



Doncaster Council

Agenda

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: Monday, 14th May, 2018

Time: 9.30 am

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 meetings held on 12th and 16th March, 2018.	1 - 8
A. Reports where the Public and Press may not be excluded.	
5. Application for a Variation of an Existing Premises Licence - The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY.	9 - 70

Jo Miller
Chief Executive

Issued on: Thursday, 3rd May, 2018

Governance Services Officer for this meeting: Andrea Hedges
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Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Members of the Licensing Sub-Committee

Chair – Councillor Ken Keegan

Councillors Bev Chapman, Charlie Hogarth and Ian Pearson

Agenda Item 4

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

MONDAY, 12TH MARCH, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on MONDAY, 12TH MARCH, 2018, at 1.00 pm.

PRESENT:

Chair - Councillor Linda Curran

Councillors Charlie Hogarth, Nikki McDonald and Ian Pearson.

1 DECLARATIONS OF INTEREST, IF ANY

There were no declarations of interest made at the meeting.

2 MINUTES OF THE LICENSING SUB COMMITTEE MEETINGS HELD ON 6TH AND 8TH OF FEBRUARY, 2018

RESOLVED that the minutes of the Licensing Sub-Committee meetings held on 6th and 8th February 2018 be approved as a correct record and signed by the Chair.

3 APPLICATION FOR A NEW PREMISES LICENCE - BRASOV FOOD AND VEG, 87 NETHER HALL ROAD, DN1 2QA

The Sub-Committee considered an application for a new premises licence in respect of Brasov Food & Veg, 87 Nether Hall Road, Doncaster, DN1 2QA.

The application originally sought to permit the sale of alcohol from 09.00 to midnight, Monday to Sunday. To prevent a representation from South Yorkshire Police, the applicant had agreed to reduce the hours for licensable activity and to place additional conditions on the licence should it be granted. A summary of the application showing the amended hours and additional conditions was attached at Appendix B to the report.

Representations regarding the application had been received from two Responsible Authorities – Licensing & Public Health; copies of which were attached to the report at Appendix E.

The agreement between South Yorkshire Police and the Applicant, to accept additional conditions and to reduce the permitted hours for the sale of alcohol, was attached at Appendix F.

A copy of the application had been sent to each of the Responsible Authorities. Details of the application had been published on the Council's website.

The Sub-Committee Members, the Applicant and his Agent and the Responsible Authorities 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.

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

Andy Collins, Public Health Alcohol Co-ordinator and Daniel Weetman, Senior Environmental Health Practitioner, who had made written representations on behalf of the Responsible Authorities, were in attendance at the meeting and made representations in respect of their objections to the application and answered questions.

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

RESOLVED that the Licensing Sub-Committee having considered the application for a new Premises Licence for Brasov Food and Veg, 87 Nether Hall Road, Doncaster, DN1 2QA and having taken into account the written representations made and the evidence presented at the meeting, 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 to the report, together with the following conditions:-

- In addition to the conditions requested by the police detailed at pages 45 to 47 of the report:-
- The Shop shall be open and shall be able to sell alcohol from 9am to 11pm 7 days per week
- The CCTV shall be operated so as to ensure the till area and all areas displaying alcohol for sale are constantly monitored
- The CCTV to be in operation 24/7
- No wine above 15 % ABV to be sold at the premises
- No alcohol in miniatures to be sold at the premises
- All staff must be trained, to include but not limited to, the operation of the license at the premises upon induction and every 6 months thereafter must receive refresher training
- The alcohol sales at the Premises shall be no more than 20% of the total sales for the premises
- Alcohol offered for sale shall only be displayed in either:-
 - a display unit behind the till area of no larger than 6 foot by 5 foot, and
 - in a tall single larder fridge

The Sub-Committee made its decision for the following reasons:-

The Sub-Committee were concerned that the Application had not addressed the issues arising from the fact the premises is in a Cumulative impact zone. The Applicant confirmed he sought advice and guidance from the police and had agreed to the changes they required. In addition, the Applicant had offered additional conditions and he had demonstrated his understanding of the issues arising from the fact the premises is in a Cumulative impact zone. It was submitted and the Committee agreed that the Applicant is a responsible retailer as he has worked in the area and that the

establishment will be a convenience store with alcohol being a small percentage of the overall sales making it a local convenience and a benefit to the community. The Sub-Committee believes the conditions they have imposed ensures the establishment will not adversely impact the Cumulative Impact Policy and will therefore not undermine the licensing objectives.

CHAIR: _____

DATE: _____

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DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

FRIDAY, 16TH MARCH, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on FRIDAY, 16TH MARCH, 2018, at 9.30 am.

PRESENT:

Chair - Councillor Linda Curran

Councillors Iris Beech, John Gilliver and Martin Greenhalgh

1 To consider the extent , if any, to which the public and press are to be excluded from the meeting.

Whilst the report considered at Agenda Item 5 was not exempt, it contained a pack of exempt appendices which were not for publication under Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) (information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime).

2 Declarations of interest, if any.

There were no declarations made at the meeting.

3 Minutes of the meetings held on 12th and 14th February, 2018.

RESOLVED that the minutes of the meetings held on the 12 and 14 of February, 2018, be noted as a true record.

4 Application to review an existing premises licence for Windhill Convenience Store, 119 Hirst Gate, Mexborough, Doncaster, S64 0DY.

The Sub-Committee considered an application for a review of an existing premises licence in respect of Windhill Convenience Store, 119 Hurst Gate, Mexborough.

The review was brought before the Sub-Committee on the grounds of the Prevention of Crime and Disorder and Public Safety licensing objectives. A summary of the application was attached at Appendix B to the report.

Representations in support of the review had been received from South Yorkshire Police, a copy of which was attached at Appendix E of the report.

It was indicated that a copy of the application for the review had been given to the Premises Licence Holder and Responsible Authorities.

The Sub-Committee Members, the Premises Licence Holder and Responsible Authorities, had all received the agenda prior to the meeting.

The Sub-Committee noted that the Premises Licence Holder was not in the attendance at the meeting despite having had adequate notification of the hearing in the form of the initial application to review the licence, a notification outside the shop of the review, and the agenda papers. Furthermore, a phone call was also made at the meeting in order to try and determine the Premises Licence Holder's whereabouts. Therefore it was felt that it was in the public interest to allow the hearing to go ahead as the individuals concerned had been given ample opportunity and notice to attend and the process had been clear and transparent throughout.

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

The Chair and Members noted that there were no Members of the Public or Press present at the meeting and therefore:-

It was RESOLVED that as there was exempt information defined under Paragraph 7 (information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime) of Part of Schedule 12A of the Local Government Act 1972, (as amended) the meeting be held in private session.

Diane Terry and Stuart Jones, Senior Trading Standards Officer on behalf of Trading Standards, addressed the Sub-Committee, answered questions and made representations.

With the agreement of all parties, evidence from an independent third party, confirming that one of the products seized was illicit counterfeit tobacco, was circulated to all present at the meeting.

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

The Sub-Committee considered the application for a Review of the Premises Licence for Windhill Convenience Store, 119 Hirst Gate, Mexborough, Doncaster S64 0DY and have 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 and have decided to revoke the licence:

The Sub Committee have made the decision for the following reasons:-

- 1) The Sub-Committee believes that a packet of illicit tobacco was sold during a test purchase operation. We were shown the packet and we believe this is illicit. The Sub Committee believes that selling cigarettes that are not to the relevant standards puts the health of the public a risk not just from the tobacco but from the risk of fire. This undermines the Public Safety Licensing objective.
- 2) The Committee noted Trading Standards conducted an inspection of the premises. A large quantity of tobacco was found at the premises including some tobacco that was handed over by Morteza Feuji Sharemi who is one of the Premises License Holders. The Premises was subject to a further search 6 months later and more illicit tobacco was found at the Premises. This inspection

took place during the period of the Review Consultation. It was submitted and the Sub Committee believes that this shows consistent behaviour of storing illicit tobacco that the Premises License Holders would know is unlawful thereby undermining the Crime and Disorder Objective. Trading Standards have previously sent to the Premises in November 2015 a general letter of guidance which includes guidance on the sale of Tobacco. Further evidence has been obtained from the manufacturers of Amber Leaf Rolling Tobacco that the sample of the tobacco seized was found to be counterfeit.

- 3) During one of the inspections Trading Standards were told that the CCTV was not working which the Sub Committee notes is a breach of the licence conditions.
- 4) No one from the premises has attended the hearing despite being sent the Application and the Agenda for the hearing. The Committee believes they are not taking this matter seriously and the Committee further believes the Premises is trading irresponsibly thereby undermining the Licensing Objectives.
- 5) The Sub Committee note the Home Office Guidance and specifically para 11.27 and feel, as the premises are being used for the sale and storage of smuggled tobacco there are no measures that would be appropriate other than to revoke the license.

CHAIR: _____

DATE: _____

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Doncaster Council

Report

To the Chair and Members of the

LICENSING SUB-COMMITTEE

Licensing Act 2003 – Application for a Variation of an Existing Premises Licence.

The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY

EXECUTIVE SUMMARY

1. To request that members of the Sub-Committee determine the application for a variation to an existing premises licence in respect of The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY. The procedure for considering the application is set out at Appendix A.

RECOMMENDATIONS

2. 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

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

BACKGROUND

4. The premises concerned are currently licensed for the sale of alcohol, live music and recorded music: Sunday – Wednesday 11.00 – 23.00, Thursday 11.00 – 00.00, Friday & Saturday 11.00 – 01.00.
5. The application is for a variation to amend the plan of the premises, add Late Night Refreshment, extend the terminal hour for the sale of alcohol, live music and recorded music and add performance of dance Sunday – Wednesday, to allow the premises to open for non-licensable activities, to extend the closing times of the premises Sunday – Wednesday, to add non-standard timings and to amend or remove conditions.
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 and amended plan 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. Representations regarding the application have been received from a neighbouring resident and the Ward Councillors for the area where the premises are located. Copies of the representations are attached at Appendix E.
11. The premises licence, which shows the permitted licensable activities, conditions and plan, is reproduced at 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.
13. After the consultation period, prior to the hearing, the Licensing Authority received correspondence from the applicant's agent requesting that the application be amended (reduced). Details of the requested amendment are shown in the correspondence at Appendix G.

OPTIONS CONSIDERED

14. 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.
15. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
 - To modify the conditions of the licence.
 - To reject the whole or part of the application, and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

16.

	Outcomes	Implications
	Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and	It is recognised that licensed premises are, quite often, businesses and places of employment.

	<p>Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<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"> 1. Prevent crime and disorder 2. Prevent public nuisance 3. Public safety 4. Protection of children from harm
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<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>
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better <p>Learning in Doncaster prepares young people for the world of work</p>	<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>
	<p>Doncaster Caring: Our vision is for a borough that cares together</p>	<p>The Licensing Committee/Sub-Committee, subject to the general</p>

	<p>for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>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>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<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>

RISKS AND ASSUMPTIONS

17. There are no risks or assumptions other than those referred to in the Legal Implications below.

LEGAL IMPLICATIONS [Officer Initials HW Date 18/4/18]

18. 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:-

In considering an application, the committee must have regard to the 4 licensing objectives as referred to above and take into account of 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.

An appeal against the decision of the licensing authority may be made to the Magistrates' Court.

Legal advisors shall be present at the hearing to give specific legal advice.

FINANCIAL IMPLICATIONS [Officer R Taylor - Standard Implications Agreed 2/3/18]

19. 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 14/2/2018]

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

TECHNOLOGY IMPLICATIONS [Officer P Ward – Standard Implications Agreed 19/2/18]

21. 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.

HEALTH IMPLICATIONS [Officer R Suckling – Standard Implications Agreed 12/2/2018]

22. The Director of Public Health must be fully notified of applications and is entitled to make representations to the licensing authority in relation to the application for to the grant, variation or review of a premises licence. These representation must still be considered 'relevant' and relate to one or more of the licensing objectives.
23. Such representations can potentially be made on the grounds of all four licensing objectives. Perhaps the most obvious example is where drunkenness leads to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information will often be relevant to the public safety and crime and disorder objectives.
24. There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological wellbeing. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform representations about child protection matters. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under

18 years old with alcohol- related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

EQUALITY IMPLICATIONS [DDS 16/04/2018]

25. Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. There are no specific equality implications arising from this report. However, any activities arising from this report will need to be the subject of separate 'due regard' assessments.

CONSULTATION

26. Copies of the application form have been sent to all relevant Responsible Authorities referred to in Section 13 of the Licensing Act 2003. These are:

South Yorkshire Police

South Yorkshire Fire and Rescue Authority

Doncaster Council – Licensing Authority

Doncaster Council - Planning Services

Doncaster Council - Health & Safety Enforcement

Doncaster Council – Environmental Protection - Enforcement

Doncaster Council - Trading Standards

Doncaster Safeguarding Children Board

Doncaster Council - Public Health

Home Office - Immigration Enforcement

BACKGROUND PAPERS

27. Doncaster Council's Statement of Licensing Policy 2016
28. Home Office Guidance issued under section 182 of the Licensing Act

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PROCEDURE FOR CONSIDERING APPLICATIONS
DONCASTER METROPOLITAN BOROUGH COUNCIL
LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005
INFORMATION FOR APPLICANTS AND OTHER PARTIES

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>"interested parties"</i>	- those living or working in the vicinity of the premises and who have made representations, or bodies representing them
<i>"responsible authorities"</i>	- the public or other bodies described in the Act as "responsible authorities" and who have made representations

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.

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 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 private. Deliberations will take place in private 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.
- (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 in private. The Committee shall deliberate only in the company of its legal adviser. The function of the legal adviser shall be to advise the Committee on points of law and procedure only.
- (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, in either case, any appeal or judicial review).

Name of Applicant: Punch Partnerships (PTL) Limited

Name of Premises: The Harvey Arms

Address: Old Bawtry Road, Finningley, Doncaster, DN9 3BY

Summary of Application:

For full details please see copy of application and plans at Appendix D.

	Sale of Alcohol (On/Off).	Live Music. Recorded Music.	Opening Hours.	Performance of Dance.	Late Night Refreshment.
	Licensed area (see plan)	Indoors	Whole of Premises	Indoors	Indoors
Mon	11:00 - 00:00	11:00 - 00:00	08:00 - 00:30	11:00 - 00:00	23:00 - 00:00
Tues	11:00 - 00:00	11:00 - 00:00	08:00 - 00:30	11:00 - 00:00	23:00 - 00:00
Wed	11:00 - 00:00	11:00 - 00:00	08:00 - 00:30	11:00 - 00:00	23:00 - 00:00
Thur	11:00 - 00:00	11:00 - 00:00	08:00 - 00:30	-	23:00 - 00:00
Fri	11:00 - 01:00	11:00 - 01:00	08:00 - 01:30	-	23:00 - 01:00
Sat	11:00 - 01:00	11:00 - 01:00	08:00 - 01:30	-	23:00 - 01:00
Sun	11:00 - 00:00	11:00 - 00:00	08:00 - 00:30	11:00 - 00:00	23:00 - 00:00

Non Standard Timings:

All licensable activities

From the end of permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.
An additional hour to the terminal hour on the following notable days - St George's Day, St David's Day, St Patrick's day, St Andrew's day, Burns night, Valentines night, Halloween, and all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.

Existing Licence (for comparison):

	Sale of Alcohol (On/Off).	Live Music. Recorded Music.	Opening Hours.
	Licensed area (see plan)	Indoors	Whole of Premises
Mon	11:00 – 23:00	11:00 – 23:00	11:00 - 23:30
Tues	11:00 – 23:00	11:00 – 23:00	11:00 - 23:30
Wed	11:00 – 23:00	11:00 – 23:00	11:00 - 23:30
Thur	11:00 - 00:00	11:00 - 00:00	11:00 - 00:30
Fri	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sat	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sun	11:00 – 23:00	11:00 – 23:00	11:00 - 23:30

Non Standard Timings: None

Location Plan



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 (c) Copyright Geoinformation Group 1997, 2002, 2005 and 2007.



Doncaster
 Metropolitan Borough Council

Key :
 location of premises

Notes :
 Old Bawtry Road
 Finningley
 Doncaster
 DN9 3BY

Title :
 The Harvey Arms

Completed By :
 DSmith

Reference :
 WK/217027705

Date :
 16/04/2018

Scale :
 1:1,563

Application to vary a premises licence 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 Punch Partnerships (PTL) Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number PREM 921
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Harvey Arms 24 Old Bawtry Road Finningley			
Post Town	Doncaster	Postcode	DN9 3BY

Telephone number at premises	
Non-domestic rateable value of premises	£14,100.00

Part 2 - Applicant Details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Elsley Court 20-22 Great Titchfield Street		
Post Town	London	Postcode	W1W 8BE

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year
±	±	±

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 1)

Application is made to : -

- amend the Licensing plan in accordance with drawing number G18-6868 dated February 2018 which accompanies this application.
- add Late Night Refreshment from 23:00 until close daily.
- extend the terminal hour for the sale of alcohol Sunday to Wednesday to midnight.
- extend the terminal hour for live music, recorded music and performance of dance Sunday to Wednesday to midnight.
- allow the premises to open from 08:00 daily for non-licensable activities e.g. sale of tea, coffee, breakfast.
- extend the closing time for the premises Sunday to Wednesday to 00:30 hours.
- add non-standard timings.
- amend or remove those conditions in annex 2 which are considered no longer appropriate or necessary.

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| 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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" 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"/> |

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed					
Thur			<u>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</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
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 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 5)	
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	11:00	00:00			
Tue	11:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	11:00	00:00			
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.		
Fri					
Sat					
Sun	11:00	00:00			

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	00:00	<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	11:00	00:00			
Wed	11:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7) New Year's Eve – from the end of permitted hours on New Year's Eve to the start to permitted hours on New Year's Day. An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.		
Sat					
Sun	11:00	00:00			

G

Performances of dance			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	11:00	00:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	00:00			
Wed	11:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
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 7) New Year's Eve – from the end of permitted hours on New Year's Eve to the start to permitted hours on New Year's Day. An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.		
Sat					
Sun	11:00	00:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	23:00	00:00			
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
			New Year's Eve – from the end of permitted hours on New Year's Eve to the start to permitted hours on New Year's Day.		
Sat	23:00	01:00			
			An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.		
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur					
Fri					
Sat					
Sun	11:00	00:00	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 7) New Year's Eve – from the end of permitted hours on New Year's Eve to the start to permitted hours on New Year's Day. An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.		

K

<p>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 10)</p> <p>NONE</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	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 (please read guidance note 7) New Year's Eve – from the end of permitted hours on New Year's Eve to the start to permitted hours on New Year's Day. An additional hour is also requested to the terminal hour on the following notable days – St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, on all bank holidays and the Friday, Saturday and Sunday preceding all bank holiday Mondays, Maundy Thursday, Christmas Eve, Boxing Day, 27, 28, 29 and 30 December, Bonfire night and New Year's Day.
Wed	08:00	00:30	
Thur	08:00	00:30	
Fri	08:00	01:30	
Sat	08:00	01:30	
Sun	08:00	00:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 A copy of the current Premises Licence accompanies this application indicating those conditions to be amended/removed as they are no longer considered appropriate or necessary.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

We have not enclosed the original Premises Licence as this is currently with the Council in connection with a recent application to transfer the Premises Licence.

M- Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

This application may be amended during the application period to reflect any agreements that may be reached with the responsible authorities and interested parties. Considering the conditions already on this Licence no additional steps have been identified as necessary or appropriate to promote the four Licensing objectives as a result of the proposed variation.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee ; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	[Redacted]
Date	15.3.18
Capacity	solicitor

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Karen Cochrane Flint Bishop LLP St. Michael's Court St. Michael's Lane Derby DE1 3HQ	
Telephone number (if any)	██████████
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	
██████████	

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling

between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

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

- 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.
- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example 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.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 11. Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- 15. This is the address which we shall use to correspond with you about this application. to correspond with you about this application.

Annex 2 – Conditions consistent with your Operating Schedule

General

~~A 30 minute "drinking up" time will allow appropriate dispersal etc~~
In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed located which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

The Prevention of Crime & Disorder

Illumination is provided to the exterior areas of the pub
All interior trading areas are visible to staff from behind the bar servery
A rota system in place for checking the toilets/ toilets checked regularly
The licensee/ staff monitor customer behaviour especially during busy periods
Burglar alarm system in place, alarmed doors and windows/ secure windows
There always a minimum of two staff on duty at any one time
Drug awareness training
Drink Driving posters on site

Public Safety

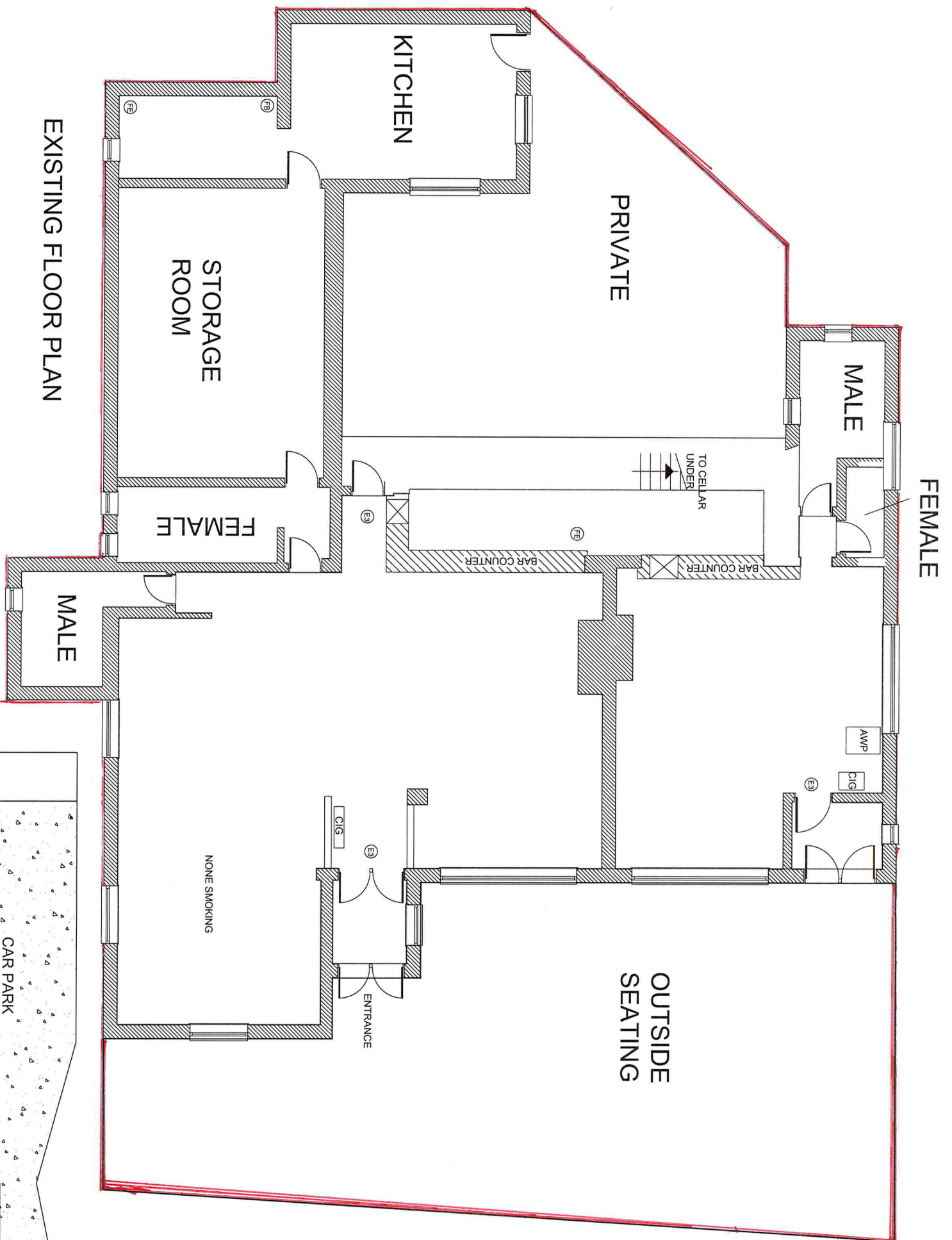
The pub has a first aider and first aid facilities
Accident/incident book on site for staff and public

The Prevention of Public Nuisance

A noise survey is carried out regularly especially when entertainment is being provided.
When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing
The Pub has lobbied entrance which reduces noise emission

The Protection of Children from Harm

~~AWP is positioned in sight of the bar counter
The AWP and Cigarette machine are adjacent to one another and in close proximity to the bar counter and therefore easily observed.~~



EXISTING FLOOR PLAN

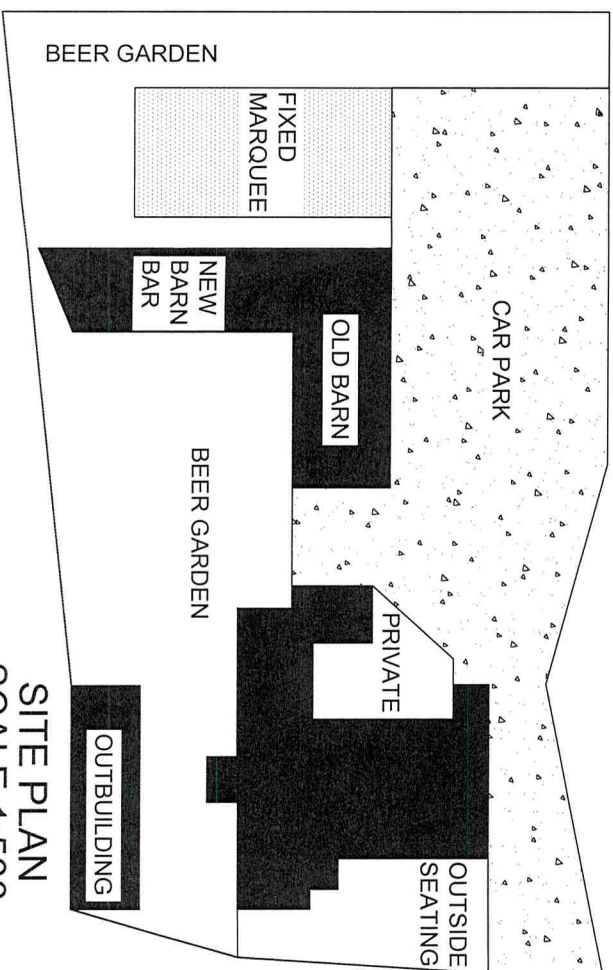
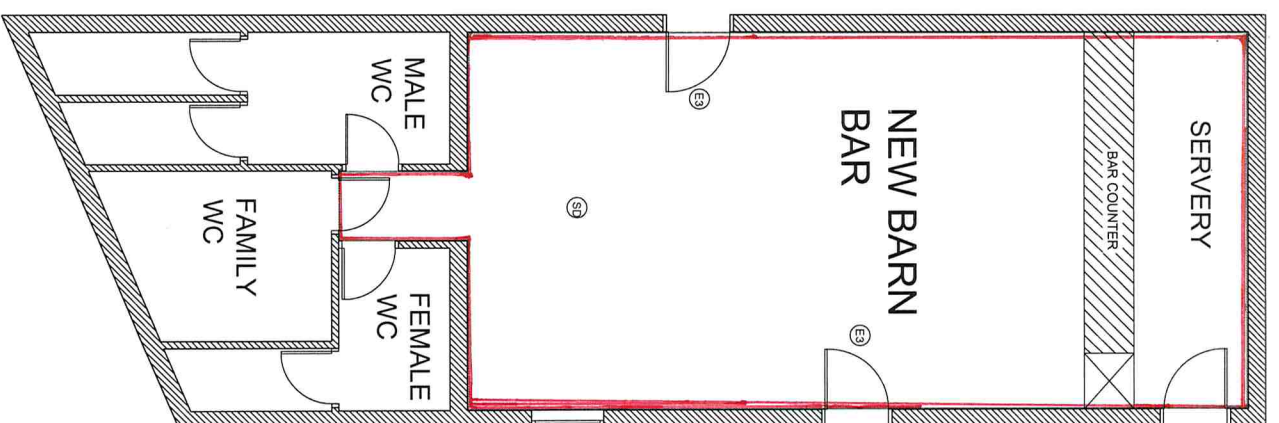
KEY

- Ⓟ FIRE BLANKET
- Ⓡ FIRE EXTINGUISHER
- Ⓢ ILLUMINATED EXIT SIGN WITH DIRECTIONAL ARROW
- Ⓣ SMOKE DETECTOR / ALARM
- Ⓤ CIGARETTE VENDING MACHINE
- Ⓡ CIG
- Ⓡ AMP
- FRUIT MACHINE

- LICENCED AREA
- CONSUMPTION OF ALCOHOL AREAS)

NOTES

EMERGENCY LIGHTING THROUGHOUT



SITE PLAN
SCALE 1:500

01A: Licensing plan update.
(C) Property of Romans Professional Services Limited

CLIENT
Punch Taverns

PROJECT
The Harvey Arms
Bawtry Road
Finningley
DN9 3BY

TITLE
Licence Plan Update



Twickenham, Middlesex
0208 843 8206

SCALE	DATE	PROJECT NO.
1:100 @ A3	FEB 18	G18-6868
DRAWN	CHECKED	
DB	DB	G18-6868 01A

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The Haybarn,
25 St Oswalds Drive,
Finningley,
Doncaster,
DN9 3EB,

and residents at a number of additional addresses in the Mells Trinity development at Finningley.

2 April 2018.

Dear Sir/ Madam,

Re: Harvey Arms, Finningley..... a) Application to vary Premises Licence, and
b) Marquee etc.

I write further to my visit to the offices of Doncaster M.B.C. on 29th March 2018, and my conversation there with Mr. Mark Sewell of the Planning Department. Two matters were discussed:

1. I enquired about a substantial marquee which had been erected adjacent to the Harvey Arms public house car park in 2017, and still remains there even though it appears that its existence has not been the subject of any application or notification to the Council. There is reason to believe that the marquee is not a permitted development, and Mr. Sewell informed me after looking at photographs of the locus that an investigation will now be commenced in order to 'get to the bottom' of what has been happening, and what is intended, regarding the existence and potential use of the marquee. In case it assists your investigation, I can provide photographs of the marquee, a copy of an email sent to me by one who has spoken with the landlady of the Harvey Arms about the marquee and the proposed use to which it might be put (presumably if permission is allowed for it to remain), and a note provided to her about dates this year and next when it is proposed by the public house that the marquee will be used for different functions. Please let me know if you wish to have sight of those papers at any time. My preliminary researches suggest that temporary use of land, which is not the same as temporary use of a marquee sited on such land, is not allowed for more than 28 days in total in any calendar year, and that total has already been exceeded in the year 2018. Your observations on this point would be welcomed with interest, especially as the public house apparently intends to continue using the marquee both this year and next. In fact, the marquee was used for its first function on the evening of 29th March 2018. Since then, I have spoken to all residents of this housing development who, like my wife and myself, were at home on that evening, and I am authorised by all to write to you in the following terms. The marquee, which is situated within a few metres of some local residents' homes, and next to garden fences of other residents' homes, was used for music throughout the evening, and the noise grew louder as the evening wore on. All residents at home were subject to that noise until 11 p.m., and the music could be heard in our homes through closed doors and closed triple glazed windows. Furthermore, 'disco lights' flashed red, green etc throughout the evening, and were readily visible in several homes. It must be noted that the locality includes not only adults, but children of school age and younger, as well as grandchildren who visit frequently, and such excessive noise was most unwelcome to the residents. At the end of the music, customers dispersed via the car park, and the noise of loud talking, car engines and the closing of car doors lasted for 15 minutes or so afterwards. The evening to which I have just referred was cold and rainy. Had the weather been different, and doors and windows been open on a fine evening, the noise would presumably have been even more noticeable. It is easy to foresee that residents in the locality will be unable to leave their homes because of noise if similar functions extend into open spaces on fine evenings, and such a consequence would be appalling in this

usually quiet residential area. There are also concerns that the marquee has seating and window spaces which allow persons to look into rooms of the neighbouring properties.

2. I mentioned to Mr. Sewell in our discussion that my wife and I had earlier that day walked by the Harvey Arms and for the first time we saw a copy Notice of Application for variation of Premises Licence, which was affixed to a window of the premises, and a copy of the Notice of Application was shown to Mr. Sewell. My fellow residents and I have a deep concern that the licence variation is being sought without the lawfulness of the planning position being considered first of all. Is the Notice of Application being made (wrongly)? on the assumption that the marquee and associated features will remain. My wife and I, together with the residents to whom I have spoken about this matter, all fail to understand what is behind the Notice of Application. We strongly feel that there is no need in the locality for extra hours of refreshment in this particular public house, or for further hours for music, selling alcohol, and so on. Once again, local residents feel that the Application, if granted, would have a detrimental impact on the lives of local residents because of extra noise at times when local residents will wish to be asleep, and the possibility of increased litter and anti-social behaviour in this usually quiet locality. As mentioned earlier, it is not clear whether the Notice of Application is linked to the supposed continued use of the marquee, and clarification of that point would be helpful. I ask that the licensing department links with the planning department and considers whether the licensing variation should be dealt with before the planning issue, or vice versa, or whether they will be dealt with at the same time. Please advise your thoughts on those points. I am just one of the people who can not understand why such extended hours, on days when local residents will usually be expecting to sleep on nights leading to work, school, and other duties, are being sought by the public house, which is never busy on the extra days being sought in the Application to Vary. It would be both helpful and interesting to know what the public house has in mind which has led to the Application under consideration in this letter. As written, the Notice of Application seems to be seeking facilities and extra hours suitable for a nightclub, and such facilities and extensions are not appropriate for premises surrounded by quality residential accommodation in a peaceful setting.

Finally, I have been informed that the matters raised in this letter and subsequent Council investigations will be dealt with on a confidential basis without release of names and addresses of those in whose names the issues are raised. Please confirm that my understanding is correct.

For the moment, I have nothing further to add. Please acknowledge receipt of this letter, which is intended for use by the planning department when considering the issues surrounding the marquee, and by the licensing department when considering issues surrounding the the Notice of Application.

Your early reply is awaited.

Yours faithfully,

Stephen Paramore, on behalf of self and other residents in the Mell (Builders) Ltd. Trinity development at St. Oswald's Drive, Finningley, Doncaster, DN9 3EB.?

From: Cox, Steve
Sent: 12 April 2018 17:54
To: Licensing (Ext E Mail Address)
Subject: Application. Wk/217027705

To whom it may concern.

We feel as ward councillors Steve Cox, Cllr Jane Cox, Cllr Richard Alan Jones. That we must object to the license application, WK/217027705.

The reasons we feel we need to object to this application.

We feel that under the licensing objectives.

- * prevention of crime and disorder
- * prevention of public nuisance
- * protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.

Our reasons for having this opinion is that we feel that the application to sell alcohol in the barn at the rear of the property is too close to residents.

The fixed marquee, although the applicant is not wanting to sell alcohol from and would be solely for the consumption of alcohol, entertainment. We feel it is too close to residents of the village. Our feeling is that events in the marquee would become loud and disrupt the lives of local residents.

Kind regards Steve, Jane and Alan.

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Doncaster Council

www.doncaster.gov.uk

Punch Partnerships (PTL) Limited

Elsley Court
20-22 Great Titchfield Street
London
United Kingdom
W1W 8BE

Contact: Licensing Office

Tel: (01302) 737590

E-mail: licensing@doncaster.gov.uk

Web: www.doncaster.gov.uk/licensing

Our Ref: LN/200401107

Your Ref:

Dear Licence holder,

**Premises Licence - PREM 921 LN/200401107 - Licensing Act 2003
The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY**

Please find enclosed the Premises Licence issued in respect of the above premises. Please take time to read the notes below and the licence attached in full.

- 1) The holder of the licence must ensure that the licence or a certified copy along with all the conditions applicable to the licence is kept at the licensed premises. The licence must be in the custody of the licence holder or with a person who works at the premises who has been nominated in writing by the licence holder to have custody of the licence.
- 2) The licence holder must ensure that the summary of the licence or a certified copy of the summary is prominently displayed at the premises.
- 3) Where the licence allows the sale of alcohol, no supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 4) The licence holder must notify this Authority, as soon as practicable, of any change in their name or address and, unless the designated premises supervisor (DPS) has already done so, the name and address of the DPS.
- 5) If you wish to transfer or vary the licence please contact this Authority or visit our website (details above).
- 6) The holder of the premises licence is required to pay an annual fee to Doncaster Council. The annual fee is linked to the rateable value of the premises and the current level of fee is available on request by contacting this office. The annual fee becomes due and payable each year on the anniversary of the date of grant of the licence. We will send you an invoice account when the annual fee becomes due. You should note that the licence is liable to suspension if the annual fee is not paid within 21 days of the due date.

The rateable value, premises band, date licence first issued, your client number and your contract number are shown below.

Rateable Value (£): B 4301- 33000
Premises Band: B
Date licence First Issued:
Client Number: [REDACTED]
Contract Number: [REDACTED]

If you believe any of these details to be incorrect you must contact us without delay.

- 7) The granting of this licence does not relieve the applicant of the need to ensure that the appropriate planning permission is in place. Furthermore, there are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours, the licence holder must observe the earlier closing time. Premises that operate in breach of their planning permission are liable to prosecution under planning law.
- 8) Where applicable, we have taken this opportunity to update the conditions on the licence and remove any conditions which we believe to be obsolete or a duplication of mandatory conditions or which duplicate other statutory requirements or duties or responsibilities placed on the employer by other legislation. If you believe that any of the removed conditions should remain on the licence then please contact us to discuss this further.
- 9) The 2003 Act provides special arrangements for the continuation of permissions under a premises licence when the holder of a licence dies suddenly, becomes bankrupt/insolvent/dissolved, mentally incapable, ceases to be entitled to work in the UK or the licence is surrendered. In the normal course of events, the licence would immediately lapse in such circumstances. The Act provides for the licence to be capable of being reinstated in a discrete period of time in certain circumstances. A person who may apply for the grant of a premises licence may apply within 28 consecutive days of the lapse for the transfer of the licence to them with immediate effect pending the determination of the application. This will result in the licence being reinstated from the point at which the transfer application was received by the licensing authority.

Please note that the above list is not exhaustive and if you wish to discuss any other matter please do not hesitate to contact us.

Yours Sincerely

P Williams

Paul Williams
Business Safety and Licensing Manager

CONTROL OF COUNTERFEIT AND ILLICIT PRODUCTS

A targeted multi-agency campaign is being undertaken to reduce the prevalence of illicit alcohol and tobacco available in some retail premises throughout South Yorkshire. All retailers must ensure that all alcohol and tobacco products are purchased from legitimate sources. In particular, retailers must ensure that all purchases are accompanied by invoices which state the supplier's full company details for traceability purposes including being able to demonstrate that the correct excise duty has been paid. **It is an offence to keep smuggled goods on licensed premises and your licence is at risk if inspectors find such products on your premises.**

DO YOU BUY ALCOHOL FOR ONWARD SALE OR SUPPLY FROM A UK WHOLESALER?

From 1 April 2017 it is an offence to buy alcohol for onward sale or supply from an unapproved UK wholesaler.

The Alcohol Wholesale Registration Scheme (AWRS) was introduced to help HM Revenue and Customs (HMRC) tackle alcohol fraud.

Any business buying alcohol from a UK wholesaler for onward sale or supply to their customers will need to check that their wholesaler has been approved by HMRC under AWRS.

You can check your UK wholesaler is AWRS approved by using the alcohol wholesalers register online at www.gov.uk/check-alcohol-wholesaler-registration. You will need your wholesalers unique reference number (URN), which should be displayed on their invoice. Speak to your wholesaler if you can't find their URN.

Once you find your wholesaler on the register, keep a record of your check by printing off or saving the page to confirm that they are approved. HMRC may ask you for those details at a later date.

If you are unable to find your wholesaler on the register, tell them that they need to contact HMRC for approval. You should not buy alcohol from them and should notify HMRC by searching for Customs, Excise and VAT fraud reporting on GOV.UK.

Any business found buying alcohol from a non-registered UK wholesaler could have their alcohol stock seized, be fined or even prosecuted.

For more information, go to GOV.UK and search for the Alcohol Wholesaler Registration Scheme.

Don't get caught short.



Doncaster Council

LICENSING ACT 2003
Section 24

Premises Licence

Doncaster Metropolitan Borough Council
Licensing Section
Civic Office
Waterdale
Doncaster DN1 3BU

Premises licence number

PREM 921 LN/200401107

Part 1 – Premises details

Postal address of premises or, if none Ordnance Survey map reference or description

The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY

Telephone number:

Where the licence is time limited – the dates

Licensable activities authorised by the licence

Sale of Alcohol (On/Off)
Live Music
Recorded Music
Opening Hours

The times the licence authorises the carrying out of licensable activities, their permitted locations and the opening hours of the premises are as follows:

	Sale of Alcohol (On/Off).	Live Music. Recorded Music.	Opening Hours.
	Licensed area (see plan)	Indoors	Whole of Premises
Mon	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Tues	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Wed	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Thur	11:00 - 00:00	11:00 - 00:00	11:00 - 00:30
Fri	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sat	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sun	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30

Non-Standard Timings:

None

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

Sale by retail of alcohol for consumption ON/OFF the premises.

Part 2



Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Punch Partnerships (PTL) Limited Elsley Court 20-22 Great Titchfield Street London United Kingdom W1W 8BE	Telephone Number: Email:
--	---


Registered number of holder, for example company number, charity number (where applicable)

Registered Number: 03512363

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Sandra Kennedy, 	Telephone Number: 
---	--

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale of alcohol:

 Doncaster Council
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*Annex 1 – Mandatory Conditions***Mandatory conditions where licence authorises supply of alcohol**

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

Note: Conditions 3,4, and 6 apply where the licence authorises the consumption of alcohol on the premises (see Part 1).

- 1) No supply of alcohol may 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) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor 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.
- (3) 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.
- 6) The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
 (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 (iii) still wine in a glass: 125ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 7) 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Mandatory condition: exhibition of films

- 1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- 2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- 3) Where-
 - a) the film classification body is not specified in the licence, or
 - b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question.

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

- 4) In this section-
 “children” means persons aged under 18;
 and
 “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c30) (authority to determine suitability of video works for classification).

Prohibited Conditions: plays

- 1) In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
- 2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

Mandatory Condition: door supervisor

- 1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- 2) But nothing in subsection (1) requires such a condition to be imposed-
 a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films), or
 b) in respect of premises in relation to-
 (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- 3) for the purpose of this section-
 a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 b) paragraph 8(A5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with your Operating Schedule

General

A 30 minute "drinking up" time will allow appropriate dispersal etc

In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed located which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

The Prevention of Crime & Disorder

Illumination is provided to the exterior areas of the pub

All interior trading areas are visible to staff from behind the bar servery

A rota system in place for checking the toilets/ toilets checked regularly

The licensee/ staff monitor customer behaviour especially during busy periods

Burglar alarm system in place, alarmed doors and windows/ secure windows

There always a minimum of two staff on duty at any one time

Drug awareness training

Drink Driving posters on site

Public Safety

The pub has a first aider and first aid facilities

Accident/incident book on site for staff and public

The Prevention of Public Nuisance

A noise survey is carried out regularly especially when entertainment is being provided.

When required, staff organise taxis to transport customers home and customers are seen off the premises and encouraged to disperse at closing

The Pub has lobbied entrance which reduces noise emission

The Protection of Children from Harm

AWP is positioned in sight of the bar counter

The AWP and Cigarette machine are adjacent to one another and in close proximity to the bar counter and therefore easily observed.

Annex 3 – Conditions attached after hearing by the Licensing Authority

Annex 4 – Plans

See attached plan



**Doncaster
Council**

www.doncaster.gov.uk

LICENSING ACT 2003 - Section 24

Premises Licence Summary

Doncaster Metropolitan Borough Council,
Business Safety and Licensing, Civic Office, Waterdale, Doncaster DN1 3BU

Premises licence number **PREM 921 LN/200401107**

Premises details

Postal address of premises or, if none Ordnance Survey map reference or description:

The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY

Telephone number:

Where the licence is time limited – the dates:

Licensable activities authorised by the licence:

Sale of Alcohol (On/Off)
Live Music
Recorded Music
Opening Hours

Name, (registered) address of holder of premises licence:

Punch Partnerships (PTL) Limited
Elsley Court, 20-22 Great Titchfield Street, London, United Kingdom, W1W 8BE

Registered number of holder, for example company number, charity number (where applicable)

Registered Number: 03512363

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Sandra Kennedy

State whether access to the premises by children is restricted or prohibited:

Children Restricted

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

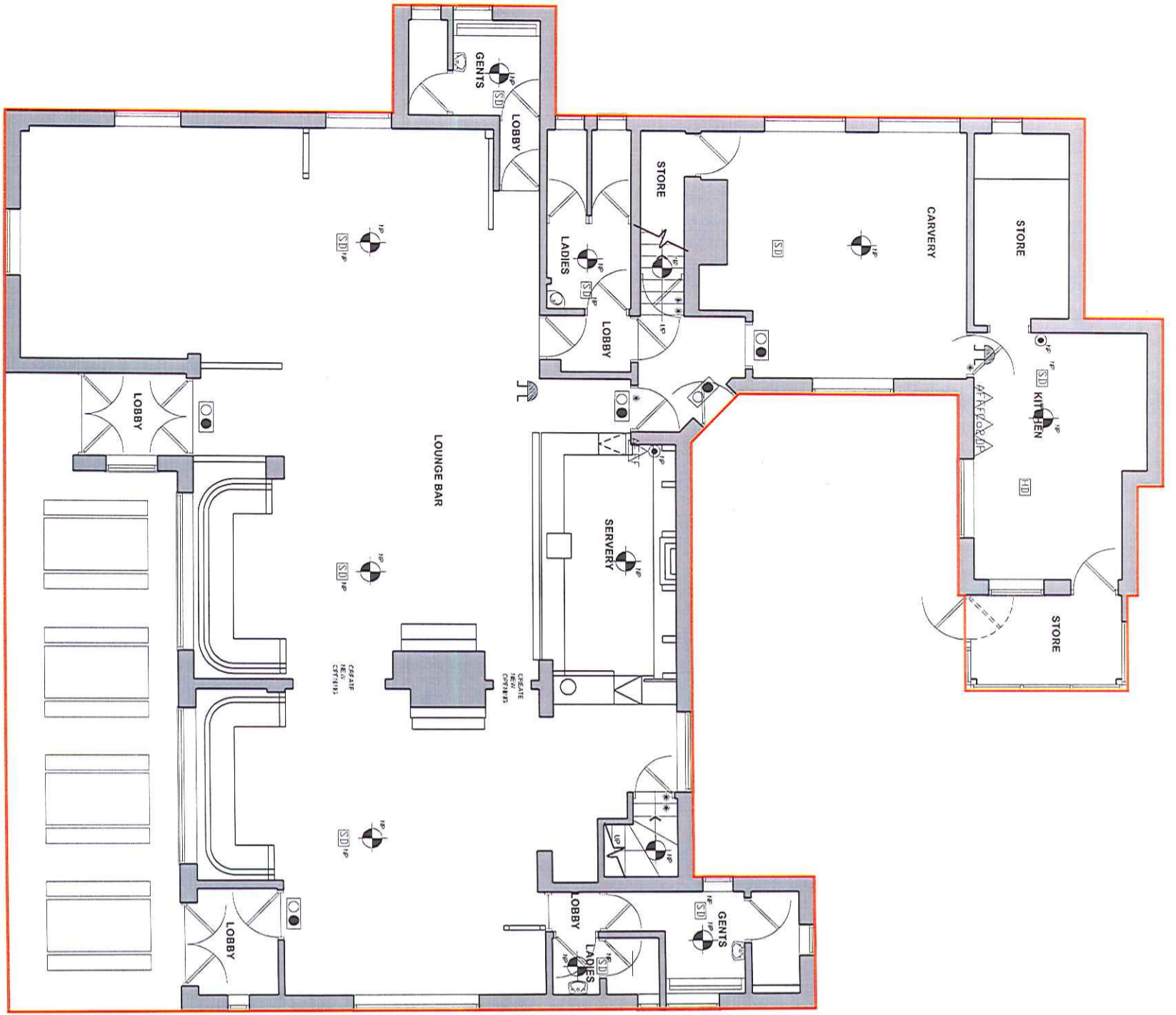
Sale by retail of alcohol for consumption ON/OFF the premises.

The times the licence authorises the carrying out of licensable activities, their permitted locations and the opening hours of the premises are as follows:

	Sale of Alcohol (On/Off).	Live Music. Recorded Music.	Opening Hours.
	Licensed area (see plan)	Indoors	Whole of Premises
Mon	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Tues	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Wed	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30
Thur	11:00 - 00:00	11:00 - 00:00	11:00 - 00:30
Fri	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sat	11:00 - 01:00	11:00 - 01:00	11:00 - 01:30
Sun	11:00 - 23:00	11:00 - 23:00	11:00 - 23:30

Non-Standard Timings:

None



GROUND FLOOR PLAN
AS PROPOSED

LEGEND :-

- IP INDICATES NEW POINT
- ILLUMINATED EXIT SIGN
- EMERGENCY LIGHT
- COMBINED SMOKE DETECTOR / SOUNDER - FULLY AUTOMATIC
- BREAK GLASS FIRE ALARM CALL POINT
- ELECTRONIC FIRE ALARM SOUNDER (24V DC)
- IONISATION SMOKE DETECTOR
- HEAT DETECTOR
- AFFF EXTINGUISHER - 6 LITRE CAPACITY
- CO2 EXTINGUISHER - 2 KG CAPACITY
- DRY POWDER EXTINGUISHER - 2.25 KG OR 4.5 KG CAPACITY
- WATER EXTINGUISHER - 9 LITRE CAPACITY
- FIRE BLANKET - 1.2M X 1.2M
- HALF HOUR FIRE RESISTING SELF-CLOSING DOOR & FRAME, WITH COMBINED INTUMESCENT FIRE & SMOKE SEALS
- DOOR TO HAVE FIRE DOOR - KEEP SHUT
- NOTICES TO BOTH SIDES UNLESS OTHERWISE INDICATED
- ONE HOUR FIRE RESISTING DOOR & FRAME, WITH COMBINED INTUMESCENT FIRE & SMOKE SEALS, DOOR TO HAVE FIRE DOOR - KEEP LOCKED NOTICE TO EXTERNAL FACE UNLESS OTHERWISE INDICATED
- **
- RED LINE INDICATES PERIMETER OF LICENSED AREA

PERSON BY DESIGN
A design work and/or drawing produced for the purpose of providing information to the Building Control Authority (BCA) for the purpose of obtaining a licence for the premises to be used as a licensed premises.
NOTE TO ALL CONTRACTORS:
The design work and/or drawing is the property of the design team and is not to be used for any other purpose without the written consent of the design team.
This design work and/or drawing is provided for your information only and is not to be used for any other purpose without the written consent of the design team.
The design work and/or drawing is provided for your information only and is not to be used for any other purpose without the written consent of the design team.
The design work and/or drawing is provided for your information only and is not to be used for any other purpose without the written consent of the design team.
The design work and/or drawing is provided for your information only and is not to be used for any other purpose without the written consent of the design team.

24.11.11 PERMITTER OF LICENSING APPLICATION
JAS

BY DESIGN
PUNCH PARTNERSHIPS
HARVEY ARMS
DONCASTER

PROPOSED PREMISES
APPLICATION

Scale: 1:100 @ A3 / Drawing No: 1:50 @ A1
Date: NOV '11
Drawing: 2642/03
Revision: A

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From: George Domleo [mailto:George.Domleo@flintbishop.co.uk]
Sent: 23 April 2018 15:21
To: 'David.Smith@doncaster.gov.uk'
Cc: Licensing (Ext E Mail Address)
Subject: RE: The Harvey Arms - Doncaster

Dear David

Further to my email below, I have now taken our client's instructions on this matter and we wish to amend the application by removing the following proposed changes:-

- Add late night refreshment from 23:00 until close seven days a week
- Extend the terminal hour for the sale of alcohol on Sunday to Wednesday to midnight
- Extend the terminal hour for live music and recorded music on Sunday to Wednesday to midnight
- Add performance of dance on Sunday to Wednesday
- Extend the closing time for the premises on Sunday to Wednesday to 00:30 hours
- Add non-standard timings

This will leave our application as follows:-

- Amend the plan in accordance with the drawing accompanied to our application to licence the barn
- Allow the premises to open from 08:00 daily for non-licensable activities e.g. sale of tea, coffee and breakfast
- Amend or remove certain conditions under Annex 2 of Premises Licence

Could you please acknowledge the amendments to our application.

I will shortly be writing to the objectors advising them of the changes being made and providing them with more background information to our application and asking them to withdraw their representations. I will provide you with copies of this correspondence.

I look forward to hearing from you.

Kind regards

George

George Domleo
Solicitor

 **Flint Bishop LLP** St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ
 George.Domleo@flintbishop.co.uk
 01332 226192 ext: 258



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