

BARNSLEY METROPOLITAN BOROUGH COUNCIL

Report of the Executive Director of Environmental Services to the meeting of the Statutory Licensing Regulatory Board Sub Committee to be held on the 12th November 2007.

LICENSING ACT 2003

APPLICATION FOR A PREMISES LICENCE The Station Inn,128 Doncaster Road, Darfield, Barnsley. S73 9JA

1. Background

- 1.1 In October 2007 an application was received from Mr. Roger William Smith and Mr. Kristen Lee Smith for a premises licence for The Station Inn.
- 1.2 Members are requested to determine the application for the Premises Licence.
- 1.3 The Station Inn is a public house situated on the main A635 Doncaster Road out of Barnsley. The premise facilitates a car park with a capacity of approximately twenty five vehicles, a large beer garden area and a separate smoking area. There are residential properties surrounding the premises.

2 Previous Premises Licence

2.1 The premises concerned in this application held a premises licence in the name of "The Goldmine"; this licence was surrended in May 2007.

3 The Application for a Premises Licence

3.1 On the 1st October 2007 an application was made for a Premises Licence for The Station Inn, 128 Doncaster Road, Darfield, Barnsley. This application relates to the provision of regulated entertainment, the provision of entertainment facilities, the provision of late night refreshment and the supply of alcohol. The details of which are specified below:

a) Regulated Entertainment

Sporting Events, Live Music and Recorded Music. The hours requested for Films are for indoors only and are from 12:00 to 23:00 Sunday to Thursday, and 12:00 to 24:00 Friday and Saturday. The hours requested for Indoor Sporting Events are from 11:30 to 24:00 Monday to Sunday. The hours requested for Live Music are for both indoors and outdoors and are from 15:00 to 22:30 Monday to Thursday, 12:00 to 23:30 Friday and Saturday and 12:00 to 22:30 on Sundays. The hours requested for Recorded Music are for both indoors and outdoors and are from 12:00 to 23:00 Sunday to Thursday and 12:00 to 24:00 Friday and Saturday.

In addition, the application includes seasonal variations for Live Music:-

Bank Holiday Sundays additional 1 hour (inside 23:30).

New Years/Christmas Eve (Sun to Thurs) additional 2.5 hours (inside 01:00).

New Years/Christmas Eve (Fri & Sat) additional 1.5 hours (inside 01:00).

The application includes seasonal variations for Recorded Music:-

Bank Holiday Sundays additional 1 hour (inside 24:00 outside 22:00).

New Years/Christmas Eve (Sun to Thurs) additional 3 hours (02:00).

New Years/Christmas Eve (Fri & Sat) additional 2 hours (02:00).

In addition the application includes further details relating to Live Music:-

Folk groups and/or musical additions to organised functions, weddings, engagements, birthdays etc.

Outdoor barbeque/beer festival etc. (Sun to Thurs) music finish 21:00.

Outdoor barbeque/beer festival etc. (Fri & Sat) music finish 22:00.

The application also includes further details relating to Recorded Music:-

General background Music.

Disco or similar organised functions (weddings etc).

Outdoor barbeque/beer festival (Sun to Thurs) music finish 21:00.

Outdoor barbeque/beer festival (Fri & Sat) music finish 22:00.

b) Provision of entertainment facilities

The premises licence application has been made in respect of the **provision of facilities for making music** and the **provision of facilities for dancing**. The hours requested for **making music** are for indoors and outdoors and are from 12:00 to 23:00 Sunday to Thursday and 12:00 to 24:00 Friday and Saturday. The hours requested for dancing are for indoors only and are from 12:00 to 23:00 Sunday to Thursday and 12:00 to 24:00 Friday and Saturday.

In addition, the application includes seasonal variations for Making Music:-

Bank Holiday Sundays additional 1 hour (inside 24:00 outside 22:00).

New Years/Christmas Eve (Sun to Thur) additional 3 hours (02:00).

New Years/Christmas Eve (Fri & Sat) additional 2 hours (02:00).

In addition, the application includes seasonal variations for Dancing:-

Bank Holiday Sundays additional 1 hour (finish 24:00).

New Years/Christmas Eve (Sun to Thur) additional 3 hours (02:00).

New Years/Christmas Eve (Fri & Sat) additional 2 hours (02:00).

The application also includes further details relating to the provision of facilities for making music:-

Outdoor activities (Sun to Thurs) music finish 21:00.

Outdoor Activities (Fri & Sat) music finish 22:00.

c) Late Night Refreshment

The premises licence application has been made in respect of late night refreshment. The hours requested are for indoors and outdoors and are from 23:00 to 00:30 Sunday to Thursday and 23:00 to 02:00 Friday and Saturday.

In addition, the application includes seasonal variations for Late Night Refreshment:-

Bank Holiday Sundays additional 1.5 hours (finish 02:00).

New Years/Christmas Eve (Sun to Thur) additional 2.5 hours (03:00).

New Years/Christmas Eve (Fri & Sat) additional 1 hour (03:00).

d) Supply of Alcohol

The premises licence application has been made in respect of the provision of supply of alcohol. The hours requested are for consumption on and off the premises and are from 11:30 to 00:30 Sunday to Thursday and 11:30 to 02:00 Friday and Saturday.

In addition, the application includes seasonal variations for the supply of alcohol:-

Bank Holiday Sundays additional 1.5 hours (finish 02:00).

New Years/Christmas Eve (Sun to Thur) additional 2.5 hours (03:00).

New Years/Christmas Eve (Fri & Sat) additional 1 hour (03:00).

e) Hours Premises are open to the public

The premises licence application has been made to allow the premises to open from 09:30 to 01:00 Sunday to Thursday and 09:30 to 02:30 Friday and Saturday.

In addition, the application includes seasonal variations for the hours premises are open to the public:-

Bank Holiday Sundays additional 1.5 hours (finish 02:30).

New Years/Christmas Eve (Sun to Thur) additional 2.5 hours (03:30).

New Years/Christmas Eve (Fri & Sat) additional 1 hour (03:30).

4 Promotion of licensing objectives

4.1 The applicant has set out in the application the additional steps intended to be taken in order to promote the four licensing objectives, if the proposed premises licence is granted.

a) General - all four licensing objectives

Regular liaison/training with all members of staff to ensure compliance with all the licensing objectives and the Licensing Act 2003.

Co-operation with the police and BMBC Licensing Department.

b) The prevention of crime and disorder

Implement photographic proof of age scheme for anyone appearing to be under the age of 21.

Affiliation to the Pubwatch scheme.

Any person who appears to be intoxicated or behaving in an offensive/aggressive manner will not be served, and asked to leave the premises.

No smoking signs to be clearly displayed and all customers to comply with current legislation.

c) Public Safety

Compliance with current Health and Safety/ Fire Safety regulations.

No customers allowed behind the bar.

Portable fire extinguishers on the premises.

First Aid kit on the premises.

d) The prevention of public nuisance

During any organised function utilising either disco or live music, a designated member of staff to make regular assessments of the external noise levels and take steps to reduce the noise level should it be likely to cause disturbance to local residents.

Patrons will be requested to leave the premises quietly to avoid disturbance.

Taxis will be requested not to sound their horns on arrival and to park considerately.

e) The protection of children from harm

No person under the age of 16 unless accompanied by a person over the age of 18 will be permitted onto the premises when they are being used for the supply of alcohol.

No person under the age of 18 unless accompanied by a person over the age of 18 will be permitted on the premises after 21:00 hours when they are being used for the supply of alcohol.

No alcohol to be sold/served to persons under the age of 18.

5 Responsible Authorities

5.1 No representations have been received from any responsible authorities.

6 Interested parties

6.1 Following publication of the statutory notice of the application of the premises licence in the local press and the display of notices at the premises thirty one representations have been received from an interested parties, of these twenty five were received from individual addressees but were in identical format. The representations were received within the 28 day consultation period.

6.2 The representations were received from:-

Miss D Lumley, 13 Doncaster Road, Darfield, Barnsley.

Mr & Mrs Taylor, Berry Croft, 7 Doncaster Road, Darfield, Barnsley.

Mr & Mrs Beaumont, 126 Doncaster Road, Darfield, Barnsley.

Mrs T Lawton, 1 Balkley Lane, Darfield, Barnsley.

Mr Briggs, 23 Doncaster Road, Darfield, Barnslev.

Mr & Mrs Birchall, 27 Doncaster Road, Darfield, Barnsley.

?? 8 Balkley Lane, Darfield, Barnsley

P Kingston, 21 Balkley Lane, Barnsley

?? 13 Balkley Lane, Darfield, Barnsley.

A Runshaw, 114 Doncaster Road, Darfield, Barnsley.

?? 92 Doncaster Road, Darfield, Barnsley.

T Bywater, 116 Doncaster Road, Darfield, Barnsley.

G B Scott, 30 Howard Street, Darfield, Barnsley.

Mr & Mrs Hoole, 57 Howard Street, Darfield, Barnsley.

Mrs Moody, 36 Howard Street, Darfield, Barnsley.

Mr & Mrs Swift, 32 Howard Street, Darfield, Barnsley.

J Bailey, 23 Howard Street, Darfield, Barnsley.

Mr Whittaker, 29 Howard Street, Darfield, Barnsley.

T Scott, 30 Howard Street, Darfield, Barnsley.

P Tyre & Fran Eyre, 10 Howard Street, Darfield, Barnsley.

K Ramshaw, 4 Howard Street, Darfield, Barnsley.

?? 31 Howard Street, Darfield, Barnsley.

?? 25 Howard Street, Darfield, Barnsley.

M Cherry, 63 Howard Street, Darfield, Barnsley.

Mr Baynham, 61 Howard Street, Darfield, Barnsley.

J Gill, 23 Balkley Lane, Darfield, Barnsley.

?? 3 Balkley Lane, Darfield, Barnsley.

?? 5 Balkley Lane, Darfield, Barnsley.

Mr & Mrs Turner, 7 Balkley Lane, Darfield, Barnsley.

N Hopkinson, 11 Balkley Lane, Darfield, Barnsley.

A Watkins, 9 Balleleyhove, Darfield, Barnsley.

6.3 The representation made by the interested party relates to the licensing objectives

and these are attached as Appendix 1.

7 Compatibility with the European Convention on Human Rights

The decision of the Board will amount to a determination of the Council and the

rights of the applicant. Therefore, as far as it is possible to do so, the board must

comply with the requirements of Article 6 (the write to a fair trial). This means

the applicant and should be afforded the right to make oral representations at the

meeting.

If Members determine to refuse the application, it is necessary for the reasons to

be clearly stated.

8 Financial implications

N/A.

9 List of appendices

Appendix 1 - Representations from interested parties.

Officer Contact: Mrs. D. Rimmington

Tel: 01226 775696

31/10/07

dicensor

27, Doncaster Road. Darfield, Bamsley, S73 9JB Tel. 01226-759133

13th October, 2007

Dear Sir

Application for a premises licence for The Station Inn 128, Doncaster Rd, Darfield.

As interested parties my wife and I wish to object to the above. We object to the application for an outdoor music licence for the above premises. This will cause public nuisance because these premises are within a purely residential area. Many houses are within very close proximity to this public house including our own home. The granting of such a licence will cause noise to mis public index minuting our own twine. The granting or such a medical will cause mission into our homes and gardens. It is immaterial what hours the music is played as we are unable to take any steps to prevent this intrusion. It will directly affect the privacy and enjoyment of our homes and gardens.

We also object to the hours during which alcohol will be served. The hours applied for, particularly during Friday and Saturday, even more so on Bank Holiday Sundays and Christmas and New Year, both inside and outside, will cause a similar nuisance, especially if you consider some events such as beer festivals which are mentioned in the application. Even with music inside which continues to within a short time of closing, experience has shown that on warm evenings and the summer time the doors and windows of the public house are naturally opened and the music again is intrusive to a considerable degree. This will also fall under the heading of crime and disorder. My wife and I have twenty six years of experience of living at this address and are only too aware of the disorder which has occurred during much shorter drinking hours at these premises. Extension of the hours will only exacerbate the problem. That with the attendant noise of cars, taxis etc., and inebriated people leaving the premises in the early hours of the morning causing conflict between residents and customers of the premises

There is also the question of safety. Outside events, such as described in the application, will on many occasions include the presence of children. The outside area of these premises open directly onto the very busy A835 via wide unprotected entrances.

Yours sincerely.

J.A. Birchall

1 A Birchall To Barnsley M.B.C., P.O. Box 602, Barnsley, 570 9FP

Reg Sent 16 001 2001

Licence Application

Station inn

128 Doncaster Road

Darfield

Barnsley

B.M.B.C

P.O. Box 602

Barnsley

S70 9FP

in relation to the above application as an 'interested party' living within 60 meters of the said establishment I wish to make representation to the Licensing Authority in relation to the applicants Roger William Smith/Kristen Lee Smith application for the granting of an outdoor music licence for the grounds of the above establishment.

The premises is within a Residential area and therefore the granting of such a licence for outdoor music is liable to lead to a substantial degree of 'Public nuisance' in that the disturbance to immediate residents would be neither welcome or acceptable.

As an 'Interested party' I have also discussed this with my immediate neighbours Mr and MrsWhittaker, 21 Doncaster Road; Mr and Mrs Whinstanley 25 Doncaster Road and Mr Upperdine and Mr and Mrs Upperdine Inr 29 Doncaster Road. They are all of the opinion that the granting of this music licence for outdoors would be detrimental to the well-being of the immediate residents.

The issue of 'Public Safety' as applicable to the Health and Safety at Work Act 1974 relating to 'Risk Assessments' 1990 can not be guaranteed in that the venue for the music is directly on to a major Trunk Road between Doncaster and Barnsley. The issue falls into two sections; One it will cause disruption to the flow of traffic and Secondly, the public attending such an event, whilst consuming alcohol are only partitioned from a major traffic flow by a 1.5 meter wall.

The issue of noise in relation to children must also be examined and considered. The above establishment's boundary wall is also the wall between the houses in Howard Street. A number of residents have families with children under the age of ten years. The granting of such a licence could not be seen as meeting the standard of 'Protection of Harm' in relation to children in that systematic deprivation of sleep could be construed as child abuse.

Finally the granting of a late night licence for alcohol up to 02.00 hours will result in the slamming of car doors; taxi's sounding horns, even though it is illegal after midnight and possible arguments within a Residential area after midnight. Once again causing disruption and disharmony within a settled community.

David A. Briggs

12/10/07

23 Doncaster Road

David A. Briggs

Darfield

Barnsley

573 918

2 4 OCT 2007

1 Baikley Lane Darfield Bamsley S73 9JE

Barnsley MBC PO Box 602 Barnsley S70 9FP

22nd October 2007

Dear Sirs

Application for: Roger & Kirsten Smith Station Inn, 128 Doncaster Road, Darfield, Barnsley, S73 9JA

Further to your notice for the above applicant to supply alcohol, the provision of regulated entertainment/facilities and the provision of late night refreshment.

I would like to express my objections regarding this as follows:

There are only 26 parking spaces for the pub, where would any overspill go. Parking on Balkley Lane and Howard Street is already over congested as it is without extra parking from pub clientele.

There are over 50 children within a 100 yard radius of the pub, fate night music would only disturb the essential sleep needed for them to achieve well at school.

In a quiet community, this end of Darfield has, we feel we should not be subject to the late night rowdiness that this would attract and feel that it would have a vast detriment to a close knit community.

This is not a town centre environment where facilities like this are catered for but a village environment which consists of a spectrum of residents from the very young to the very old who should not be subjected to the proposed night time activity.

We would relish the opportunity of a meeting to be held with the residents about any movement on the pubs future uses.

Yours faithfully

Mrs Tracey Lawton

We live directly adjacent to the Station inn, and have had damage to our car, experienced people urinating and vomiting on our property and also bottles, glasses and cigarettes being strewn around our premises. This would be exacerbated by the late opening hours.

2. Public Safety

*1

We have had direct conflict with customers in the past who have behaved in a threatening mariner towards us. This is usually due to excessive amounts of alcohol.

3. The Prevention of Public Nuisance

a. We are very concerned to read the proposals for music being played both indoors and outdoors until late night/early morning, as we are able to hear even found conversation due to the closeness of our home to the pub.

As this is a quiet residential area we feel that we would lose a quiet village pub to be replaced by a night club.

- b. The opening of a smoking area to the rear of the pub is another concern. This area was previously a private area, and as it joins our garden boundry wall we would be concerned of further noise, litter and loss of privacy.
- c. As previously experienced we have had issues with Taxis picking up customers of the pub. Whilst we have seen that the Taxis would be asked not to sound their hom, we have found that this is not the case. We also have the added noise of car doors slamming, and rowdiness of customers awaiting pick up. Whilst we can cope with this up to eleven o'clock at night at weekends we feel that extended opening would further disturb our and our children's sleep.
- 4. The Protection of Children from Harm

We have two children under the age of 14, who have complained about the noise from the pub on certain occasions, when it has disturbed their sleep.

We also feel that the extended opening hours would attract a different clientele, that again is more suited to a nightclub, and which could have a detrimental effect on our children.

Whilst we would welcome and support a new business in the Station Inn, we feel that the current proposals would change the feel and use of the premises beyond that of a friendly local pub, and our next door neighbors.

We look forward to hearing from you, and hope you can reassure us regarding our concerns.

Yours faithfully

Kevan and Sara Beaumont

Beaument. S Beaument Reason 24 OCT 2007 Licensing

21st, October, 2007

Dear Sir.

Berry Croft, 7,Doncaster Road, Darfield, Barnsley, S73 9JB Tel. 01226-759133

Application for a premises ticence for The Station Inn 128, Doncaster Rd, Darfield.

As interested parties my mother and I wish to object to the above. We object to the application for an outdoor music licence for the above premises. This will cause public nuisance because these premises are within a purely residential area. Many houses are within very close proximity to this public house including our own bungalow. The granting of such a licence will cause noise intrusion into our homes and gardens. It is immaterial what hours the music is played as we are unable to take any steps to prevent this intrusion. It will directly affect the privacy and enjoyment of our homes and gardens.

We also object to the hours during which alcohol will be served. The hours applied for, particularly during Friday and Saturday, even more so on Bank Holiday Sundays and Christmas and New Year, both inside and outside, will cause a similar nuisance, especially if you consider some events such as beer festivals which are mentioned in the application. Even with music inside which continues to within a short time of closing, experience has shown that on warm evenings and the summer time the doors and windows of the public house are naturally opened and the music again is intrusive to a considerable degree. This will also fall under the heading of crime and disorder. My mother and I have fifteen years of experience of living at this address and are only too aware of the disorder which has occurred during much shorter drinking hours at these premises. Extension of the hours will only exacerbate the problem. That with the attendant noise of cars, taxis etc., and inebriated people leaving the premises in the early hours of the morning causing conflict between residents and customers of the premises.

There is also the question of safety. Outside events, such as described in the application, will on many occasions include the presence of children. The outside area of these premises open directly onto the very busy A635 via wide unprotected entrances.

Yours sincerely,

Mrs. K. Taylor,

Hoylor. FlyTaylor.

Mr. F. Taylor,

To Bamsley M.B.C. P.O. Box 602, Barnsley, S70 9FP

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Your faithfully miss Denise humber

Re: Station Inn/The Gold Mine Premises License Application

Dear Debbie Rimmington

We are writing to you regarding the above subject. As residents living in close proximity to the above premises we strongly object to the proposed closing times which we believe to be 01.00hrs Sun/Thurs and 02.30hrs Fri/Sat. We also strongly object to both live and recorded music being played outdoors at what we believe to be various times ranging from 12.00hrs through to 23.30hrs.

We feel that living in a small residential area where there are lots of people with young families, that the suggested closing times and live /recorded outdoor music will greatly affect our quality of living and enjoyment in our homes and gardens.

We strongly feel that if the license goes ahead it will create an unsuitable environment for people living in the area and attract a different type of clientele. There is a children's playing field and park situated quite close to the premises and as parents we do not feel that it is setting a good example to children who are going to be exposed to a public house atmosphere outdoors (e.g. drinking alcohol, bad language and other unsuitable

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Mult 8 Balkley lane Payletch

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Darfield

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D. Ron - W Th-13 BANKLEY LANE

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A fourth how 114 Doncaster Road

Darfield Bainsley

South yorkshire

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Illen. 92 Doncaster road.

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TBywart (116) Dancasta rd.

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Barnsley.

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Yours Sincerely

GRSONT 30 HOWARD ST BARFIELD

573 750

HR+ MRS R. HOOLE

57 HOWARD STREET

DARKIELD

BARNSLEY

573 930

TEL NO - 153635

Sent: 26 October 2007

Re: Station Inn/The Gold Mine Premises License Application

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Yours Sincerely

-/ Note mate

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Yours Sincerely

MIS JOANNE MOODY

J Moorly

36 Howard st, Darfield,

Barnsley 5 Yorkshire

573 900

Mc+mrs B+55 uyfe 32, Hewardst Dorfield 29 OCT 2007 Banday 573955.

Sent: 26 October 2007

Re: Station Inn/The Gold Mine Premises License Application

Dear Debbie Rimmington

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MIRHAGE WHITIFALES ZA HOUMD ST BATFIELD

Matt. 26/10/67

Re: Station Inn/The Gold Mine Premises License Application

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Played Francisco Proposition of Servert Despersion

Carrie

Re: Station Inn/The Gold Mine Premises License Application

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Samet Kamshaw

4 HOWARD ST DARFIELD

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RS 31 HOWARD ST

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25 Movent Street

Derkeel

Bonsley

5 Yoldshue

573970.

M. CHERRY.
63 HOWARD ST
DARMED
BARNSLEY

2 9 OCT 2007

Sent: 26 October 2007

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Mecany

2 9 OCT 2007

Stan Brynham bi, Itarred st Danfield Family

Sent: 26 October 2007

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SBaymh --

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J GILL

A3 Balkley In

Dourfield

Bansley.

2 9 OCT 2007

33 outrey cone Donald Bornsier 573 956

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Money

5 Balkley Lowe
DARFIELD
29 OCT 2007 Barnsley
573 95e

Sent: 26 October 2007

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HRYHRS FIV Tuner

VALERIE TURNER

FRANK TURNER

7 BALYLEY LANE

DARFIELD

5739 7=

n Hopkinson 11 Baukley Land Darfield Bansley 513 9JE

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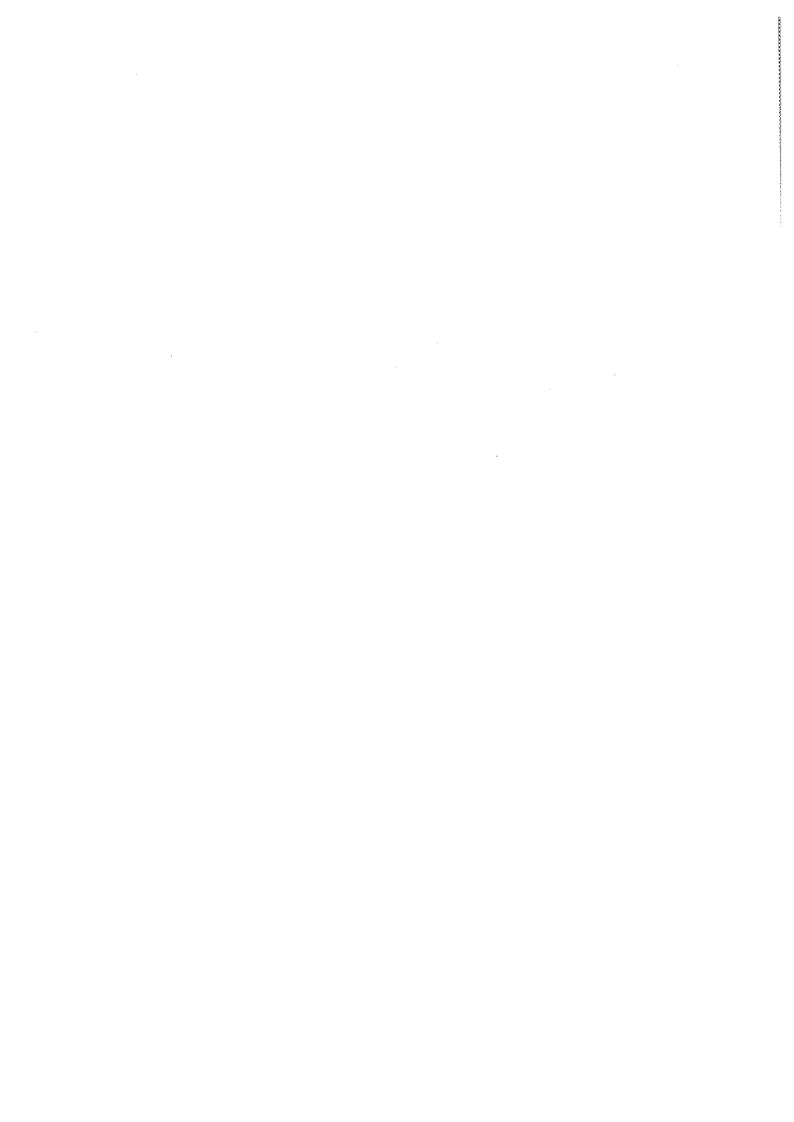
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Yours Sincerely

Andrea Vlatins

Down S. Ey



Parkin, Allison

From:

Yardley, Susan

Sent:

31 October 2007 12:05

To:

Windross, Julie

Cc:

Wilson, Jane (Borough Sec); Parkin, Allison

Subject: RE: Post

Hi Julie,

Further to our telephone conversation general office will pick up/drop off your post when calling for Julia's. I will have a word with Allison in the morning regarding having one slot for all sections.

Sue.

Sue Yardley

Democratic Services Administration Officer

Borough Secretary's Department

2 01226 773055

🖆 susanyardley@barnsley.gov.uk

Please consider the environment, do you need to print this E-mail?

From: Windross , Julie Sent: 31 October 2007 11:52

To: Yardley , Susan; Wilson , Jane (Borough Sec)

Subject: Post Importance: High

Jane/Sue

Not sure whether I mentioned, but we have now completed the move around, so that Divisional Support and Management Support are situated within the office suite on the first floor at the side of Richard Fryer. We have just had a discussion about post etc. I know that at the moment someone is kind enough to bring and pick up post from Julia White's office, where I am now situated. Would it be at all possible to amalgamate the post for Policy and Co-ordination, Communicatons, Performance Improvement Unit and European Strategy and drop this off and collect from one central point, as I am trying to cut down the number of people wondering around and entering up post. Please advise

Thanks

Julie Windross

Divisional Support Manager Policy and Performance Barnsley MBC



Room 121 Town Hall Barnsley S70 2TA

Tel: 01226 775738 Fax: 01226 773305

Email: juliewindross@barnsley.gov.uk

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender, as expressed only to the intended recipient and should not be passed on to a third party without the prior consent of the sender. They do not commit Barnsley Metropolitan Borough Council to any course of action and in particular are not intended to impose any obligation upon the Council.

