

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY, 31ST JULY, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE on TUESDAY, 31ST JULY, 2018, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Steve Cox, 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 meeting held on the 4th July, 2018

RESOLVED that the minutes of the Licensing Sub-Committee held on 4th July, 2018, be agreed as a true record and signed by the Chair.

3 Application for a New Premises Licence - The Barn, Loversall Farm, Bubup Hill, Loversall, Doncaster, DN11 9DD

The Sub-Committee considered an application for a new Premises Licence in respect of The Barn, Loversall Farm, Bubup Hill, Loversall, Doncaster, DN11 9DD. The procedure for considering the application was set out in Appendix A.

The Sub-Committee Members, the Applicant, the Applicant's representative, persons making representations and Responsible Authorities had received the agenda prior to the meeting.

Subsequent to the dispatch of the agenda papers, additional information regarding the Application in relation to amended plans, opening hours, additional Conditions and removal of Conditions obtained following discussions between the Applicant and one of the persons making representations, and further proposed Conditions submitted by Loversall Parish Council, had been circulated to Members of the Sub-Committee, the Applicant, the representative acting on behalf of the Applicant, persons making representations and Responsible Authorities prior to the commencement of the hearing.

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

Paul Williams, Business Safety and Licensing Manager, introduced the report and outlined the salient points.

The Applicant, Mrs Stephanie Lee and a representative acting on behalf of the Applicant, Mr Steve Butler, were in attendance at the meeting, made representations and answered questions.

A person who had made a representation, Mr Keith Wilson, Chair of Loversall Parish Council, which had made written representations, was in attendance at the meeting and made representations in respect of the Parish Council's objections.

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 considered the application for a new Premises Licence for The Barn, Loversall Farm, Bubup Hill, Loversall, Doncaster, and having taken into account the written representations made and the evidence presented at the meeting, the steps that were appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

The Applicant had submitted that the premises had operated as an events venue for 4 years successfully, operating via Temporary Event Notices. It was stated that a number of Conditions had been agreed with the owners of the Day Nursery so that the licensable activity i.e. the sale of alcohol, would only take place after the Nursery had closed; the owners of the Nursery had previously made an objection to the Application.

One of the parties who had made a representation, Mr Keith Wilson from Loversall Parish Council, addressed the Sub-Committee, stating that not all of the problems could be attributed to the Applicant, but he felt that there were concerns amongst residents, particularly as Loversall was a Conservation Area. It was felt by residents that the Barn was a 'bad fit' in the village. Mr Wilson said at one time, there was never any for sale signs in the village, but now there were 6. Also, whilst Mr Wilson could not hear music from his property, he had heard music from one of the complainants' property.

Mr Wilson presented a number of Conditions that the Parish Council wanted the Sub-Committee to consider. The Sub-Committee questioned some of the Conditions on the basis that it felt it could not impose because it did not come within the remit of the Sub-Committee.

The Sub-Committee decided to Grant the licence in the terms set out in Appendix AD1.

The Sub-Committee felt that the Conditions agreed at Appendix AD1, promoted all of the Licensing Objectives. The Sub-Committee welcomed the presentation made by Mr Wilson and appreciated his fairness to the Applicant whilst making a detailed argument on behalf of the Parish Council and residents. However, there was very limited evidence of problems that could be attributed to the Applicant. The Environmental Health Department had not made any representations about noise and rubbish, and later confirmed that only 3 complaints had been received which could not be substantiated. In terms of the Conditions put forward by the Parish Council, these were felt to be unreasonable and/or unenforceable or beyond the remit of both the Sub-Committee and the Applicant.

CHAIR:_____

DATE:_____