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Agenda

To all Members of the

LICENSING SUB-COMMITTEE

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

Venue: Room 009, Ground Floor, Civic Office, Waterdale, Doncaster DN1 3BU

Date: Wednesday, 30th March, 2022

Time: 2.00 pm

Please Note: For those who are attending the meeting, please bring a face covering, unless you are exempt (face coverings can be removed once seated in the Chamber).

Items for Discussion:

PageNo.

- 1. Apologies for Absence
- 2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
- 3. Declarations of interest, if any.
- 4. Minutes of the meeting held on 23rd February, 2022

1 - 2

Damian Allen Chief Executive

Issued on: 22 March, 2022

Governance Services Officer for this meeting

Amber Torrington 01302 737462

Doncaster Metropolitan Borough Council www.doncaster.gov.uk

- A. Reports where the Public and Press may not be excluded.
- 5. Application for a New Club Premises Certificate Barnby Dun Cricket 3 44 Club, The Pavillion, Doncaster Road, Kirk Sandall, Doncaster, DN3 1HQ.

(Appendices E and F to the report is not for publication as it contains personal information protected by Data Protection Legislation, not required to be published in accordance with the Licensing Act 2003).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 Dave Shaw

Councillors Nick Allen, Duncan Anderson and Iris Beech

Agenda Item 4

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 23RD FEBRUARY, 2022

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on WEDNESDAY, 23RD FEBRUARY, 2022, at 10.00 am.

PRESENT:

Chair - Councillor Linda Curran

Councillors Bev Chapman, Charlie Hogarth and Ian Pearson (for item 5 only)

1 DECLARATIONS OF INTEREST, IF ANY.

No declarations were reported at the meeting.

2 MINUTES OF THE MEETING HELD ON 10TH DECEMBER 2021.

<u>RESOLVED</u> that the minutes of the meeting held on 10th December, 2021 be approved as a correct record and signed by the Chair.

3 <u>EXCLUSION OF PUBLIC AND PRESS</u>

<u>RESOLVED</u> that the public and press be excluded from the remaining proceedings of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information, as defined in Paragraph 1 (information relating to any individual) of Part 1 of Schedule 12A to the Act, was likely to be disclosed.

4 <u>APPLICATION FOR A NEW HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS</u> LICENCE (EXCLUSION PARAGRAPH 1)

The Sub-Committee considered an application for a new Hackney Carriage/Private Hire Drivers Licence.

The Sub-Committee Members, the Applicant and relevant officers had received a copy of the agenda papers prior to the meeting.

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

The Licensing Officer, David Smith, introduced the report and outlined the salient points in relation to the application, explaining the circumstances, which had led to the requirement for the Committee to determine whether the applicant was considered a fit and proper person to be granted a Hackney Carriage/Private Hire Drivers Licence.

The applicant explained his past actions and responded to a number of questions from members. The applicant, the Licensing Officers, were, then asked to leave the meeting whilst the Sub-Committee deliberated the application.

The applicant was notified that he would receive the decision of the Sub-Committee in writing within 7 working days.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Councils Hackney Carriage & Private Hire Licensing Policy, having reviewed the suitability to hold a Hackney Carriage/Private Hire Drivers licence decided the applicant was a fit and proper person to hold a licence and granted the licence subject to the following condition:-

The applicant be licensed to drive for up to 7 hours per day between the hours of 6am and 8pm

5 <u>APPLICATION TO RENEW AN EXISTING HACKNEY CARRIAGE / PRIVATE HIRE</u> DRIVERS LICENCE (EXCLUSION PARAGRAPH 1)

The Sub-Committee considered an application for the renewal of an existing Hackney Carriage/Private Hire Drivers Licence.

The Sub-Committee Members, the Applicant and relevant officers had received a copy of the agenda papers prior to the meeting.

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

The Licensing Officer, David Smith, introduced the report and outlined the salient points in relation to the application, explaining the circumstances, which had led to the requirement for the Committee to determine whether the applicant was considered a fit and proper person to be granted a Hackney Carriage/Private Hire Drivers Licence.

The applicant and his representative explained his past actions and responded to a number of questions from members. The applicant, his representative and the Licensing Officer, were, then asked to leave the meeting whilst the Sub-Committee deliberated the application.

The applicant and his representative were notified that they would receive the decision of the Sub-Committee in writing within 7 working days.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Councils Hackney Carriage & Private Hire Licensing Policy, having reviewed the suitability to continue to hold a Hackney Carriage/Private Hire Drivers licence decided to refuse to grant the renewal of a Hackney Carriage/Private Hire Drivers licence. The applicant was not considered to be, a fit and proper person to hold such a licence.

CHAIR:	DATE:		
	A. 2		



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Report

To the Chair and Members of the

30 March 2022

LICENSING SUB-COMMITTEE

Licensing Act 2003 – Application for a New Club Premises Certificate.

Barnby Dun Cricket Club, The Pavilion, Sports Ground, Doncaster Road, Kirk Sandall, Doncaster DN3 1HQ

EXECUTIVE SUMMARY

1. To request that members of the Sub-Committee determine the application for a new Club Premises Certificate in respect of Barnby Dun Cricket Club, The Pavilion, Sports Ground, Doncaster Road, Kirk Sandall, Doncaster. The procedure for considering the application is set out at Appendix A.

RECOMMENDATIONS

2. It is recommended that the Sub-Committee determine this application having regard to the representations made and the evidence before it.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

3. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on licence applications, which are the subject of representations.

BACKGROUND

- 4. The premises concerned are currently a Cricket Club. The application is for a new Club Premises Certificate so they may supply alcohol and conduct other qualifying club activities from their premises.
- 5. To avoid a representation from South Yorkshire Police the applicant has agreed to reduce the hours for sale of alcohol and add further conditions, this information is shown at appendix B
- 6. A summary of the amended application is attached as Appendix B to this report.
- 7. A location plan of the premises is attached at Appendix C.

- 8. A copy of the application is attached at Appendix D.
- 9. Under the Licensing Act 2003, statutory guidance issued under section 182 of the Act and the Licensing Authority's Statement of Licensing Policy, any licensing application under the Act in respect of which representations have been made to the Licensing Authority and which have not been withdrawn or resolved by mediation fall to be determined by the Licensing Sub-Committee having regard to the evidence before it.
- 10. One relevant representation regarding the application has been received from the local Parish Council which relates to one or more of the four licensing objectives. The representation, which do not form part of the public report, but as required by law, have been provided to the applicant and to the members of the Licensing Sub-Committee as Appendix E.
- 11. Appendix F which do not form part of the public report, but as required by law, have been provided to the applicant and to the members of the Licensing Sub-Committee. Appendix F in the report shows mediation between the applicant (text shown in red) and the objector. However mediation between both parties has failed and the objection remains.
- 12. A copy of the application has been sent to each of the Responsible Authorities. Details of the application have been published on the Council website.

OPTIONS CONSIDERED

- 13. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on licence applications, which are the subject of representations and therefore no other option other than to hold a hearing can be considered.
- 14. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

Grant of a Club Premises Certificate

- Grant the licence subject to conditions which are consistent to the operating schedule, modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and those conditions which are mandatory.
- To exclude from the scope of the licence any of the licensable activities to which the application relates.
- To reject the application.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

15.

	Outcomes	Implications
Ī	Doncaster Working: Our vision	It is recognised that licensed

is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;

- Better access to good fulfilling work
- Doncaster businesses are supported to flourish
- Inward Investment

premises are, quite often, businesses and places of employment.

The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives, will have regard to this outcome when making licensing decisions.

The licensing objectives are:

- 1. Prevent crime and disorder
- 2. Prevent public nuisance
- 3. Public safety
- 4. Protection of children from harm

Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;

- The town centres are the beating heart of Doncaster
- More people can live in a good quality, affordable home
- Healthy and Vibrant Communities through Physical Activity and Sport
- Everyone takes responsibility for keeping Doncaster Clean
- Building on our cultural, artistic and sporting heritage

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.

Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;

- Every child has life-changing learning experiences within and beyond school
- Many more great teachers work in Doncaster Schools that are good or better

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.

 Learning in Doncaster prepares young people for the world of work 	
 Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents; Children have the best start in life Vulnerable families and individuals have support from someone they trust Older people can live well and independently in their own homes 	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.
 A modern, efficient and flexible workforce Modern, accessible customer interactions Operating within our resources and delivering value for money A co-ordinated, whole person, whole life focus on the needs and aspirations of residents Building community resilience and self-reliance by connecting community assets and strengths Working with our partners and residents to provide effective leadership and governance 	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.

RISKS AND ASSUMPTIONS

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

LEGAL IMPLICATIONS [M-CC Date 10/3/22]

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 01.04.2021]

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 01.04.2021]

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

TECHNOLOGY IMPLICATIONS [Officer P Ward – Standard Implications Agreed 01/04.2021]

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 01.04.2021]

- 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 the grant, variation or review of a premises licence. These representations must still be considered 'relevant' and relate to one or more of the licensing objectives.
- 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 In addition to the responsible authority whose psychological wellbeing. functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform representations abut child protection matters. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the Licensing Authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol- related illnesses or injuries) this evidence should be considered, and the Licensing Authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the Licensing Authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

EQUALITY IMPLICATIONS [H.Oxley 08.03.2022]

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 2021
- 27. Home Office Guidance issued under section 182 of the Licensing Act

REPORT AUTHOR & CONTRIBUTORS

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Dan Swaine
Director of Economy and Environment

DONCASTER METROPOLITAN BOROUGH COUNCIL

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

1. Meaning of Expressions used in this Document

"the Act"	- Licensing Act 2003
"the Regulations" or any particular reference to a "Regulation"	- The Licensing Act 2003 (Hearings) Regulations 2005
"the Authority"	- Doncaster Metropolitan Borough Council, in its capacity as the relevant Licensing Authority under the Act, or where the context so admits the Committee
"the Committee"	the Sub-Committee of the Authority's Licensing Committee constituted under the Act to determine the matter before it
"the Chair"	- the member of the Committee appointed to act as Chairperson of the Committee
"the Applicant"	- the party making the application e.g. the licence/certificate holder or prospective holder, or the party seeking a review
"responsible authorities"	the public or other bodies described in the Act as "responsible authorities" and who have made representations
"party"	- 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

<u>Permission to question or cross-examine the Applicant or other</u> 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 noncontentious 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).

APPENDIX B

Name of Applicant: Barnby Dun Cricket Club

Name of Premises: The Pavilion

Address: Sports Ground, Doncaster Road, Doncaster DN3 1HQ

Summary of Application:

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

Activity	Opening Hours				
Location	Whole of Premises				
	From	То			
Monday	11:00	21:00			
Tuesday	11:00	21:00			
Wednesday	11:00	21:00			
Thursday	11:00	23:00			
Friday	11:00	23:00			
Saturday	11:00	23:00			
Sunday	12:00	21:00			
Activity	Supply of Alcoh				
Location	Licensed Are				
	From	То			
Monday	11:00	20:45			
Tuesday	11:00	20:45			
Wednesday	11:00	20:45			
Thursday	11:00	20:45			
Friday	11:00	22:45			
Saturday	11:00	22:45			
Sunday	12:00	20:45			

Non Standard Timings:

The annual community bonfire and firework display is held at the Sports Ground, and we would like to be able to sell alcohol up to 11pm at this event. This annual event is a key fund raising activity for the Barnby Dun & Kirk Sandall Sports Association, which serves to provide and enhance sporting facilities for the local community.

Occasionally, the club will host a fund raising gala, usually during the late Autumn bank holiday. Refreshment would be sold to members of the public attending the gala.

Conditions agreed between the applicant and South Yorkshire Police

Reduce the sale of alcohol by 15min to allow a drinking up time

Monday – Thursday 11:00hrs – 20:45hrs

Friday – Saturday 11:00hrs – 22:45hrs

Sunday 12:00hrs – 20:45hrs

Add the following conditions to the proposed club certificate:-

- It is considered that for the nature of the operation door supervisors **will not** be required however, a risk assessment will be undertaken should unusual events takes place and if they consider it appropriate will employ the same.
- It is considered that for the nature of the operation plastic/polycarbonate drinking vessels **will not** be required however internally, a risk assessment will be undertaken should unusual events takes place and management deem it necessary.
- Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities
- The Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.
- A CCTV system will be fitted, maintained and in use at all times whilst the premises are open. The
 CCTV images will be stored for 30 days and police and authorised officers of the council will be given
 access to images for purposes in connection with the prevention and detection of crime and disorder.
 Members of the management team will be trained in the use of the system.

APPENDIX C

Location Plan





Application for a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

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(Insert name of club)

Name of club

club applies for a club premises certificate under section 71 of the Licensing Act 2003 for the premises described in Part 1 below (the club premises).

The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing Act 2003.

Part 1 – Club premises details

BARNBY DUN CRICKET CLUB

South and American Control (American Control (Am						
Postal address of premises or, if none, ordnance survey map reference or description						
The Pavilion						
Sports Ground,						
Doncaster Road,						
Kirk Sandall						
50		4				
Post Town Doncaster	(Para)	Postcode	DN3 1HQ			
Telephone number (if any)						
E-mail address (optional)	barnbyduncricket@btint	ernet.com				
	WW.					
Name of person performing dut	ies of a secretary to the club					
Alan Young						
Address of person performing d	luties of a secretary to the clu	b				
Post Town		Postcode				
Daytime contact telephone	60 TO 10 TO					
number (if any)						

E-mail	address (optional)								
Non-de	omestic rateable value of premises	£3,400							
Are the	e club premises occupied and habitually	used by the club?	Yes ⊠ No □						
Part 2	– Club Operating Schedule								
When	do you want the club premises certificate	e to start?	01 04 2022						
-	If you wish the certificate to be valid only for a limited period, when do you want it to end?								
Barnby cricket has Sat team in League and Ur The clu and kit metres has acc	Barnby Dun Cricket Club was established in 1870 and serves to promote the playing and watching of cricket amongst the local communities of Kirk Sandall, Barnby Dun and Edenthorpe. The club currently has Saturday adult teams in the Pontefract and District Cricket League divisions two and seven, an adult team in the Barnsley Sunday League, and an adult evening team in the Doncaster Infirmary Evening League. The club also has junior teams, comprising boys and girls, at the Under 9, Under 11, Under 13 and Under 15 age groups. The club premises form the Pavilion, which comprises changing rooms, store rooms, a reception area and and kitchen. The Pavilion is not adjacent to other residential buildings, the nearest being in excess of 50 metres away on the opposite side of the Doncaster Road. In addition to the reception area, the Pavilion has access to an adjacent secure outdoor area, comprising picnic tables, where refreshments may be consumed. The outdoor area is not close to any neighbouring properties.								
	0 or more people are expected to attend to lease state the number expected to attend	-	N/A						
What o	qualifying club activities do you intend to	conduct on the club pren	nises?						
Provisi	ion of regulated entertainment		Please tick all that apply						
a) p	plays (if ticking yes, fill in box A)								
b) f	films (if ticking yes, fill in box B)								
c) i	ndoor sporting events (if ticking yes, fill	in box C)							
d) t	d) boxing or wrestling entertainment (if ticking yes, fill in box D)								
e) 1	ive music (if ticking yes, fill in box E)								
f) r	recorded music (if ticking yes, fill in box	F)							
g) I	performances of dance (if ticking yes, fill	l in box G)							
nı	anything of a similar description to that f	alling within (e), (f) or (g)	(if ticking yes, fill in box						

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box I)	\boxtimes
The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box ${\bf J}$	\boxtimes

In all cases complete boxes, K and L.

\mathbf{A}

Plays Standard days and timings (please read guidance note			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)			<i></i>	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for performing plays (note 4)	please read guida	ance
Thur					
Fri			Non standard timings. Where the club intends to us the performance of a play at different times from the column on the left, please list (please read guidance no	ose listed in the	<u>for</u>
Sat					
Sun					

Films Standard days and timings (please read guidance note			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)			,	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the exhibition of fil guidance note 4)	m (please read	
Thur					
Fri			Non standard timings. Where the club intends to us the exhibition of film at different times from those liming on the left, please list (please read guidance note 5)		
Sat					
Sun					

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			-
Thur			Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			-

Boxing or wrestling entertainments Standard days and timings			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
	(please read guidance note		(preuse read guidantee note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
			2100 g	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the performance of read guidance note 4)	Tlive music (plea	ase
Thur					
Fri			Non-standard timings. Where the club intends to us the performance of live music at different times from column on the left, please list (please read guidance no	n those listed in	
Sat					
Sun					

Recorded music Standard days and timings (please read guidance note			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)		noo noo	Total guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorread guidance note 4)	rded music (plea	ase
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

Performances of dance Standard days and timings (please read guidance note		l timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the performance of guidance note 4)	dance (please r	ead
Thur					
Fri			Non-standard timings. Where the club intends to us the performance of dance at different times from the column on the left, please list (please read guidance no	ose listed in the	<u>for</u>
Sat					
Sun					

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment the providing	at the club will b	oe
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance	Indoors	
Mon			note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance	note 3)	
Wed					
Thur			State any seasonal variations for this entertainment	(please read	
			guidance note 4)		
Fri					
Sat			Non-standard timings. Where the club intends to us this entertainment at different times from those liste		
			the left, please list (please read guidance note 5)		<u> </u>
Sun					
Wed Thur Fri			State any seasonal variations for this entertainment guidance note 4) Non-standard timings. Where the club intends to us this entertainment at different times from those lister	note 3) (please read	

Supply of alcohol Standard days and timings (please read guidance note			Will the supply of alcohol be for consumption - please tick (please read guidance note 7) The club will host outdoor cricket matches throughout	On the premises	
6)			the season, commencing April and concluding no later than October.	Off the premises	
Day	Start	Finish	The matches comprise about thirty players and officials (22 players plus umpires, scorers, groundsman etc). In addition the matches are attended by a significant number (up to 50) of visiting and home spectators, parents and relatives. There is a comfortable lounge area within the Pavilion, and several benches and picnic tables immediately outside.	Both	\boxtimes
Mon	11:00	21:00	State any seasonal variations (please read guidance note 4) Cricket is essentially a summer sport, with the season commencing in A		
			and running through to September. Refreshments woul	d generally be se	erved
Tue	11:00	21:00	whilst a game of cricket was in progress, or within the cending.	coupe of hours of	f it
			The spectators watching the cricket activity can enjoy the		
Wed	11:00	21:00	inside the Pavilion, or more likely from the picnic table place immediately outside the Pavilion. Most spectator		
			game from outside. Occasional fund raising events are held outside of the crincluding the annual community bonfire and fireworks		
Thur	11:00	21:00	Non-standard timings. Where the club intends to us		
	ļ	<u> </u>	the supply of alcohol at different times from those list on the left, please list (please read guidance note 5)	sted in the colur	<u>nn</u>
Fri	11.00	22.00	The club has no intention of supplying alcohol outside of	of the times liste	d
111	11:00	23:00	aside.		
Sat					
Sat	11:00	23:00			
Sun	12:00	21:00			

State any seasonal variations (please read guidance note 4) Hours club premises are open to the members and As stated above, the majority of use will be during the cricket season, April guests to September. Cricket is essentially a summer sport, with the season Standard days and timings commencing in April and running through to September. Refreshments (please read guidance note would generally be served whilst a game of cricket was in progress, or within the coupe of hours of it ending. Start Finish Day Mon 11:00 21:00 Tue 11:00 21:00 Wed 11:00 21:00 Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column Thur 23:00 11:00 on the left, please list (please read guidance note 5) The annual community bonfire and firework display is held at the Sports Ground, and we would like to be able to sell alcohol up to 11pm at this Fri event. This annual event is a key fund raising activity for the Barnby Dun & 11:00 23:00 Kirk Sandall Sports Association, which serves to provide and enhance sporting facilities for the local community. Occasionally, the club will host a fund raising gala, usually during the late Sat 23:00 11:00 Autumn bank holiday. Refreshment would be sold to members of the public attending the gala. Sun 12:00 21:00

K

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children (please read guidance note 8).
None.

L Describe the steps you intend to take to promote the four licensing objectives: a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9) Nothing beyond compliance with existing Health and Safety and Fire Prevention requirements. All children will be accompanied by their parents and/or guardians. b) The prevention of crime and disorder A CCTV system is installed and is working to capture various images around the premises 24 hours a day. Any instances of crime or disorder will be promptly reported to the Police. No alcohol will be sold to any of our members under the age of 18. c) Public safety Nothing beyond compliance with existing Health and Safety and Fire Prevention requirements. All exit doors are easily operable without the use of a key. We have a capacity limit of thirty-five people within the reception area to prevent overcrowding. Notices detailing the action to be taken in the event of a fire or other emergency are prominently displayed. A defibrillator is sited within a few metres of the reception area, sited on the Pavilion wall. d) The prevention of public nuisance The Pavilion is situated well away from any residential dwellings, and benefits from having its own grounds and car park. Only members will be allowed to use the clubs facilities, and they will be aware of the need to comply with the high standards of behaviour expected of them. e) The protection of children from harm No children will be allowed in the premises unless they are accompanied by their parents or guardians. All of the clubs officials have undertaken an advanced Disclosure and Barring Service (DBS) check.

Checklist:

Please tick to in	ndicate agreement	
• I have ma	de or enclosed payment of the fee.	\boxtimes
• I have end	closed the plan of the premises.	\boxtimes
• I have sen	at copies of this application and plan to the responsible authorities.	\boxtimes
• I have con	impleted and enclosed the club declaration and enclose a copy of the club rules.	\boxtimes
• I understa	nd that I must now advertise my application.	\boxtimes
 I understa rejected. 	nd that if I do not comply with the above requirements my application will be	\boxtimes
LEVEL 5 ON 7 TO MAKE A I Part 3 – Signatu I [Insert full name	ENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEED THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING AGE ALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION FOR SECOND S	CT 2003,
Signature		
Date	2 nd February 2022	
Capacity	Secretary, Barnby Dun Cricket Club	
Address for co	orrespondence associated with this application (please read guidance	note
Post town	Post code	
Telephone num	ber (if any)	
If you would pr	efer us to correspond with you by e-mail your e-mail address (optional)	

Notes for Guidance

- 1) Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
- 2) Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 3) .Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 4) For example (but not exclusively) where the activity will occur on additional days during the summer months.
- 5) For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6) Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7). If the club wishes members and their guests to be able to consume alcohol on the premises please tick 'on the premises'. If the club wishes people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If the club wishes people to be able to do both please tick 'both'.
- 8) Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, gambling machines etc.
- 9) Please list here steps you will take to promote all four licensing objectives together.
- 10) The application form must be signed.
- 11) This is the address which we will use to correspond with the club about this application.

Declaration for a club premises certificate to be granted under the LA 2003 and application for a club premises certificate

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING DECLARATION

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

Name of club BARNBY DUN CRICKET CLUB

Club Premises details

	ostal address of club, if any, or, if none, o	ordnance survey map reference or
	escription	
	ports Ground	
_	oncaster Road rk Sandall	
ľ	in Saliuali	
P	est Town	Postcode
_	oncaster	DN3 1HQ
	lephone number (if any)	
E	mail (optional)	
CI.	UP DECLARATION AS TO OUR LEVING	CI LIB STATUS
CL	UB DECLARATION AS TO QUALIFYING (CLUB STATUS
ВА	RNBY DUN CRICKET CLUB	
(In:	sert name of club)	
clu	b makes the following declarations	
11	Where the club to which this application	relates is:
')	a registered society within the r	
	Provident Societies Act 1965, a	-
	meaning of the Friendly Societies	•
	friendly society within the meaning	<u> </u>
		,
	the club declares that the club satisfies:	
		Please tick Yes
Со	ndition 1 in section 62(2) of the Licensing Ac	ct 2003
DIA	aca diva ralayant alub rula number/s)	
rie	ase give relevant club rule number(s)	
N	A	

Condition 2 in section 62(3) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 4 in section 62(5) of the Licensing Act 2003	
Does the club wish to supply alcohol to members and guests?	
If yes the club declares that -	
The purchase of alcohol for the club and the supply of alcohol by the control of the members or of a committee appointed by the members or of a committee appoint and a committee appointed by the members of a committee appoint a committee appointed by the committee appointed by the committee appointed by the committee appointed by the committee appoint a committee appointed by the	
Please give relevant club rule number(s), if any	
2) Where the club to which this application relates is: an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies:	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies:	
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies:	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies:	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies: Condition 1 in section 62(2) of the Licensing Act 2003	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies: Condition 1 in section 62(2) of the Licensing Act 2003 Please give relevant club rule number(s)	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies: Condition 1 in section 62(2) of the Licensing Act 2003 Please give relevant club rule number(s) N/A	s that the club
an association organised for the social well-being and recrepersons employed in or about coal mines, the club declare satisfies: Condition 1 in section 62(2) of the Licensing Act 2003 Please give relevant club rule number(s) N/A Condition 2 in section 62(3) of the Licensing Act 2003	s that the club
an association organised for the social well-being and recr persons employed in or about coal mines, the club declare satisfies: Condition 1 in section 62(2) of the Licensing Act 2003 Please give relevant club rule number(s) N/A Condition 2 in section 62(3) of the Licensing Act 2003	s that the club

First condition in section 66(4) of the Licensing Act 2003	
Please give relevant club rule number(s), if any	
Second condition in section 66(5) of the Licensing Act 2003	
Please give relevant club rule number(s), if any	
3) Where the club to which this application relates does not fall into categories in 1 or 2 above, the club declares that the club satisfic	
-	e tick Yes
Condition 1 in section 62(2) of the Licensing Act 2003	\bowtie
• • • • • • • • • • • • • • • • • • • •	
Please give relevant club rule number(s)	
BDCC Constitution paras 3(a), 3(b), 3(c), 3(d) and 3(e). In addition all potential new members are required to register formally w Pontefract and District Cricket League. This process normally takes about days to complete.	
Condition 2 in section 62(3) of the Licensing Act 2003	\boxtimes
Please give relevant club rule number(s)	
BDCC Constitution paras 3(a), 3(b), 3(c), 3(d) and 3(e). New applicants for club membership are not allowed to play cricket for the until they have been accepted formally by the Secretary of the Pontefract Cricket League.	
Condition 3 in section 62(4) of the Licensing Act 2003	\boxtimes
The club's arrangements for restricting the club's freedom of purchase of	alcohol are:
(a) contained in club rule number(s),	
See below.	

(b) or, as follows

(please provide a short description) A record of club members is maintained and updated regularly. Barnby Dun Cricket Club currently runs two adult teams on Saturday afternoons in the Pontefract & District Cricket League (Divisions 2 and 7), an adult Sunday team in the Barnsley Sunday League, an adult team in the Doncaster Infirmary Evening Cricket League. We currently have forty five adult playing members and thirty two junior members. In addition we have a number of non-playing members and club volunteers. The club's provisions by which money or property of the club or any gain arising from the carrying on of the club is or may be applied for charitable benevolent or political purposes are: (a) contained in club rule number(s), BDCC Constitution paras 10, 11 and 13. The club is a registered CASC (Community Amateur Sports Club). (b) or, as follows (please provide a short description) The arrangements for giving members information about the finances of the club are: (a) contained in club rule number(s), BDCC Constitution paras 8 and 10. The accounts of the club are presented to members annually at the Annual General Meeting, and are subject to ongoing independent review by the club's management committee. or, as follows (please provide a short description)

Please describe details of the books of account and other records kept to ensure the accuracy of the information about finances given to members of the club or give the relevant rule number(s)

The Treasurer maintains a comprehensive record of the clubs income and expenditure, and regularly keeps the management committee informed as to the financial status of the club.

At the Annual General Meeting of the club, the Treasurer presents a comprehensive set of accounts to the members present and opens up for questions. In addition, the accounts a formally subject to official review by the elected Independent Reviewer.

Condition 4 in section 62(5) of the Licensing Act 2003	\boxtimes
Condition 5 in section 62(6) of the Licensing Act 2003	\boxtimes
The club proposes to supply alcohol to members and guests	\boxtimes
and declares that the club satisfies:	
additional condition 1 in section 64(2) of the Licensing Act 2003	\boxtimes
Please give relevant club rule number(s), if any	
Comprehensively covered in the club's formal Constitution.	
additional condition 2 in section 64(3) of the Licensing Act 2003	\boxtimes
Please give relevant rule number(s), if any	
Comprehensively covered in the club's formal Constitution. See above.	
additional condition 3 in section 64(4) of the Licensing Act 2003	\boxtimes
Please give relevant club rule number(s), if any	
Comprehensively covered in the club's formal Constitution. See above	

Please tick Yes

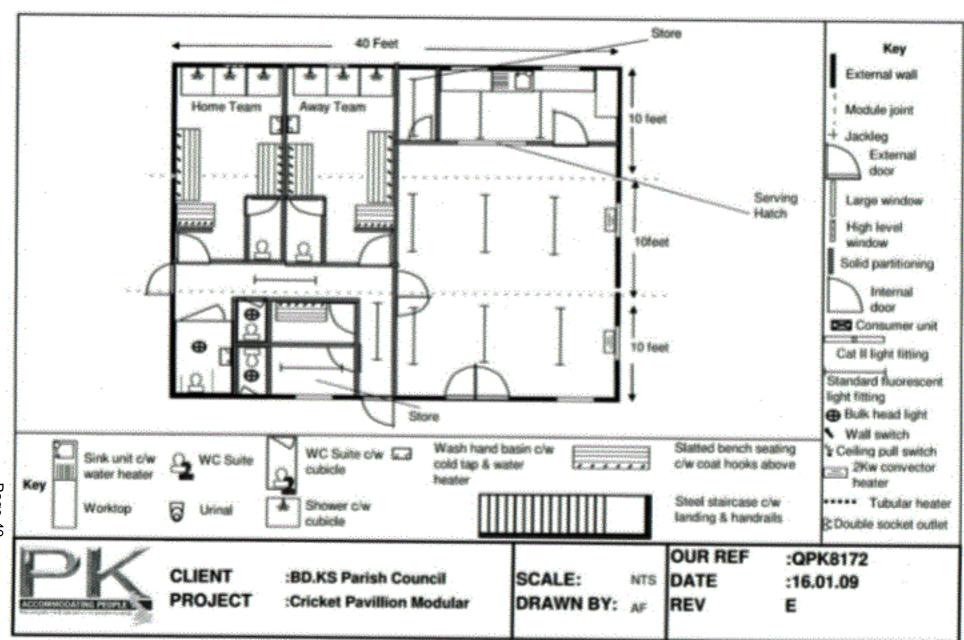
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

I ALAN ALDERSON YOUNG,

make this declaration on behalf of the club and have authority to bind the club

Signature	
Date	2 nd February 2022
Capacity	Secretary and Treasurer, Barnby Dun Cricket Club

As a public body, we are under a duty to protect the public funds that we administer, and to this end may use the information you have provided on this form for the prevention and detection of fraud. We may also share this information with other bodies responsible for auditing or administrating public funds for these purposes.



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