

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY, 27TH NOVEMBER, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER - CIVIC OFFICE on TUESDAY, 27TH NOVEMBER, 2018, at 10.00 am.

PRESENT:

Chair - Councillor Linda Curran

Councillors Neil Gethin, Nikki McDonald and Ian Pearson.

APOLOGIES:

Apologies for absence were received from Councillors

1 Declarations of interest, if any.

There were no declarations of interest made at the meeting.

2 Licensing Act 2003 - Application for a New Premises Licence - Man Cave, Rear of 98 Gattison Lane, New Rossington, Doncaster, DN11 0NR

The Sub-Committee considered an application for a new premises licence in respect of Man Cave, Rear of 98 Gattison Lane, New Rossington, Doncaster, DN11 0NR. The procedure for considering the application was set out in Appendix A.

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

Subsequent to the dispatch of the agenda papers, additional information from the Applicant's representative was circulated to Members of the Sub-Committee and the Responsible Authorities representative, prior to the commencement of the hearing.

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

The Licensing Officer introduced the report and outlined the salient points.

The Applicant and the representative acting on behalf of the Applicant, were in attendance at the meeting, made representations 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 Man Cave, Rear of 98 Gattison Lane, New Rossington, Doncaster, DN11 0NR, 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, decided to grant the Licence in the terms set out in Appendix B, subject to the following Condition:-

1. A maximum of 10 people, including staff to be in the premises at any one time.

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

The Applicant is an experienced licence holder. The Premises are to be a hairdresser/barber and offering beauty treatments, and want to be able to sell alcohol to customers to drink whilst having treatments and to take alcohol home. The Applicant will be offering packages of treatments to include a drink as well as allowing drinks to be purchased separately. The Sub-Committee noted that the CCTV will be in operation covering the whole of the premises.

The Applicant stated they have deliberately not asked for any other licensable activities than the sale of alcohol to minimise any noise nuisance. The Applicant does not intend to be open until 10pm every night but rather anticipate the normal hours will be 9am to 4pm from Tuesday to Saturday. The Applicant is asking for these hours to allow the option to be open later and on a Sunday and Monday. The Sub-Committee noted the premises is open from 8am, but the Applicant made it clear that no alcohol would be sold until 9am.

The Applicant submits the Premises are in a row of shops and there is at least one premises who has a Premises Licence which permits late night refreshment after 11pm. The Applicant suggests that this would cause more noise and foot fall. The Sub-Committee does not agree that the location of the premises is similar to the other shops in the area. The Applicant suggest there will be little or no nuisance, but the Sub-Committee noted that as they are not open, the local residents may not yet be able to assess the potential impact. The Applicant has dealt with this by the petition where the neighbours to the premises were canvassed and the Applicant has stated this supports the Application. The Sub-Committee has noted the petition and those who have signed the same, but regard as of more weight the fact that there has been no objection to this application from any residents. The Applicant says that his intention is that noise will not be an issue and despite initially stating 25 patrons could be in the premises, he clarified to the Sub-Committee that 10 people including staff, would be the maximum. The Sub-Committee agreed and has dealt with this by way of a condition.

The Applicant says that regarding planning, there was a mistake with the planning application and they have been in correspondence with Planning about changing the hours and days. The Applicant has yet to put in the formal variation. Planning confirmed there have been discussions about changing the hours and days with Environmental Health who would be open to a later opening hour of 6pm, but there would be concerns for later times. The Sub-Committee was asked to note Environmental Health has

not made any representations in relation to this premises licence application which the Sub-Committee regards as relevant.

The Planning Authority confirmed the Planning permission allows A1 which does include hairdresser/barber and the conditions imposed were as they asked for which were Monday to Friday 9am to 5pm. The premises are accessed by a ginnel and the Licensing Authority are being asked to consider the issue of Public Nuisance caused by the serving of alcohol and are asked to note the potential for noise from this premises. Planning suggested that this premises location is different to the shop fronts. The Sub-Committee agreed that this location is different in that it is closer to residential premises. The Planning Authority say there is a potential for the loss of amenity of the additional comings and goings in a confined area. The Sub-Committee have noted the conditions on the operating schedule where by signs will be displayed in the premises asking customers to behave in an orderly manner and to leave the premises quietly. The Sub-Committee believes these conditions ensure the licensing objectives are met.

The Sub-Committee believes that the Application together with the condition it has imposed ensures the licensing objectives are promoted.

CHAIR: _____

DATE: _____