



City of Doncaster Council

Agenda

To all Members of the

LICENSING SUB-COMMITTEE

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

Venue: Council Chamber, Civic Office, Waterdale, Doncaster DN1 3BU

Date: Friday, 13th October, 2023

Time: 10.00 am

Items for Discussion:

Page No.

1. Apologies for Absence
2. To consider the extent , if any, to which the public and press are to be excluded from the meeting.
3. Declarations of interest, if any.

Damian Allen
Chief Executive

Issued on: Thursday, 5th October, 2023

Governance Services Officer for this meeting

Amber Torrington
01302 737462

City of Doncaster Council

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| 4. | Minutes of the meetings held on 15th September and 20th September, 2023. | 1 - 6 |
| A. | Reports where the Public and Press may be excluded in accordance with grounds specified in the Local Government Act, 1972, as amended. | |
| 5. | Licensing Act 2003 - Application for a Personal Licence. (Exclusion paragraph 1, information relating to an individual). | 7 - 40 |

Members of the Licensing Sub-Committee

Chair – Councillor Dave Shaw

Councillors Nick Allen, Bev Chapman and Martin Greenhalgh

CITY OF DONCASTER COUNCIL

LICENSING SUB-COMMITTEE

FRIDAY, 15TH SEPTEMBER, 2023

A MEETING of the LICENSING SUB-COMMITTEE was held at the 007A AND B, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on FRIDAY, 15TH SEPTEMBER, 2023, at 10.00 am.

PRESENT:

Chair - Councillor Dave Shaw

Councillors Bev Chapman, Leanne Hempshall and Ian Pearson

- 18 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 proceeding 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 detailed in Paragraph 1 (information relating to any individual) of Part 1 of Schedule 12A to the Act, was likely to be disclosed.

- 19 Declarations of interest, if any.

There were no declarations made at the meeting.

- 20 Minutes of the Licensing Sub-Committee meeting held on 9th August, 2023.

RESOLVED that the minutes of the meeting of the Licensing Sub-Committee held on 9th August, 2023, be approved as a true record and signed by the Chair.

- 21 Review of an Existing Private Hire Drivers Licence (Exclusion paragraph 1, information relating to an individual).

The Sub-Committee considered an application for the review of an existing Private Hire Vehicle Licence and an existing Private Hire Vehicle Licence. At the commencement of the hearing, the Chair welcomed all parties to the meeting, and outlined the procedure to be followed.

The Sub-Committee Members, the Applicant (Licence Holder) and the Senior Licensing Practitioner, 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 Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a Private Hire Drivers Licence and a Private Hire Vehicle Licence.

The Sub-Committee Members were invited to ask questions of the Senior Licensing Practitioner. After the Applicant was allowed to explain his past actions and make a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days.

The Applicant and the Senior Licensing Practitioner, were then asked to leave the meeting whilst the Sub-Committee deliberated the application.

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 and a Private Hire Vehicle Licence, decided that the Applicant was a 'fit and proper' person to hold a Private Hire Drivers Licence and a Private Hire Vehicle Licence.

22 Application for a New Private Hire Drivers Licence (Exclusion paragraph 1, information relating to an individual).

The Sub-Committee considered an application for new Private Hire Drivers Licence. At the commencement of the hearing, the Chair welcomed all parties to the meeting, and outlined the procedure to be followed.

The Sub-Committee Members, the Applicant and the Senior Licensing Practitioner, 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 Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a Private Hire Drivers Licence.

The Sub-Committee Members were invited to ask questions of the Senior Licensing Practitioner. No questions were put to the Senior Licensing Practitioner. After the Applicant was allowed to explain his past actions, responded to a number of questions from Members and make a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days.

The Applicant and the Senior Licensing Practitioner were then asked to leave the meeting, whilst the Sub-Committee deliberated the application.

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 was a 'fit and proper' person to hold a Private Hire Drivers Licence

23 Application for a New Private Hire Drivers Licence (Exclusion paragraph 1, information relating to an individual).

The Sub-Committee considered an application for new Private Hire Drivers Licence. At the commencement of the hearing, the Chair welcomed all parties to the meeting, and outlined the procedure to be followed.

The Sub-Committee Members, the Applicant and the Senior Licensing Practitioner, 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 Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a Private Hire Drivers Licence.

The Sub-Committee Members were invited to ask questions of the Senior Licensing Practitioner. No questions were put to the Senior Licensing Practitioner. After the Applicant was allowed to explain his past actions, responded to a number of questions from Members

and make a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days.

The Applicant and the Senior Licensing Practitioner were then asked to leave the meeting, whilst the Sub-Committee deliberated the application.

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 was a 'fit and proper' person to hold a Private Hire Drivers Licence

24 Application for a New Hackney Carriage/Private Hire Drivers Licence (Exclusion paragraph 1, information relating to an individual).

The Sub-Committee considered an application for new Private Hire Drivers Licence. At the commencement of the hearing, the Chair welcomed all parties to the meeting, and outlined the procedure to be followed.

The Sub-Committee Members, the Applicant, his legal representative and the Senior Licensing Practitioner, 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 Sub-Committee to determine whether the applicant was considered a 'fit and proper' person to be granted a Private Hire Drivers Licence.

The Sub-Committee Members were invited to ask questions of the Senior Licensing Practitioner. No questions were put to the Senior Licensing Practitioner. After the Applicant was allowed to explain his past actions, responded to a number of questions from Members and make a closing statement, he was thanked for his attendance and was notified that he would receive the decision of the Sub-Committee in writing within 7 working days.

The Applicant, his representative and the Senior Licensing Practitioner were then asked to leave the meeting, whilst the Sub-Committee deliberated the application.

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 was not a 'fit and proper' person to hold a Private Hire Drivers Licence

CHAIR: _____

DATE: _____

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CITY OF DONCASTER COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 20TH SEPTEMBER, 2023

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE, WATERDALE, DONCASTER DN1 3BU on WEDNESDAY, 20TH SEPTEMBER, 2023, at 2.00 pm.

PRESENT:

Chair - Councillor Dave Shaw

Councillors Bev Chapman, Martin Greenhalgh and Debbie Hutchinson.

25 Declarations of interest, if any.

There were no declarations made at the meeting.

26 Application for a New Premises Licence in respect of Go Local, 2 Langer Street, Hexthorpe, Doncaster, DN4 0EX

The Sub-Committee considered an application for a new premises licence in respect of 'Go Local', 2 Langer Street, Hexthorpe, Doncaster, DN4 0EX.

The Sub-Committee Members, the Applicant, the Applicant's Agent, and the persons making representations had received a copy of the agenda prior to the meeting. Copies of the representations were appended to the report at Appendix F.

Additional information in relation to Due diligence records, Challenge 25, Premise Licence Holder (PLH) / Designated Premise Supervisor (DPS) Information Booklet and Challenge 25 Poster, had been circulated to Members of the Sub-Committee 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, Hayley Oxley introduced the report and outlined the key points in relation to the application. It was reported that since the publication of the agenda papers, the Petition submitted by a group of individuals, objecting to the application, as set out at Appendix F of the report had been withdrawn. In addition, a letter of objection to the application, as set out at (Appendix F), page 42 of the agenda papers had been withdrawn by the objector. The objector had contacted the Licensing department and had indicated that they had not made a representation.

The Applicant, Mr Makeetharan, the Applicant's representative, Mr Ian Rushton, JL Licencing, acting on behalf of the Applicant, attended the meeting and made representations and answered questions.

Mr Oxley and Mr Swali, who had made written representations in respect of the application attended the meeting. Mr Oxley spoke on behalf of residents objecting to the application outlined their concerns, objections and answered questions.

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

All parties were invited back into the meeting and informed of the Sub-Committee's decision.

RESOLVED that having considered the application for a new premises licence in respect of Go Local, 2 Langer Street, Hexthorpe, Doncaster, DN4 0EX and taken into account the representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and our Statement of Licensing Policy, the Licensing Sub-Committee have decided to grant the licence in the terms set out in Appendices B-D, together with the conditions at page 39 of the agenda pack.

The Sub-Committee noted the comments made by Mr Oxley who had made representations regarding the application. Mr Oxley stated that litter and anti-social behaviour are horrendous in Hexthorpe – Mr Oxley spends hours each day clearing litter due to the extent of the problem. Mr Oxley repeatedly questioned the need for another licenced premises in Hexthorpe, given there is already a premise 50 yards away. However, 'need' is not something the Sub-Committee can take into account. The following is taken from the Home office Statutory Guidance:-

“Need” concerns the commercial demand for another pub or restaurant, or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.”

The Sub-Committee have sympathy for Mr Oxley and recognised the efforts he goes to personally to clear litter. However, the Sub-Committee have no evidence to say any of the current problems are attributed to this particular premise, rather they appear to be existing problems. The Sub-Committee was mindful that no representations had been made by any of the responsible authorities, such as the police and environmental health, who could have made representations if they had evidence of crime or environmental issues relating to this premise.

The Sub-Committee was satisfied that the applicant was proposing measures which would promote the licensing objectives, such as the installation of 32 CCTV cameras to cover inside and outside the premises and signage to encourage respect towards neighbouring premises.

CHAIR: _____

DATE: _____

Agenda Item 5

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

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