



# Doncaster Council

## Agenda

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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:** Microsoft Teams - Virtual Meeting

**Date:** Tuesday, 13th October, 2020

**Time:** 10.00 am

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the meeting. Any members of the public or Press wishing to attend the meeting by teleconference should contact Governance Services on 01302 737462/736712/736723 for further details.

### BROADCASTING NOTICE

This meeting is being recorded for subsequent broadcast via the Council's web site.

The Council is a Data Controller under the Data Protection Act and images collected during this recording will be retained in accordance with the Council's published policy.

Please be aware that by entering the meeting, you accept that you may be recorded and the recording used for the purpose set out above.

**Damian Allen**  
Chief Executive

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Issued on: Monday 5<sup>th</sup> October, 2020

Governance Services Officer for this meeting

David M. Taylor  
Tel: 01302 736712

Doncaster Metropolitan Borough Council  
[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

## Items for Discussion:

| Item   | 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 held on 12th August, 2020.                                   | 1 - 4    |

### **A. Reports where the Public and Press may not be excluded.**

|  |        |
|--|--------|
| 5. Application for a Summary Review of an Existing Premises Licence - The Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD. | 5 - 72 |
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***(Appendix I to the report is not for publication as it contains personal information protected by Data Protection Legislation, not required to be published in accordance with the Licensing Act 2003).***

### **Members of the Licensing Sub-Committee**

Chair – Councillor Iris Beech

Councillors Duncan Anderson, Steve Cox and Charlie Hogarth.

# Agenda Item 4

## 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: \_\_\_\_\_

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## Doncaster Council

### Report

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To the Chair and Members of the

## **LICENSING SUB-COMMITTEE**

**Licensing Act 2003 – Application for a Summary Review of an Existing Premises Licence.**

**Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD**

### **EXECUTIVE SUMMARY**

1. To request that members of the Sub-Committee determine the application for a summary review of an existing premises licence in respect of Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD. 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 applications for a summary review of a premises licence.

### **BACKGROUND**

4. The premises concerned currently holds a Premises Licence permitting several licensable activities including the sale of alcohol. The application is for a summary review of an existing premises licence as it is in the opinion of a Senior Police Officer that the premises are associated with serious crime or serious disorder or both.
5. A summary of the application is attached in Appendix B to this report.
6. A location plan of the premises is attached in Appendix C.
7. A copy of the application is attached in Appendix D.

8. The application for a summary review was sent to the Premises Licence Holder and Responsible Authorities by the Licensing Authority upon receipt.
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, for a review of a premises licence must be determined by the Licensing Sub-Committee having regard to the evidence before it.
10. The current premises licence, which shows the permitted licensable activities and conditions, is reproduced in Appendix E.
11. As required by the Act, the Licensing Authority considered any appropriate interim steps. Details of the decisions taken by the licensing committee and evidence submitted by the premises licence holder are attached in Appendix F, G & H.
12. A relevant representation regarding the application has been received from the Environmental Health Department, DMBC, which is the responsible authority and relates 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 (Appendix I),.

#### **OPTIONS CONSIDERED**

13. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on applications for a review of a premises licence, and therefore, no option, other than to hold a hearing, can be considered.
14. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
  - Modify the conditions of the premises licence (including reducing hours) permanently or for up to 3 months
  - Exclude a licensable activity from the scope of the licence permanently or for up to 3 months
  - Remove the designated premises supervisor
  - Suspend the licence for a period not exceeding three months
  - Revoke the licence
  - Do nothing / issue an informal written warning or guidance requesting steps to be taken by a specified time

#### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

15.

|  | <b>Outcomes</b>   | <b>Implications</b>  |
|--|---|--|
|  | <b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and | It is recognised that licensed premises are, quite often, businesses and places of employment. |

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|  | <p>Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>   | <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"> <li>1. Prevent crime and disorder</li> <li>2. Prevent public nuisance</li> <li>3. Public safety</li> <li>4. Protection of children from harm</li> </ol> |
|  | <p><b>Doncaster Living:</b> 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"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul> | <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><b>Doncaster Learning:</b> 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"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>  | <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><b>Doncaster Caring:</b> Our vision is for a borough that cares together</p>   | <p>The Licensing Committee/Sub-Committee, subject to the general</p>  |

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|  | <p>for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>  | <p>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><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul> | <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

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

## LEGAL IMPLICATIONS [M.C 05.10.2020]

17. 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]**

18. 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]**

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

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

20. 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]**

21. 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 granting, varying or reviewing the premises licence. These representations must still be considered 'relevant' and relate to one or more of the licensing objectives.
22. 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.
23. 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 harm 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 [H.O 02.10.2020]**

24. 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**

25. 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**

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

## **REPORT AUTHOR & CONTRIBUTORS**

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**Peter Dale**



**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: South Yorkshire Police**

**Name of Premises: Corner Pocket & Majestic Suite**

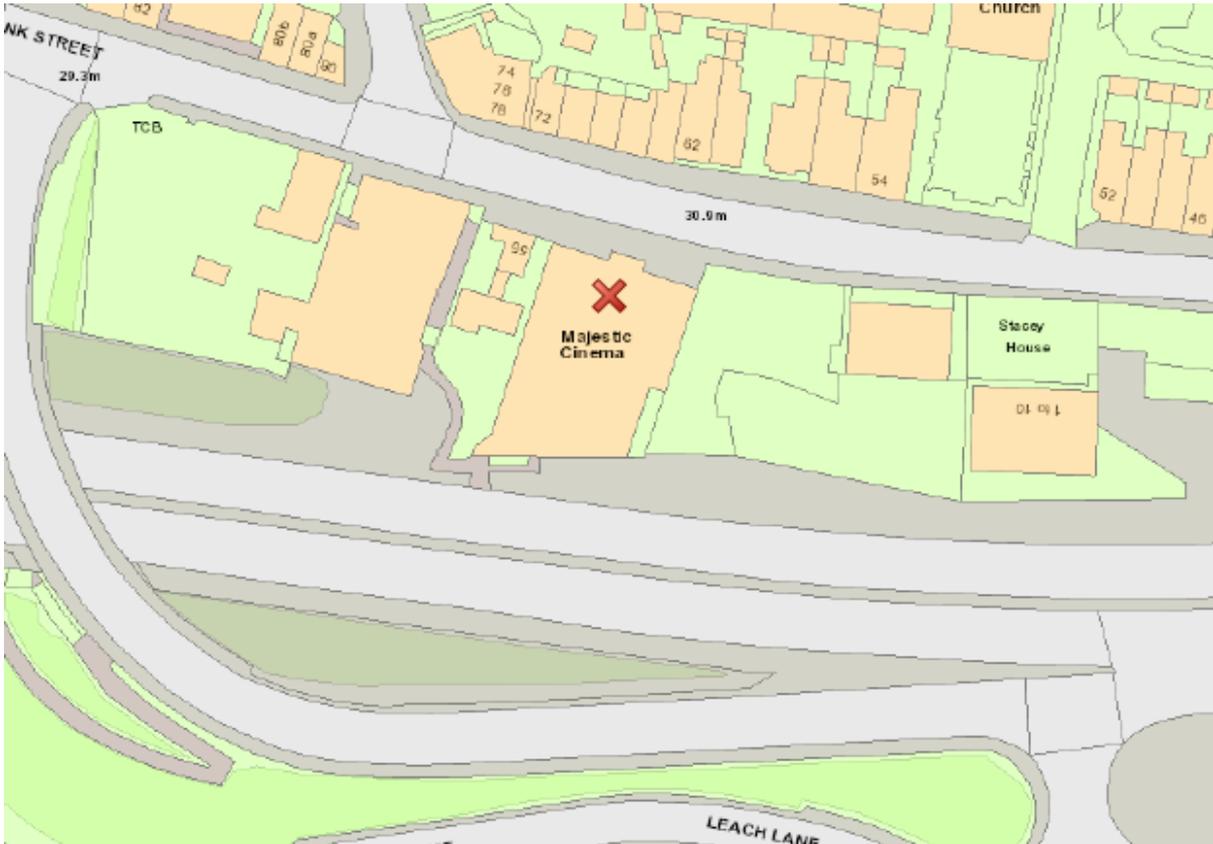
**Address: Bank Street, Mexborough, Doncaster, S64 9QD**

**Summary of Application:**

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

In the opinion of a Senior Police Officer the premises are associated with serious crime, serious disorder or both.

Location Plan



## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Doncaster Metropolitan Borough Council Licensing

Civic Office,

Waterdale

Doncaster

DN13BU

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

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 the 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.**

I Superintendent Neil Thomas [on behalf of] the chief officer of police for the South Yorkshire police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Pocket Sports Bar  
Bank Street,  
Mexborough**

Post town: Doncaster

Post code (if known): **S64 9QD**

**2. Premises licence details:**

Name of premises licence holder (if known): Hotel Van Dyk Limited

Number of premises licence holder (if known):

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

*(Please tick the box to confirm)*

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**The Police submit that the grounds for a License review have been made out for the following reasons.**

- (1) Person (s) were engaged in disorderly and criminal behaviour on the premises i.e. assaults on the premises.**
- (2) The use of the premises has resulted in serious nuisance to members of the public i.e. violent offences and crime being committed on or in the vicinity of the premises.**
- (3) Disorder near the premises i.e. outside the public house on Bank Street including someone being assaulted with a bat or large piece wood on Saturday 29<sup>th</sup> August 2020. The Pocket reported this incident to the licensing officer stating that no one had been assaulted and that they had taken someone inside the premises for their own safety. CCTV confirmed that a vehicle pulled up and someone alighted from the vehicle and assaulted a male with a piece of wood. Door staff were present at the time observing this incident take place.**

**At 00:25 hours on Sunday 13<sup>th</sup> September 2020 a serious assault takes place on Bank Street, Mexborough whereby the injured party was rushed to hospital with injuries that required the victim to be intubated on arrival and requiring pressure measures installed in to his head. The injury was described as life threatening.**

**The circumstances of the incident are that the police were called about someone being seriously assaulted on Bank Street, Mexborough. On arrival it transpires that the assault took place as a result of an incident in the Pocket Sports Bar earlier.**

**A member of door staff from the location contacted police in relation to the serious assault from the premises but the door staff and the premises staff on duty provided pocket note book entries to the police on the night stating that they would not provide statements in relation to what had taken place.**

**The manager of the premise, Laura Preece did confirm to officers at the scene that there had been disorder in the public house involving the victim of the assault and a group of people throughout the night and that at one point she had needed to intervene to separate the group but that she took no steps to remove either party from the premises.**

**Footage from a nearby property shows that at 00:24 hours, a large group leave the Pocket sports bar and go towards the direction of The Spice Library. Some of the group come back and people are holding one male back. Somebody gives this male a jacket; he puts it on, puts his hood up and walks off in the**

opposite directions towards the Thai Restaurant.

The manager stated she she was alerted to a fight at the top of the stairs in the pub and that she instructed the incident to be moved outside so that the two parties would separate but from viewing the CCTV it appears that the victim comes out of the pub first and then is followed by a large group of people where upon an altercation takes place.

Concerns exists regarding the management of this incident due to the lack of proactive measures taken by the manager to remove one of the parties earlier in the night to mitigate the risk to customers and the public. Issues exist in that the licensing officer has been advised by the security firm providing door staff to the premise that they are being overruled by the manager when they attempt to refuse entry to persons and that some of the door staff are requesting via their management team not to work on the door of this premise in the future due to fears they have for their safety. The apparent lack of adequate management and control of the premise has led to the decision being made to request this expedited review.

Beyond this incident, since re-opening on 4<sup>th</sup> July 2020 the Pocket Sports Bar has been subject to ongoing work with the Environmental Health Team due to issues around social distancing and the general management of the COVID guidelines. This has also seen seven reports made to the police from various sources stating that no social distancing is being observed on the terrace of the Pocket Sports Bar. Complaints to the police from local residents regarding the music being excessively loud (also being looked in to by Environmental Health), shouting and swearing from the queue outside along with women in the queue urinating in the street prior to entering the premises. Some of these allegations regarding the poor control of the premises around social distancing and allegations of ASB and public disorder have been captured on CCTV by a local resident.

Interim steps requested by South Yorkshire Police would be;

Suspension on the premise license until the hearing held by the licensing committee.

Signature of applicant:  *Supt Trent*

Date:

*16 Sept 2020*

Capacity: Superintendent

Contact details for matters concerning this application:

Address: Moss Way, Sheffield

Telephone number(s): 01142523948

Email: don\_licensing@southyorks.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

[insert name and address of police force]

SOUTH YORKSHIRE POLICE  
CARBROOK HOUSE  
CARBROOK HALL ROAD  
SHEFFIELD  
S9 2EG.

Example Form

Annex A

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with ~~serious crime / serious disorder~~  
/ both serious crime and serious disorder<sup>3</sup>.

Premises<sup>4</sup>:

POCKET SPORTS BAR  
BANK STREET  
MEXBOROUGH  
S64 9QD

Premises licence number (if known):

Name of premises supervisor (if known): Gail EYRE

I am a Superintendent <sup>5</sup> in the police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>6</sup>:

In spite of ongoing monitoring and interventions for low level reports that have escalated in number but not severity this latest incident clearly demonstrates that SYP need to be reviewed that the premises is equipped to safeguard its patrons following a serious assault. Therefore any voluntary activity would be disproportionate to the risks posed.

.....

<sup>3</sup> Delete as applicable. <sup>4</sup> Include business name and address and any other relevant identifying details. <sup>5</sup> Insert rank of officer giving the certificate, which must be superintendent or above. <sup>6</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

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# Doncaster Council

[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

**Hotel Van Dyk Ltd**  
The Pitches  
Wickersley Road  
Rotherham  
S60 3PR

**Contact:** Licensing Office  
**Tel:** (01302) 737590  
**E-mail:** [licensing@doncaster.gov.uk](mailto:licensing@doncaster.gov.uk)  
**Web:** [www.doncaster.gov.uk/licensing](http://www.doncaster.gov.uk/licensing)  
**Our Ref:** LN/201500381  
**Your Ref:**  
**Date:** 30 September 2020

Dear Licence holder,

**Premises Licence - LN/201500381 - Licensing Act 2003**  
**Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD**

Please find enclosed the Premises Licence issued in respect of the above premises. Please take time to read the notes below and the licence attached in full.

- 1) The holder of the licence must ensure that the licence or a certified copy along with all the conditions applicable to the licence is kept at the licensed premises. The licence must be in the custody of the licence holder or with a person who works at the premises who has been nominated in writing by the licence holder to have custody of the licence.
- 2) The licence holder must ensure that the summary of the licence or a certified copy of the summary is prominently displayed at the premises.
- 3) Where the licence allows the sale of alcohol, no supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 4) The licence holder must notify this Authority, as soon as practicable, of any change in their name or address and, unless the designated premises supervisor (DPS) has already done so, the name and address of the DPS.
- 5) If you wish to transfer or vary the licence please contact this Authority or visit our website (details above).
- 6) The holder of the premises licence is required to pay an annual fee to Doncaster Council. The annual fee is linked to the rateable value of the premises and the current level of fee is available on request by contacting this office. The annual fee becomes due and payable each year on the anniversary of the date of grant of the licence. We will send you an invoice account when the annual fee becomes due. You should note that the licence is liable to suspension if the annual fee is not paid within 21 days of the due date.

The rateable value, premises band, date licence first issued, your client number and your contract number are shown below.

|                                   |                        |
|-----------------------------------|------------------------|
| <b>Rateable Value (£):</b>        | <b>B 4301- 33000</b>   |
| <b>Premises Band:</b>             | <b>B</b>               |
| <b>Date licence First Issued:</b> | <b>9th August 2015</b> |
| <b>Client Number:</b>             | <b>[REDACTED]</b>      |
| <b>Contract Number:</b>           | <b>[REDACTED]</b>      |

If you believe any of these details to be incorrect you must contact us without delay.

- 7) The granting of this licence does not relieve the applicant of the need to ensure that the appropriate planning permission is in place. Furthermore, there are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours, the licence holder must observe the earlier closing time. Premises that operate in breach of their planning permission are liable to prosecution under planning law.
- 8) Where applicable, we have taken this opportunity to update the conditions on the licence and remove any conditions which we believe to be obsolete or a duplication of mandatory conditions or which duplicate other statutory requirements or duties or responsibilities placed on the employer by other legislation. If you believe that any of the removed conditions should remain on the licence then please contact us to discuss this further.
- 9) The 2003 Act provides special arrangements for the continuation of permissions under a premises licence when the holder of a licence dies suddenly, becomes bankrupt/insolvent/dissolved, mentally incapable, ceases to be entitled to work in the UK or the licence is surrendered. In the normal course of events, the licence would immediately lapse in such circumstances. The Act provides for the licence to be capable of being reinstated in a discrete period of time in certain circumstances. A person who may apply for the grant of a premises licence may apply within 28 consecutive days of the lapse for the transfer of the licence to them with immediate effect pending the determination of the application. This will result in the licence being reinstated from the point at which the transfer application was received by the licensing authority.

Please note that the above list is not exhaustive and if you wish to discuss any other matter please do not hesitate to contact us.

Yours Sincerely

*D McMurdo*

**Mr D McMurdo**  
**Regulatory Manager**  
**Trading Standards and Licensing**

## CONTROL OF COUNTERFEIT AND ILLICIT PRODUCTS

A targeted multi-agency campaign is being undertaken to reduce the prevalence of illicit alcohol and tobacco available in some retail premises throughout South Yorkshire. All retailers must ensure that all alcohol and tobacco products are purchased from legitimate sources. In particular, retailers must ensure that all purchases are accompanied by invoices which state the supplier's full company details for traceability purposes including being able to demonstrate that the correct excise duty has been paid. **It is an offence to keep smuggled goods on licensed premises and your licence is at risk if inspectors find such products on your premises.**

### DO YOU BUY ALCOHOL FOR ONWARD SALE OR SUPPLY FROM A UK WHOLESALER?

From 1 April 2017 it is an offence to buy alcohol for onward sale or supply from an unapproved UK wholesaler.

The Alcohol Wholesale Registration Scheme (AWRS) was introduced to help HM Revenue and Customs (HMRC) tackle alcohol fraud.

Any business buying alcohol from a UK wholesaler for onward sale or supply to their customers will need to check that their wholesaler has been approved by HMRC under AWRS.

You can check your UK wholesaler is AWRS approved by using the alcohol wholesalers register online at [www.gov.uk/check-alcohol-wholesaler-registration](http://www.gov.uk/check-alcohol-wholesaler-registration). You will need your wholesalers unique reference number (URN), which should be displayed on their invoice. Speak to your wholesaler if you can't find their URN.

Once you find your wholesaler on the register, keep a record of your check by printing off or saving the page to confirm that they are approved. HMRC may ask you for those details at a later date.

If you are unable to find your wholesaler on the register, tell them that they need to contact HMRC for approval. You should not buy alcohol from them and should notify HMRC by searching for Customs, Excise and VAT fraud reporting on GOV.UK.

Any business found buying alcohol from a non-registered UK wholesaler could have their alcohol stock seized, be fined or even prosecuted.

For more information, go to GOV.UK and search for the Alcohol Wholesaler Registration Scheme.

Don't get caught short.





# Doncaster Council

LICENSING ACT 2003  
Section 24

## Premises Licence

Doncaster Metropolitan Borough Council  
Licensing Section  
Civic Office  
Waterdale  
Doncaster DN1 3BU

**Premises licence number**

LN/201500381

## Part 1 – Premises details

*Postal address of premises or, if none Ordnance Survey map reference or description*

Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD

Telephone number:

Where the licence is time limited – the dates

*Licensable activities authorised by the licence*

Perform Play  
Exhibit Film  
Indoor Sports  
Boxing/Wrestling  
Live Music  
Recorded Music  
Performance of Dance  
Similar to Regulated Entertainment  
Late Night Refreshment  
Sale of Alcohol (On/Off)  
Opening Hours

The times the licence authorises the carrying out of licensable activities, their permitted locations and the opening hours of the premises are as follows:

|      | Perform Play.     | Exhibit Film.<br>Indoor Sports.<br>Boxing/Wrestling. | Live Music.<br>Recorded<br>Music. | Performance of<br>Dance.<br>Similar to<br>Regulated Ent. | Late Night<br>Refreshment. | Sale of<br>Alcohol<br>(On/Off). |
|------|-------------------|--|-----------------------------------|--|----------------------------|---------------------------------|
|      | Indoors/Outdoors  | Indoors  | Indoors/Outdoors                  | Indoors  | Indoors/Outdoors           | Licensed Area<br>(See Plan)     |
| Mon  | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                   |
| Tues | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                   |
| Wed  | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                   |
| Thur | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                   |
| Fri  | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 02:00                     | 09:00 - 02:00  | 23:00 - 02:00              | 09:00 - 02:00                   |
| Sat  | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 02:00                     | 09:00 - 02:00  | 23:00 - 02:00              | 09:00 - 02:00                   |
| Sun  | 09:00 - 00:00     | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 02:00  | 23:00 - 00:00              | 09:00 - 00:00                   |
|      | Opening Hours     |  |                                   |  |                            |                                 |
|      | Whole of Premises |  |                                   |  |                            |                                 |
| Mon  | 09:00 - 00:00     |  |                                   |  |                            |                                 |
| Tues | 09:00 - 00:00     |  |                                   |  |                            |                                 |
| Wed  | 09:00 - 00:00     |  |                                   |  |                            |                                 |
| Thur | 09:00 - 00:00     |  |                                   |  |                            |                                 |
| Fri  | 09:00 - 02:00     |  |                                   |  |                            |                                 |
| Sat  | 09:00 - 02:00     |  |                                   |  |                            |                                 |
| Sun  | 09:00 - 00:00     |  |                                   |  |                            |                                 |

*Non-Standard Timings:*

**Late Night Refreshment**

Externally to be limited until 01:00 Friday & Saturday

**Sale of Alcohol (On/Off)**

Externally to be limited until 23:00 Sunday to Saturday  
Sundays preceding Bank Holidays Start 09:00 End 02:00  
Christmas Eve Start 09:00 End 04:00;  
New Year's Eve Start 09:00 End 06:00

**Opening Hours**

Sale of Alcohol: Sundays preceding Bank Holidays start 09.00 End 02.00 Christmas Eve start 09.00 End 04.00  
New Year's Eve  
Start 09.00 End 6.00 -- Opening Hours Sundays preceding Bank Holidays 09.00 End 02.00 Christmas Eve Start  
09.00 End  
04.00 New Year's Eve Start 09.00 End 06.00

*Where the licence authorises supplies of alcohol whether these are on and/or off supplies:*

**Sale by retail of alcohol for consumption ON/OFF the premises.**

**Part 2**

*Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:*

|  |  |
|--|--|
| <b>Hotel Van Dyk Ltd</b><br><b>The Pitches</b><br><b>Wickersley Road</b><br><b>Rotherham</b><br><b>S60 3PR</b> | <b>Telephone Number:</b> [REDACTED]<br><b>Email:</b> christine@eyreinvestments.co.uk |
|--|--|

*Registered number of holder, for example company number, charity number (where applicable)*

|                                    |
|------------------------------------|
| <b>Registered Number: 07922515</b> |
|------------------------------------|

*Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:*

|  |                          |
|--|--------------------------|
| <b>Gail Eyre</b><br>[REDACTED]<br>[REDACTED]<br>[REDACTED]<br>[REDACTED] | <b>Telephone Number:</b> |
|--|--------------------------|

*Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the sale of alcohol:*

|                     |
|---------------------|
| <b>RMBC RM 1947</b> |
|---------------------|

*Annex 1 – Mandatory Conditions***Mandatory conditions where licence authorises supply of alcohol**

Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

Note: Conditions 3,4, and 6 apply where the licence authorises the consumption of alcohol on the premises (see Part 1).

- 1) No supply of alcohol may be made under the premises licence:
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3)
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.-
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
- (b) an ultraviolet feature.
- 6) The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
- 7)
1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Mandatory condition: exhibition of films**

- 1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- 2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- 3) Where-
  - a) the film classification body is not specified in the licence, or
  - b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question.

Admission of children must be restricted in accordance with any recommendation made by that licensing authority.

- 4) In this section-  
 “children” means persons aged under 18;  
 and  
 “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c30) (authority to determine suitability of video works for classification).

**Prohibited Conditions: plays**

- 1) In relation to a premises licence which authorises the performance of plays, no condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under the licence.
- 2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 18(2)(a) or (3)(b), 35(3)(b) or 52(3), any condition which it considers necessary on the grounds of public safety.

**Mandatory Condition: door supervisor**

- 1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- 2) But nothing in subsection (1) requires such a condition to be imposed-
- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films), or
  - b) in respect of premises in relation to-
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- 3) for the purpose of this section-
- a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and
  - b) paragraph 8(A5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

*Annex 2 – Conditions consistent with your Operating Schedule*

We will act in a responsible manner in all aspects of operating the business to promote a safe environment for all our staff and customers. We will adopt a policy of zero tolerance towards anti-social behaviour and reserve the right to refuse to serve customers who we consider not to be in a fit state.

We will display notices asking customers to show respect for others and leave the premises in a quiet manner. Unruly customers will not be served and asked to leave the premises. Customers who are considered to be unfit through alcohol will not be served. We will operate a strict no drugs policy

We will participate in local Pub Watch schemes

The use of door supervisors will be risk assessed on an event by event basis. Where engaged, door staff shall be licensed by the SIA.

No amplified and non-amplified music, singing and speech arising from regulated entertainment shall be permitted in the outdoor area after 23:00. This includes recorded and live music, musical instruments, films or any other entertainment.

There shall be no disturbance to any noise sensitive premise(s) from the use of the outdoor area. The outdoor area must not be used for drinking after 23.00 hours.

All external windows and doors must be kept closed during the regulated performing and playing of live and recorded amplified and non-amplified music and acoustic and amplified voice.

Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment from the premises between 23:00 and 07:00, shall not be audible inside habitable rooms of noise sensitive properties in the vicinity.

Speakers used to relay amplified music, singing and speech provided as part of the regulated entertainment should be placed indoors and in such a position to cause least disturbance to noise sensitive premise(s). Speakers shall not be positioned outside the premises (fabric of the building), unless agreed that any music emitted is of a background level only.

We will operate a strict Challenge 21 policy with all staff trained to conduct these checks. No alcohol to be served to adults suspected of supplying to minors.

Unaccompanied children will not be permitted in the premises. Accompanied Minors will be permitted to attend private functions in the lower function room. No minors to be allowed in the general bar or snooker hall after 9pm.

No amplified and non-amplified music, singing and speech arising from regulated entertainment shall be permitted in the approved outdoor area after 23:00. This includes recorded and live music, musical instruments, films or any other entertainment.

#### Added Variation 30/04/2020

The first floor external terrace to be subject to the following restrictions:

No playing of amplified and non-amplified music, singing and speech from regulated entertainment after 23:00

No sales of alcohol after 23:00

No late night refreshment after 01:00

To be only used for the purpose of smoking after 01:00

Conditions added by South Yorkshire Police 7th May 2020

Drinks may not be removed from the premises in open containers after 23:00hrs  
Sunday - Thursday & Midnight Friday & Saturday.

All regulated entertainment to cease in any outside area used by the Premise at  
23:00hrs Sunday - Thursday & Midnight Friday & Saturday.

*Annex 3 – Conditions attached after hearing by the Licensing Authority*

*Annex 4 – Plans*

See attached plan





**Doncaster  
Council**

www.doncaster.gov.uk

## LICENSING ACT 2003 - Section 24

### Premises Licence Summary

Doncaster Metropolitan Borough Council,  
Business Safety and Licensing, Civic Office, Waterdale, Doncaster DN1 3BU

**Premises licence number** **LN/201500381**

#### Premises details

*Postal address of premises or, if none Ordnance Survey map reference or description:*

**Corner Pocket & Majestic Suite, Bank Street, Mexborough, Doncaster, S64 9QD**

Telephone number:

Where the licence is time limited – the dates:

*Licensable activities authorised by the licence:*

**Perform Play**  
**Exhibit Film**  
**Indoor Sports**  
**Boxing/Wrestling**  
**Live Music**  
**Recorded Music**  
**Performance of Dance**  
**Similar to Regulated Entertainment**  
**Late Night Refreshment**  
**Sale of Alcohol (On/Off)**  
**Opening Hours**

*Name, (registered) address of holder of premises licence:*

**Hotel Van Dyk Ltd**  
**The Pitches, Wickersley Road, Rotherham, S60 3PR**

*Registered number of holder, for example company number, charity number (where applicable)*

**Registered Number: 07922515**

*Name of designated premises supervisor where the premises licence authorises the supply of alcohol:*

**Gail Eyre**

*State whether access to the premises by children is restricted or prohibited:*

*Where the licence authorises supplies of alcohol whether these are on and/or off supplies:*

**Sale by retail of alcohol for consumption ON/OFF the premises.**



The times the licence authorises the carrying out of licensable activities, their permitted locations and the opening hours of the premises are as follows:

|      | Perform Play.        | Exhibit Film.<br>Indoor Sports.<br>Boxing/Wrestling. | Live Music.<br>Recorded<br>Music. | Performance of<br>Dance.<br>Similar to<br>Regulated Ent. | Late Night<br>Refreshment. | Sale of Alcohol<br>(On/Off). |
|------|----------------------|--|-----------------------------------|--|----------------------------|------------------------------|
|      | Indoors/Outdoors     | Indoors  | Indoors/Outdoors                  | Indoors  | Indoors/Outdoors           | Licensed Area<br>(See Plan)  |
| Mon  | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                |
| Tues | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                |
| Wed  | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                |
| Thur | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 00:00  | 23:00 - 00:00              | 09:00 - 00:00                |
| Fri  | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 02:00                     | 09:00 - 02:00  | 23:00 - 02:00              | 09:00 - 02:00                |
| Sat  | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 02:00                     | 09:00 - 02:00  | 23:00 - 02:00              | 09:00 - 02:00                |
| Sun  | 09:00 - 00:00        | 09:00 - 00:00  | 09:00 - 00:00                     | 09:00 - 02:00  | 23:00 - 00:00              | 09:00 - 00:00                |
|      | Opening Hours        |  |                                   |  |                            |                              |
|      | Whole of<br>Premises |  |                                   |  |                            |                              |
| Mon  | 09:00 - 00:00        |  |                                   |  |                            |                              |
| Tues | 09:00 - 00:00        |  |                                   |  |                            |                              |
| Wed  | 09:00 - 00:00        |  |                                   |  |                            |                              |
| Thur | 09:00 - 00:00        |  |                                   |  |                            |                              |
| Fri  | 09:00 - 02:00        |  |                                   |  |                            |                              |
| Sat  | 09:00 - 02:00        |  |                                   |  |                            |                              |
| Sun  | 09:00 - 00:00        |  |                                   |  |                            |                              |

*Non-Standard Timings:*

**Late Night Refreshment**

Externally to be limited until 01:00 Friday & Saturday

**Sale of Alcohol (On/Off)**

Externally to be limited until 23:00 Sunday to Saturday

Sundays preceding Bank Holidays Start 09:00 End 02:00

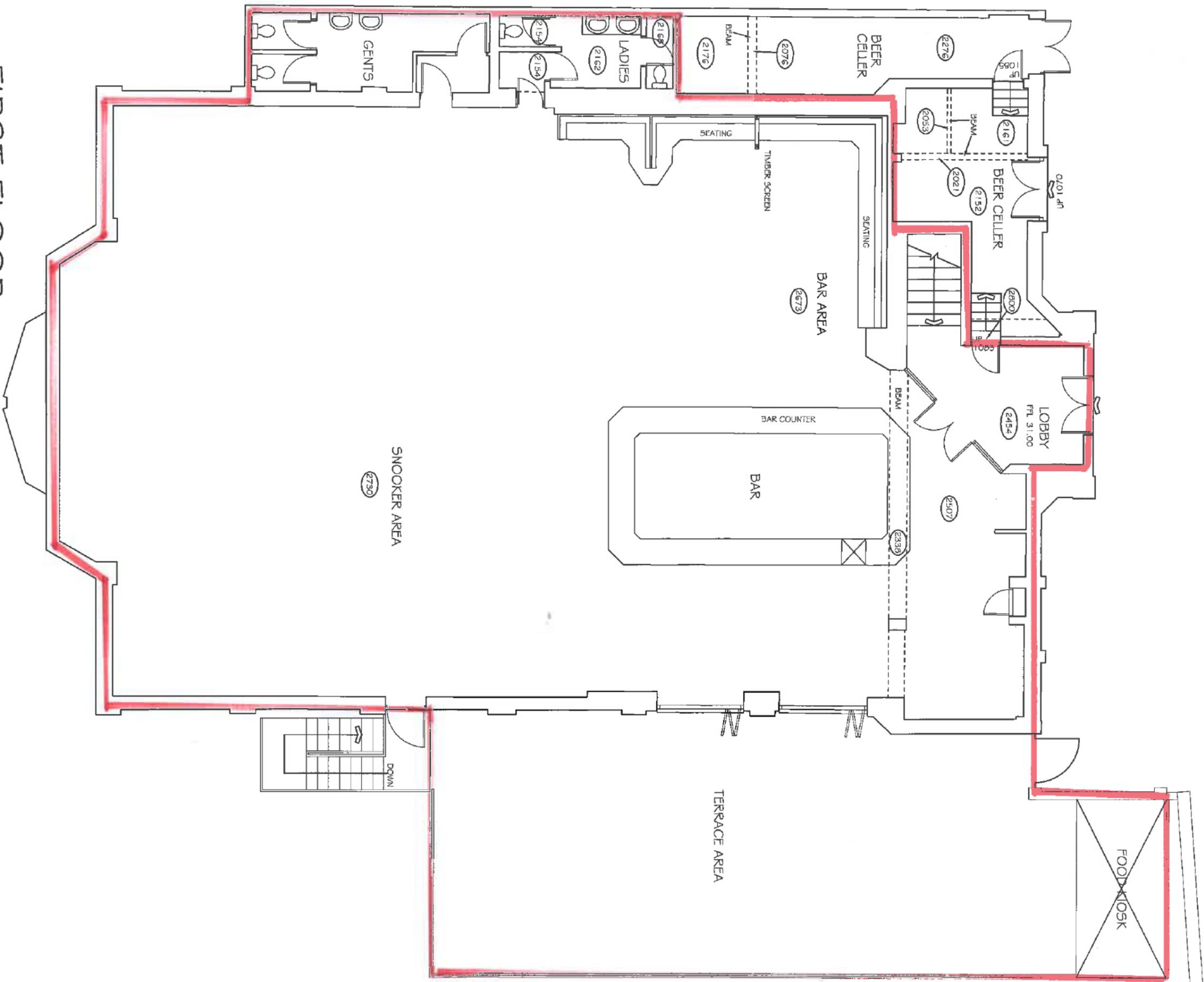
Christmas Eve Start 09:00 End 04:00;

New Year's Eve Start 09:00 End 06:00

Sale of Alcohol: Sundays preceding Bank Holidays start 09.00 End 02.00 Christmas Eve start 09.00 End 04.00  
New Year's Eve

Start 09.00 End 6.00 -- Opening Hours Sundays preceding Bank Holidays 09.00 End 02.00 Christmas Eve Start  
09.00 End

04.00 New Year's Eve Start 09.00 End 06.00



# FIRST FLOOR

E - 16/04/2020 - External Kiosk added.



MAJESTIC POCKET, BANK STREET,  
 MEXBOROUGH, DONCASTER,  
 S64 9QD.



**JEA** Architectural Ltd  
 23 Windmill Road, Wombwell,  
 Barnsley, S73 8PW.  
 Tel: 01226 734507  
 Email: jeald@btconnect.com

## FIRST FLOOR PLAN

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| Ref: 201816       | Date: OCT 2018 |
| Scale: 1:100 @ A3 | DWG No: 01     |
| Page 44           |                |

## **DECISION OF THE LICENSING SUB COMMITTEE**

### **Date of hearing:- 17/9/20**

We have considered the application for a Summary Review of the Premises Licence of Corner Pocket and Majestic Suite, Bank Street, Mexborough and have taken into account the Application made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Statement of Licensing Policy.

The Committee have carefully considered the matters raised by the Police and Superintendent Thomas in the Certificate and notice and the practical implications of all of the interim steps available including taking no action or modification of the licence. Based on the evidence of serious crime contained in the application the authority has concluded that it is necessary to take the interim step of suspending the licence with immediate effect.

In reaching their Decision the Licensing Sub Committee was mindful of the requirement of the Licensing Act 2003 and that in carrying out its functions under the Act, must do so with a view to promoting the licensing objectives. In considering all of the above factors, the Committee, balancing the interests of all parties to the hearing has resolved to suspend the licence with immediate effect pending the full review hearing. The sub-committee deemed the above step to be necessary to uphold the licensing objective of Crime and disorder.

The committee heard that there had been a serious incident on Sunday 13<sup>th</sup> September 2020 and it was put to them that this meets the definition as set out in the relevant legislation and they agree. In fact it is noted that this appears to have been agreed by the Premises. The Police further say that there have been other incidents which they are only now aware of and have categorised these as under reporting. Without any details the committee is unable to make any determination on these incidents other than it is unlikely that they would amount to serious disorder or crime which is the relevant factor for the hearing today. It is of course likely that these issues will be raised when the full review is heard.

Whilst the committee notes the comments about the Covid security issues all agreed these were not serious disorder nor serious crime.

Regarding the incident on 13<sup>th</sup> September the committee heard evidence that the premises were aware there was an issue with some patrons and sought to deal with their disruption. It appears that there is CCTV of this incident and although none was presented today there is no dispute that the incident was commenced or at least carried on in the premises until they were removed. From there the incident escalated to a serious violent assault which gives the committee great concern. This would suggest there was a number of opportunities for the DPS, who was on site, the manager, other staff in the premises and the door staff to intervene to prevent the incident escalating.

Most concerning it is being put to the committee today that the door staff are an issue and have been replaced. This seems to be a reaction to the incident on Sunday rather than the premises having general concern over the operation of the door staff which it seems have contributed to this situation. Neither have we heard that the incident was reported to the police by anyone at the premises. The Police have raised that they have concerns that if the premises remains open then there is a risk of something happening in the future and therefore it is proportionate for the licence to be suspended and the committee agrees.

The Committee are aware that the Police have already sought to close the premises under separate powers and that the premises is actually closed until the determination of that process. The Police explained that they believe the correct forum for dealing with licensed premises is the licensing authority and therefore the committee accepts it is entirely reasonable to ask the licensing committee to deal with this matter. It would seem that utilising both legal powers has the propensity for there to be confusion but the committee does accept that the only power where an immediate closure could be enacted is through a Closure notice. This accords with the police's view that they have concerns about serious crime and order at the premises and sought to close immediately.

The premises have said that the request for suspension is disproportionate and that the premises are well managed and invited the committee to do nothing other than amended some conditions. The Committee have carefully considered whether any modifications to the licence would ensure there would be no further serious crime or disorder. The matter of the door staff was put to the committee as being resolved whilst also saying that it is impossible to get good door staff for the area. This committee is therefore concerned that replacing the company will not deal with the potential issues. Other suggested modifications were around record keeping which the committee does not regard as being able to deal with serious crime and disorder in the premises. The committee has considered if there are any other modifications that could be considered but having reviewed the current conditions feel these should ensure the licensing objectives are upheld but clearly this is not the case. It is open to the committee to remove the DPS but however it is not felt that this would

resolve these issues as at no point has with the police nor the premises suggested there are any issues with the DPS. In fact it appears it was the manager of the premises that was dealing with this incident.

Both parties mentioned that there are matters that will need to be raised at the full review and it is expect that clarification on the quality of door staff will feature in this process.

For the avoidance of doubt the interim steps shall cease to have effect on the determination of the full review hearing, subject to appeal, but without prejudice to the powers of the Licensing Sub-Committee in dealing with that review

The premises licence holder is entitled to make representations to the local authority against the interim steps. If such representations are made, a hearing will be convened for those representations to be considered.

A full review hearing will take place within 28 days from the date of the application.

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CORNER POCKET MAJESTIC SUITE,  
BANK STREET, MEXBOROUGH, DONCASTER. S64 9QD

#### PARTNERSHIP WORKING WITH SOUTH YORKSHIRE POLICE

This document has been prepared on behalf of the Premises Licence Holders Hotel Van Dyke Limited in respect of Premises Licence Number LN/201500381 which currently licences the Corner Pocket Majestic Suite, Bank Street, Mexborough, Doncaster S64 9QD issued by Doncaster Council.

That particular Licence is currently the subject of interim steps imposed by Doncaster Licensing Sub Committee on the 17<sup>th</sup> September 2020, the interim step being a suspension of the Premises Licence until such date as a further Review Hearing has taken place before the Committee prior to the expiry of 28 days from that date.

This document sets out a proposal to South Yorkshire Police that, in the opinion of the Premises Licence Holders amounts to a *material change in circumstances* relating to the operation of the premises which should allow the interim steps imposed at the last hearing date of the 17<sup>th</sup> September 2020 to be lifted subject to a further representation before the Licensing sub-committee.

Open discussion of the contents of this document will be offered to South Yorkshire Police alongside a meeting regarding their concerns with the premises.

#### **Change to Operational Management Structure at The Corner Pocket**

A planned management restructure of the business will be brought forward to reassure the Authorities and manage and implement the suggested changes to the license in operation at the Corner Pocket.

- An enhanced senior management structure with Mr Peter Eyre, (who has over 30 years' experience in the licensed trade and many more in differing regulated business) affording his additional time and support on the ground at the site. Peter has held a licence under Licensing Law since 1985 without issue. Additionally, Peter and Gail Eyre transformed the local premises Hotel Van Dyk from a wreck of a building both commercially and financially through to being a premier venue in the area. Under their management the hotel had more than 1,800 visitors per week.

This will strengthen and ensure transition of this positive planned management restructure.

- A new General Manager will be installed to work alongside the existing team who has experience of the management of multiple sites, but whose principle task will be to control and manage the Corner Pocket as the first priority in his duties. Details of this individual and his experience are detailed;
- Proposed new regional manager who has worked for the Burning Knight Group for the last 10 years supervising the opening and controlling of their large marque branded sites such as Bierkeller and Shooters, the location of those sites being predominantly busy city centre venues. This has allowed him to gain valuable experience in overseeing staff management, control and implementation of policies and procedures. The group went into administration last year but he was retained to work recently with the administrators.
- Prior to that role he worked for the owner of the Burning Knight Group for more than 12 years so has extensive experience in reporting within a management and business structure of a similar nature. His role would sit within the super management structure of the business and its sites reporting to Peter Eyre, but, as detailed, his principle task would be continued management of the Corner Pocket and its team.
- A number of individuals within the business at differing management levels will be put through the Personal Licence Alcohol training course to achieve their Personal Licence qualification. This will enable an appropriate condition to be placed upon the Licence at the busiest times for the Corner Pocket, such that a Personal Licence Holder is always present at those times.
- All will continue to work with the current DPS at site Gail Eyre to transition experience within the structure at all levels. Gail has substantial experience in her own right and whose role as DPS (in recent times) is without any critical comment in any of the proceedings by the authorities.

### **The Premises' Commitment to Enhanced Engagement**

- Participation in the "Best Bar None" scheme, alongside continued participation in "Pubwatch" (when available and running) will be undertaken by the premises.
- Participation in the "Ask for Angela" scheme including an associated training for staff members.

### **Change to Security Team at The Corner Pocket**

Prior to the service of the closure notice and review proceedings, consideration had been given by management (and indeed raised with the provider) in respect of the quality of the door team provided by them under their contract for the premises.

Negotiations had already begun to enhance the security offering with the employment of a different third party provider for security (mid- august 2020). Clearly those have now sensibly been brought forward and form part of this enhanced security package.

The Premises Licence Holders have reached agreement with Proactive Security Ltd. Mr. Richard Dyson (Managing Director of that Company) has completed his professional risk assessment upon the Corner Pocket and as part of a security package would provide the following door team;

1. When both external terraced areas are open and trading a security team consisting of 5 SIA operatives one of which will be a dedicated head doorman.
2. At times when the external areas are not in operational use this team would consist of 4 overall SIA security operatives.

Consideration of this offer structured within an appropriate worded condition upon the Premises Licence is offered for discussion with the Police.

In addition South Yorkshire Police will be aware that the new security team has experience of managing challenging premises in the Yorkshire area including Nightclubs and Bars in Sheffield and the surrounding area.

The security policies adopted and implemented at sites managed by this team, have resulted in those particular sites being awarded recognition at their Best Bar None awards.

### **Change to Technology at The Corner Pocket**

The new security team at the premises have experience in the use of an ID scanning system.

A reference document is annexed to this document at A) for indicative information as to the system proposed by the Premises Licence Holders.

It is proposed that technology be installed and implemented at the premises.

Material benefits of use of such a system could be summarised as;

1. Deterrent.
2. Data capture to assist security and management.
3. Sharing of critical information between premises & authorities to uphold licensing objectives.

We understand that this particular technology allows for an updated flow of information to be passed on by South Yorkshire Police to the venue, regarding banned lists and pub watch banned lists which can be added and updated for the use of the venue and its systems. The Police will be aware that type of unit is seen at a number of "Big City Centre" style licensed premises and would be managed at the site in conjunction with the security team.

In addition, a condition is offered in respect of the use of Body Cameras by the SIA team at site. This technology alongside the use of a scanner will enhance the security package at the premises, making it one of the most comprehensive in Mexborough.

### **Change to Conditions upon the Premises Licence at The Corner Pocket**

#### **CORNER POCKET & MAJESTIC SUITE, BANK STREET, MEXBOROUGH, DONCASTER, S64 9QD.**

AMENDMENTS TO EXISTING CONDITIONS AND ADDITIONAL CONDITIONS TO PROMOTE THE FOUR LICENSING OBJECTIVES

#### **Crime and Disorder**

1. A Refusal Log and Incident Log will be maintained by staff at the premises and audited by management.

2. On a Friday and Saturday at a time as agreed by a Risk Assessment, a minimum of 5 SIA from a company who are a part of the SIA approved contractor scheme will be deployed at the premises when both external terraced areas are in use. The SIA approved contractors will remain up to 30 minutes after closing time. When the external areas are not in use, a minimum of 4 SIA will be deployed at the premises on a Friday and Saturday.
3. At all times other than a Friday and Saturday, the deployment of SIA at the premises will be by Risk Assessment on an event by event basis.
4. On a Friday and Saturday as per the Risk Assessment an SIA will be fitted with an approved bodycam. The bodycam will be activated by the SIA when engaged in an incident on or in the vicinity of the premises.
5. The images shall be stored for a minimum of 30 days and the Police will be given access to copies of the images subject to any GDPR complaint request from them.
6. A minimum of 1 SIA operative shall be present at the main entrance to undertake random ID checks, random search of customers and to monitor the exterior and any queueing system in place within the external curtilage of the premises.
7. CCTV installed and maintained, covering all public areas (save for the toilets) at the premises, in particular the entrance door and queuing area. The system will record during all hours the premises are open to the public.
8. The system will retain images for a period of 30 days, such images to be made available to the Police or any authorised persons for inspection upon a GDPR compliant request by them.
9. A written safe guarding and dispersal policy to be written by management and agreed with South Yorkshire Police.
10. All staff to be trained upon induction at the premises and to receive an annual refresh of training in connection with underage sales, safeguarding, and identified drunk or drug impaired customers and policies implemented at the premises.
11. An electronic ID scanner shall be installed at the premises. If the electronic ID scanner is not operational the Police and the Licensing Authority will be informed of this fact and a repair timescale provided. Use of the electronic ID scanner shall be risk assessed on a Sunday should SIA not be deployed by risk assessment.
12. The premises shall scan all patrons entering the premises through the electronic ID scanner after 19:00 on a Friday and Saturday or at any time SIA door supervisors are deployed at the premises by Risk Assessment.
13. The licence holder/DPS/Manager shall provide the Police or authorised Officers of the Licensing Authority data from the electronic ID scanner, via the Data Controller of the CCTV system in conjunction with the third party contractor which provides access to the data held with the minimum of delay when requested.
14. Policy and procedures for door staff shall be in place around dispersal techniques for customers and procedures for dealing with incidents that occur in or around the vicinity of the premises. These shall be provided to the Police and authorised Officers of the Licensing Authority upon request.
15. Appropriate signage shall be displayed in prominent positions, informing customers they are being recorded on CCTV. A staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times the premises are open to the public. This staff member will be able to show the Police or authorised Officers of the Licensing Authority recent data footage with the minimum of delay when requested upon a complaint GDPR request.
16. The licence holder/Designated Premises Supervisor/Manager or member of staff nominated shall actively participate in any local pub watch or similar scheme.

### **Public Safety**

1. The premises shall operate a dispersal policy and all staff shall be trained in its implementation.
2. Toilet checks to be undertaken and such checks to be recorded and undertaken on a random basis every hour.

### **Prevention of Public Nuisance**

1. A record of complaints shall be maintained on the premises to record details of any complaints received.

### **Protection of Children from Harm**

1. A drugs policy shall be in effect and all staff shall be trained in the implementation of the policy. The policy should be made available to the Police and authorised Officers of the Licensing Authority upon request.
2. Any drugs confiscated from customers shall be stored in a locked and secured container and the Police shall be notified. A log will be maintained and kept with the drugs container. It will contain details of the date and time of the finding, whom found by, when deposited, when collected by Police and signatures of the depositor and collector.

**DECISION OF THE LICENSING SUB COMMITTEE****Date of hearing:- 1/10/20**

We have considered the representations made by the legal representative of the Premises Licence Holder of Corner Pocket and Majestic Suite, Bank Street, Mexborough, against the interim steps taken by the licensing authority on the 17<sup>th</sup> September 2020, namely to suspend the licence and we have taken into account the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and the Statement of Licensing Policy.

The Committee have carefully considered additional measures that have been taken by the Premises Licence Holder, in particular the changes to the operational management structure, the commitment to enhanced engagement in the area, the comprehensive training of staff, the change to the security team, enhanced security technology and the change to conditions on the premises license and the financial resources committed to ensure this all happens. The Committee acknowledges that the Premises Licence Holder has been in constructive discussions with the police in order to promote the Licensing Objectives, specifically in respect of crime and disorder.

On that basis, the Licensing Sub-Committee have resolved to lift the suspension of the licence with immediate effect. In reaching their Decision the Licensing Sub Committee was mindful that the police have not raised any objections to the representations made by the Premises Licence Holder representative and have expressed that they are quite content with all the measures.

A full review hearing will take place on the 13<sup>th</sup> October 2020.

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