local residents objecting to the application outlined their concerns and objections, and answered questions.

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

All parties were then invited back in to the meeting to be informed of the Sub-Committee's decision.

RESOLVED that having considered the application for a Premises Licence for Askern Music Festival, Thornhurst Manor, Holme Lane, Holme, Doncaster, DN5 0LR and taken into account the representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and our Statement of Licensing Policy the Licensing Sub Committee have decided grant the licence in the terms set out in Appendices B-D.

The premises licence will also be subject to the following conditions:-

- 1) All entry to Askern Music Festival to be by ticket only, even in respect of those who are under 5 years old.

The committee was concerned that unknown numbers of children would be attending the event without any record and therefore this condition is for the purposes of the protection of children from harm and public safety.

- 2) The premises shall operate a CCTV system. CCTV cameras should be located to cover all bar areas and public entrances and exits. The CCTV system must record clear images permitting the identification of individuals and all recorded images should be retained for a minimum of 28 days. The CCTV system must operate at all times while the premises are open for licensable activities.

Given the possible number of people on site, the committee wanted to ensure that CCTV was in place to promote the licensing objective of preventing crime and disorder, the committee felt that CCTV would act as a deterrent and assist in detecting any crime and/or disorder

- 3) Clear and legible notices shall be displayed at all entrances and exits which give customers details of parking facilities. The notices must advise customers not to obstruct residents' driveways and not to block the highway.

The Committee wanted to ensure that customers were advised of appropriate parking facilities to minimise any disruption to the public and prevent public nuisance.

The committee noted the concerns raised by those making representations, this related to the safety issues about the busy A19 road which is in very close proximity to the premises. The Committee felt the risk assessment process and the conditions put forward by South Yorkshire Police would alleviate those concerns. Those making representations at the Committee pointed out that there had been no consultation with local residents, rather the applicant had

contacted those who made representations in respect of the application. Mr William, on behalf of the applicant, acknowledged that consultation would have been better before the event, but this was put down to naivety. The applicant advised that notification had only been given by the cricket club in January 2023 that the cricket club land could not be used for the Askern Musical Festival.

Concerns were also raised around the admission numbers, those making representations pointed out that there was no accounting in place for children under 5 years old and that numbers could exceed 4,999 with the addition of those children who do not have tickets, the applicant explained that those entering would be counted on site so that the numbers were not exceeded, but the point was made that this could include people with tickets being turned away, the applicant sought to address this by limiting tickets to 4,000 but the Committee did not feel that this would remedy the situation. The committee was satisfied that with the proposed conditions and those added by the Committee the licensing objectives would be promoted.

CHAIR: \_\_\_\_\_

DATE: \_\_\_\_\_

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## Report

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**Date: 12/05/2023 TIME: 10:00**

**To the Chair and Members of the Licensing Sub-Committee**

**Licensing Act 2003 – Application for a New Premises Licence.**

**The Local, 132 Sprotbrough Road, Sprotbrough, Doncaster, DN5 8BA**

### **EXECUTIVE SUMMARY**

1. To request that members of the Sub-Committee determine the application for a new premises licence in respect of The Local, 132 Sprotbrough Road, Sprotbrough, Doncaster, DN5 8BA. The procedure for considering the application is set out at Appendix A.

### **EXEMPT REPORT**

2. Appendices E and F to the report has been given to the Applicant and to the members of the Licensing Sub-Committee, as required by law. This information is not for publication as it contains personal information protected by Data Protection Legislation not required to be published in accordance with the Licensing Act 2003

### **RECOMMENDATIONS**

3. It is recommended that the Sub-Committee determine this application having regard to the representations made and the evidence before it.

### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER**

4. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on licence applications which are the subject of representations.

### **BACKGROUND**

5. The premises concerned are currently a salon. The application is for a new premises licence to operate the premises as a convenience store permitting Off Sales and Late night refreshment.
6. A summary of the application is attached as Appendix B to this report.
7. A location plan of the premises is attached at Appendix C.

8. A copy of the application is attached at Appendix D.
9. Under the Licensing Act 2003, statutory guidance issued under section 182 of the Act and the Licensing Authority's Statement of Licensing Policy, any licensing application under the Act in respect of which representations have been made to the Licensing Authority and which have not been withdrawn or resolved by mediation fall to be determined by the Licensing Sub-Committee having regard to the evidence before it.
10. 1 relevant Representation(s) regarding the application have been received from a member of the public which relate to one or more of the four licensing objectives. The representations, which do not form part of the public report, but as required by law, have been provided to the Applicant and to the members of the Licensing Sub-Committee as Appendix E.
11. In attempts to mediate with the objector the agent acting on behalf of the applicant wrote a letter to them addressing their concerns, this is included in the report as Appendix F
12. A copy of the application has been sent to each of the Responsible Authorities. Details of the application have been published on the Council website.

#### **OPTIONS CONSIDERED**






13. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on licence applications, which are the subject of representations and therefore no other option other than to hold a hearing can be considered.
14. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
  - Grant the licence subject to conditions which are consistent to the operating schedule, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and those conditions which are mandatory.
  - To exclude from the scope of the licence any of the licensable activities to which the application relates.
  - To refuse to specify a person in the licence as the premises supervisor.
  - To reject the application.




#### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

15.

<b>Great 8 Priority</b>	<b>Positive Overall</b>	<b>Mix of Positive &amp; Negative</b>	<b>Trade-offs to consider</b> –	<b>Neutral or No implications</b>
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			Negative overall	
 <b>Tackling Climate Change</b>				✓
There are no implications of this type contained in this report				
 <b>Developing the skills to thrive in life and in work</b>	✓			
<p>The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives, will have regard to this outcome when making licensing decisions.</p> <p>The licensing objectives are:</p> <ol style="list-style-type: none"> <li>1. Prevention of crime and disorder</li> <li>2. Prevention of public nuisance</li> <li>3. Public safety</li> <li>4. Protection of children from harm</li> </ol>				
 <b>Making Doncaster the best place to do business and create good jobs</b>	✓			
<p>The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives (see above), will have regard to this outcome when making licensing decisions.</p>				
 <b>Building opportunities for healthier, happier and longer lives for all</b>		✓		
<p>The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives (see above), will have regard to this outcome when making licensing decisions.</p>				
 <b>Creating safer, stronger, greener and cleaner communities where everyone belongs</b>	✓			

Having robust procedures in place, the Local Authority can ensure licensed services are operating in a safe and legal way within the borough.				
 <b>Nurturing a child and family-friendly borough</b>				✓
There are no implications of this type contained in this report				
 <b>Building Transport and digital connections fit for the future</b>				✓
There are no implications of this type contained in this report				
 <b>Promoting the borough and its cultural, sporting, and heritage opportunities</b>				✓
There are no implications of this type contained in this report				
<b>Fair &amp; Inclusive</b>	✓			
The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives (see above), will have regard to this outcome when making licensing decisions.				

**LEGAL IMPLICATIONS [M-C Churchman 20.4.23]**

16. The Licensing Authority must ensure it complies with its obligations under the Licensing Act 2003 and associated Regulations which includes, but is not limited to the following:-
17. In considering an application, the committee must have regard to the 4 licensing objectives (Prevent crime and disorder, Prevent public nuisance, Public safety, Protection of children from harm), take into account the statutory guidance issued by the Home Office and the Council's Statement of

Licensing Policy. The committee shall consider the application in accordance with both the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation. The committee must make its decision based on evidence submitted in accordance with the legislation and give reasons for reaching its decision.

18. The 2005 Regulations also set out the pre-hearing requirements including to whom notice of hearings and details of the representations received must be sent. The report confirms we have complied with the statutory requirements.
19. An appeal against the decision of the Licensing Authority may be made to the Magistrates' Court.
20. Legal advisors shall be present at the hearing to give specific legal advice.

#### **FINANCIAL IMPLICATIONS [Officer R Taylor - Standard Implications Agreed 25/10/2022]**

21. The costs associated with applications of this nature and their determinations are met from fees paid to the Council by applicants for Authorisations/Licences under the Licensing Act 2003 and there are no further financial considerations.

#### **HUMAN RESOURCES IMPLICATIONS [Officer D Knapp - Standard Implications Agreed 26/10/2022]**

22. There are no human resource implications to this type of report.

#### **TECHNOLOGY IMPLICATIONS [Officer P Ward – Standard Implications Agreed 25/10/2022]**

23. There are no specific technology implications in regards to this type of report. The Northgate M3 system is used to process the application and record the outcome of the decision.

#### **RISKS AND ASSUMPTIONS**

24. There are no risks or assumptions other than those referred to in the implications above.

#### **CONSULTATION**

25. In addition to the advertising requirements, copies of the application form have been served on all relevant Responsible Authorities referred to in Section 13 of the Licensing Act 2003. These are:

- Doncaster Council – Environmental Protection - Enforcement
- Doncaster Council - Health & Safety Enforcement

- Doncaster Council – Licensing Authority
- Doncaster Council - Planning Services
- Doncaster Council - Trading Standards
- Doncaster Safeguarding Children Board
- Doncaster Council - Public Health
- Home Office - Immigration Enforcement
- South Yorkshire Fire and Rescue Authority
- South Yorkshire Police

## **BACKGROUND PAPERS**

26. Doncaster Council's Statement of Licensing Policy 2021
27. Home Office Guidance issued under section 182 of the Licensing Act
28. Appendices to this report.

## **REPORT AUTHOR & CONTRIBUTORS**

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**Dan Swaine**

**Director of Economy & Environment**

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**LICENSING ACT 2003 – Hearing Procedure  
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

**1. Meaning of Expressions used in this Document**

<i>“the Act”</i>	- Licensing Act 2003
<i>“the Regulations” or any particular reference to a “Regulation”</i>	The Licensing Act 2003 (Hearings) Regulations 2005
<i>“the Authority”</i>	Doncaster Metropolitan Borough Council, in its capacity as the relevant licensing authority under the Act, or where the context so admits the Committee
<i>“the Committee”</i>	the Sub-Committee of the Authority’s Licensing Committee constituted under the Act to determine the matter before it
<i>“the Chair”</i>	the member of the Committee appointed to act as Chairperson of the Committee
<i>“the Applicant”</i>	the party making the application e.g. the licence/certificate holder or prospective holder, or the party seeking a review
<i>“responsible authorities”</i>	the public or other bodies described in the Act as “responsible authorities” and who have made representations
<i>“party”</i>	means person(s) to whom notice of hearing is to be given (including their representatives) and “party” and “parties” shall be construed accordingly

## **2. Rights of attendance, assistance and representation at hearings**

- (a) A party may attend the hearing and may be assisted or represented by any other person. There is no requirement that a party's representative is legally or otherwise professionally qualified.
- (b) The hearing shall take place in public, unless the Authority decides to exclude the public from all or part of the hearing because it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public. A party and any person assisting or representing a party, may be treated as a member of the public.
- (c) The Authority may exclude from a public hearing any person attending who acts in a disruptive manner, and refuse to re-admit that person, or impose conditions on his/her re-admission. Any such excluded person may, before the end of the hearing, submit to the Authority in writing any such information that he/she would have been entitled to give orally.
- (d) The Authority may dispense with a hearing if all of the persons required by the Act agree that a hearing is unnecessary, have given notice to the Authority that they consider a hearing to be unnecessary, and the Authority have given notice to all parties that the hearing has been dispensed with.
- (e) The Authority has the power to consider adjournments and an extension of time limits provided for within the Regulations on the basis it is in the public interest to do so. When a request for an adjournment or an extension of time is received the request is referred to the Chair for agreement provided the request can be accommodated in the statutory time frame. If this is not possible the matter shall be determined by the Committee at the prelisted hearing.

## **3. Non-attendance of a party at the hearing**

- (a) If a party has informed the Authority that he/she does not intend to attend the hearing, or be represented at the hearing, the hearing may proceed in his/her absence.
- (b) If a party who has not so notified the Authority does not attend either in person or by his/her representative, the Authority shall adjourn the hearing to a specified date if it considers it in the public interest to do so, but it shall otherwise proceed with the hearing in that party's absence.
- (c) Where the hearing proceeds in the absence of a party, the Authority shall consider the application, representations or notice made by that party.
- (d) Where the hearing is adjourned, the Authority shall forthwith, notify the parties of the date, time and place to which the hearing has been adjourned.

#### **4. Procedure at the Hearing**

The hearing shall take the form of a discussion led by the Authority. The following procedure is intended to give form to such a discussion to ensure that all parties are able to put their case. Each party shall have equal maximum time in which to address the Committee. The Committee may take into account documentary or other information provided by a party before the hearing, or with the consent of all other parties at the hearing. The Committee may change the procedure in individual cases, upon the application of a party, or upon its own motion, if it considers it necessary to properly determine the business before it.

- (a) At the commencement of the hearing, the Chair will make introductions and establish that all parties understand the procedure to be followed. The Committee will then receive and determine any application that a party may wish to make to permit another person to appear at the hearing, and any application that any party wishes to make to vary the following order of addresses.
- (b) The Applicant may then address the Committee and provide any further information that the Authority have requested. At the conclusion of the Applicant's address, members of the Committee may ask the Applicant questions. Following questions by Committee members, any other party that wishes to question the Applicant may request permission to do so. If granted, the party or parties receiving permission may question the Applicant.
- (c) Other parties entitled to address the Committee or given permission to do so under paragraph (a) above, may then do so; and also provide to the Committee any information that the Authority have requested. Following the address, the members of the Committee may question the party addressing the Committee. Following any Committee questions, any other party wishing to question the party that has addressed the Committee may seek the Committee's permission to do so. If granted, the party or parties receiving permission may question the Applicant.

#### **Order of Addresses under paragraph (c)**

Subject to any direction given by the Committee under paragraph (a) above, the order of addresses by other parties, under paragraph (c) above, shall be:-

- [1] Any representative of a "responsible authority" (as defined in the Act)
- [2] Any other party opposing the Applicant
- [3] Any other party not falling within category [1] or [2] above, or category [4] below
- [4] Any other party supporting the Application

#### **Permission to question or cross-examine the Applicant or other party**

A party may question any other party appearing if given permission by the Authority.

The Committee will determine any application by a party to question another party on its merits.

Cross examination shall not be permitted unless the Authority considers that cross examination is required for it to consider the representations, application or notice, as the case may require.

The Committee shall determine any application by one party to permit cross examination of another on its merits.

Normally, permission will be given to one party to question or cross-examine another, only where:-

- (i) a material fact put forward by one party is disputed by another party and the dispute can be properly determined, only if cross examination is permitted; or
- (ii) the question that one party wishes to put to the other is non-contentious and is for the purpose of clarification only.

## **5. The Committee's Deliberations and Determination**

- (a) The Authority considers that normally, it will be in the public interest that the deliberations of the Committee are conducted in the presence of the note taker and legal adviser only, unless an application is made by any party present for these to be conducted in public. If any such application is made, the Committee shall determine such application. The function of the legal adviser shall be to advise the Committee on points of law and procedure only.
- (b) Subject to paragraph (a) above, the Chair shall formally exclude the public including, the parties and their representatives from the meeting under Regulation 14(2), to enable the Committee to deliberate. All persons required to vacate the room during the deliberations shall be required to take all their personal belongings out of the room except as may be directed by the Committee.
- (c) If during its deliberations, the Committee require any further information from any party in order to assist in its deliberations, the Chair shall reconvene the public hearing for the purpose of attempting to secure that further information.
- (d) Following the Committee's deliberations, the public shall be re-admitted to the hearing, whereupon the Chair shall announce the determination of the Authority, where the provisions of the Act or the Regulations require



a determination to be made at the conclusion of the hearing or otherwise where the Committee is unable to announce its determination.

- (e) Following the announcement of any determination of the application, representations or notice before the Committee, the hearing shall conclude.

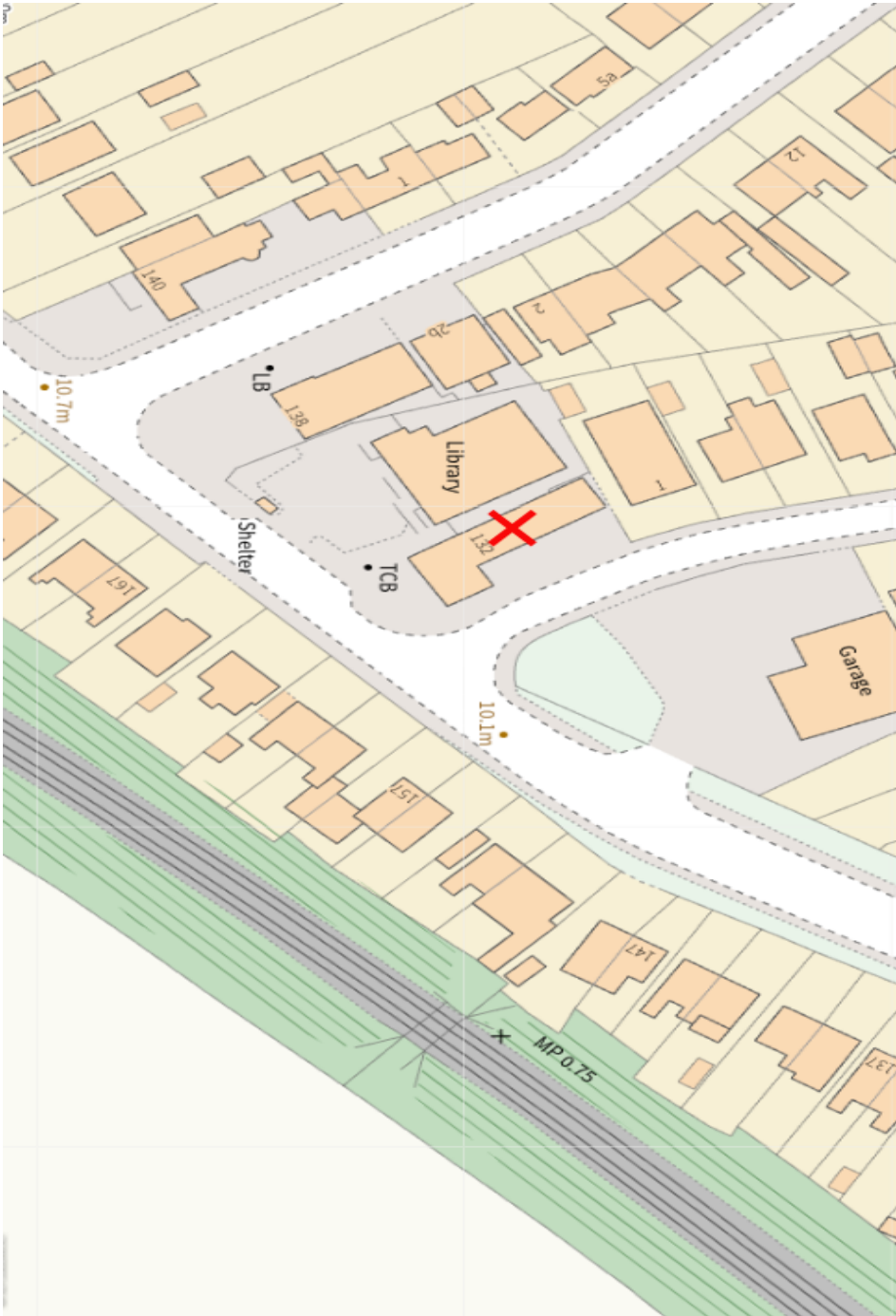
## **6. Record of proceedings**

A record of the hearing will be taken in a permanent and intelligible form. Any such record will be kept for a period of six years from the date that the application or review is finally determined (including any appeal or judicial review).

<b>Name of Applicant: Thambiaya Thanabalan</b>		
<b>Name of Premises: The Local</b>		
<b>Address: 132 Sprotbrough Road, Sprotbrough, Doncaster, DN5 8BA</b>		
<b><u>Summary of Application:</u></b>		
For full details please see copy of application at Appendix D.		
<b>Activity</b>	Late Night Refreshment	
<b>Location</b>	Indoors	
	<b>From</b>	<b>To</b>
Monday	<b>23:00</b>	<b>00:00</b>
Tuesday	<b>23:00</b>	<b>00:00</b>
Wednesday	<b>23:00</b>	<b>00:00</b>
Thursday	<b>23:00</b>	<b>00:00</b>
Friday	<b>23:00</b>	<b>00:00</b>
Saturday	<b>23:00</b>	<b>00:00</b>
Sunday	<b>23:00</b>	<b>00:00</b>
<b>Activity</b>	Sale of Alcohol (Off only)	
<b>Location</b>	Licensed area (see plan)	
	<b>From</b>	<b>To</b>
Monday	<b>06:00</b>	<b>00:00</b>
Tuesday	<b>06:00</b>	<b>00:00</b>
Wednesday	<b>06:00</b>	<b>00:00</b>
Thursday	<b>06:00</b>	<b>00:00</b>
Friday	<b>06:00</b>	<b>00:00</b>
Saturday	<b>06:00</b>	<b>00:00</b>
Sunday	<b>06:00</b>	<b>00:00</b>
<b>Activity</b>	Opening Hours	
<b>Location</b>	Whole of premise	
	<b>From</b>	<b>To</b>

Monday	<b>06:00</b>	<b>00:00</b>
Tuesday	<b>06:00</b>	<b>00:00</b>
Wednesday	<b>06:00</b>	<b>00:00</b>
Thursday	<b>06:00</b>	<b>00:00</b>
Friday	<b>06:00</b>	<b>00:00</b>
Saturday	<b>06:00</b>	<b>00:00</b>
Sunday	<b>06:00</b>	<b>00:00</b>

Location Plan





**Doncaster**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact

Telephone: 01302 737590

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

### Address

* Building number or name	<input type="text"/>
* Street	<input type="text"/>
District	<input type="text"/>
* City or town	<input type="text"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text"/>
* Country	<input type="text"/>

### Agent Details

* First name	<input type="text" value="IAN"/>
* Family name	<input type="text" value="RUSHTON"/>
* E-mail	<input type="text"/>
Main telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is your business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Note: completing the Applicant Business section is optional in this form.

Business name	<input type="text" value="JL LICENCE AND RETAIL"/>
VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="OWNER"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	THE LOCAL
Street	132 SPOTBROUGH ROAD
District	
City or town	DONCASTER
County or administrative area	
Postcode	DN5 8BA
Country	United Kingdom

**Further Details**

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	0

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

### Confirm The Following

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

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

THAMBIAYA

Family name

THANABALAN

Is the applicant 18 years of age or older?

- Yes  No



Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  14 /  04 /  2023  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

**Continued from previous page...**

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.

This is a new business venture and the site, currently empty, is to be refurbished to become a new general convenience store serving the local community selling a wide range of goods including newspapers, magazines, bread, milk, soft drinks, cigarettes, confectionery, household goods, snacks, etc.

The applicant would like to offer some alcohol for sale alongside the other goods. Late night refreshment (hot drinks) is also proposed.

The proposed alcohol sales would just be a part of the overall business to offer the complete all-round convenience service to customers.

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing live music?

Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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.

*Continued from previous page...*

**FRIDAY**

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="23:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

PROVISION OF A HOT DRINKS VIA A COFFEE MACHINE

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'. Page 36

Continued from previous page...

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

N/A

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

**Continued from previous page...**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED



## **Application for a new premises licence**

**Convenience Store, 132 Spotbrough Road, Doncaster DN5 8BA**

### **Operating schedule/proposed licence conditions**

This is a new business venture and the site, currently empty, is to become a new general store selling a range of goods including soft drinks, cigarettes, dairy goods, snacks, confectionery, etc.

The applicant, an experienced retailer and a personal licence holder, would like to offer some alcohol sales to allow the business to offer an all-round convenience service to customers.

A detailed and robust operating schedule is proposed to promote the licensing objectives;

### **Prevention of crime and disorder**

A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Cameras shall cover inside the shop and the area immediately outside. Images will be retained for a period of at least 28 days and be made available to Police Officers, and other authorised persons, on reasonable written request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing under age sales and complying with licence conditions. Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

The PLH and staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.

Spirits will be kept behind the counter.

Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book kept at the premises. This book will be kept in the shop and available for inspection.

The premises shall operate an alcohol refusals policy - alcohol will not be sold to;

(1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);

(2) Any person found to be drinking alcohol in the street;

(3) Any person who is drunk or appears to be drunk;

(4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;

(5) Any person unable to provide valid ID when requested by staff;

(6) Any person who is verbally or physically abusive towards staff or customers.

(7) To any person suspected of trying to buy alcohol for another person(s) who may be under age.

A notice advising customers of the refusals policy shall be on display.

### **Public safety**

No specific risks have been identified – the PLH shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.

### **Prevention of public nuisance**

Deliveries to the premises will be arranged so as not to cause will not lead to any public nuisance.

Notice(s) shall be on display in the premises asking customers to leave the premises quietly and not to congregate outside the shop.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

### **Protection of children from harm**

The shop shall operate a Challenge 25 Policy.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

A refusals register (for the sale of alcohol) will be kept and be available for inspection by responsible authorities.

A notice shall be displayed in the premises where it can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

**NOTE TO RESPONSIBLE AUTHORITIES AND OTHER PERSONS - IF YOU HAVE ANY QUERIES OR COMMENTS ON THESE PROPOSALS, PLEASE CONTACT IAN RUSHTON ON [REDACTED] OR BY EMAIL [REDACTED] TO DISCUSS FURTHER - PRIOR TO MAKING ANY REPRESENTATIONS.**

Section 19 of 21

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a 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 premises 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 an entitlement 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 listed below (which do not need to be certified), or 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).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

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.

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

As an alternative to providing a copy of the documents listed above, 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 9-digit 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 (provided within this application), 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 checked online. 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 copy documents as set out above.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

**Continued from previous page...**

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

100.00

**DECLARATION**



**Continued from previous page...**

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, if appropriate (please see note 15)

I am aware of the advertising requirements (newspaper and on the premises) as detailed in the guidance. With regard to the newspaper advert, you are advised not to advertise until you have received confirmation from the licensing authority that the application includes all the required information.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/doncaster/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

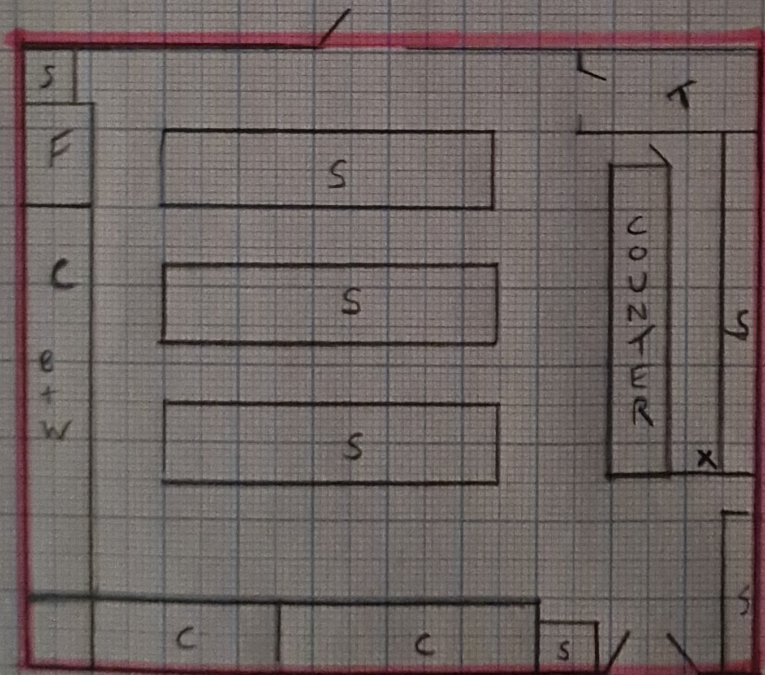
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MARCH 2003

132 SPOTBROUGH ROAD  
DONCASTER ON5 8BA

KEY

- S - SHELVING / DISPLAY
  - T - TOILET
  - F - FREEZER
  - C - COOLER
  - B+W - BEERS + WINES
  - - LICENCE AREA
  - X - FIRE EXTINGUISHER
- SCALE 1-100



ENTRANCE

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