



Doncaster Council

Agenda

To all Members of the

LICENSING SUB-COMMITTEE

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

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

Date: Thursday, 19th December, 2019

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 Licensing Sub-Committee Meetings held on 14th and 19th November, 2019. 1 - 6
- A. Reports where the Public and Press may not be excluded.**
5. Application for a New Premises Licence for Duncroft Garage, Broadway, Duncroft, Doncaster DN7 4HU. 7 - 42
(Appendix E to the report is not for publication as it contains personal information protected by Data Protection Legislation, not required to be published in accordance with the Licensing Act 2003).

Damian Allen
Chief Executive

Issued on: Wednesday, 11th December, 2019

Governance Services Officer for this meeting

Sarah Maxfield
Tel. 01302 736723

Members of the Licensing Sub-Committee

Chair – Councillor Iris Beech

Councillors Charlie Hogarth, Martin Greenhalgh and David Nevett.

Public Document Pack Agenda Item 4

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

THURSDAY, 14TH NOVEMBER, 2019

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on THURSDAY, 14TH NOVEMBER, 2019, at 1.30 pm.

PRESENT:

Chair - Councillor Iris Beech

Councillors Duncan Anderson, Steve Cox and John Gilliver

1 Declarations of interest, if any.

There were no declarations made at the meeting.

2 Minutes of the Meeting held on 8th February, 2019

RESOLVED that the minutes of the Licensing Sub-Committee Meeting held on 8th February, 2019, be approved as a correct record and signed by the Chair.

3 Application for a premises licence - Mexborough Civic Hall, Public Hall, Bank Street, Mexborough, Doncaster S64 9LL.

The Committee considered an application for a new premises licence for the Mexborough Civic Hall, Bank Street, Mexborough, S64 9LL.

The application was brought before the Committee due to the number of representations made by local residents and businesses with concerns to the four licencing objectives.

The Sub-Committee Members, the Applicant and the Objectors making representations had received the Agenda Papers prior to the meeting.

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

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

The Applicants, Callum Jones, Edward Jones and Angela Jones, all of whom were Directors of CeeJays Bars, addressed the Committee and outlined the key points, and answered questions.

The Objectors, Mr Ahmed, Mr Udin, and Mr and Mrs Scott outlined their concerns and objections to the application, and answered questions from the Committee.

All parties were then asked to leave the room whilst the Sub-Committee deliberated on the application. In order to ensure that they made an informed decision, the Committee invited all parties back into the Chamber to question the applicant further on the application.

All parties were asked to leave the room for the final time whilst the Sub-Committee deliberated on the application and reached their decision.

RESOLVED that having considered the application for a Premises Licence for Mexborough Civic Hall, Public Hall, Bank Street, Mexborough and having taken into account the written representations made and the evidence presented, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Statement of Licensing Policy, the Committee have decided to grant the licence in the terms set out in Appendix B as amended subject to following condition:-

There be sound and vibration mitigation measures sufficient that both be imperceptible to both upstairs neighbours, and from outside the building.

The Committee have noted that the application has already been amended by agreeing to conditions requested by the Police, which mitigated some of the issues raised by the objectors.

There were still concerns that there would be noise from the Premises from patrons leaving. The Applicant clarified the procedure they followed when visitors arrive and leave which was for the main entrance to be at the back of the Premises. Other entrances/exits were for emergency use only. The Committee believed this would minimise noise disruption. Noise emanating from the Premises was also been raised as an issue. In this regard the Applicant stated the premises would have the benefit of sound proofing and confirmed that if it did not, they would ensure that the Premises was adequately sound proofed. The Committee agreed this was an important consideration and had dealt with this by way of a condition on the licence.

The Committee acknowledged the Applicant had a good understanding of the licensing objectives.

The Objectors spoke very passionately about the levels of Anti-Social Behaviour (ASB) that were in the area. The Committee believed that the conditions that were on the licence would mitigate these issues.

The Committee were disappointed that currently there was no disability access but were encouraged that this was something the Applicant was looking to correct.

The Committee therefore believed that the Application together with the agreed conditions would ensure the licensing objectives were promoted.

CHAIR: _____

DATE: _____

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

TUESDAY, 19TH NOVEMBER, 2019

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER - CIVIC OFFICE, on TUESDAY, 19TH NOVEMBER, 2019, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Bev Chapman, Nikki McDonald and Ian Pearson.

1 Declarations of interest, if any

There were no declarations made at the meeting.

2 Application for a premises licence - Food Plus, 54-56 Hexthorpe Road, Hexthorpe, Doncaster, DN4 0BD

The Sub-Committee considered an application for a new Premises Licence for 'Food Plus', 54-56 Hexthorpe Road, Hexthorpe, Doncaster, DN4 0BD.

The application was brought before the Sub-Committee, due to representations from neighbouring businesses, with concerns in relation to one or more of the four key licensing objectives.

The Sub-Committee Members, the Premises Licence Holder, the Agent acting on behalf of the Premises Licence Holder and the Objectors making representations had received the Agenda Papers prior to the meeting.

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, Kamila Chmielewska, and the Agent, Frank Fender acting on behalf of the Applicant, addressed the Sub-Committee and outlined the key points, and answered questions.

The objectors who had made written representations were not in attendance at the meeting.

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

RESOLVED that having considered the application for a new Premises Licence for 'Food Plus', 54-56 Hexthorpe Road, Hexthorpe, Doncaster, and having taken into account the written representations made and the evidence presented, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Statement of Licensing Policy, the Sub-Committee has

decided to grant the Licence in the terms set out in Appendix B, as amended, subject to the following Conditions:-

1. All areas to which the public have access to be covered by CCTV. Cameras to specifically cover areas where the alcohol is displayed and sold. A split screen monitor to be used.
2. That all tills show an electronic prompt for the retailer to check for challenge 25 when alcohol is sold.

The application is for a shop which is not open yet as it is being refurbished and it will be mainly selling Eastern European products, and some alcohol to compliment the products. It was stated that the ratio would be 10% alcohol. The Sub-Committee notes that the Applicant holds a personal licence and has experience in running a shop. The Sub-Committee note the Applicant confirms she has engaged with the Police and the application was tailored to deal with issues raised.

The Sub-Committee noted the conditions already on the Licence in relation to CCTV and noted that when asked, the Applicant confirmed that the areas of the premises accessible to the public, would be covered with CCTV with a fixed camera on all locations where alcohol was on display or for sale. The Sub-Committee also noted that the Applicant would monitor the CCTV with a split screen. The Sub-Committee agrees these are important and has dealt with this by way of Condition.

The Sub-Committee noted that the Applicant will have 3 members of staff in addition to the Applicant.

The Applicant submitted that the 2 representations are both shops suggesting it is relevant that the Police have not put in a representation. Further, the representation mentions the need for another Licence. It was submitted that the question of need was not relevant. There is also mention of escalating Anti-Social Behaviour (ASB). No evidence of this has been given by the representations and the Applicant submitted that if there were issues, then the Police and others would have made a representation. The Sub-Committee agrees that need is of no relevance to this Sub-Committee, but do not accept that there is no ASB in the area, and that this is a matter that impacts on the Licensing Objectives. The Sub-Committee noted the Applicant stated that good relations with the Police and PCSOs (Police Community Support Officers) was important to deal with ASB. The Sub-Committee entirely agrees.

The Applicant also submits the representations are based on business rivalry and this is an irrelevant consideration, and very little weight if any, should be given to this. As the representation again mentions need, the Sub-Committee agrees this is irrelevant and has given no weight to this element. There is an allegation that illegal cigarettes will be sold from these premises. The Sub-Committee has attached no weight to this as there is no evidence this will take place, and note the premises' is not yet open.

The Sub-Committee also noted that the Applicant stated it was easy to insert the relevant till prompts to ensure that a reminder to use Challenge 25, was asked on each occasion alcohol was sold. The Sub-Committee believes this helps to ensure alcohol is not sold to underage persons, and have dealt with this by way of a Condition.

The Sub-Committee believes the application, together with the Conditions imposed, will ensure the Licensing Objectives are promoted.

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 New Premises Licence.

Dunscroft Garage, Broadway, Dunscroft, Doncaster, DN7 4HU

EXECUTIVE SUMMARY

1. To request that members of the Sub-Committee determine the application for a new premises licence in respect of Dunscroft Garage, Broadway, Dunscroft, Doncaster, DN7 4HU. 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.

EXEMPT REPORT

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

BACKGROUND

5. The application is for a new premises licence to permit the sale of alcohol for consumption off the premises.
6. In order to prevent a representation from South Yorkshire Police, the applicant has agreed for additional conditions to be placed on the licence should it be granted. A summary of the application and the agreed conditions, is attached as Appendix B to this report.

7. A location plan of the premises is attached at Appendix C.
8. A copy of the application is attached at Appendix D.
9. Under the Licensing Act 2003, statutory guidance issued under section 182 of the Act and the Licensing Authority's statement of Licensing Policy, any licensing application under the Act in respect of which representations have been made to the Licensing Authority and which have not been withdrawn or resolved by mediation fall to be determined by the Licensing Sub-Committee having regard to the evidence before it.
10. A relevant representation regarding the application has been received from three nearby residents which relate to one or more of the four licensing objectives. The representation, which does not form part of the public report, but as required by law, has been provided to the applicant and to the members of the Licensing Sub-Committee as Appendix E.
11. The applicant has indicated that a copy of the application was sent to the Responsible Authorities. Details of the application have been published on the Council website.

OPTIONS CONSIDERED

12. 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.
13. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
 - Grant the licence subject to conditions which are consistent to the operating schedule, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and those conditions which are mandatory.
 - To exclude from the scope of the licence any of the licensable activities to which the application relates.
 - To refuse to specify a person in the licence as the premises supervisor.
 - To reject the application.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

14.

	Outcomes	Implications
	Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;	It is recognised that licensed premises are, quite often, businesses and places of employment. The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's

	<ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>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 1. Prevent public nuisance 2. Public safety 3. 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 • Learning in Doncaster prepares young people for the world of work 	<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 for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and 	<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),</p>

	<p>individuals have support from someone they trust</p> <ul style="list-style-type: none"> • Older people can live well and independently in their own homes 	<p>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

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

LEGAL IMPLICATIONS [Officer Initials HW Date 5/12/2019]

16. The Licensing Authority must ensure it complies with its obligations under the Licensing Act 2003 and associated Regulations which includes, but is not limited to the following:-

In considering an application, the committee must have regard to the 4 licensing objectives (Prevent crime and disorder, Prevent public nuisance, Public safety, Protection of children from harm), take into account the statutory guidance issued by the Home Office and the Council's statement of licensing policy. The committee shall consider the application in accordance with both the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation. The committee must make its decision based on evidence submitted in accordance with the legislation and give reasons for reaching its decision.

The 2005 Regulations also set out the pre-hearing requirements including to whom notice of hearings and details of the representations received must be sent. The report confirms we have complied with the statutory requirements.

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]

17. 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]

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

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

19. 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]

20. 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 the grant, variation or review of a premises licence. These representations must still be considered 'relevant' and relate to one or more of the licensing objectives.
21. 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.
22. 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 04/12/2019

23. 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

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

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

BACKGROUND PAPERS

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

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DONCASTER METROPOLITAN BOROUGH COUNCIL

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

1. Meaning of Expressions used in this Document

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

2. Rights of attendance, assistance and representation at hearings

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

3. Non-attendance of a party at the hearing

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

4. Procedure at the Hearing

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

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

Order of Addresses under paragraph (c)

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

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

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

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

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

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

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

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

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

5. The Committee's Deliberations and Determination

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

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

6. Record of proceedings

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

Name of Applicant: Duncroft Garage Ltd

Name of Premises: Duncroft Garage

Address: Broadway, Duncroft, Doncaster, DN7 4HU

Summary of Application:

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

	Sale of Alcohol (Off only).	Opening Hours.
	Licensed Area (see plan)	Whole of premises
Mon	07:00 - 22:00	07:00 - 22:00
Tues	07:00 - 22:00	07:00 - 22:00
Wed	07:00 - 22:00	07:00 - 22:00
Thur	07:00 - 22:00	07:00 - 22:00
Fri	07:00 - 22:00	07:00 - 22:00
Sat	07:00 - 22:00	07:00 - 22:00
Sun	08:00 - 22:00	08:00 - 22:00

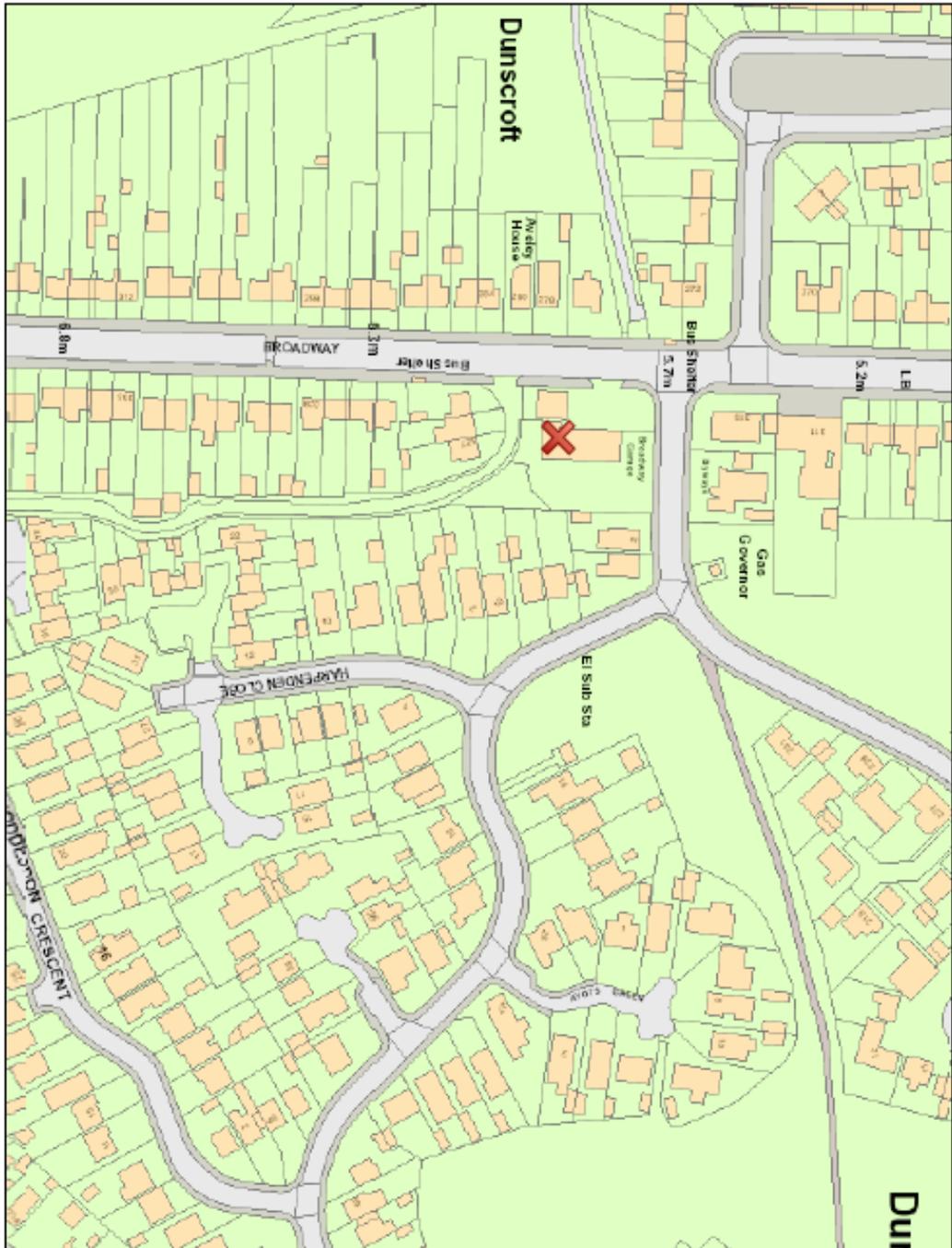
Non Standard Timings:

None

Additional Conditions required by South Yorkshire Police and agreed by the applicant (licensing notified by email from both parties on 06/11/2019)

1. Staff will receive training on matters concerning underage sales and operating procedures. Records of such training will be kept and made available for inspection of the authorities.
2. A CCTV system will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder. Members of the management team will be trained in the use of the system.
3. The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.
4. No singular alcoholic drinks, including beer, lager & cider in cans will be sold; a minimum purchase of 4 will be required.
5. No Beers, Lager or Cider of 6.5% ABV and above to be sold at this premise.

Location Plan



(c) Crown copyright. License Number 100019782, 2007.
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 <p>Doncaster Metropolitan Borough Council</p>	<p>Key :</p> <p> premises location</p>	<p>Notes :</p>	<p>Title : <Double-click here to enter title></p>	<p>Completed By : arj/s</p>	<p>Reference : 0906371a2c0d4746952a80d0e99640</p>	<p>Date : 04/12/2019</p>	<p>Scale : 1:1,696</p>
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**Application for a premises licence to be granted
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 DUNSCROFT GARAGE LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
DUNSCROFT GARAGE LTD BROADWAY DUNSCROFT ?			
Post town	DUNCASTER	Postcode	DN7 4HY

Telephone number at premises (if any)	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Non-domestic rateable value of premises	£ 9,200

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	DUNSCROFT GARAGE LTD
Address	DEVONSHIRE HOUSE DEVONSHIRE AVENUE LEEDS LS8 1AY
Registered number (where applicable)	11058110
Description of applicant (for example, partnership, company, unincorporated association etc.)	LTD COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
04 11 2019

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┆	┆	┆
┆	┆	┆
┆	┆	┆

Please give a general description of the premises (please read guidance note 1)

SARAG AND SHOP.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
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 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed			<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 6)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed					
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 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Tue					
			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 (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<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 6)		
Sun					

I

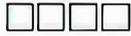
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed			<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 6)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	07:00	22:00						
Tue	07:00	22:00						
Wed	07:00	22:00						
Thur	07:00	22:00				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 6)		
Fri	07:00	22:00						
Sat	07:00	22:00						
Sun	07:00	22:00						

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	[REDACTED]
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	DONCASTER COUNCIL



K

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 9).

NIL

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	22:00	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 6)
Tue	07:00	22:00	
Wed	07:00	22:00	
Thur	07:00	22:00	
Fri	07:00	22:00	
Sat	07:00	22:00	
Sun	07:00	22:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

C.C.T.V
STAFF TRAINING

b) The prevention of crime and disorder

C.C.T.V

c) Public safety

C.C.T.V
EMERGENCY LIGHTING
FIRE ALARM
FIRE EXTINGUISHERS

d) The prevention of public nuisance

STAFF

e) The protection of children from harm

PROOF OF AGE REQUIRED.
UNDER 12 MUST BE ACCOMPANIED

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	[REDACTED]
Date	03.10.19
Capacity	DIRECTOR

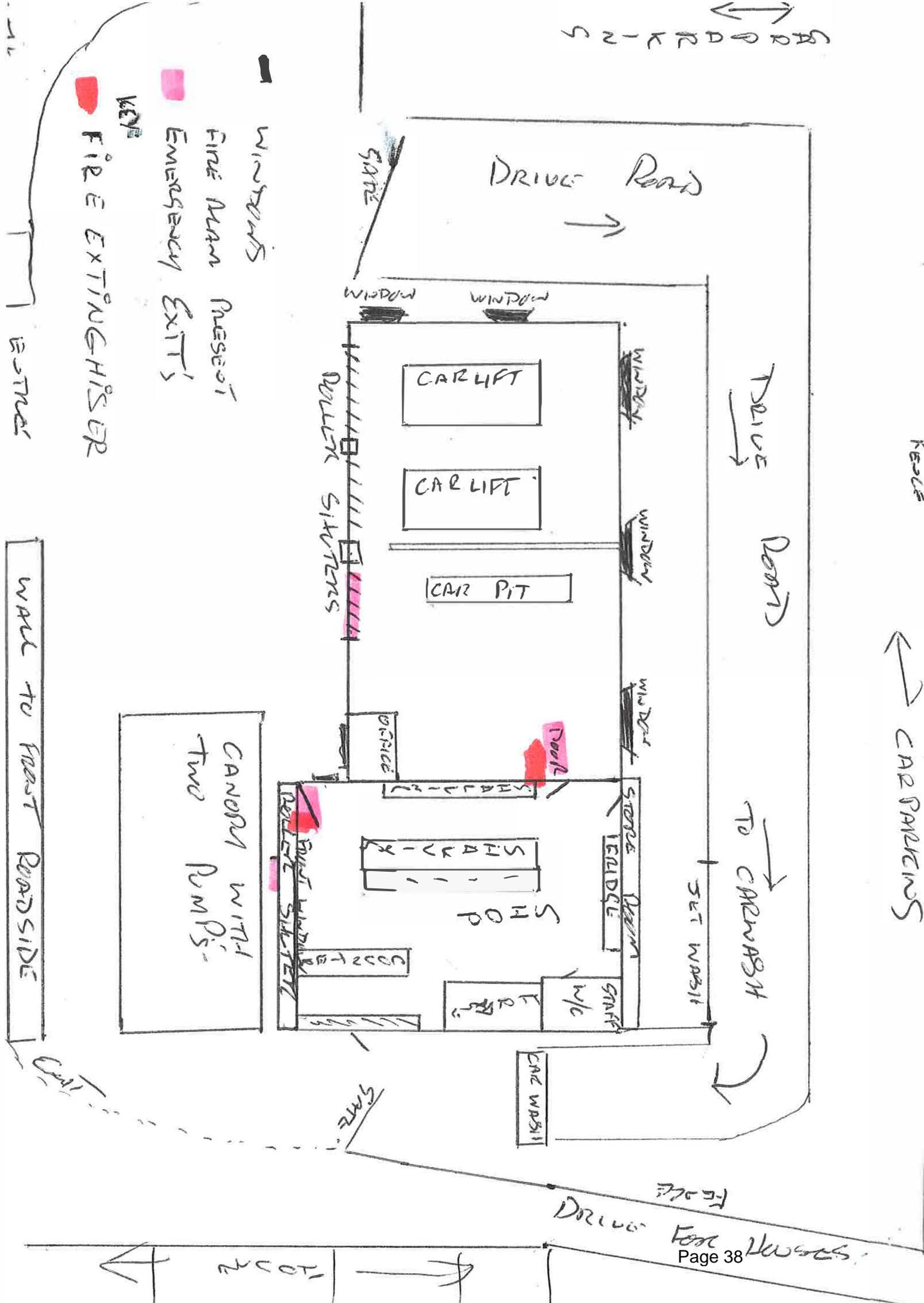
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
BROADWAY DUNSCROFT	
Post town	DONCASTER
Postcode	DN7 4HU
Telephone number (if any)	[REDACTED]
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

- 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:



- WINDOWS
- FIRE ALARM PRESENT
- EMERGENCY EXITS
- FIRE EXTINGUISHER

WALL TO FRONT ROADSIDE

CANOPY WITH TWO PUMPS

ROLLER SYSTEMS

CAR LIFT

CAR LIFT

CAR PIT

SHOP

STAFF

COURT YARD

DRIVE

ROAD

TO CARWASH

DRIVE ROAD

DRIVE FOR HOUSES

ROADS

ROADS

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