

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 12TH AUGUST, 2020

A Virtual MEETING of the LICENSING SUB-COMMITTEE was held VIA MICROSOFT TEAMS on WEDNESDAY, 12TH AUGUST, 2020, at 10.00 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Steve Cox, John Gilliver and Charlie Hogarth.

1 TO CONSIDER THE EXTENT, IF ANY, TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM THE MEETING

RESOLVED that as there was restricted information protected by the Data Protection Legislation, any discussions relating to Appendix E to the report and the additional information submitted by the objectors prior to the meeting, could be held in private session.

2 DECLARATIONS OF INTEREST, IF ANY

There were no declarations of interest made at the meeting.

3 MINUTES OF THE LICENSING SUB-COMMITTEE MEETING HELD ON 6TH JULY, 2020

RESOLVED that the minutes of the meeting held on 6th July, 2020, be approved as a correct record and signed by the Chair.

4 APPLICATION FOR A NEW PREMISES LICENCE – ‘BROWN AT THE BUTTERCROSS’, TICKHILL, DONCASTER, DN11 9HT

The Sub-Committee considered an application for a new Premises Licence in respect of ‘Brown at the Buttercross’, Tickhill, Doncaster, DN11 9HT.

The Sub-Committee Members, the Applicant, persons making representations and Responsible Authorities, had received the agenda prior to the meeting. Copies of the representations were attached to the report at Appendix D.

Subsequent to the despatch of the agenda papers, additional information from persons making representations and from the Applicant, had been circulated to Members of the Sub-Committee and all relevant parties, prior to the meeting.

Additionally, further to the publication of the agenda papers, it was noted that Tickhill Town Council had withdrawn their representation to the application. Therefore, the information, as set out at Appendix E (ii) of the agenda papers, was to be disregarded.

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

As the hearing was being held via a teleconferencing facility, Members of the Sub-Committee and other parties, were informed by the Chair that he would indicate who would speak next in order to ensure that the meeting ran as smoothly as possible.

The Licensing Officer introduced the report and outlined the salient points in relation to the application.

The applicant, Mrs K Brown, was in attendance at the meeting made representations and answered questions.

Mr R Taylor and Mr C Taylor who had made written representations in respect of the application, outlined their concerns and objections to the application, and answered questions.

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

All parties were then invited back in to the meeting to be informed of the Sub-Committee's decision.

RESOLVED that the Sub-Committee, having considered the application for a new Premises Licence for 'Brown at the Buttercross', Tickhill, Doncaster, DN11 8HT, and have taken into account the written representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy, have decided to grant the Application in the terms as set out in Appendix B, as amended, subject to the following conditions:-

1. That the hours of operation for the off licence shall be Monday to Saturday 11am to 6pm and Sunday 11am to 12noon and for the private dining area, Friday and Saturday 7pm to 11pm, and on Sunday 12pm to 5pm.
2. That a sign be placed to advise patrons of the private dining area to leave the premises quietly so as not to create a nuisance.
3. That a notice be placed in the retail areas advising customers that the premises shall be operating Challenge 25 and details of the scheme.
4. That all staff working in the premises are trained on the operation of the licence and that periodically, such training is refreshed. Details of the staff training to be recorded and made available to Council Officers, Police or other relevant bodies when requested.
5. That a refusals book be in operation so that when a customer is refused the sale of alcohol, details of the refusal is recorded in the refusals book and made available to Council Officers, Police or other relevant bodies when requested.
6. Any children on the premises shall be supervised at all times by a responsible person.

The Sub-Committee have made their decision for the following reasons.

The Sub-Committee heard from the Applicant that she was operating a new business promoting local and seasonal produce, and that as a result, she would be employing 8 staff. Whilst these were not Licensing Objectives, the Applicant mentioned the Statement of Licensing Policy to welcome local investment and opportunities and this was noted.

The Sub-Committee was concerned that the application made little reference to the steps the Applicant would take to promote the Licencing Objectives, but when questioned, were then satisfied that the Applicant did understand the Licensing Objectives, and the Sub-Committee was satisfied that together with the conditions imposed, the Licensing Objectives would be promoted.

The Sub-Committee was prepared to ask questions about why the Applicant was seeking hours of operation outside of those granted by the Planning regime. The Applicant confirmed this was a mistake and that she was only seeking hours in line with the Planning Consent. However, it was noted that she had not sought a commencement hour of 10am and so the Sub-Committee was not happy that as this had not been applied for and therefore not advertised, this could not be agreed. The commencement hour was therefore fixed as 11am, as detailed above.

The Sub-Committee heard from both those who had made representations who were concerned about the noise that would emanate from the operation of these premises. The Applicant was also concerned to the extent that she had installed acoustic boarding to the room to be used for dining. The Sub-Committee noted that the operation of the room as a dining facility had already received consent and therefore, the Sub-Committee was merely looking at whether this operation could benefit from a premise license. The Sub-Committee believed that the steps the Applicant had taken to mitigate noise reverberating from and to the premises through the party wall, should deal with this issue.

The Sub-Committee noted that no other representations including the neighbours to the end and the side of the property, had been made.

Representations were also made regarding the need for another off licence in the area, but the Sub-Committee disregarded this as not being a relevant consideration.

The Sub-Committee believed that with the conditions it imposed, ensured the promotion of the Licensing Objectives.

CHAIR: \_\_\_\_\_

DATE: \_\_\_\_\_