



## 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:** Council Chamber, Civic Office, Waterdale, Doncaster DN1 3BU

**Date:** Friday, 23rd September, 2022

**Time:** 10.00 am

### BROADCASTING NOTICE

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<b>Item</b>	<b>Page No.</b>
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.	

**Damian Allen**  
Chief Executive

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Issued on: 16 September, 2022

Governance Services Officer for this meeting

Sarah Maxfield  
Tel: 01302 736723

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

4. Minutes of the Meetings of the Licensing Sub Committee held on 17 and 24 August, 2022 1 - 8

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

5. Application for a Temporary Event Notice - The Crown Hotel, Askern 9 - 34

**Members of the Licensing Sub-Committee**

Chair – Councillor Linda Curran

Councillors Bev Chapman, Martin Greenhalgh and Charlie Hogarth

# Agenda Item 4

## DONCASTER METROPOLITAN BOROUGH COUNCIL

### LICENSING SUB-COMMITTEE

WEDNESDAY, 17TH AUGUST, 2022

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on WEDNESDAY, 17TH AUGUST, 2022, at 10.00 am.

#### PRESENT:

Chair - Councillor Linda Curran

Councillors Nick Allen, Charlie Hogarth and Ian Pearson.

#### 1 APOLOGIES

There were no apologies for absence.

#### 2 DECLARATIONS OF INTEREST, IF ANY

There were no declarations made at the meeting.

#### 3 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED 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 MINUTES OF THE LICENSING SUB-COMMITTEE HELD ON 27<sup>TH</sup> MAY, 2022

RESOLVED that the minutes of the meetings held on 27<sup>th</sup> May 2022 were approved as a correct record and signed by the Chair.

#### 5 APPLICATION FOR THE REVIEW OF AN EXISTING HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

The Sub-Committee considered an application for the review of an existing Hackney Carriage and Private Hire Vehicle Licence.

The Sub-Committee, the Applicant and the relevant Officers had received an agenda 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 Senior Licensing Practitioner, Daniel Tucker, introduced the report and outlined the salient points in relation to the application, explaining the circumstances which 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 Vehicle Licences.

The Applicant and his representatives explained his past actions and responded to a number of questions from Members.

The Applicant his representatives and the Senior Licensing Practitioner 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 and Private Hire Licensing Policy, having considered the suitability to hold a Private Hire Drivers licence, decided that the Applicant is not a fit and proper person to hold a Hackney Carriage and Private Hire Drivers licence.

6 APPLICATION FOR THE REVIEW OF AN EXISTING PRIVATE HIRE DRIVERS LICENCE AND REVIEW OF AN EXISTING PRIVATE HIRE VEHICLE LICENCE

The Sub-Committee considered an application for the review of an existing Private Hire Drivers Licence and review of an existing private hire vehicle licence.

The Sub-Committee, the applicant and the relevant Officers had received the agenda prior to the hearing.

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

The Senior Licensing Practitioner, Daniel Tucker, introduced the report and outlined the key points in relation to the application, explaining the circumstances that led to the requirement for the Committee to determine whether the Applicant was considered a fit and proper person to be granted a Private Hire Drivers Licence and Private Hire Vehicle Licence.

The applicant explained his past actions and responded to a number of questions from Members. The applicant, the Licensing Compliance Coordinator and Trading Standards and Licensing Manager, were then asked to leave the room whilst the Sub-Committee deliberated the application.

Committee Members were unable to reach a majority decision as to whether the applicant were a fit a proper person to hold the Private Hire Drivers Licence and Private Hire Vehicle Licence. The Chair therefore used her casting vote in order to reach a decision.

RESOLVED that the Sub-Committee having considered the report, taken into account the representations made at the hearing, together with the Councils Hackney Carriage and Private Hire Licensing Policy, having considered the suitability to hold a Private Hire Drivers licence, decided that the Applicant is a fit and proper person to hold a Private Hire Drivers licence.

7 APPLICATION FOR A REVIEW OF AN EXISTING HACKNEY/PRIVATE HIRE DRIVERS LICENCE AND REVIEW OF AN EXISTING PRIVATE HIRE VEHICLE LICENCE

The Sub-Committee considered an application for a review of an existing Hackney/Private Hire Drivers Licence and an existing Private Hire Vehicle License.

The Sub-Committee, the applicant and the relevant Officers had received the agenda prior to the hearing.

The hearing was conducted in the absence of the applicant.

The Senior Licensing Practitioner, Daniel Tucker, introduced the report and outlined the key elements in relation to the application, explaining the circumstances which 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 Vehicle Licences.

The Senior Licensing Practitioner was then asked to leave the room whilst the Sub-Committee deliberated the application.

The Applicant was informed that he would be notified of the Sub-Committee's decision 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 and Private Hire Licensing Policy, having considered the suitability to hold a Private Hire Drivers licence, decided that the Applicant is not a fit and proper person to hold a Hackney Carriage and Private Hire Drivers licence.

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

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

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DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 24TH AUGUST, 2022

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on WEDNESDAY, 24TH AUGUST, 2022, at 10.00 am.

PRESENT:

Chair - Councillor Dave Shaw

Councillors Iris Beech, Martin Greenhalgh and Emma Muddiman-Rawlins.

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

RESOLVED 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 of Schedule 12A to the Act, is likely to be disclosed.

2 DECLARATIONS OF INTEREST, IF ANY

There were no declarations made at the meeting.

3 APPLICATION TO RENEW AN EXISTING HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE / REVIEW ON AN EXISTING PRIVATE HIRE VEHICLE LICENCE

The Sub-Committee considered an application for the renewal of an existing Hackney Carriage and Private Hire Drivers Licence and a review of an existing Private Hire Vehicle Licence.

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

The Sub-Committee Members, the applicant and relevant Officers confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key 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 and Private Hire Drivers Licence and Private Hire Vehicle Licence.

The Committee and the applicant were invited to ask questions of the Senior Licensing Practitioner. No questions were put by the Committee or applicant.

The applicant was then invited to make representations in support of his case. The applicant explained his past actions and responded to questions from Members.

The applicant was invited to make a closing statement. The applicant's relative who was also in attendance at the meeting made representations on behalf of the applicant to support the applicant's case.

The applicant was thanked for his attendance and notified that he would receive the decision of the Sub-Committee in writing in 7 working days.

The applicant, the applicant's relative and Licensing Practitioner, were, then asked to leave the meeting whilst the Sub-Committee deliberated the application in private.

RESOLVED that the Sub-Committee having considered the report, taking into account the representations made at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, and having reviewed the suitability to continue to hold a Hackney Carriage and Private Hire Drivers Licence and a Private Hire Vehicle Licence, decided that the applicant was a fit and proper person for the purposes of the licences currently held and the application to renew.

#### 4 APPLICATION FOR A NEW PRIVATE HIRE DRIVERS LICENCE

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

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

The Sub-Committee Members, the applicant and relevant Officers confirmed that they had received a copy of the agenda papers prior to the meeting.

The Senior Licensing Practitioner introduced the report and outlined the key 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 Private Hire Drivers Licence.

The Committee and the applicant were invited to ask questions of the Senior Licensing Practitioner. No questions were put by the Committee or the applicant.

With the agreement of the Committee, the applicant's union representative, acting on behalf of the applicant, tabled for Members' information, additional documentation in support of his case.

The applicant was invited to make representations in support of his case. The applicant and the union representative explained the applicant's past actions and responded to questions from Members and the Senior Legal Officer.

The Chair invited the applicant to make a closing statement. The applicant's union representative on behalf of the applicant made a final statement.

The applicant was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing in 7 working days.

The applicant, the applicant's representative and Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application in private.



RESOLVED that the Sub-Committee having considered the report, taking into account the representations made and additional evidence presented at the hearing, together with the Council's Hackney Carriage and Private Hire Licensing Policy, and having reviewed the suitability to hold a Private Hire Drivers Licence, decided to refuse to grant a Private Hire Drivers Licence. The applicant was not considered to be a fit and proper person to hold such a licence.

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

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

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## Report

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To the Chair and Members of the

### **LICENSING SUB-COMMITTEE**

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

**The Crown Hotel, High Street, Askern, Doncaster, DN6 0AB**

#### **EXECUTIVE SUMMARY**

1. To request that members of the Sub-Committee consider an objection notice to a Temporary Event Notice (TEN) in respect of The Crown Hotel, High Street, Askern, Doncaster, DN6 0AB. The procedure for considering the matter is set out at Appendix A.

#### **RECOMMENDATIONS**

2. It is recommended that the Sub-Committee determine this matter having regard to the objection notice and the evidence before it.

#### **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER**

3. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations where an objection is given in respect of a Temporary Event Notice from a relevant person.

#### **BACKGROUND**

4. The premises concerned are currently a public house. The Temporary Event Notice seeks to facilitate the Sale of alcohol for consumption on the premises (on sales) and regulated entertainment on the 1<sup>st</sup> October 2022 between 18:00 -23:30 in the grounds of licensed premise, in an area which is not covered by the premises licence.
5. A summary of the Notice is attached as Appendix B to this report.
6. A location plan of the premises is attached at Appendix C.

7. A copy of the Temporary Event Notice is attached at Appendix D.
8. Under the Licensing Act 2003, statutory guidance issued under section 182 of the Act and the Licensing Authority's statement of Licensing Policy, any TEN under the Act in respect of which an objection notice has been given to the Licensing Authority and which has not been withdrawn must be considered by the Licensing Sub-Committee having regard to the evidence before it.
9. An objection notice regarding the TEN has been received from Environmental Health. The objection notice, which does not form part of the public report, but as required by law has been served on the person giving the TEN (the 'premises user') and has been provided to the members of the Licensing Sub-Committee as Appendix E.
10. A copy of the Temporary Event Notice was sent to all relevant parties.

### OPTIONS CONSIDERED

11. The Licensing Act 2003 requires the Licensing Authority to exercise its obligations on Temporary Event Notices, which are the subject of representations objections and, therefore, no other option other than to hold a hearing can be considered.
12. Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
  - Issue a Counter Notice
  - Decide not to issue a Counter Notice

### IMPACT ON THE COUNCIL'S KEY OUTCOMES

13.

	<b>Outcomes</b>	<b>Implications</b>
	<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	<p>It is recognised that licensed premises are, quite often, businesses and places of employment.</p> <p>The Licensing Committee/Sub-Committee, subject to the general principles set out in the Council's Statement of Licensing Policy and the overriding need to promote the 4 licensing objectives, will have regard to this outcome when making licensing decisions.</p>

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		<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 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</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</p>

	<p>someone they trust</p> <ul style="list-style-type: none"> <li>• Older people can live well and independently in their own homes</li> </ul>	when making licensing decisions.
	<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

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

## LEGAL IMPLICATIONS [Officer Initials HMP Date 16.9.22.]

15. 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 objection notice 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 01/4/2022]**

16. 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 01/04/2022]**

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

#### **TECHNOLOGY IMPLICATIONS [Officer P Ward – Standard Implications Agreed 01/04/2022]**

18. 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 01/04/2022]**

19. With the exception of Temporary Event Notices (TEN's) The Director of Public Health must be fully notified of applications and is entitled to make representations to the licensing authority in relation to the application for to the grant, variation or review of a premises licence. These representation must still be considered 'relevant' and relate to one or more of the licensing objectives.
20. 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.
21. 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

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

### **EQUALITY IMPLICATIONS [H.Oxley 14/02/2022]**

22. 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**

23. Copies of the TEN were sent to all relevant persons referred to in Section 99 of the Licensing Act 2003. These are:

South Yorkshire Police

Doncaster Council – Licensing Authority

Doncaster Council – Environmental Protection - Enforcement

### **BACKGROUND PAPERS**

24. Doncaster Council's Statement of Licensing Policy 2021
25. 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**

## APPENDIX A

### 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).

**APPENDIX B**

**Person Giving the Notice: Tracey Bennett**

**Name of Premises: The Crown Hotel,**

**Address: High Street, Askern, Doncaster, DN6 0AB**

**Summary of Application:**

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

<b>Activity</b>	Sale of Alcohol (On only), Regulated Entertainment	
<b>Location</b>	The marquee in the rear car park	
	<b>From</b>	<b>To</b>
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday	<b>18:00</b>	<b>23:30</b>
Sunday		

Date of Event: 1<sup>st</sup> October 2022

Nature of the Event: 25<sup>th</sup> Wedding anniversary party

Location Plan







**Doncaster  
Temporary Event Notice  
Licensing Act 2003**

For help contact

Telephone: 01302 737590

\* required information

**Section 1 of 9**

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

- Yes  No

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

**Applicant Details**

\* First name

Tracey

\* Family name

Bennett

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 9**

**APPLICATION DETAILS** [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

Yes  No

Enter details of any previous names or maiden names

First name

Family name

\* Your date of birth  /  /

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Continued from previous page...

**Correspondence Address**

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

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

- Yes                       No

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

**Additional Contact Details**

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

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

- Yes                       No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

**Section 3 of 9**

**THE PREMISES**

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

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

\* Does the premises have an address?

- Yes                       No

Continued from previous page...

**Address**

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

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

- Yes                       No

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

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

- Neither       Premises licence       Club premises certificate

\* Premises licence number

**Location Details**

\* Provide further details about the location of the event

The crown Hotel high street Askern, the marquee in the rear carpark

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

Amplified music will only be played inside the marquee, not in the car park.

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

public house serving alcohol

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

25th wedding anniversary party, live solo singer to perform 2 x 45 minute sets between the hours of 19.00 - 22.00. Recorded music to be played in between sets until 23.00

**Section 4 of 9**

**LICENSABLE ACTIVITIES**

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

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

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

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

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

**Event Dates**

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

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

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

Event start date  /  /   
dd mm yyyy

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

Event end date  /  /   
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 11](#))

**Continued from previous page...**

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

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

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 13\)](#)

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

live solo singer to perform 2 x 45 minute sets between the hours of 19.00 - 22.00. Recorded music to be played in between sets until 23.00

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?  Yes  No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue  /  /   
dd mm yyyy

Any further relevant details

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 15\)](#)

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

*Continued from previous page...*

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

3

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

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

### Section 8 of 9

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

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

- Yes  No

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

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

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

- Yes  No



**Continued from previous page...**

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

Yes  No

a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

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

**PAYMENT DETAILS**

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

**DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
  - \* I understand that it is an offence:
    - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
    - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/doncaster/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.



**OFFICE USE ONLY**

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

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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