



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, Floor 2, Civic Office, Waterdale, Doncaster DN1 3BU

Date: Tuesday, 10th March, 2020

Time: 10.00 am

| Item | PageNo. |
|--|---------|
| 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. | |
| A. Reports where the Public and Press may not be excluded. | |
| 4. Application to determine a Temporary Event Notice for Stubbs Hall, Wakefield Road, Hampole, Doncaster DN6 7EZ | 1 - 30 |

Damian Allen
Chief Executive

Issued on: Thursday 5 March, 2020

Governance Services Officer for this meeting

Amber Torrington
01302 737462

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Members of the Licensing Sub-Committee

Chair – Councillor Ken Keegan

Councillors Duncan Anderson, Nikki McDonald and Frank Tyas



Doncaster Council

Report

To the Chair and Members of the

LICENSING SUB-COMMITTEE

Licensing Act 2003 – To consider an objection notice to a Temporary Event Notice (TEN).

Stubbs Hall Farm, Wakefield Road, Hampole, Doncaster, DN6 7EZ

EXECUTIVE SUMMARY

1. To request that members of the Sub-Committee consider an objection notice to a Temporary Event Notice (TEN) in respect of Stubbs Hall, Wakefield Road, Hampole, Doncaster, DN6 7EZ. The procedure for considering the matter is set out at Appendix A.

RECOMMENDATIONS

2. It is recommended that the Sub-Committee determine this matter having regard to the objection notice 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 where an objection is given in respect of a Temporary Event Notice from a relevant person.

BACKGROUND

4. The Temporary Event Notice seeks to facilitate 'The Sale by Retail of Alcohol', 'The Supply of Alcohol by or on behalf of a Club to, or to the order of, a Member of the Club', 'The Provision of Regulated Entertainment' and, 'The Provision of Late Night Refreshment' for an event on 28 March 2020 between the hours of 5pm and 11pm.
5. A copy of the notice has been sent to all relevant parties; South Yorkshire Police and Environmental Health.
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 TEN application/notice 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 TEN under the Act in respect of which an objection notice has been given to the Licensing Authority and which has not been withdrawn must be considered by the Licensing Sub-Committee having regard to the evidence before it.
10. An objection notice regarding the TEN has been received from South Yorkshire Police. The objections is attached as Appendix E.
11. The Licensing Officer contacted the applicant and requested further information be provided as there was some information which had been omitted from the TEN or which caused confusion, including:
 - No description of the nature of the premises has been provided.
 - No description of the nature of the event has been provided.
 - The TEN indicates that alcohol will be sold to members of the public as well as supplied to members of a club. Generally speaking, alcohol would either be sold or supplied rather than both.
 - The TEN indicates that the regulated entertainment which will take place is the provision of a DJ playing music from 5pm to 10pm.
 - The TEN states the provision of late night refreshment will take place, however the TEN also states the terminal hour will be 11pm – the point at which late night refreshment becomes a licensable activity and therefore, authorisation would not be required.
 - The TEN states that it is a 'Late Temporary Event Notice', but was given with at least 10 clear working days' notice prior to the event, which means it is a 'Standard TEN' and not a 'Late TEN'.
12. A copy of the request and the response is attached at Appendix F.
13. Additional evidence provided by South Yorkshire Police is attached at Appendix G.

OPTIONS CONSIDERED

14. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on licence applications and Notices, which are the subject of representations objections 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:
 - Issue a Counter Notice

- Decide not to issue a Counter Notice

IMPACT ON THE COUNCIL'S KEY OUTCOMES

16.

| | Outcomes | Implications |
|--|---|---|
| | <p>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;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment | <p>It is recognised that licensed premises are, quite often, businesses and places of employment.</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, 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 | <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</p> |

| | | |
|--|--|---|
| | <p>learning experiences within and beyond school</p> <ul style="list-style-type: none"> • 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>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 individuals have support from someone they trust • Older people can live well and independently in their own homes | <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>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 4/3/2020]

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 (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 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]

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. With the exception of Temporary Event Notices (TEN's) 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 03/03/2020]

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 TEN have been sent to all relevant persons referred to in Section 99 of the Licensing Act 2003. These are:

South Yorkshire Police

Doncaster Council – Licensing Authority

Doncaster Council – Environmental Protection - 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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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 Person Giving the TEN: Daniel Howarth

Name of Premises: Stubbs Hall

Address: Wakefield Road, Hampole, Doncaster, DN6 7EZ

Summary of Application:

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

| | |
|-------------|--|
| | Sale of Alcohol (On only). Supply of Alcohol Club-On only. Regulated Entertainment. Late Night Refreshment. |
| | Grass paddock in the grounds of the premises |
| Mon | - |
| Tues | - |
| Wed | - |
| Thur | - |
| Fri | - |
| Sat | 17:00 - 23:00 |
| Sun | - |



Doncaster
Temporary Event Notice
Licensing Act 2003

For help contact

Telephone: 01302 737590

* required information

Section 1 of 9

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

System reference

Not Currently In Use

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

Your reference

BKF

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

Daniel

* Family name

Howarth

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

Are you:

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

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

- Yes No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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

- Yes No

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

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

- Yes No

Address

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

- Yes No

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

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Location Details

* Provide further details about the location of the event

the event is out the way on private property in a secluded area

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

the area that will be used is a small grass paddock area which is situated out the way on the premises grounds

Continued from previous page...

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

/ /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

/ /
dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock) (see also guidance on completing the form, note 10)

event starts at 5pm and will be finished by 11pm

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (see also guidance on completing the form, note 11)

450

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 12):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

there will be a dj playin music from 5pm till 10pm

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? Yes No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 19)

* The information contained in this form is correct to the best of my knowledge and belief

* I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/doncaster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

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

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From: Don_Licensing [mailto:Don_Licensing@southyorks.pnn.police.uk]
Sent: 28 February 2020 14:47
Subject: Objection to the temporary event notice for Stubbs Hall Farm, Wakefield Road, Hampole. Doncaster

Doncaster Council
Civic Office
Waterdale
Doncaster
DN1 3BU
Date: 28th February 2020

Licensing Act 2003

Objection to the Temporary Event Notice for 28th March 2020 for Stubbs Hall Farm, Wakefield Road, Hampole. Doncaster

On behalf of the Chief Constable of South Yorkshire Police, an objection is being made in relation to the above application.

The grounds of objection are based on the potential impact on the promotion of the four licensing Objectives, **namely the prevention of crime & disorder & public safety**,

After discussing the nature and details of the event, and what measures with Mr Howarth would put in place, to ensure the four licensing objectives were adhered to, it was disclosed that the event was a "Bare Knuckle Fight" with music & alcohol before, during & after the fight, having then discussed this event with the South Yorkshire Police's Solicitors who confirmed :-

"No one cannot, lawfully, arrange a bareknuckle fight (whether under a TEN or otherwise) as bareknuckle boxing isn't considered a sport, it is just a series of criminal assaults."

South Yorkshire Police have concerns over the proposed event taking place, due to no evidence of a risk assessment, detailing what measures are in place to prevent public safety & crime and disorder.

Yours faithfully,
For and on behalf of
Chief Constable, South Yorkshire Police

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX

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From: Smith, David (Licensing) (DMBC)
Sent: 02 March 2020 12:15
Subject: URGENT: BKF - Temporary Event Notice 28/03/2020
Importance: High

Dear Mr Howarth

I am the Licensing Officer at Doncaster Council and I am contacting you with regards to the Temporary Event Notice (TEN) which you submitted online for an event on 28 March 2020.

As you are aware – an objection has been received from South Yorkshire Police.

I have reviewed the form which you submitted and noted that some information has not been provided or is unclear.

I have attached a copy of the form for reference.

To rectify these matters I request that you please respond to this email to clarify the following –

1. (Section 2) **What is your National Insurance Number?**
This information is required to evidence that you are eligible to submit a TEN.
2. (Section 3) **What is the nature of the premises?**
A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.
3. (Section 3) **What is the nature of the event?**
A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.
4. (Section 4) **What licensable activities are you intending to carry on at the premises?**
You have selected a number of options on the form which has caused confusion. Below is a list of licensable activities and it would assist greatly if you could specify which licensable activities you intend to carry on:
 - (a) **Will you be selling alcohol? (YES / NO)**
 - (b) **Will you be supplying alcohol to members of a club? (YES / NO)**
 - (c) **Will you be selling hot food or drink after 23.00 hours? (YES / NO)**

- (d) **Will you be providing regulated entertainment? (YES / NO)**
- If you will be providing regulated entertainment;
 - (i) **Will there be a performance of a play? (YES / NO)**
 - (ii) **Will there be an exhibition of a film? (YES / NO)**
 - (iii) **Will there be an indoor sporting event? (YES / NO)**
 - (iv) **Will there be live music? (YES / NO)**
 - (v) **Will there be recorded music? (YES / NO)**
 - (vi) **Will there be a performance of dance? (YES / NO)**
 - (vii) **Will there be boxing or wrestling entertainment? (YES / NO)**
 - If there will be boxing or wrestling;
- (e) **Will the persons involved be bare knuckle or gloved? (Bare Knuckle / Gloved)**

If South Yorkshire Police do not withdraw their objection, a hearing will be held and you and the Police will be invited to address the Licensing Sub-Committee who will determine if the event will proceed or if a Counter Notice is to be issued which will prevent licensable activities from taking place. It will assist greatly if you respond to this request for information as a matter of urgency.

Regards

David Smith
Licensing Officer

Trading Standards & Licensing
Doncaster Council
Civic Office
Waterdale
Doncaster
DN1 3BU

From: Dannyjamie Howarth [REDACTED]
Sent: 04 March 2020 17:21
To: Smith, David (Licensing) (DMBC) <David.Smith@doncaster.gov.uk>
Subject: Re: URGENT: BKF - Temporary Event Notice 28/03/2020

Hi ya I will try to answer all the questions you have stated in your email that need answering to assist you further with the TEN I have applied for

- 1) national insurance number is [REDACTED]
- 2) the nature of the premises is a private open field which will have a big events tent inside
- 3) the nature of the event is a small fight show which fighters will have custom made wraps on there hands that will be made up to 8oz which is the same weight as a pro boxing glove
- 4) a) yes we intend to sell alcohol
b) alcohol to be supplied to fans over the age of 18 which we will also be using the challenge 25 policy
c) we will not be selling food or drink past 11pm....the whole event will be finished by 10pm
d) we will have DJ who will be providing music for entertainment
e) the fighters will not actually be fighting bare knuckle...i stated it was a bare knuckle show and that has properly gave the wrong idea and impression off as I never made it clear that the fighters hands won't actually be bare....the fighters hands will be professionally wrapped using custom wraps that are made upto 8oz which are the same weight as a boxing glove

I would also like to add abit more information aswel.....every fighter will be given a full medical check up before their fight to make sure there fit and healthy to participate by a fully trained professional fight medic and will also be given a full medical afterwards to make sure there in a safe condition....the show itself will be held inside a big circus tent in the middle of a private field which will be fenced off and is well away from any members of the public and well away from any built up areas so there will be no public disturbance or any anti social behaviour....we have also got a security team in place aswel to further assist any antisocial behaviour from anyone....our aim is to put on a good, safe,controlled show where everyone goes home safely afterwards without any issues or problems occurring,

I hope this has gave you a better insight and helped clear up some information you was needing and I await your reply thankyou, Danny Howarth

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From: ANDREW STEELE [mailto:Andy.Steele@southyorks.pnn.police.uk]
Sent: 05 March 2020 09:58
To: Smith, David (Licensing) (DMBC) <David.Smith@doncaster.gov.uk>
Subject: BKF

Please note that I've contacted the applicant, who has confirmed the following details of the temporary event notice:-

- Although the temporary event notice is for a DJ, music and alcohol the actual event is for a Bare Knuckle fight at the farm
- The applicant confirmed the following details
 1. All ticketed event (already sold between 350 – 400 tickets)
 2. 6 SIA registered Security
 3. All drinks sold in plastic drinkware
 4. Challenge 25 in operation

Although the applicant didn't list that the event is a bare knuckle fight, after discussing the application with Mr Howarth, he confirmed the TEN was for alcohol and regulated entertainment during the bare knuckle fight.

We have consulted the South Yorkshire Police Solicitor who has replied with the following

“No one cannot, lawfully, arrange a bareknuckle fight (whether under a TEN or otherwise) as a bareknuckle boxing isn't considered a sport, it is just a series of criminal assaults.”

Regards

Andy Steele
Licensing Enforcement Officer
South Yorkshire Police Licensing Department

15:50 ∞



BKF 3

TOMMY CHADBURN VS KYLE WINTERS

LIGHTWEIGHT

SATURDAY 28TH MARCH 2020
 @ STUBBS HALL, WAKEFIELD ROAD
 HAMPOLE, DONCASTER, DN6 7EZ
 GATE OPENS 5PM, FIRST FIGHT 6PM

TICKETS £35 GET INTOUCH WITH FIGHTERS TO GET YOURS TICKETS £35

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