

**BARNSLEY METROPOLITAN BOROUGH COUNCIL**

**B**

**Report of the Assistant  
Director of Regulatory Services  
to the meeting of the Statutory  
Licensing Regulatory Board  
Sub Committee to be held on  
the 17<sup>th</sup> December 2007.**

**LICENSING ACT 2003**

**APPLICATION FOR A PREMISES LICENCE**

**The Tandoori Hut, Wakefield Road, Staincross, Barnsley, S75 6DJ**

**1. Background**

- 1.1 In October 2007 an application was received from Mr. Kassah Farouic for a premises licence for The Tandoori Hut.
- 1.2 Members are requested to determine the application for the Premises Licence.
- 1.3 The Tandoori Hut is situated on the main A61 Wakefield Road, it is a small single storey restaurant and takeaway with car parks to the front and rear.

**2 The Application for a Premises Licence**

- 2.1 On the 24<sup>th</sup> October 2007 an application was made for a Premises Licence for the Tandoori Hut, Wakefield Road, Staincross, Barnsley. The application relates to the provision of Late Night Refreshment. The hours requested are for indoors only and are from 23:00 to 24:00 Sunday to Thursday and 23:00 to 00:30 Friday and Saturday.

**5 Promotion of licensing objectives**

- 5.1 The applicant has set out in the application the following 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**

Prevention of Crime and Disorder

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

**b) The prevention of crime and disorder**

Secure the site – Fencing / Lighting

No gangs of youths allowed

Car park monitoring

Customer monitoring

**c) Public Safety**

No drunks allowed

Car park lighting

Parking designation

**d) The prevention of public nuisance**

No late / loud music

Litter / waste cleaned up

No drunks allowed

**e) The protection of children from harm**

No serving of alcohol to children under 16 unless accompanied by an adult relating to a large meal.

**6 Responsible Authorities**

6.1 No representations have been received from any responsible authorities.

**7 Interested parties**

7.1 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 a representation has been received from an interested party. The representation was received within the 28 day consultation period.

7.2 The person making representation is:-

Mr David Robert Allen, Tipsey Cottage, Wakefield Road, Staincross, Barnsley.

7.3 The representation made by the interested party relates to the licensing objectives and this attached as Appendix 1.

**8 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 right 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.

**9 Financial implications**

N/A.

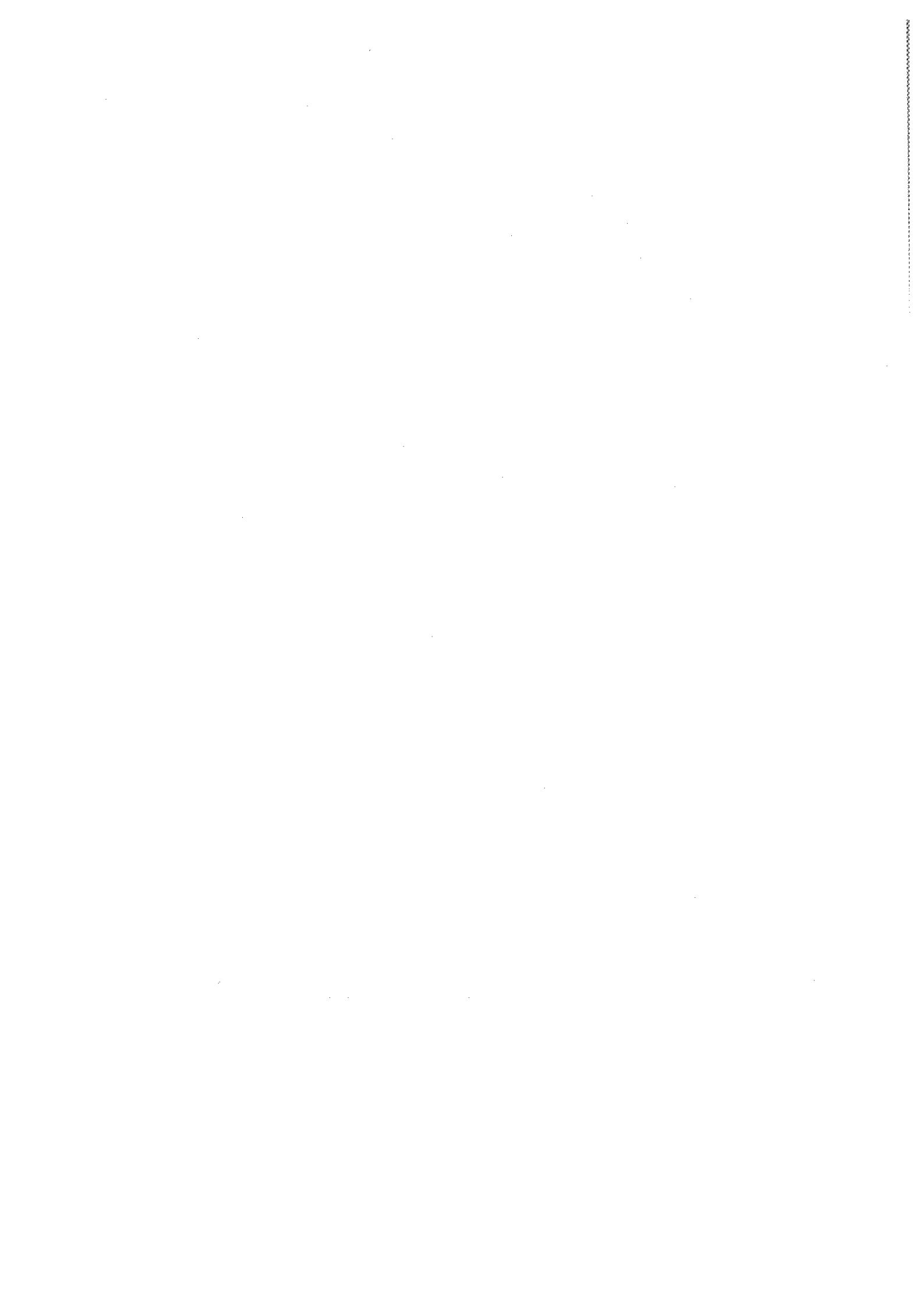
**10 List of appendices**

Appendix 1 - Representation from interested party.

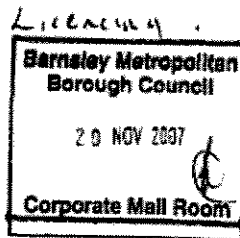
Officer Contact: Mrs. D Rimmington

Tel: 01226 5696

03/12/07



Appendix 1



David Robert Allen  
Tipsey Cottage  
Wakefield Road  
Staincross  
Barnsley  
S75 6DJ

15<sup>th</sup> November 2007

Dear Sir

Having read in my local newspaper I am writing to oppose a late night licence at the Tandoori Hut, Wakefield Road Staincross. On the grounds that I live immediately next door to the above property.

I am constantly pestered by the slamming of car doors and car radios from clients who have little thought for people who live nearby who have to go to work very early in the morning. Also people in cars are revving up their car engines and when they have had their exhaust systems modified it is most annoying.

I have to go to London, Manchester and most of the major cities where I have to rise early in the morning and my bedroom window is 15 metres from the Tandoori Hut. The noise has a detritus effect on my health

Yours sincerely,

Mr D.R. Allen.

