

New Application for Premises Licence : The Barn, Loversall Farm, DN11 9DD. Reference WK/218006369

Representation from Loversall Parish Council

Loversall Parish Council **objects** to the Application. This decision was taken at the Council meeting held on 4th July 2018. The minute that refers is attached for reference.

This Representation is made by Keith Wilson, Chairman of Loversall Parish Council (at the behest of the Parish Council)

Signed :



Dated 6th July 2018

Context

The Barn at Loversall Farm is located in the midst of residential properties in the centre of a small hamlet. There are 5 properties within 50 Metres and 23 within 100 metres. (source: Report from Loversall Annual Parish Meeting Held on May 12th 2015 re planning application 15/01006/ COU retrospective). Immediately adjacent to The Barn is Loversall Day Nursery





In the photo above, *The Barn* is adjacent to the white van, to the right

A planning application was made in 2015 to change the use of *The Barn* from “Meeting room to function room for weddings, occasional tea room, events and meetings”. In spite of very strong opposition from local residents the application was granted on a temporary basis - opening hours 0900-17.00 Mon-Fri 1200 - 00.00 Saturday. An application (17/02094/FUL) for permanent change of use and an extension of hours was made in 2017. The Parish Council objected to the extension of hours and the application was granted with slight modification to the hours.

From the outset, many residents were opposed to the opening of a wedding event venue in the middle of a residential hamlet. (There was some earlier expectation that the Barn would be a training centre for Nursery and child care staff)). Concerns were expressed regarding the impact on local amenity in terms of noise, parking and the risk of disorderly conduct and public nuisance. There were also concerns that what started off as a wedding function room, with restricted hours, for pre-booked events with a temporary alcohol licence would be pursued to the status of a Pub. The current application for a permanent licence unrelated to pre-booked events, with off sales and hours of opening throughout the day and late into the evening is, in the view of the Parish Council, tantamount to the licensing conditions of a Pub.

Reasons for Opposing the Application

The Parish Council opposes the application on the grounds that it will fail to promote the objective of prevention of public nuisance. The venue is located in the midst of residential properties and one of the concerns expressed by the Parish Council to the initial planning application was concern about noise nuisance. In spite of the best efforts of the applicant, some (particularly elderly) residents have been distressed by noise coming from wedding events at *The Barn*. This is reported to have worsened since the use of the Courtyard Marquee. Some of our older residents do not have the tenacity to go through the official channels and their complaints are therefore not recorded, though frequently reported to Parish Councillors. Other residents have reported instances of noise nuisance to the Environmental Health Department and records should show this to be the case. On one specific occasion, when the noise was extremely loud, the applicant had the good grace to apologise through the Parish Council.

The current arrangement of licencing only prebooked events seemingly allows the applicant to make a judgement about the likelihood of clients posing a risk of public nuisance and crime and disorder. With a permanent licence and open access to the licenced premises, the parish Council does not see how this judgement can be exercised. We consider that there will be risk of littering, drunk and disorderly conduct and potentially criminal activity. This will be exacerbated by off-sales. Periodically, the village has experienced groups of people from outside the village using the village to 'hang out' and consume alcohol. The village is away from the public gaze and without vigilance provides an opportunity for this sort of activity. The parish council has successfully taken steps in the past to eliminate the problem but off-sales in the village are highly likely to lead to the problem returning. One resident reports being woken in the early hours of the morning by a person banging aggressively on the front door. Criminal damage was discovered along with a large amount of vomit over the door. The matter was reported to the police and there should be a record of the report. There is no intention to suggest that this act was associated with clients of *The Barn* but it demonstrates the additional vulnerability of people living in close proximity to *The Barn* should the permanent licence be granted.

Additionally, under the current arrangements the applicant has assured the Parish Council that to the best of her ability she manages traffic flow to avoid most of the event traffic passing through the village. This will not be possible with an open access permanent licence. The narrow road through the village to the barn is lined with residential properties which are only several feet from the road (see photo above). Parking is unrestricted along the road and there is a risk of disturbance for residents late at night with slamming doors and vehicle movement. Again this will fail to promote the objective of preventing public nuisance.

The parish Council is also opposed to the application on the grounds that it will fail to promote the objective of protecting children from harm. Immediately adjacent to the Barn and its Courtyard is the Loversall Farm Day Nursery, which accommodates children from six weeks to five years. In these circumstances the sale of alcohol on or off the premises during the daytime is highly inappropriate and presumably the early years Regulator will be consulted.

Conclusion

The Parish Council objects to the application as it stands but wishes to be reasonable. Doubtless the applicant would benefit from not having to continuously renew a temporary licence. If a permanent licence was granted that could be limited only to pre-booked events, as now, the Parish Council could withdraw its objection in part. That said, the Council would need to be advised by the licensing authority of what constitutes a definition of a "pre-booked" event and whether it is possible to enforce such a limitation. Under no circumstances would the Parish Council support a licence to provide alcohol for consumption off the premises or to allow the sale of alcohol on the premises during the working day, especially given the proximity to the Day Nursery. We would also like further information on what the licencing arrangements are to be in the associated 'Meadow', which is also used for events, and whether this will continue to require a TENS licence.

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