

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

MONDAY, 14TH MAY, 2018

A MEETING of the LICENSING SUB-COMMITTEE was held in the COUNCIL CHAMBER, CIVIC OFFICE on MONDAY, 14TH MAY, 2018, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Bev Chapman, Charlie Hogarth and Ian Pearson.

1 Declarations of interest, if any.

There were no declarations of interest made at the meeting.

2 Minutes of the meetings held on 12th and 16th March, 2018.

RESOLVED that the minutes of the Licensing Sub-Committee meetings held on 12th and 16th March, 2018 be approved as a correct record and signed by the Chair.

3 Application for a Variation of an Existing Premises Licence - The Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY

The Sub-Committee considered an application for the variation of an existing premises Licence for the Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY.

The Sub-Committee Members, the Applicant, the persons making representations and Responsible Authorities, had received the agenda prior to the meeting. Copies of the representations received from a neighbouring resident and Local Ward Councillors for the area, were attached at Appendix E to the report.

Subsequent to the dispatch of the agenda papers, additional information from the Agent acting on behalf of the Premises Licence Holder had been circulated to Members' of the Sub-Committee and the Responsible Authorities, prior to the hearing.

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

The Agent acting on behalf of the Applicant, the Designated Premises Supervisor and the Business Development Manager for Punch Partnerships (PTL) Ltd, and Councillor Steve Cox, Local Ward Member, made representations and answered questions.

All parties were then asked to leave the Council Chamber, to allow the Members of the Sub-Committee to deliberate on the application.

The Sub-Committee reached the following decision:-

RESOLVED that the Licensing Sub-Committee, having considered an application for a variation of an existing Premises Licence in respect of the Harvey Arms, Old Bawtry Road, Finningley, Doncaster, DN9 3BY, and having taken into account the written representations made and the evidence presented at the meeting, the steps that are appropriate to promote the Licensing objectives, the Home Office Guidance and the Council's Statement of Licensing Policy, decided to grant the application in the terms as set out in the amended Appendix B so that:-

- the plan be amended to include the new barn in the licensed area
- the premises be allowed to open from 08.00am daily for non-licensable activities
- certain outdated conditions under Annex 2 of the Premises Licence, be removed.

together with the Conditions submitted by the applicant's representative dated 1st May, 2018 as set out below:-

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. When regulated entertainment is taking place, staff shall carry out noise assessments outside the premises and a record shall be kept of the times, dates and any issues discovered. Staff shall take action if they believe the premises may be causing a disturbance due to noise levels to local residents. Noise levels shall be monitored using a calibrated Decibel Meter. Records shall be kept for 2 years and be available to authorised officers and officers of the Council.
3. Prominent, clear and legible notices will be displayed at the premises exits requesting customers to leave quietly and reminding them that they are in a residential area.
4. No waste or recyclable materials including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.

Subject to the following changes; that in proposed Condition 2, records shall be kept for 2 years and be available to authorised officers and officers of the Council, the reference to disturbance shall be amended to read disturbance due to noise levels and noise levels shall be monitored using a calibrated Decibel Meter.

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

The Applicant confirmed that they have amended the application, have offered further Conditions and wish to be part of the community. The Sub-Committee noted the amendments were in response to the concerns raised by local residents and Councillors. The Sub-Committee having read the objections were still concerned about noise levels, noting the applicant was purchasing a Decibel Meter. The Sub-Committee therefore added further Conditions to ensure noise levels are kept reasonable using such a meter. The amended application and proposed conditions the Sub-Committee have further amended, ensures the concerns of the objectors are dealt with. The Sub-Committee believes the application as amended, ensures the promotion of the licensing objectives.

CHAIR: _____

DATE: _____