

## **LICENSING SUB-COMMITTEE**

**Venue:** Town Hall,  
Moorgate Street,  
Rotherham. S60 2TH

**Date:** Monday, 1<sup>st</sup> April, 2019

**Time:** 10.00 a.m.

### **A G E N D A**

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Licensing Act 2003 - Variation of Premises Licence - Three Horseshoes, Wickersley (Pages 1 - 126)

Case 01/04/19

Application for a premises licence under the Licensing Act 2003

<b>Applicant:</b>	<b>Stonegate Pub Company Limited</b>
<b>Premises</b>	<b>Three Horseshoes</b>
<b>Premises Address</b>	<b>133 Bawtry Road, Wickersley, Rotherham, S66 2BW</b>

### **1. Purpose of Report**

To consider an application to vary the premises licence made under the Licensing Act 2003 in relation to the premises known as the Three Horseshoes, 133 Bawtry Road, Wickersley, Rotherham, S66 2BW.

### **2. The Application**

The application is attached to this report at Appendix A.

The applicants are Stonegate Pub Company.

The grounds for the hearing relate to the receipt of representations received considered to be placed in objection to the granting of the variation application for these premises.

The premises currently benefits from a licence to allow the sale of alcohol, regulated entertainment and late night refreshment.

### **3. Reasons for Referral**

The representations are attached to this report at Appendix B

In considering an application the licensing authority has to exercise discretion when representations, either positive or negative, are received from a responsible authority and/or interested parties.

It is for the licensing authority to decide if a representation is relevant to the licensing objectives and not frivolous or vexatious. If the licensing authority decides that a representation is relevant then the authority must hold a hearing to consider that representation.

The applicant has been invited to attend the hearing.

The responsible authority and an interested party who have made representations on the application have been invited to attend the hearing.

### **4. Financial Implications**

There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal at the Magistrates Court or higher courts. In such a case it is not possible predict the outcome of any decision by the Courts in relation to costs.

## **5. The Legal Position**

Section 4(1) of the Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives namely:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The Act also requires that the Licensing Authority has regard to its own 'Statement of Licensing Policy' and any guidance issued by the Secretary of State in carrying out its functions.

Once a determination has been made by Members of the Licensing Committee, section 52(11) of the Act states that the determination does not have effect until:

- the end of the period given for appealing against the decision; or
- if the decision is appealed, until the appeal is disposed of.

## **6. Hearing Regulations**

Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State. The Licensing Authority has provided all parties with the information required in the Regulations.

## **7. Options available to the Licensing Committee**

Members of the Licensing Committee authorise officers to:

- Grant a licence;
- Grant a licence with amendments to the application as made;
- Grant a licence with conditions on the licence;
- Grant a licence but exclude a licensable activity (activities) from the scope of the licence;
- Refuse to grant a licence.

Rotherham Metropolitan Borough Council

APPENDIX A

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> P0107
---

Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  Three Horse Shoes 133 Bawtry Road Wickersley			
<b>Post town</b>	Rotherham	<b>Post code</b>	S66 2BW

<b>Telephone number at premises (if any)</b>	01709 739240
<b>Non-domestic rateable value of premises</b>	£54,500.00

Part 2 – Applicant details

<b>Daytime contact telephone number</b>	0845 126 2944		
<b>E-mail address (optional)</b>			
<b>Current residential address if different from premises address</b>	Porter Tun House 500 Capability Green		
<b>Post Town</b>	Luton	<b>Postcode</b>	LU1 3LS



### Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible? ☐

**Plans change to have effect upon the completion of the works as notified to the Licensing Authority in writing/ All other changes to have effect on grant**

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation (Please read guidance note 2)**

1. To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;
2. To remove reference to facilities for making music and facilities for dancing as these are no longer licensable activities; and
3. Additional non-standard timings for notable days are also sought, as detailed in the application submitted to the Licensing Authority.
4. To add conditions to the licence and remove condition following consultation with the police licensing and environmental health officer as detailed in the application submitted to the Licensing Authority.
5. To vary the layout of the premises in accordance with plans (drawing number AM 01 Rev C) supplied by the applicant and submitted with the application the Licensing Authority. Such variation to the plans to have effect upon the completion of the works as notified to the Licensing Authority in writing.

Alterations include:

Ground floor

- To show location of new fixed seating throughout premises, removal of partition and relocation of screen to right of entrance
- To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.
- No change to first floor.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please read guidance note 3)

**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)



**Sale by retail of alcohol** (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)	
Mon				
Tue				
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)	
Thur				
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)	
Sat				
Sun				

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	NO CHANGE		
Mon	NO CHANGE		<b>Please give further details here</b> (please read guidance note 5)		
Tue	NO CHANGE		NO CHANGE		
Wed	NO CHANGE		<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur	NO CHANGE		NO CHANGE		
Fri	NO CHANGE		<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	NO CHANGE				
Sun	NO CHANGE		To retain the existing non-standard timings for notable days and add: <ul style="list-style-type: none"> <li>An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29<sup>th</sup> &amp; 30<sup>th</sup> December and Bonfire Night.</li> </ul>		

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 5)
Day	Start	Finish	NO CHANGE
Mon	07:00	No Change	
Tue	07:00	No Change	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)
Wed	07:00	No Change	NO CHANGE
Thur	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.
Fri	07:00	No Change	
Sat	07:00	No Change	
Sun	07:00	No Change	

**D**

<b><del>Boxing or wrestling entertainments</del></b> <del>Standard days and timings (please read guidance note 8)</del>			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

## E

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
			NO CHANGE	Both <input type="checkbox"/>
Day	Start	Finish		
Mon	07:00	No Change	<b><u>Please give further details here</u></b> (please read guidance note 5) NO CHANGE	
Tue	07:00	No Change		
Wed	07:00	No Change	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 6) NO CHANGE	
Thur	07:00	No Change		
Fri	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.	
Sat	07:00	No Change		
Sun	07:00	No Change		

F

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	07:00	No Change			
Tue	07:00	No Change			
Wed	07:00	No Change	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Thur	07:00	No Change			
Fri	07:00	No Change	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	07:00	No Change	To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.		
Sun	07:00	No Change			
	07:00	No Change			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)  NO CHANGE	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	No Change	<b><u>Please give further details here</u></b> (please read guidance note 5)  NO CHANGE		
Tue	07:00	No Change			
Wed	07:00	No Change	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)  NO CHANGE		
Thur	07:00	No Change			
Fri	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.		
Sat	07:00	No Change			
Sun	07:00	No Change			
	07:00	No Change			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>	
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>	
Tue			<b>Please give further details here</b> (please read guidance note 5)	
Wed				
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)	
Fri				
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)	
Sun				

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4) NO CHANGE	Indoors <input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
Mon	NO CHANGE		<b>Please give further details here</b> (please read guidance note 5) NO CHANGE	Both <input type="checkbox"/>
Tue	NO CHANGE			
Wed	NO CHANGE		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6) NO CHANGE	
Thur	NO CHANGE			
Fri	NO CHANGE		<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)	
Sat	NO CHANGE			
Sun	NO CHANGE		To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.	



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9) NO CHANGE	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) NO CHANGE		
Mon	07:00	No Change			
Tue	07:00	No Change			
Wed	07:00	No Change			
Thur	07:00	No Change			
Fri	07:00	No Change	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.		
Sat	07:00	No Change			
Sun	07:00	No Change			
	07:00	No Change			

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8)

**NONE**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)  NO CHANGE
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.
Mon	NO CHANGE		
Tue	NO CHANGE		
Wed	NO CHANGE		
Thur	NO CHANGE		
Fri	NO CHANGE		
Sat	NO CHANGE		
Sun	NO CHANGE		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 To remove condition 1 under Annex 3 and update his and replace with the following condition set out in the operating schedule below, following consultation with the police licensing and environmental health officer.

Please tick yes

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

Licence to follow under separate cover as application submitted online.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)**

*The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.*

We have considered the impact of the proposed variation which allows for alcohol and regulated entertainment (save for films) to commence from 7am in line with current films and opening, for additional non-standard timings for notable days and removal of facilities for dancing and making music which are no longer licensable. The application also seeks to alter the layout of the licensing plans attached to the licence in accordance with the plans supplied by the applicant, with minor internal changes sought along with showing beer garden already in situ in place of previous rear car park area and seeking to license the proposed external bar servery to permit sale of alcohol from this area. Furthermore, additional conditions have been offered, one of which is to update an existing condition which is being removed.

We have considered the application and the Council's Licensing Policy. Steps have been taken to ensure continued promotion of the licensing objectives and in particular prior to issue the application consultation has taken place with Chris Burnett, Licensing Officer and Tracey Klein, Police Licensing Officer and Liz Costello, Environmental Health Officer prior to issue the application and their comments have been taken into consideration in submitting this application.

In respect of seeking to license an external bar servery, to ensure continued promotion of the licensing objectives we have offered to include a condition restricting the use of the outside bar to 11pm daily. Additionally, internal measures will be in place including that the bar will be manned at all times by at least one person, staff will provide appropriate supervision of the external area throughout all times the bar is trading, and that the existing robust measures, policies and procedures in place internally would also apply to the outside bar, such as age verification checks, challenge policies, refusals logs. Furthermore, the company's noise management and outside areas policies will continue to be implanted and adapted at site level as appropriate.

Stonegate are a well experienced licensed operator and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, training, underage sales and challenge policies, incident logs, queuing policy, drugs and dispersal policy, and noise management and the management of outside areas policies as well as procedures to prevent crime and disorder and public nuisance. These robust policies and procedures that already in place will continue to operate if the extended hours are granted.

Considering the above, we believe that the variation will not undermine the Licensing Objectives. The Applicant believes that the additional conditions offered in consultation with the authority officers, existing measures within the operating schedule, alongside the existing robust policies in place, and experience of the applicant, will ensure the premises continue to promote the Licensing Objectives if the application is granted and further conditions are not required.

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

See box a) above. In addition, the following new condition is proposed in the event that the application sought is granted:-

1. The use of the external bar shall be restricted to no later than 11pm each night.

**c) Public safety**

Please see box a) above and existing operating schedule.

**d) The prevention of public nuisance**

Please see box a) above and existing operating schedule. In addition, the following new condition is proposed in the event that the application sought is granted:-

2. The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment (in the form of amplified live or recorded music) takes place in the function room, save for access and egress and in the case of an emergency.

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

Please see box a) above and existing operating schedule.

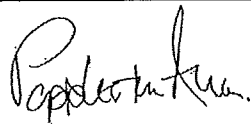
Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signature	N/A
Date	N/A
Capacity	N/A

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b> Suraj Desor Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 183		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> s.desor@popall.co.uk			

#### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate.  
Indoors may include a tent.
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

-	FIRST ISSUE	05.02.19	AA
A	AMENDMENTS AFTER EXAM	06.02.19	AA
B	RED LINE ADDED AROUND BAR	06.02.19	LB
C	BAR LABEL, ADDED	06.02.19	LB
D	BAR DIMENSIONS AMENDED	11.02.19	IE
E	LABELS ADDED	14.02.19	IE
F	PLAN UPDATED	14.03.19	AA

VP	VISION PANEL
PB	PANIC BOLT
SC	SELF-CLOSING

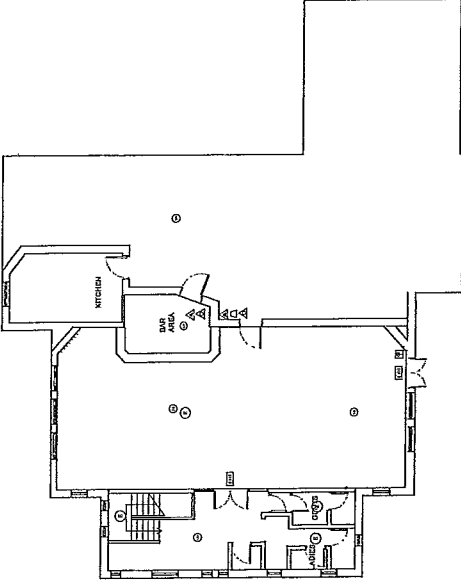
- |   |  |   |                                 |                       |                            |                           |                                  |                                |                              |                        |   |
|---|--|---|---------------------------------|-----------------------|----------------------------|---------------------------|----------------------------------|--------------------------------|------------------------------|------------------------|---|
| SELF CONTAINED MAINTAINED<br>DIRECTIONAL, EMERGENCY EXIT<br>SIGN ILLUMINATED, SUSPENDED<br>"FIRE EXIT" 12" x 24" ACTION | AREA COVERED BY EMERGENCY<br>EXIT LIGHT FITTING TO<br>03.256, PART 1 | AREA COVERED BY HEAT DETECTOR<br>03.256, PART 1 | AREA COVERED BY JAMMER DETECTOR | FIRE ALARM CALL POINT | FIRE ALARM INDICATOR PANEL | FIRE BLANKET IN CONTAINER | CARBON DIOXIDE FIRE EXTINGUISHER | WET CHEMICAL FIRE EXTINGUISHER | DRY POWDER FIRE EXTINGUISHER | FOAM FIRE EXTINGUISHER | ALARM WARNING DEVICE<br>"FIRE" 12" x 24" ACTION<br>must remain visible to all occupants |
| EXIT  | EXIT   | NO  | NO                              | CALL POINT            | INDICATOR PANEL            | BLANKET                   | CD EXTINGUISHER                  | WET EXTINGUISHER               | DRY EXTINGUISHER             | FOAM EXTINGUISHER      | WARNING DEVICE  |

**NOTES:**  
 ANYTHING SHOWN ON THIS PLAN WHICH IS NOT REQUIRED BY THE PLAN REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT FORM PART OF THE PREMISES LICENCE.  
 THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY BE VARIES FROM TIME TO TIME WITH THE ARRANGEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.

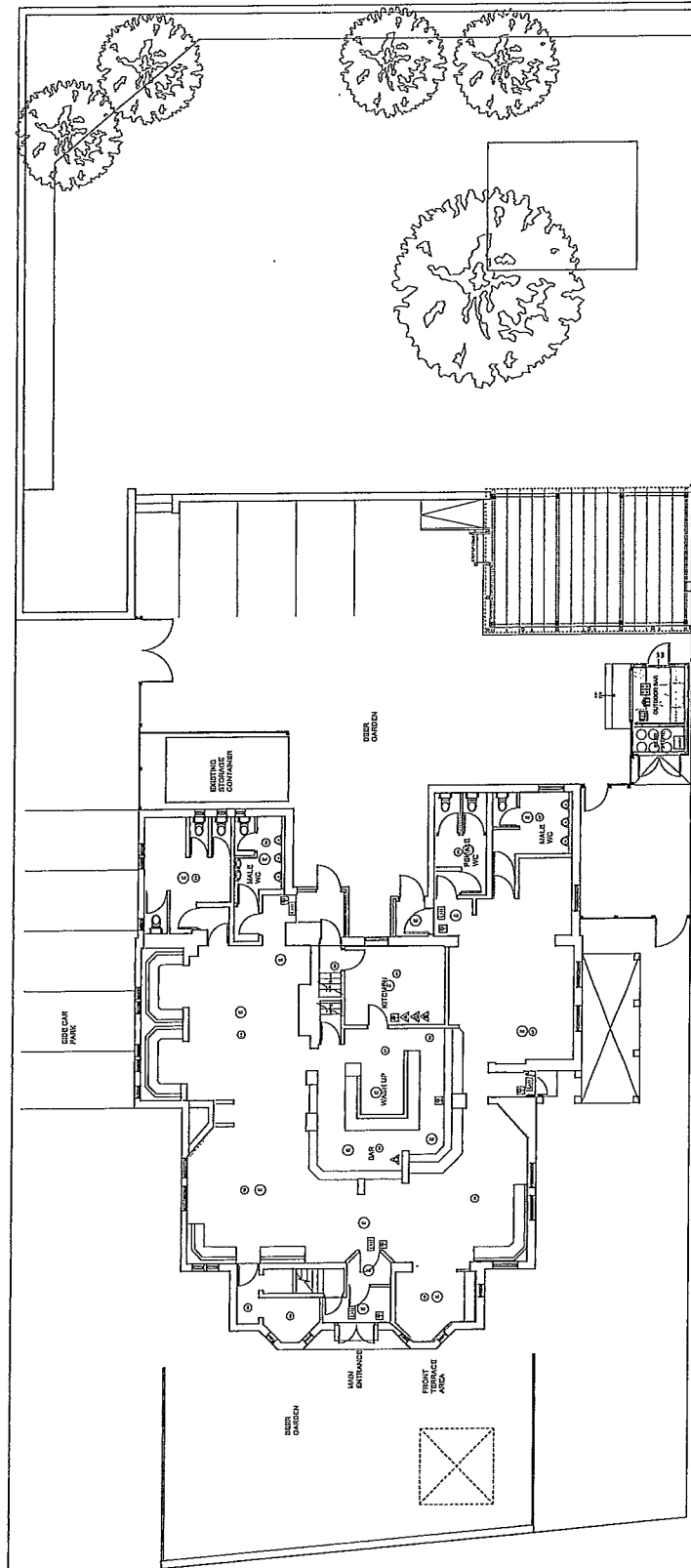


THREE HORSE SHOES, 133 BAWTRY RD  
WICKERSLEY, ROTHERHAM, S66 2BW

TIME	DATE	SCALE	DRWG. NO.	CHARACTER
	SEPT 2018	1:100 @ A1	ST17	AMOT F



PROPOSED FIRST FLOOR PLAN



**PROPOSED GROUND FLOOR PLAN**



**Bailey, Audrey**

---

**From:** Suraj Desor <s.desor@popall.co.uk>  
**Sent:** 07 February 2019 12:21  
**To:** Burnett, Chris  
**Cc:** 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing; Costello, Liz  
**Subject:** RE: Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

Dear Chris,

I note that with regards to the terminal hour, the start time for sale of alcohol in the outside bar will be in line with the start time in relation to the inside bar which is 10am (hence no reference required in the condition as to start time). I trust that this is all acceptable.

I also note that Police Licensing have confirmed that they are happy with the proposal including the additional change in relation to the external servery.

Kind regards,

**Suraj Desor**

**Suraj Desor | Solicitor**

**Poppleston Allen**

E: s.desor@popall.co.uk | T: 0115 9349 183 | M: 07880 382 193 | W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



**Plan your next site at the click of a button**

Find addresses affected by Cumulative Impact Zones/Stress Areas, instantly and for free!



---

**From:** Burnett, Chris [mailto:Chris.Burnett@rotherham.gov.uk]

**Sent:** 07 February 2019 08:34

**To:** Suraj Desor; 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing

**Subject:** RE: Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

Good morning Suraj,

Hope you are well Thank you for the e mail and update in respect of your client's proposed variation.

Could I clarify the details in respect of the proposed outside bar area. I note the application for an extension in hours at the beginning of each day, and the volunteered proposal that the external bar will not be open after 2300hrs. Can you clarify the proposed opening times of the external bar servery.

Kind regards,

Chris Burnett  
Principal Licensing Officer

Rotherham MBC

**From:** Suraj Desor [mailto:s.desor@popall.co.uk]

**Sent:** 06 February 2019 14:12

**To:** 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing; Burnett, Chris

**Subject:** Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

**Importance:** High

Dear Tracey, Liz and Chris,

Further to your consultation with my colleague Natasha in relation to a variation we are looking to submit to extend the start time for licensable activities to 7am and add Non Standard Timings for notable days, which I understand that you have no objections to.

Our Client has now confirmed that there is a refurbishment due to take place with regards to this site, and its garden, and as part of this they are proposing to include an external bar for the sale of alcohol. I attach

I note that currently the premises licence permits sale of alcohol to midnight Sundays to Thursdays, and 1am on Fridays and Saturdays. However, to ensure the promotion of the Licensing Objectives our client is happy to include offer a condition to restrict use of the external bar servery to 11pm every day of the week. Furthermore, in respect of internal measures, our client has confirmed that the bar will be managed and manned by a person at all times it is operating, and that the current conditions, policies and procedures in place shall also apply to the use of the outside bar, including age verification checks and the challenge policy, as well as appropriate monitoring and supervision of the external area by staff. Also the Client will continue to operate its internal noise management and outside areas policies which are adapted at site level as appropriate.

Separately, we will also seek to replace and update condition 1 under Annex 3 with: "The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment (in the form of amplified live or recorded music) takes place in the function room, save for access and egress and in the case of an emergency". I trust that this is acceptable.

**Tracey, Liz and Chris** – considering the above, and the condition restricting use of the external servery to no later than 11pm daily, I would be grateful if you could confirm whether you would be happy for us to include this proposal within the variation application to extend the hours?

I have attached the updated draft application for your reference, along with the proposed licensing plans showing the proposed location of the external servery.

**To meet our Client's timescales, I would be grateful if you could get back to me at your earliest convenience and ideally by close of play on Friday 15th February 2019, as we would like to issue the application shortly as proposed works are due to commence next month.**

We look forward to hearing from you shortly.

Best regards.

**Suraj Desor**

**Suraj Desor | Solicitor**

**Poppleston Allen**

E: s.desor@popall.co.uk | T: 0115 9349 183 | M: 07880 382 193 | W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



**Underwood-Parkin, Lisa**

---

**Subject:** FW: The Three Horse Shoes, Rotherham - Variation of Premises Licence

---

**From:** Clerk at Wickersley Parish [<mailto:clerk@wickersleypc.org.uk>]  
**Sent:** 26 February 2019 10:44  
**To:** Underwood-Parkin, Lisa  
**Cc:** Ellis, Sue-Cllr  
**Subject:** RE: The Three Horse Shoes, Rotherham - Variation of Premises Licence

Dear Lisa,

We considered this application at last night's Parish Council meeting:-

*Wickersley Parish Council wish to raise concerns about the proposed license variation at the Three Horseshoes Public House. The Parish Council consider that the opening of the premises from 7 am could have a negative impact on children going to school if they witness customers leaving the premises under the influence of drink. A more appropriate time for opening would be 9am. The Parish Council are also concerned about the proposed external bar as this is likely to lead to more intensive use of the rear garden area with associated noise disturbance to nearby residents.*

Greg Pacey  
Interim Clerk  
On Behalf of Wickersley Parish Council  
Wickersley Community Centre & Library, 286 Bawtry Road, Wickersley, Rotherham, S66 1JJ  
Telephone : 01709703270

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail software, and then delete it from your system. Wickersley Parish Council take the processing of personal information seriously in-line with General Data Protection Regulation, the information within this email will only be used for the intent in which it has been raised; to view the privacy policy for the Council please go to [hyperlink for general privacy notice](#)

---

**Underwood-Parkin, Lisa**

---

**Subject:** FW: Notification of hearing**From:** Clerk at Wickersley Parish [<mailto:clerk@wickersleypc.org.uk>]**Sent:** 21 March 2019 14:35**To:** Underwood-Parkin, Lisa**Cc:** Maggie Godfrey; Ellis, Sue-CLlr; Peter Thirlwall**Subject:** Re: Notification of hearing

Dear Lisa,

Here is some data which the Parish Council will be referring to in the hearing:-

Between January 2017 and February 2019, there were four crimes, 15 incidents of ASB reported to police and 11 incidents of ASB to the council.

There is a concentration of reports last summer, with numerous reports of noise and loud music, with the complainants being residents on Green Lane, The Grove and Rosemary Road.

## Council complaints

28/08/2018	A64057 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	live music	Three Horseshoe				
28/08/2018	A64076 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music over bank holiday	Three Horseshoe				
05/06/2018	A59493 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	bank holiday events	Three Horseshoe				
30/05/2018	A59261 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Noise	Three Horseshoe				
29/05/2018	A59126 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
29/05/2018	A59154 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
29/05/2018	A59155 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
26/05/2018	A59117 PC1	IAG	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Loud music from Three Horseshoes	Three Horseshoe				
26/05/2018	A59120 PC1	IAG	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Loud music from Three Horseshoes	Three Horseshoe				
23/04/2018	A57583 PC1	ELM	N27	Noise - Other Commercial	133 Bawtry Road	Loud
noise	Three Horseshoe					
23/04/2018	A57599 PC1	ELM	N27	Noise - Other Commercial	133 Bawtry Road	Loud
noise	Three Horseshoe					

Kind Regards

Greg Pacey

Interim Clerk

On Behalf of Wickersley Parish Council

Wickersley Community Centre &amp; Library, 286 Bawtry Road, Wickersley, Rotherham, S66 1JJ

Telephone : 01709703270

Licensing Authority  
Rotherham Metropolitan Borough Council  
Riverside House  
Main Street  
Rotherham  
S60 1AE

4<sup>th</sup> March 2019

Dear Sir / Madam

Reference:

Notice of application by Stonegate Pub Company Limited to vary a Premise License under section 34 of the Licensing Act 2003 in respect of premises known as Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham, S66 2BW.

The following amendments have been proposed.

- To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;
- To remove reference to facilities for making music and facilities for dancing as these are no longer licensable activities; and
- Additional non-standard timings for notable days are also sought, as detailed in the application submitted to the Licensing Authority.
- To add conditions to the licence and remove condition following consultation with the police licensing and environmental health officer as detailed in the application submitted to the Licensing Authority.
- To vary the layout of the premises in accordance with plans (drawing number AM 01 Rev C) supplied by the applicant and submitted with the application the Licensing Authority. Such variation to the plans to have effect upon the completion of the works as notified to the Licensing Authority in writing.
- Alterations include:
  - Ground floor
    - To show location of new fixed seating throughout premises, removal of partition and relocation of screen to right of entrance
    - To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.
    - No change to first floor

I write in connection with the above license amendment application. I have examined the plans and I know the site well. I wish to object strongly to an element of the request, specifically

- *'To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.'*
- *To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;*

The Three Horse Shoes pub which is located on the corner of Bawtry Road and Green Lane is surrounded on 3 sides by residential properties, with a perimeter border which is coterminous with 6 properties and has wider concentration of residential properties in 'ear shot' of where the proposed outdoor bar is to be located.

As the RMBC's Licensing Board are aware, all licence applications must comply with four licensing objectives including:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Specifically to the erection of an outside bar to the rear of Three Horse Shoes pub and the allowing alcohol sales from 7am in a morning - 7 days a week, I object on the basis that a number of the 'Licensing Objectives' cannot be adhered to, specifically

- the prevention of crime and disorder
- the prevention of public nuisance
- the protection of children from harm.

I will provide 'first hand' examples and secondary evidence from third party public agencies to reinforce my opposition that providing an additional outlet for alcohol sales from 7am in a morning so close to a concentration of family residential properties will exacerbate the current problems that over consumption of alcohol is having on Wickersley.

• **Objecting on the grounds of the Crime and Disorder Objective**

Due to the demise of Rotherham Town Centre, the day/night time economy in this area of Wickersley has increased exponentially and with it so has the associated anti-social problems that is linked with the over consumption of alcohol. This was highlighted in the meeting of the RMBC Licensing Sub-Committee on Friday 22<sup>nd</sup> June 2018 by Local Councillors and evidenced by South Yorkshire Police.

*"Wickersley was already well-served by licensed premises and was popular and successful, attracting visitors from places beyond the immediate area and the wider village. This popularity was inevitably accompanied by anti-social behaviour including noise, boisterous and rowdy behaviour and sometimes other, more obscene behaviour. The South Yorkshire Police were usually present in the area on Friday and Saturday nights in order to ensure public order. The increase in crime and disorder in this locality had previously been acknowledged by the South Yorkshire Police."*

Reinforcing the views of Local Councillors and South Yorkshire Police I have personally witnessed

- Fighting between intoxicated individuals directly outside my six year old son's bedroom window from patrons drinking at the Three Horse Shoes Pub.
- People urinating in the street.  
A Local Business owner which is located opposite the Three Horse Shoes pub has had to install security light to the rear of the property as on a night as people have been using his car park to defecate.
- Drunken individuals throwing bottles and glasses in the street.
- Shouting and screaming into the early hours of the morning:
- Specifically when the rear of the Three Horse Shoes have been used for events
  - Damage to residential properties (reported to the Health and Safety Executive and RMBC)
  - Noise Pollution – Reported by numerous residents to Liz Costello – RMBC
  - Attendance of emergency vehicles to attend patrons at the rear of the Three Horseshoes.
  - Reporting to '101' of Green Lane being blocked by vehicles of patrons visiting the Three Horse Shoes.

More recent incidents include

- 1<sup>st</sup> March 2019 - Rotherham South NHP as part of Operation Alligator attending local pubs in Wickersley and arresting customers with Class A and B drugs.
- 2<sup>nd</sup> March 2019 - An area outside the pubs on Bawtry Road was closed for emergency services to treat injuries for a 'glassing' incident between intoxicated groups of individuals.

The introduction of an additional bar and increasing operating hours from 7am – 7 days a week will only exacerbate existing anti-social behaviour which will directly impact local residents. By allowing the inclusion of an additional outside bar will attract more customers thus increasing the consumption of alcohol next to residential properties.

Unfortunately due to policing cuts, more customers does not equate to more policing and licensees need to be reminded that Wickersley is a village not the town centre. It is fundamentally unfair that due to the miss-management of the Town Centre that a village should have to 'bear the brunt' of the negative elements that are linked with the excess consumption of alcohol.

The fundamental issue is that no matter how proactive Pub Managers are they cannot police the fallout from the over consumption of alcohol from their premises, therefore it is the local residents who suffer and are left to endure the anti-social behaviour whilst cleaning up the mess which is left behind.

## • The prevention of public nuisance

As per the Licensing Act 2003 and its broad common law meaning of 'public nuisance', the main issues concerning the inclusion of an additional bar and extended trading hours would be in relation to noise nuisance, litter, community safety and parking.

## Noise Pollution

Regarding noise pollution, as previously stated the 'beer garden' is surrounded by a large number of residential properties. At the RMBC Licensing Sub-Committee on Friday 22<sup>nd</sup> June 2018, a representative of Wickersley Parish Council highlighted that,

*"the number of complaints which the Parish Council had received from parishioners about anti-social behaviour and noise nuisance in this area of Wickersley near to the Three Horse Shoes public house. In the past there had been complaints about noise nuisance from some of these events, requiring the attention of the Borough Council's Environmental Health service".*

Ordinarily the noise pollution emanating from the Three Horse Shoes is confined mainly to,

- The early hours of the weekends when patrons are shouting when they exit the premises and are waiting for taxis to get home.
- When the beer garden is used in the summer and at bank holiday weekends. (Friday 12 noon to Monday 9pm) to play extremely loud music for 9 / 10 hours a day. With this comes a spike in all of the anti-social behaviour issues that have been highlighted and last year resulted in a large number of complaints from residents to RMBC noise enforcement.
- For balance it has to be stated that through the day and in the week we have no problems whatsoever with noise emanating from the pub.

## Community Safety

The inclusion of another bar in Wickersley will add to the ongoing threats to community safety. The Local Ward Councillor has previously made reference to cumulative impact policies which were not included in the Licensing Act 2003 but have been mentioned

in Home Office guidance (March 2015) issued in accordance with Section 182 of the Act. The cumulative impact on the promotion of the Licensing objectives of a significant number of licensed premises concentrated in one area, is as per the view of South Yorkshire Police at the June 22<sup>nd</sup> 2018 license review,

*"adversely affecting the safety of the local community as they have seen an increase in crime and disorder in this locality."*

This view is reinforced by the recent examples of violence highlighted above.

### **Litter**

With regards to litter from licensed premises it is advised that License holders should

- keep rubbish bins and glass refuse at the rear of the premises, away from public access
- put a bin outside the entrance of the premises
- not empty bottles, bins and rubbish between 11pm and 7am

Unfortunately it would seem that Stonegate does little to improve the environment around their establishment and they seem content for the residents and Parish Council to have to clear up after them. Empty and broken glasses are a common sight on Green Lane, especially weekends and it is usually down to residents to clean up the mess. Piles of vomit at the end of drives and disused clothing aren't uncommon. As has been said previously people have been found to defecate behind commercial properties and I've witnessed people openly urinating in the street.

I have to agree with the Parish Council's previous comments at a previous Licensing Board that stated.

*"There were also doubts as to whether the applicants would fulfil their stated aim of litter clearing and picking, as the village has experience of other businesses not fulfilling similar stated aims. The clearing of litter from the streets was a specific burden upon the finances of the Parish Council and upon the Parish residents as taxpayers."*

The inclusion of an additional outside bar and extended hours will only add to the litter problems which are already endured by local residents and ignored by those running the pub.

### **Car Parking**

Regarding Car parking, it is advised that Licence holders should provide:

- car parking facilities for the use of customers
- details of the nearest public car park
- notices advising customers not to park in residents' driveways and not to block the highway

To my knowledge the afore mentioned advisories are not being acted upon.

Parking is an ongoing problem on the surrounding streets which is exacerbated by those visiting the pubs but this is a wider problem across Wickerlsey and it is a challenge that the RMBC have not got to grips with.

The suggestion that Licensees should give details of the nearest public car park and asking customers not to park across drives is a positive one but I think the Council need to address the parking situation across Wickersley not just at the Three Horse Shoes as this problem needs a number of agencies to come together to find a solution.



The most prevalent issues caused by those parking on the roads near the Three Horseshoes are:

- Double parking – my partner has had to ring 101 to report the street being completely blocked due to double parking.
- Visitors blocking off residents drives
- Parking on grass verges which makes the area look a mess
- Banging of car doors in the early hours

I have reported my concerns regarding the parking problems on surrounding streets on numerous occasions to RMBC and the Parish Council but a solution isn't forthcoming. It isn't the responsibility of the Three Horse Shoes to resolve the parking issues of Wickersley but including an additional bar will encourage more patrons and more traffic.

- **The protection of children from harm**

This objective relates to the protection of children from moral, psychological and physical harm. This includes protecting them from early exposure to:

- strong language
- sexual expletives
- adult entertainment
- drinking alcohol
- violence

There is a large concentration of family homes surrounding the Three Horse Shoes beer garden. In the summer when the beer garden is in use we have to be mindful of when my children can play in our garden as the swearing and shouting that occurs becomes more prevalent. My young daughter's bedroom overlooks the beer garden and strong language; sexual expletives etc are easily heard and shouldn't have to be endured.

As mentioned previously I have witnessed violence outside my property and shouting and screaming is commonplace on the weekends.

It is obviously difficult for the pub to contain this therefore even if the outside bar is managed by two members of staff I am not sure how the Stonegate can be expected to build an outside bar in ear shot of young children but adhere to this licensing principle, I think it would be disingenuous to say otherwise.

- **Summary & Recommendation**

I think it would be duplicitous to 'paint a picture' that the Three Horse Shoes pub is the epicentre for the anti-social behaviour that occurs in Wickersley but there is a clear correlation that when the pub uses the rear of the property adjacent to residential properties, the anti-social issues become more prevalent.

Pubs like the Three Horse Shoes are a key part of the local economy but there has to be balance between the pursuit of profit versus the impacts this has on the immediate and wider community.

The evidence provided from myself and public sector agencies already shows there is a current and growing problem in Wickerlsey linked predominantly to the over consumption of alcohol therefore common sense dictates that allowing a licensed premise to include another outlet for alcohol sales and extending trading hours will only add to the current problems, that are spilling onto the neighbouring residential streets.

In summary I would like the Licensing Board to reject the specific elements of the license that request to erect a bar at the rear of the property and extend trading hours based on the issues raised in this letter. Furthermore I believe the licensing principles haven't previously

being adhered to and therefore I would kindly ask the Licensing Board to consider the following recommendations.

- On the grounds of the '**Crime and Disorder**' objective, I suggest RMBC Implement the 'Late night Levy', which will enable RMBC to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. A more visible and prevalent police presence will hopefully mitigate some of the serious issues raise in this letter.
- To adhere to the prevention of '**Public Nuisance**' it would be welcome if the following actions were considered:
  - To reduce the *noise* emanating from patrons of the Three Horse Shoes
    - Include natural noise barriers around the beer garden to mitigate the noise.
    - Do not play loud amplified music in the beer garden for consecutive days, 9 hours at a time.
    - Inform local residents when events are taking place so they can make alternative arrangements.
    - Provide more visible signage to ask patrons to leave quietly.
  - To promote *Community Safety*, establish a 'Community Impact Area' in Wickersley similar to the one in Bawtry, where agencies will generally oppose any further applications for large vertical drinking establishments in the identified area.
  - Regarding *Car parking*, adhere to the licensing principles by providing details of the nearest public car park and providing notices advising customers not to park in residents' driveways and not to block the highway.
  - Three horseshoes pub to clean *litter, broken glass, and empty bottles/glasses* outside and around the perimeter of their properties instead of leaving it for residents to clean up after their patrons.
- To ensure '**the protection of children from harm**' it would be welcome if the hours the beer garden was open was reduced to ensure the children in the surrounding residential properties which overlook the beer garden did not have to witness:
  - strong language
  - sexual expletives
  - drinking alcohol
  - violence

Also introduce the erection of natural sound barriers and a rethink on where new 'furniture' will be erected. This would include re-examining the erection of the pagoda and seating which abuts the boundary of residential properties.

- If not already in place establish a forum with licensees and the Parish Council so Pub Managers and the local community have a platform to discuss ongoing issues they may have which may provide more holistic approaches to tackle the problems that emanate from the licensed properties. As a resident there is a perception that there is no corporate social responsibility for how the pubs operate in the local community and a view could be taken that in the pursuit of making profit businesses are ignoring the adverse impacts their establishments are having on local residents.

Yours sincerely

**THREE HORSE SHOES, 133 BAWTRY ROAD, WICKERSLEY, ROTHERHAM, S66 2BW**

**VARIATION OF PREMISES LICENCE TO EXTEND HOURS**

**LICENSING SUB-COMMITTEE HEARING 01/04/2019 at 10:00**

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL, THE TOWN HALL,**

**MOORGATE STREET, ROTHERHAM, S60 2TH**

**EVIDENCE BUNDLE INDEX**

<b>Document</b>	<b>Date</b>	<b>Pages</b>
Stonegate Pub Company Ltd Information Sheet		1-2
Stonegate Licensing Manual Index		3-5
Stonegate Noise Management Policy		6-7
Stonegate Outside Areas Policy		8-9
Email and Letter Correspondence to Resident and Parish Council	20/03/2019	10-20



### **The Company**

Stonegate Pub Company is the largest privately held managed pub operator in the UK operating over 690 pubs across the UK. The business comprises 6 operating Divisions, consisting of branded and unbranded pubs and bars which include community and local pubs, catering for customers within the local neighbourhood; high street venues including the Slug & Lettuce, Yates's and Walkabout brands that attract businessmen and women, tourists, families, and students; our Venues Division of late night style bars and nightclubs.

Since the formation of the company in 2010 the company has made significant investment within the estate, both within the fabric of the buildings and the services offered. Its pubs and bars continue to benefit from a multi-million pound investment programme that continually strives to improve amenities and community facilities. Free Wi-Fi is now standard across the estate.

Stonegate's 'Bar to Boardroom' training ethos has resulted in the company being awarded the following;

- Best Managed Pub Company 2017 (Publican Awards)
- Best Late Night Operator 2017 (Publican Awards)
- Best Managed Company for Training (More than 30 outlets) BII National Industry Training Awards 2016
- Distinction in Innovation for digital and social media – HR distinction Awards 2016
- Distinction in People Development – HR Distinction Awards 2015
- Distinction in Innovative Use of Technology Award – HR Distinction Awards 2014
- Menu Masters Award for Best New Concept category for Missoula, Montana Bar & Grill at the Menu Innovation and Development Awards (MIDAS) 2014
- Best Pub Employer (51+ sites) – Publican Awards 2013
- Menu Masters Award for City and Bar Dining category for Slug and Lettuce at the Menu Innovation and Development Awards (MIDAS) 2013
- Winner of the Town and City category for Yates's in the Menu Innovation and Development Award (MIDAS) in 2012
- MA 250 Best Training Programme award in 2012 – Publican's Morning Advertiser

### **People**

The company employs over 12,500 people and make significant investment in the training and development of their staff. A leading edge, award winning training programme ensures all front-line staff are equipped with the necessary skills to operate safely and legally within the business. Within the last 6 months alone, over 94,000 training modules have been undertaken by pub staff.

### **Community and Social Responsibility**

All pub managers are encouraged to join their local Pubwatch, town centre management or business improvement forums, where they operate. Entry into Best Bar None programmes has resulted in many Stonegate pubs across the country being recognised for their contribution in helping create safer environments for staff and customers alike. This has resulted in a number of our pubs, bars and clubs winning local Best Bar None, Pubwatch and Community Safety awards.



Engagement with the local community takes place in many forms, from supporting community groups, providing facilities clubs, teams and local supplier. Many of these activities result in the raising of significant funds for local and national charities.

#### **The Senior Management**

Stonegate Pub Company is operated by a team of highly experienced directors that have a wealth of industry experience.

Ian Payne is Chairman of Stonegate Pub Company. Ian, an accomplished expert in the licensed leisure sector, has held Board positions with Bass Taverns, Stakis plc and Ladbroke gaming. He was CEO of the Laurel Pub Company from its inception in May 2001 through to December 2004 and later Chairman of the Bay Restaurant & Town and City Pub Groups prior to the formation of Stonegate in November 2010. Ian started his career in the trade behind the bar of a local pub more than 35 years ago.

Simon Longbottom serves the Chief Executive Officer of Stonegate Pub Company. Simon held the post of Managing director of Pub Partners at Greene King plc since 2010. Prior to that, he served as Managing Director of Gala Coral's gaming division. He has over 11 years' experience at a senior level in the sector having held prominent positions at Mill House Inns and Mitchells & Butlers.

Graham Jones is Director of Operations Support of Stonegate Pub Company, with direct and specific responsibility for licensing matters. A high performing and long standing professional, Graham has held senior operations positions in Whitbread PLC, Laurel Pub Company, Greene King, Barracuda Group and more recently Punch Taverns.

Suzanne Baker is the Commercial Director of Stonegate Pub Company, responsible for all commercial contracts including purchasing and property. Suzanne has spent her career within the licensed leisure sector having previously held Board positions in Bay Restaurant Group, Laurel Pub Company and JD Wetherspoon. She commenced her career joining Grandmet Retail in operations progressing within the marketing and purchasing roles across national brands, including Chef & Brewer.

Tim Painter is the HR Director of Stonegate Pub Company. Tim, who joined from Musgrave Retail Partners, has extensive experience in HR strategy, leadership and development, and change management across the retail sector.

# LICENSING MANUAL

## England and Wales

Premises Name:

---

Address:

---

---

---

---

---

DPS Name:

---

Tel no:

---

Area Manager Name:

---

Tel no:

---

## CONTENTS

1. Guidance on How to Use and Complete This Manual
2. Licensing Manual Training Sign Off Sheet for Management Team
3. Record of Licences Held
4. Complete List of Mandatory Conditions
5. Certified Copy Premises Licence and All Other Licences (Tables and Chairs, Gaming Permits)
6. Details of Temporary Event Notices at Premises for Current Calendar Year
7. Details of Personal Licence Holders at Premises
8. Bar Staff Authorisation/ DPS Authorisation Sign Off Sheets
9. Key Contact Details, i.e. Police, Council, Head Office, Solicitors
10. Company Licensing Policies
  - a. Social Responsibility Policy
  - b. Underage Sales and Age Verification Policy
  - c. Dispersal Policy
  - d. Outside Areas Policy
  - e. Search Policy
  - f. Drugs Policy
  - g. Lost Property Policy
  - h. Mobile Phone and Theft Policy
  - i. Door Staff Policy
  - j. Drink Spiking Policy
  - k. Children Policy
  - l. Entry Queues Policy
  - m. Floor Walkers' Policy
  - n. Intoxicated Customer Policy
  - o. Crime Reporting and Crime Scene Preservation Policy
  - p. Disorder Strategy Policy and Conflict Management
  - q. Noise Management Policy
  - r. Glassware and Glass Collection Policy
  - s. Vulnerability Awareness and Duty of Care Policy
  - t. Capacity Policy
11. Risk Assessments and Action Plans

- a. High Profile Event Risk Assessment
- b. Drug Awareness Action Plan
- 12.Minutes of Pubwatch Meetings
- 13.Minutes of Residents' Meetings
- 14.Minutes of Other Meetings
- 15.Any Other Business



## NOISE MANAGEMENT POLICY

Stonegate Pub Company Limited is a responsible national operator and strives to work closely with the communities within which we operate. We have sites in highly residential areas and some with neighbours further away, and different brands and types of operation. However in all situations it is important that all staff use their best endeavours to manage noise both internally and externally to the best of your control. At all times you should be promoting the licensing objectives of prevention to public nuisance.

Noise can come from a variety of sources, for example, from outside areas and smoking areas, customers, music, staff leaving the premises and from rubbish disposal, amongst other things. Unwanted or excessive noise can cause a nuisance for neighbours and subsequent complaints. Furthermore, the Environmental Health Department has a wide range of powers to deal with noise nuisance from premises, and they or residents could also bring a review against the premises licence. See also the Outside Areas Policy.

### Key Control Measures for All Sites

- Consideration should be given to keeping windows and doors closed (except for access and egress) during noisy times, for example, when you have music on. In any event, there may be a condition on the Premises Licence requiring this.
- You should monitor customers in an entry queue and on dispersal to ensure that they are not making too much noise. If necessary, a member of staff should be available to remind them to keep quiet to avoid disturbing neighbours.
- Similarly, you should ensure customers who have stepped outside to smoke or who are in an outside area are managed carefully to ensure they are not causing a noise nuisance.
- Notices should be displayed around the premises as appropriate to remind customers to be respectful and keep the noise down.
- High profile events, such as football matches, may attract large crowds. In these situations it may be necessary to carry out a risk assessment and in any event a larger crowd must be managed carefully to ensure they do not cause too much noise.
- If you have neighbours it may be advisable to keep them informed of any specific events that may be taking place.
- If you have a noise limiter device at the premises this must be used and any set limits adhered to at all times.
- If you have been playing music, consider reducing the volume and beats per minute (BPM) towards the end of trading or as the entertainment ceases as this may encourage your customers to be quieter when they leave.
- You should ensure that any deliveries or collections take place at a suitable hour or in such a way so as not to disturb anyone in the local vicinity.

- Remember noise can also come from air conditioning plant, ventilations fans and other equipment.

## OUTSIDE AREAS POLICY

This Policy details the actions and processes which must be followed by employees of Stonegate Pub Company Limited with regard to management and control of all outside areas. The Policy sets out the steps which should be taken to minimise the potential for disorder and disturbance as customers increasingly use outside areas. This includes measures to control potential issues such as noise and litter, maintain customer and staff safety and minimise any impact on the local environment.

It is recognised that whilst the Company has no direct jurisdiction outside of the boundaries of Company premises, we must continue to use our best endeavours to encourage customers in these areas to behave appropriately. The creation of proper boundaries is key to being able to effectively control all of the following issues so you must therefore ensure that you know the extent of your area of responsibility and manage it in accordance with this Policy.

### Key Control Measures for All Sites

- Ensure relevant licence conditions on both Premises Licences and any relevant Pavement Permits are strictly adhered to and outside areas are not used outside the specified times. You may also have conditions on the lease of the building which you must comply with.
- Where licence conditions exist with regard to entry and re-entry conditions, these must be complied with at all times.
- All outside areas must be fully risk assessed in line with normal Company procedure.
- Regular checks of outside areas must be undertaken and recorded in accordance with the schedule in the Incident and Due Diligence Logs.
- These outside checks must cover the following control aspects:

#### **1. Noise Issues**

In all instances the playing of music (which includes both live music and DJ music, as well as music played through the site internal system) must not be permitted to cause a nuisance to neighbouring properties.

Entrances to all outside areas must be by self closing doors and must not remain open unnecessarily. It is the ultimate responsibility of the General Manager to ensure that doors do not remain held open other than for access and egress purposes.

Moving furniture will make noise - consider the effect on neighbours of taking in the furniture and putting it out, and adhere to any Premises Licence conditions or hours.

Increased customer numbers will create extra noise. It is the responsibility of the General/ Duty Manager and Team to monitor noise levels in outside areas to ensure no nuisance is caused. It may be necessary to place a team member or member of door staff at relevant exits to ensure this.

## **2. Signage**

Ensure appropriate signage is in place, requesting customers to respect the local residents.

Where licence conditions dictate, signage must also be in place to remind customers that they are not permitted to take alcohol/glasses outside at any time.

## **3. Litter**

Ashtrays will be provided for the benefit of customers using the outside areas. These must be regularly emptied to ensure that litter is minimised.

Collection of flammable materials must be carried out in compliance with the relevant fire risk assessment and appropriate precautions taken. Ensure no obstruction takes place where these ashtrays are placed on the highway.

It is the responsibility of the General/ Duty Manager to ensure that, at the end of trading hours, the outside areas are left clear of litter, including smoking debris, and that no nuisance is caused to neighbours by litter being allowed to accumulate.

## **4. Other**

A robust procedure must be in place to manage the capacity issues potentially created by the flow of customers to and from any outside areas. It is the responsibility of the General Manager to implement and maintain this process.

Consider stationing a door supervisor or member of management in the outside area at busy times to monitor customers in this area and prevent any problems from escalating.

Where the outside area is covered by CCTV, the General Manager must ensure the system is in full working order and is set to record at all times that the outside area is in use. Where this area is not currently covered by CCTV consideration is to be given to providing this coverage.

Appropriate clothing is to be worn at all times. Customers are not permitted to remove shirts, t-shirts or equivalent items to expose their bodies.

**Tina Rogers**

---

**From:** Suraj Desor  
**Sent:** 20 March 2019 10:08  
**To:** 'Chris.Burnett@rotherham.gov.uk'  
**Cc:** 'lisa.underwood-parkin@rotherham.gov.uk'; 'licensing@rotherham.gov.uk';  
Andy Grimsey  
**Subject:** Three Horse Shoes, Rotherham - Variation Application - Response to  
Resident Representation  
**Attachments:** Letter to Resident.pdf; Variation Application.pdf; Noise Management  
Policy.pdf; Outside Areas Policy.pdf  
  
**Importance:** High  
  
**DOCID:** 2146882137  
**SENTON:** 20/03/2019 10:07:28

Dear Chris,

Further to our conversations, please find attached a letter in response to the resident's objection, and I would be grateful if you could forward this onto the resident for his reference.

I hope this further clarifies our application and alleviates any concerns the resident may have, and if he wishes to discuss this further with me please provide him with my contact details. I am in the office until close of today, otherwise he can contact my colleague Andy Grimsey on direct telephone 0115 9487423 who will be dealing with the application from tomorrow and attending the hearing.

Alternately, if he wishes to contact our client directly to arrange a meeting, I have provided Terry Holford's mobile number (our client's Area Manager's for the Three Horse Shoes), and Terry is happy for the resident to contact him directly.

Kind regards.

**Suraj Desor**

20 March 2019

Date:

FAO The Licensing Officer on behalf of the Resident Objector

Licensing Authority

Rotherham Metropolitan Borough Council

Riverside House

Main Street

Rotherham

S60 1AE

Our ref:

SXD/TXR/P36772-19206

Doc Ref: 2146877951

Your ref:

E-mail:

s.desor@popall.co.uk

Direct line:

0115 9349 183

Dear Sir

**Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham**  
**Variation Application**

I act on behalf of the owners and operators of Three Horse Shoes, Wickersley, Rotherham, Stonegate Pub Company Limited, and I have received your representation in relation to my Client's application for a variation of the premises licence.

As the Council's Licensing Officer may have confirmed to you, the hearing in respect of this application is scheduled to take place on Monday 1 April 2019.

By way of background, my Client, Stonegate Pub Company Limited, are a highly respected and experienced national pub company with over 700 premises throughout the UK, and just like the Three Horse Shoes in Wickersley, they operate many of these premises in close proximity to residents to the hours sought here and later, and with outside areas for customer use, and are committed to working in partnership with the local community. Therefore, my Client's Area Manager, Terry Holford, together with John Slide, the new General Manager at the premises, would welcome the opportunity to meet with you to discuss your concerns, clarify our application, explain the relevant measures and policies in place at the venue which will continue to be in place if the application is granted, along with the additional measure we have agreed with the Authorities. Terry and John will be available at the premises to meet with you at a suitable date and time in the next couple of weeks which would be convenient for you. If you would like to arrange a specific time and date, please call Terry and he would be happy to arrange this with you. Terry's telephone number is 07808 094822. Alternatively, in the first instance, I would be more than happy to speak to you on the telephone to discuss your representation and clarify our application further if required.

I would also like to take this opportunity to clarify our application and address the points raised in your representation.

I understand that your concerns relate to the licensing of the outside bar to permit the sale of alcohol in the external area, and the extension of a start time for sale of alcohol and other licensable activities to 7am, 7 days a week. I note you have not raised any objections or concerns as to any other parts of the application.

In respect of your concerns that the inclusion of an outside bar and earlier hour for sale of alcohol may undermine the Licensing Objectives, particularly increased nuisance and crime and disorder, please be aware prior to submission of the application we consulted with the Responsible Authorities – Licensing Authority, Police Licensing and Environmental Health. They have raised no objections to the application partly based on them being satisfied that there have been no recent incidents of note in relation to crime and disorder or nuisance, and due to the additional condition offered in consultation with them to restrict use of the external servery to no later than 11pm. If the Police or Council's Environmental Health Noise Officer felt that the application would undermine the Licensing Objectives, or exacerbate public nuisance or crime and disorder, I am sure an objection would have been raised by them.

Furthermore, as you may be aware nearby to Three Horse Shoes there is already a licensed premises that operates early hours for sale of alcohol similar to what we are requesting, as well as a licensed premises that has an external bar within its outside area which operates later than we have sought, and therefore these changes sought to our Client's premises would not be unprecedented for this area.

With regards to the early hours sought for sale of alcohol and other activities to start from 7am, as you may be aware the premises is already permitted to open from 7am (films is permitted from 7am already). The purpose of extending alcohol hours to match opening hours is to extend the customer offering in the morning to include alcohol, along with breakfast food. Our Client has vast experience of operating many licensed premises across the country to earlier start times for sale of alcohol and other licensable activities, including premises in close proximity to residents and community buildings, and has done so without any issues of note whilst continuing to promote the Licensing Objectives. Stonegate are a responsible and experienced licensed operator and will continue to provide sale of alcohol and other licensable activities responsibly. They have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, including responsible selling of alcohol and to prevent sales to those who may be overly intoxicated, dispersal and management of outside areas policies, as well as procedures to prevent crime and disorder and public nuisance. These are robust policies and procedures that are already in place and will continue to operate if the application is granted. Given the vast experience of our Client, and the appropriate measures in place, we do not believe that extending alcohol (and other licensable activities) to match opening hours will undermine the promotion of the Licensing Objectives.

# PopplestonAllen

In respect of the outside bar sought, the purpose of this is to allow our customers using the outside area to purchase drinks from this area rather than having to go to the bar inside. No extension of alcohol hours are sought and I set out the condition offered in our application restricting use of the outside bar following consultation with the Police and Environmental Health officers:

- The use of the external bar shall be restricted to no later than 11pm each night.

Additionally, internal measures will be in place including that the outside bar will be manned at all times by at least one person, there will be appropriate supervision of the external area throughout all times that the bar is trading, and existing robust measures, policies and procedures in place internally will also apply to the outside bar, such as age verification checks, challenge policies, refusal logs. The Company's noise management and outside areas policies will continue to be implemented and adapted at site level as appropriate including monitoring noise levels and customer behaviour within the outside area and taking relevant action where necessary. Furthermore, the new General Manager who was appointed to the site at the start of January, John Slide, has extensive experience of operating licensed premises with outside areas successfully whilst continuing to promote the licensing objectives.

I note concerns have been raised as to general crime and disorder, particularly in respect of the Wickersley area generally rather than our Client's premises specifically. In particular, with reference to the incidents referred to on 1st and 2nd March 2019 with regards to Operation Alligator and an incident on Bawtry Road, as far as my client is aware, these do not directly relate to their premises. Furthermore, as mentioned previously Police Licensing were consulted in relation to this application, including extending alcohol to 7am to match opening hours and the inclusion of the external bar for use to 11pm, and raised no concerns as to crime and disorder or antisocial behaviour.

Your representation also makes reference to previous events and complaints. Our Client has confirmed that they have only been made aware of a few incidents in relation to complaints, and these are historical complaints. Two relate to resident complaints in relation to damage from high winds caused by a marquee falling on a tree, and both of these were resolved. The only noise complaint our client is aware of, again which is historical, related to a complaint from a business opposite with regards to a summer festival event that took place within the outside area; again this was resolved and no formal enforcement action was taken. As far as our Client is aware, they have received no other noise complaints directly from residents or the Council's Environmental Health Officer, Liz Costello, and no enforcement action has been taken as to any noise issues by the Council's Environmental Health Team. Liz Costello was consulted in relation to this application, including extending alcohol to 7am to match opening hours and the inclusion of the external bar for use to 11pm, and as mentioned previously no objection has been received from her. Please be assured that where a complaint has been received from residents or Environmental Health, our Client's management team would have investigated this and liaised with those concerned in an attempt to resolve any issues and their concerns.



I can confirm that our client has no intention to host events in the external area on a regular basis moving forward, and on the odd occasion where the external area is intended to be used for events, then our client is happy to give assurances that the General Manager will liaise with the residents and put in place appropriate measures to prevent nuisance and ensure the licensing objectives are promoted. Furthermore, given that there are no speakers fixed in the external area for amplification of music, and that the stage that was previously in place for live music has been removed, I hope this alleviates your concerns and further assures you of our client's intention not to have music events on a regular basis.

With regards to your comments as to rubbish and litter in outside areas, and the premises external area not being maintained, Stonegate have specific policies to ensure the outside areas are managed effectively which the General Manager has confirmed are implemented at site level to ensure outside areas of the premises are properly maintained and cleared of litter and other rubbish regularly. Furthermore, we can confirm that bins are contained in an area not accessible to members of the public, and there are bins outside the entrance of the premises. Notwithstanding the concerns raised, the outside bar which we are seeking is at the rear of the premises, and self-contained within the rear area and away from the public highway at the front of the premises, and therefore we would respectfully submit that this application is unlikely to impact on any alleged litter issues in and around Wickersley or the public areas around the premises.

Nonetheless, our Client has taken on-board your concerns raised and is happy to give further assurances as to management of the outside areas and clearing away of litter and rubbish and glassware from outside areas and will be happy to ensure that more visible signage is placed in a prominent location asking customers to respect local residents and leave quietly on dispersal. John has confirmed that bins are usually emptied after 9am, however, our Client is happy to give further assurances that the emptying of bottles and bins of rubbish will not take place between 11pm and 7am, which I trust satisfies your concerns as to this point.

We also note your concerns as to car parking issues in Wickersley, which is outside the remit of licensing, this application and the promotion of the Licensing Objectives. Nonetheless we can confirm the premises already has signage outside directing customers to the nearest car park.

Three Horse Shoes is and will continue to be a community pub with a variety of offerings available for a diverse clientele. Our Client is happy to work with the local community to encourage a safe environment with a good offering for local residents and continue to attract local customers as well as those from further afield. Significant time and investment has also been made in seeking this application. Our Client would not do that only to cause problems and be a nuisance to the neighbours. Our Client believes that the investment and this proposed application will ultimately benefit the local community and given the experience of our Client as a responsible licensed operator, the robust internal measures in place,

# PopplestonAllen

including the additional measure offered as part of the application, will ensure the premises continues to promote the Licensing Objectives if the application is granted.

Notwithstanding the above, our Client's management team note your concerns and would be happy to liaise with you further as to any additional operationally workable measures we could look to put in place, and would welcome the opportunity to meet with you to discuss this.

I hope the above clarifies our application and alleviates any concerns you may have. Should you feel that the information provided is sufficient for you to withdraw your representation so we can avoid a hearing in respect of this matter, then please be assured that my Client would be happy to continue to liaise with you as to any issues or concerns you may have.

I have enclosed a copy of our application, along with the Company's policies as to noise and outside area management, for your reference.

Yours sincerely



**Suraj Desor**  
**Poppleston Allen**

**Enclosures:**

1. Application
2. Noise Management Policy
3. Outside Areas Policy

**Tina Rogers**

---

**From:** Suraj Desor  
**Sent:** 20 March 2019 10:03  
**To:** 'clerk@wickersley.org.uk'  
**Cc:** 'Chris.Burnett@rotherham.gov.uk'; 'lisa.underwood-parkin@rotherham.gov.uk'; 'licensing@rotherham.gov.uk'; Andy Grimsey  
**Subject:** Three Horse Shoes, Wickersley, Rotherham - Variation of Premises Licence - Response to Parish Council Representation  
**Attachments:** Letter to Parish Council.pdf; Variation Application.pdf; Noise Management Policy.pdf; Outside Areas Policy.pdf  
  
**Importance:** High  
  
**DOCID:** 2146882106  
**SENTON:** 20/03/2019 10:02:11

Dear Greg,

I act on behalf of the owners and operators of Three Horse Shoes, Rotherham, Stonegate Pub Company Limited, and attach a letter in response to your representation to our Client's variation of premises licence application.

Kind regards.

**Suraj Desor**

FAO Mr G Pacey  
Interim Clerk  
On Behalf of Wickersley Parish Council  
Wickersley Community Centre & Library  
286 Bawtry Road  
Wickersley  
Rotherham  
S66 1JJ

Date: 20 March 2019  
Our ref: SXD/TXR/P36772-19206  
Doc Ref: 2146880792  
Your ref:  
E-mail: s.desor@popall.co.uk  
0115 9349 183  
Direct line:

Dear Mr Pacey

**Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham**  
**Variation Application**

I act on behalf of the owners and operators of Three Horse Shoes, Wickersley, Rotherham, Stonegate Pub Company Limited, and I have received your representation in relation to my Client's application for a variation of the premises licence.

As the Council's Licensing Officer may have confirmed to you, the hearing in respect of this application is scheduled to take place on Monday 1 April 2019.

By way of background, my Client, Stonegate Pub Company Limited, are a highly respected and experienced national pub company with over 700 premises throughout the UK, and just like the Three Horse Shoes in Wickersley, they operate many of these premises in close proximity to residents to the hours sought here and later, and with outside areas for customer use, and are committed to working in partnership with the local community. Therefore, my Client's Area Manager, Terry Holford, together with John Slide, the new General Manager at the premises, would welcome the opportunity to meet with you to discuss your concerns, clarify our application, explain the relevant measures and policies in place at the venue which will continue to be in place if the application is granted, along with the additional measure we have agreed with the Authorities. Terry and John will be available at the premises to meet with you at a suitable date and time in the next couple of weeks which would be convenient for you. If you would like to arrange a specific time and date, please call Terry and he would be happy to arrange this with you. Terry's telephone number is 07808 094822. Alternatively, in the first instance, I would be more than happy to speak to you on the telephone to discuss your representation and clarify our application further if required.

I would also like to take this opportunity to clarify our application and address the points raised in your representation.

I understand that your concerns relate to the licensing of the outside bar to permit sale of alcohol in the external area, and the extension of a start time for sale of alcohol to 7am, 7 days a week. I note you have not raised any objections or concerns as to any other parts of the application.

In respect of your concerns that the inclusion of an outside bar and earlier hour for sale of alcohol may undermine the Licensing Objectives, particularly increased nuisance and crime and disorder, please be aware prior to submission of the application we consulted with the Responsible Authorities – Licensing Authority, Police Licensing and Environmental Health. They have raised no objections to the application partly based on them being satisfied that there have been no recent incidents of note in relation to crime and disorder or nuisance, and due to the additional condition offered in consultation with them to restrict use of the external servery to no later than 11pm. If the Police or Council's Environmental Health Noise Officer felt that the application would undermine the Licensing Objectives, or exacerbate public nuisance or crime and disorder, I am sure an objection would have been raised by them.

Furthermore, as you may be aware nearby to Three Horse Shoes there is already a licensed premises that operates early hours for sale of alcohol similar to what we are requesting, as well as a licensed premises that has an external bar within its outside area which operates later than we have sought, and therefore these changes sought to our Client's premises would not be unprecedented for this area.

With regards to the early hours sought for sale of alcohol and other activities to start from 7am, as you may be aware the premises is already permitted to open from 7am (films is permitted from 7am already). The purpose of extending alcohol hours to match opening hours is to extend customer offering in the morning to include alcohol, along with breakfast food. Our Client has vast experience of operating many licensed premises across the country to earlier start times for sale of alcohol and other licensable activities, including premises in close proximity to residents and community buildings, and has done so without any issues of note whilst continuing to promote the Licensing Objectives.

Our Client does not believe that amending sale of alcohol hours to match existing opening hours will lead to children who are going to school witnessing "customers leaving the premises under the influence of drink". Stonegate are a responsible and experienced licensed operator and will continue to provide sale of alcohol responsibly. They have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, including responsible selling of alcohol and to prevent sales to those who may be overly intoxicated, dispersal and management of outside areas policies, as well as procedures to prevent crime and disorder and public nuisance. These are robust policies and procedures that are already in place and will continue to operate if the application is granted.

Our Client notes your concerns as to the inclusion of the bar in the outside area and noise disturbance to nearby residents. In respect of outside bar sought, the purpose of this is to allow our customers using the outside area to purchase drinks from this area rather than having to go to the bar inside. No extension of alcohol hours are sought and as you may be aware we have offered the following additional condition restricting use of the outside bar following consultation with the Police and Environmental Health officers:

- The use of the external bar shall be restricted to no later than 11pm each night.

Additionally, internal measures will be in place including that the outside bar will be manned at all times by at least one person, there will be appropriate supervision of the external area throughout all times that the bar is trading, and existing robust measures, policies and procedures in place internally will also apply to the outside bar, such as age verification checks, challenge policies, refusal logs. The Company's noise management and outside areas policies will continue to be implemented and adapted at site level as appropriate including monitoring noise levels and customer behaviour within the outside area and taking relevant action where necessary. Furthermore, the new General Manager who was appointed to the site at the start of January, John Slide, has extensive experience of operating licensed premises with outside areas successfully whilst continuing to promote the licensing objectives.

I can confirm that our client has no intention to host events in the external area on a regular basis moving forward, and on the odd occasion where the external area is intended to be used for events, then our client is happy to give assurances that the General Manager will liaise with the residents and put in place appropriate measures to prevent nuisance and ensure the licensing objectives are promoted. Furthermore, given that there are no speakers fixed in the external area for amplification of music, and that the stage that was previously in place for live music has been removed, I hope this alleviates your concerns and further assures you of our client's intention not to have music events on a regular basis.

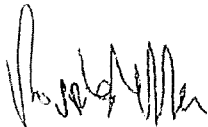
Three Horse Shoes is and will continue to be a community pub with a variety of offerings available for a diverse clientele. Our Client is happy to work with the local community to encourage a safe environment with a good offering for local residents and continue to attract local customers as well as those from further afield. Significant time and investment has also been made in seeking this application. Our Client would not do that only to cause problems and be a nuisance to the neighbours. Our Client believes that the investment and this proposed application will ultimately benefit the local community and given the experience of our Client as a responsible licensed operator, the robust internal measures in place, including the additional measure offered as part of the application, will ensure the premises continues to promote the Licensing Objectives if the application is granted.

Notwithstanding the above, our Client's management team note your concerns and would be happy to liaise with you further as to any additional operationally workable measures we could look to put in place, and would welcome the opportunity to meet with you to discuss this.

I hope the above clarifies our application and alleviates any concerns you may have. Should you feel that the information provided is sufficient for you to withdraw your representation so we can avoid a hearing in respect of this matter, then please be assured that my Client would be happy to continue to liaise with you as to any issues or concerns you may have.

I have enclosed a copy of our application, along with the Company's policies as to noise and outside area management, for your reference.

Yours sincerely



Suraj Desor  
**Poppleston Allen**

Enclosures:

1. Application
2. Noise Management Policy
3. Outside Areas Policy



# Licensing Act 2003

## Premises Licence

**P0107**

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION****Three Horseshoes**

133 Bawtry Road, Wickersley, Rotherham, South Yorkshire, S66 2BW.

Telephone 01709 704310

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
Exhibition of films (Indoors)	Sunday to Thursday	7:00am	Midnight
	the following morning		
	Friday and Saturday	7:00am	1:00am
	the following morning		
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		
Indoor sporting event	Sunday to Thursday	10:00am	Midnight
	the following morning		
	Friday and Saturday	10:00am	1:00am
	the following morning		
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		





# Licensing Act 2003

## Premises Licence

**P0107****THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Playing of recorded music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Performance of dance (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Provision of facilities for making music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
An additional hour to the standard and non-standard times on the day when British Summer-time commences			



## P0107

Activity (and Area if applicable)	Description	Time From	Time To
Provision of facilities for making music (Indoors) continued ...	commences		

Provision of facilities for dancing (Indoors)			
Sunday to Thursday the following morning	10:00am	Midnight	
Friday and Saturday the following morning	10:00am	1:00am	
Non Standard Timings:			
An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.			
From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day			
An additional hour to the standard and non-standard times on the day when British Summer-time commences			

Late night refreshment (Indoors)			
Sunday to Thursday the following morning	11:00pm	Midnight	
Friday and Saturday the following morning	11:00pm	1:00am	
New Years Eve the following morning	11:00pm	5:00am	
Non Standard Timings:			
An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.			
An additional hour to the standard and non-standard times on the day when British Summer-time commences			

The sale by retail of alcohol for consumption ON and OFF the premises			
	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
Non Standard Timings:			
An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.			
From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day			
An additional hour to the standard and non-standard times on the day when British Summer-time commences			



# Licensing Act 2003

## Premises Licence

**P0107****THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sunday to Thursday the following morning	7:00am	12:30am
Friday and Saturday	7:00am	1:30am
Non Standard Timings:		
An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
An additional hour to the standard and non-standard times on the day when British Summer-time commences		

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- The sale by retail of alcohol for consumption ON and OFF the premises

## Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Stonegate Pub Company Limited

Porter Tun House, 500 Capability Green, Luton, Bedfordshire, LU1 3LS.

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Stonegate Pub Company Limited

FCO29833

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL**

John Leslie SLIDE

10 Bittern Close, Summergroves Way, Hull, HU4 6SQ.

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL**

Licence No. KUHPA466

Issued by Kingston upon Hull, City of



# Licensing Act 2003 Premises Licence

**P0107****ANNEXES****Annex 1****Mandatory Conditions****Mandatory conditions where licence authorises supply of alcohol**

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence;  
or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
    - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or



# Licensing Act 2003 Premises Licence

**P0107****ANNEXES continued ...**

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
    - (a) a holographic mark or
    - (b) an ultraviolet feature.
6. The responsible person shall ensure that -
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the



## Licensing Act 2003 Premises Licence

**P0107**

### ANNEXES continued ...

premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of



# Licensing Act 2003 Premises Licence

**P0107**

## ANNEXES continued ...

alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### Showing of films

Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.

The admission of children to an exhibition of a film where the film classification body or this Council has determined the classification must be restricted in accordance with that classification. The film classification body is the British Board of Film Classification. In this condition children means persons under 18 years of age.

Films must be classified in the following way:

- U -** Universal. Suitable for audiences aged four years and over.
- PG -** Parental Guidance. Some scenes may be unsuitable for young children.
- 12A -** Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 -** Passed only for viewing by persons aged 15 years and over.
- 18 -** Passed only for viewing by persons aged 18 years and over.

**If the Premises Licence has conditions in respect of Door Supervision  
[except theatres, cinemas, bingo halls and casinos]**



# Licensing Act 2003 Premises Licence

**P0107****ANNEXES continued ...**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - (b) in respect of premises in relation to:
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
  - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## **Annex 2      Conditions consistent with Operating Schedule**

### **Prevention of Crime and Disorder**

1. A digital CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be held for at least 28 days and shall be made available to an officer of the Licensing Authority or Police on reasonable request.
2. Where pub watch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pub Watch.
3. The premises will use toughened glass where available.
4. The need for door supervisors will be assessed by way of risk assessment and cognisance will be





## Licensing Act 2003 Premises Licence

**P0107****ANNEXES continued ...**

taken of any police advice.

5. The company operates zero tolerance with regard to drugs.
6. An incident log book shall be kept on the premises and made available on request to an authorised officer of the council or police which will record the following - Any incident of disorder, Any seizure of drugs or offensive weapons, Any ejections of patrons.

**Public Safety**

7. All employees will understand and take their obligations and responsibilities under existing legislation seriously.

**Prevention of Public Nuisance**

8. Reasonable steps will be taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.

**Protection of Children from Harm**

9. A proof of age scheme such as challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
10. A log shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be made available on request by an officer of the Licensing Authority or police.

**Annex 3 Conditions attached after a Hearing of Licensing Authority**

1. The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment and entertainment facilities are provided in the function room.

**Annex 4 Plans**

See attached.



**Licensing Act 2003  
Premises Licence**

**P0107**

ANNEXES continued ...



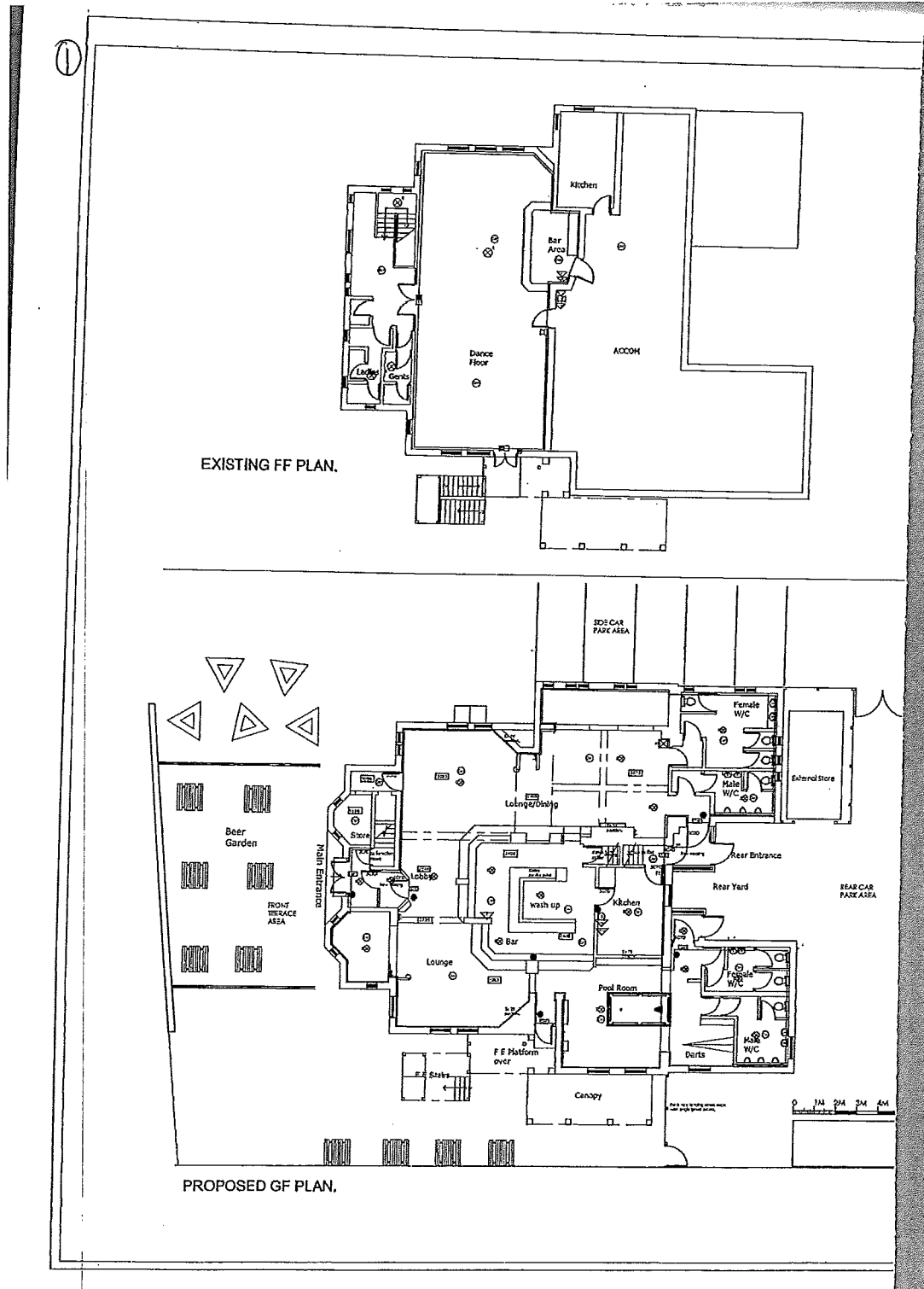
Details entered:  
Date requested:  
Date received:  
Appointment date:  
Result:  
Name:  
Date commences:

21 January 2016 at 12:28 by Lisa Underwood-Parkin  
08/01/2016

Reason: **Minor Variation**

Appointment time:  
Result Date:  
Number:  
Date expires:

Notes:



Details entered: 21 January 2016 at 12:28 by Lisa Underwood-Parkin  
 Date requested:  
 Date received: 08/01/2016  
 Appointment date:  
 Result:  
 Name:  
 Date commences:

Reason: Minor Variation  
 Appointment time:  
 Result Date:  
 Number:  
 Date expires:

Notes:

**JOB REFERENCE**  
15087

**NOTES**  
 1. This drawing is issued solely by ADS Design & Brand Development Ltd. It is not to be used for any other purpose without the written consent of ADS Design & Brand Development Ltd.  
 2. The client is responsible for ensuring that all work is carried out in accordance with the relevant regulations and standards.  
 3. The client is responsible for ensuring that all work is carried out in accordance with the relevant regulations and standards.  
 4. The client is responsible for ensuring that all work is carried out in accordance with the relevant regulations and standards.  
 5. The client is responsible for ensuring that all work is carried out in accordance with the relevant regulations and standards.

**LEGEND**

3000 - 1st Classing Fire Door	Fire Alarm Panel
Fire Exit Door	Carbon Dioxide fire extinguisher
Automatic Fire Detector	Dry Powder fire extinguisher
Emergency Light fitting	Alarm from extinguisher
Alarm to indicate fire (not fire alarm)	No alarm
Manual fire alarm call point	Test of manual extinguisher
Emergency Exit sign	Unintentional Activity
Overhead lighting	
Source of sound	

**Plan Information** 8/1/2016 BY

REV	NOTES	DATE	BY

**ADSDSIGN**

ADS DESIGN & BRAND DEVELOPMENT LTD  
 King John's Gallery, King John's Island, Mythe Road,  
 Tewkesbury, GL20 8EB  
 Tel: +44 (0) 1684 870 870 Fax: +44 (0) 1684 878 202  
 email: info@adsdesign.co.uk

**CLIENT**  
STONEGATE PUB CO.

**PROJECT**  
The Three Horseshoes  
Wickersley

**DRAWING TITLE**  
Proposed GF & FF Licensing Plan.  
(Proper Pub.)

SCALE 1:100 (A1)	SHEET A1
DATE Aug 2015	DRAWN
DATE & DATE OF PRELIMINARY	

**DRAWING NUMBER**  
110

A

21/03/2019 10:00:35

Page 2 of 2

Case 01/04/19

Application for a premises licence under the Licensing Act 2003

<b>Applicant:</b>	<b>Stonegate Pub Company Limited</b>
<b>Premises</b>	<b>Three Horseshoes</b>
<b>Premises Address</b>	<b>133 Bawtry Road, Wickersley, Rotherham, S66 2BW</b>

### **1. Purpose of Report**

To consider an application to vary the premises licence made under the Licensing Act 2003 in relation to the premises known as the Three Horseshoes, 133 Bawtry Road, Wickersley, Rotherham, S66 2BW.

### **2. The Application**

The application is attached to this report at Appendix A.

The applicants are Stonegate Pub Company.

The grounds for the hearing relate to the receipt of representations received considered to be placed in objection to the granting of the variation application for these premises.

The premises currently benefits from a licence to allow the sale of alcohol, regulated entertainment and late night refreshment.

### **3. Reasons for Referral**

The representations are attached to this report at Appendix B

In considering an application the licensing authority has to exercise discretion when representations, either positive or negative, are received from a responsible authority and/or interested parties.

It is for the licensing authority to decide if a representation is relevant to the licensing objectives and not frivolous or vexatious. If the licensing authority decides that a representation is relevant then the authority must hold a hearing to consider that representation.

The applicant has been invited to attend the hearing.

The responsible authority and an interested party who have made representations on the application have been invited to attend the hearing.

### **4. Financial Implications**

There are no specific financial implications arising from this application. However additional costs may be incurred should the matter go to appeal at the Magistrates Court or higher courts. In such a case it is not possible predict the outcome of any decision by the Courts in relation to costs.

## **5. The Legal Position**

Section 4(1) of the Licensing Act 2003 requires the Licensing Authority to carry out its functions with a view to promoting the four licensing objectives namely:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

The Act also requires that the Licensing Authority has regard to its own 'Statement of Licensing Policy' and any guidance issued by the Secretary of State in carrying out its functions.

Once a determination has been made by Members of the Licensing Committee, section 52(11) of the Act states that the determination does not have effect until:

- the end of the period given for appealing against the decision; or
- if the decision is appealed, until the appeal is disposed of.

## **6. Hearing Regulations**

Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State. The Licensing Authority has provided all parties with the information required in the Regulations.

## **7. Options available to the Licensing Committee**

Members of the Licensing Committee authorise officers to:

- Grant a licence;
- Grant a licence with amendments to the application as made;
- Grant a licence with conditions on the licence;
- Grant a licence but exclude a licensable activity (activities) from the scope of the licence;
- Refuse to grant a licence.

## Rotherham Metropolitan Borough Council

## APPENDIX A

## Application to vary a premises licence under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number  
P0107

## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Three Horse Shoes 133 Bawtry Road Wickersley			
Post town	Rotherham	Post code	S66 2BW

Telephone number at premises (if any)	01709 739240
Non-domestic rateable value of premises	£54,500.00

## Part 2 – Applicant details

Daytime contact telephone number	0845 126 2944		
E-mail address (optional)			
Current residential address if different from premises address	Porter Tun House 500 Capability Green		
Post Town	Luton	Postcode	LU1 3LS

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible? ☐**Plans change to have effect upon the completion of the works as notified to the Licensing Authority in writing/ All other changes to have effect on grant**

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No**Please describe briefly the nature of the proposed variation** (Please read guidance note 2)

1. To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;
2. To remove reference to facilities for making music and facilities for dancing as these are no longer licensable activities; and
3. Additional non-standard timings for notable days are also sought, as detailed in the application submitted to the Licensing Authority.
4. To add conditions to the licence and remove condition following consultation with the police licensing and environmental health officer as detailed in the application submitted to the Licensing Authority.
5. To vary the layout of the premises in accordance with plans (drawing number AM 01 Rev C) supplied by the applicant and submitted with the application the Licensing Authority. Such variation to the plans to have effect upon the completion of the works as notified to the Licensing Authority in writing.

Alterations include:

## Ground floor

- To show location of new fixed seating throughout premises, removal of partition and relocation of screen to right of entrance
- To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.
- No change to first floor.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please read guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>



(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)**Sale by retail of alcohol** (if ticking yes, fill in box J)**In all cases complete boxes K, L and M****A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	NO CHANGE	Both	<input type="checkbox"/>
Mon	NO CHANGE		<b>Please give further details here</b> (please read guidance note 5)		
Tue	NO CHANGE				
Wed	NO CHANGE		<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur	NO CHANGE				
Fri	NO CHANGE		<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	NO CHANGE				
Sun	NO CHANGE				
			To retain the existing non-standard timings for notable days and add: <ul style="list-style-type: none"> <li>An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29<sup>th</sup> &amp; 30<sup>th</sup> December and Bonfire Night.</li> </ul>		

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 5)
Day	Start	Finish	NO CHANGE
Mon	07:00	No Change	
Tue	07:00	No Change	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)
Wed	07:00	No Change	NO CHANGE
Thur	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)
Fri	07:00	No Change	To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.
Sat	07:00	No Change	
Sun	07:00	No Change	

**D**

<b><del>Boxing or wrestling entertainments</del></b> <del>Standard days and timings (please read guidance note 8)</del>			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
			NO CHANGE	Both <input type="checkbox"/>
Day	Start	Finish		
Mon	07:00	No Change	<b><u>Please give further details here</u></b> (please read guidance note 5) NO CHANGE	
Tue	07:00	No Change		
Wed	07:00	No Change	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 6) NO CHANGE	
Thur	07:00	No Change		
Fri	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.	
Sat	07:00	No Change		
Sun	07:00	No Change		

F

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	07:00	No Change			
Tue	07:00	No Change			
Wed	07:00	No Change	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Thur	07:00	No Change			
Fri	07:00	No Change	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	07:00	No Change	To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.		
Sun	07:00	No Change			
	07:00	No Change			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
			NO CHANGE	Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>	
Mon	07:00	No Change	<b><u>Please give further details here</u></b> (please read guidance note 5)  NO CHANGE	
Tue	07:00	No Change		
Wed	07:00	No Change	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)  NO CHANGE	
Thur	07:00	No Change		
Fri	07:00	No Change	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.	
Sat	07:00	No Change		
Sun	07:00	No Change		
	07:00	No Change		

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
Day	Start	Finish	NO CHANGE		Outdoors	<input type="checkbox"/>
Mon	NO CHANGE				Both	<input type="checkbox"/>
			<b>Please give further details here</b> (please read guidance note 5)			
Tue	NO CHANGE		NO CHANGE			
Wed	NO CHANGE		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)			
			NO CHANGE			
Thur	NO CHANGE					
Fri	NO CHANGE		<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sat	NO CHANGE					
Sun	NO CHANGE		To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9) NO CHANGE	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	07:00	No Change	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) NO CHANGE		
Tue	07:00	No Change			
Wed	07:00	No Change			
Thur	07:00	No Change	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.		
Fri	07:00	No Change			
Sat	07:00	No Change			
Sun	07:00	No Change			
	07:00	No Change			

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8)  
**NONE**



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)  NO CHANGE
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)  To retain the existing non-standard timings for notable days and add: An additional hour into the morning on St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On All Bank Holidays, Maundy Thursday, Christmas Day, 29 <sup>th</sup> & 30 <sup>th</sup> December and Bonfire Night.
Mon	NO CHANGE		
Tue	NO CHANGE		
Wed	NO CHANGE		
Thur	NO CHANGE		
Fri	NO CHANGE		
Sat	NO CHANGE		
Sun	NO CHANGE		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 To remove condition 1 under Annex 3 and update his and replace with the following condition set out in the operating schedule below, following consultation with the police licensing and environmental health officer.

Please tick yes

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

Licence to follow under separate cover as application submitted online.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)**

*The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.*

We have considered the impact of the proposed variation which allows for alcohol and regulated entertainment (save for films) to commence from 7am in line with current films and opening, for additional non-standard timings for notable days and removal of facilities for dancing and making music which are no longer licensable. The application also seeks to alter the layout of the licensing plans attached to the licence in accordance with the plans supplied by the applicant, with minor internal changes sought along with showing beer garden already in situ in place of previous rear car park area and seeking to license the proposed external bar servery to permit sale of alcohol from this area. Furthermore, additional conditions have been offered, one of which is to update an existing condition which is being removed.

We have considered the application and the Council's Licensing Policy. Steps have been taken to ensure continued promotion of the licensing objectives and in particular prior to issue the application consultation has taken place with Chris Burnett, Licensing Officer and Tracey Klein, Police Licensing Officer and Liz Costello, Environmental Health Officer prior to issue the application and their comments have been taken into consideration in submitting this application.

In respect of seeking to license an external bar servery, to ensure continued promotion of the licensing objectives we have offered to include a condition restricting the use of the outside bar to 11pm daily. Additionally, internal measures will be in place including that the bar will be manned at all times by at least one person, staff will provide appropriate supervision of the external area throughout all times the bar is trading, and that the existing robust measures, policies and procedures in place internally would also apply to the outside bar, such as age verification checks, challenge policies, refusals logs. Furthermore, the company's noise management and outside areas policies will continue to be implanted and adapted at site level as appropriate.

Stonegate are a well experienced licensed operator and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, training, underage sales and challenge policies, incident logs, queuing policy, drugs and dispersal policy, and noise management and the management of outside areas policies as well as procedures to prevent crime and disorder and public nuisance. These robust policies and procedures that already in place will continue to operate if the extended hours are granted.

Considering the above, we believe that the variation will not undermine the Licensing Objectives. The Applicant believes that the additional conditions offered in consultation with the authority officers, existing measures within the operating schedule, alongside the existing robust policies in place, and experience of the applicant, will ensure the premises continue to promote the Licensing Objectives if the application is granted and further conditions are not required.

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

See box a) above. In addition, the following new condition is proposed in the event that the application sought is granted:-

1. The use of the external bar shall be restricted to no later than 11pm each night.

**c) Public safety**

Please see box a) above and existing operating schedule.

**d) The prevention of public nuisance**

Please see box a) above and existing operating schedule. In addition, the following new condition is proposed in the event that the application sought is granted:-

2. The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment (in the form of amplified live or recorded music) takes place in the function room, save for access and egress and in the case of an emergency.

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

Please see box a) above and existing operating schedule.

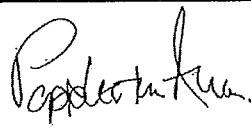
Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signature	N/A
Date	N/A
Capacity	N/A

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b> Suraj Desor Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 183		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> s.desor@popall.co.uk			

#### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



**Bailey, Audrey**

---

**From:** Suraj Desor <s.desor@popall.co.uk>  
**Sent:** 07 February 2019 12:21  
**To:** Burnett, Chris  
**Cc:** 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing; Costello, Liz  
**Subject:** RE: Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

Dear Chris,

I note that with regards to the terminal hour, the start time for sale of alcohol in the outside bar will be in line with the start time in relation to the inside bar which is 10am (hence no reference required in the condition as to start time). I trust that this is all acceptable.

I also note that Police Licensing have confirmed that they are happy with the proposal including the additional change in relation to the external servery.

Kind regards.

**Suraj Desor**

**Suraj Desor | Solicitor**

**Poppleston Allen**

E: s.desor@popall.co.uk | T: 0115 9349 183 | M: 07880 382 193 | W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



**Plan your next site at the click of a button**

Find addresses affected by Cumulative Impact Zones/Stress Areas, instantly and for free!



---

**From:** Burnett, Chris [mailto:Chris.Burnett@rotherham.gov.uk]

**Sent:** 07 February 2019 08:34

**To:** Suraj Desor; 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing

**Subject:** RE: Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

Good morning Suraj,

Hope you are well Thank you for the e mail and update in respect of your client's proposed variation.

Could I clarify the details in respect of the proposed outside bar area. I note the application for an extension in hours at the beginning of each day, and the volunteered proposal that the external bar will not be open after 2300hrs. Can you clarify the proposed opening times of the external bar servery.

Kind regards,

Chris Burnett  
Principal Licensing Officer



Rotherham MBC

**From:** Suraj Desor [mailto:s.desor@popall.co.uk]

**Sent:** 06 February 2019 14:12

**To:** 'rotherham\_licensing@southyorks.pnn.police.uk'; Licensing; Burnett, Chris

**Subject:** Request for comments on draft variation and inclusion of external servery - Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham - Variation application

**Importance:** High

Dear Tracey, Liz and Chris,

Further to your consultation with my colleague Natasha in relation to a variation we are looking to submit to extend the start time for licensable activities to 7am and add Non Standard Timings for notable days, which I understand that you have no objections to.

Our Client has now confirmed that there is a refurbishment due to take place with regards to this site, and its garden, and as part of this they are proposing to include an external bar for the sale of alcohol. I attach

I note that currently the premises licence permits sale of alcohol to midnight Sundays to Thursdays, and 1am on Fridays and Saturdays. However, to ensure the promotion of the Licensing Objectives our client is happy to include offer a condition to restrict use of the external bar servery to 11pm every day of the week. Furthermore, in respect of internal measures, our client has confirmed that the bar will be managed and manned by a person at all times it is operating, and that the current conditions, policies and procedures in place shall also apply to the use of the outside bar, including age verification checks and the challenge policy, as well as appropriate monitoring and supervision of the external area by staff. Also the Client will continue to operate its internal noise management and outside areas policies which are adapted at site level as appropriate.

Separately, we will also seek to replace and update condition 1 under Annex 3 with: "The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment (in the form of amplified live or recorded music) takes place in the function room, save for access and egress and in the case of an emergency". I trust that this is acceptable.

**Tracey, Liz and Chris** – considering the above, and the condition restricting use of the external servery to no later than 11pm daily, I would be grateful if you could confirm whether you would be happy for us to include this proposal within the variation application to extend the hours?

I have attached the updated draft application for your reference, along with the proposed licensing plans showing the proposed location of the external servery.

**To meet our Client's timescales, I would be grateful if you could get back to me at your earliest convenience and ideally by close of play on Friday 15th February 2019, as we would like to issue the application shortly as proposed works are due to commence next month.**

We look forward to hearing from you shortly.

Best regards.

**Suraj Desor**

**Suraj Desor | Solicitor**

**Poppleston Allen**

E: s.desor@popall.co.uk | T: 0115 9349 183 | M: 07880 382 193 | W: www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS



**Underwood-Parkin, Lisa**

---

**Subject:** FW: The Three Horse Shoes, Rotherham - Variation of Premises Licence

---

**From:** Clerk at Wickersley Parish [<mailto:clerk@wickersleypc.org.uk>]  
**Sent:** 26 February 2019 10:44  
**To:** Underwood-Parkin, Lisa  
**Cc:** Ellis, Sue-Cllr  
**Subject:** RE: The Three Horse Shoes, Rotherham - Variation of Premises Licence

Dear Lisa,

We considered this application at last night's Parish Council meeting:-

*Wickersley Parish Council wish to raise concerns about the proposed license variation at the Three Horseshoes Public House. The Parish Council consider that the opening of the premises from 7 am could have a negative impact on children going to school if they witness customers leaving the premises under the influence of drink. A more appropriate time for opening would be 9am. The Parish Council are also concerned about the proposed external bar as this is likely to lead to more intensive use of the rear garden area with associated noise disturbance to nearby residents.*

Greg Pacey  
Interim Clerk  
On Behalf of Wickersley Parish Council  
Wickersley Community Centre & Library, 286 Bawtry Road, Wickersley, Rotherham, S66 1JJ  
Telephone : 01709703270

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail software, and then delete it from your system. Wickersley Parish Council take the processing of personal information seriously in-line with General Data Protection Regulation, the information within this email will only be used for the intent in which it has been raised; to view the privacy policy for the Council please go to [hyperlink for general privacy notice](#)

---

**Underwood-Parkin, Lisa**

**Subject:** FW: Notification of hearing

**From:** Clerk at Wickersley Parish [<mailto:clerk@wickersleypc.org.uk>]

**Sent:** 21 March 2019 14:35

**To:** Underwood-Parkin, Lisa

**Cc:** Maggie Godfrey; Ellis, Sue-Cllr; Peter Thirlwall

**Subject:** Re: Notification of hearing

Dear Lisa,

Here is some data which the Parish Council will be referring to in the hearing:-

Between January 2017 and February 2019, there were four crimes, 15 incidents of ASB reported to police and 11 incidents of ASB to the council.

There is a concentration of reports last summer, with numerous reports of noise and loud music, with the complainants being residents on Green Lane, The Grove and Rosemary Road.

Council complaints

28/08/2018	A64057 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	live music	Three Horseshoe				
28/08/2018	A64076 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music over bank holiday	Three Horseshoe				
05/06/2018	A59493 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	bank holiday events	Three Horseshoe				
30/05/2018	A59261 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Noise	Three Horseshoe				
29/05/2018	A59126 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
29/05/2018	A59154 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
29/05/2018	A59155 PC1	ELM	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	loud music	Three Horseshoe				
26/05/2018	A59117 PC1	IAG	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Loud music from Three Horseshoes	Three Horseshoe				
26/05/2018	A59120 PC1	IAG	N20	Noise Commercial PA/Entertaimt	133 Bawtry	
Road	Loud music from Three Horseshoes	Three Horseshoe				
23/04/2018	A57583 PC1	ELM	N27	Noise - Other Commercial	133 Bawtry Road	Loud
noise	Three Horseshoe					
23/04/2018	A57599 PC1	ELM	N27	Noise - Other Commercial	133 Bawtry Road	Loud
noise	Three Horseshoe					

Kind Regards

Greg Pacey

Interim Clerk

On Behalf of Wickersley Parish Council

Wickersley Community Centre & Library, 286 Bawtry Road, Wickersley, Rotherham, S66 1JJ

Telephone : 01709703270

Licensing Authority  
Rotherham Metropolitan Borough Council  
Riverside House  
Main Street  
Rotherham  
S60 1AE

4<sup>th</sup> March 2019

Dear Sir / Madam

Reference:

Notice of application by Stonegate Pub Company Limited to vary a Premise License under section 34 of the Licensing Act 2003 in respect of premises known as Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham, S66 2BW.

The following amendments have been proposed.

- To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;
- To remove reference to facilities for making music and facilities for dancing as these are no longer licensable activities; and
- Additional non-standard timings for notable days are also sought, as detailed in the application submitted to the Licensing Authority.
- To add conditions to the licence and remove condition following consultation with the police licensing and environmental health officer as detailed in the application submitted to the Licensing Authority.
- To vary the layout of the premises in accordance with plans (drawing number AM 01 Rev C) supplied by the applicant and submitted with the application the Licensing Authority. Such variation to the plans to have effect upon the completion of the works as notified to the Licensing Authority in writing.
- Alterations include:
  - Ground floor
    - To show location of new fixed seating throughout premises, removal of partition and relocation of screen to right of entrance
    - To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.
    - No change to first floor

I write in connection with the above license amendment application. I have examined the plans and I know the site well. I wish to object strongly to an element of the request, specifically

- *'To show beer garden already in situ in previous rear car park area and to license a proposed external bar servery to permit sale of alcohol.'*
- *To extend the sale of alcohol and regulated entertainment (excluding films) to commence at 07:00 hours, seven days a week;*

The Three Horse Shoes pub which is located on the corner of Bawtry Road and Green Lane is surrounded on 3 sides by residential properties, with a perimeter border which is coterminous with 6 properties and has wider concentration of residential properties in 'ear shot' of where the proposed outdoor bar is to be located.

As the RMBC's Licensing Board are aware, all licence applications must comply with four licensing objectives including:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Specifically to the erection of an outside bar to the rear of Three Horse Shoes pub and the allowing alcohol sales from 7am in a morning - 7 days a week, I object on the basis that a number of the 'Licensing Objectives' cannot be adhered to, specifically

- the prevention of crime and disorder
- the prevention of public nuisance
- the protection of children from harm.

I will provide 'first hand' examples and secondary evidence from third party public agencies to reinforce my opposition that providing an additional outlet for alcohol sales from 7am in a morning so close to a concentration of family residential properties will exacerbate the current problems that over consumption of alcohol is having on Wickersley.

- **Objecting on the grounds of the Crime and Disorder Objective**

Due to the demise of Rotherham Town Centre, the day/night time economy in this area of Wickersley has increased exponentially and with it so has the associated anti-social problems that is linked with the over consumption of alcohol. This was highlighted in the meeting of the RMBC Licensing Sub-Committee on Friday 22<sup>nd</sup> June 2018 by Local Councillors and evidenced by South Yorkshire Police.

*"Wickersley was already well-served by licensed premises and was popular and successful, attracting visitors from places beyond the immediate area and the wider village. This popularity was inevitably accompanied by anti-social behaviour including noise, boisterous and rowdy behaviour and sometimes other, more obscene behaviour. The South Yorkshire Police were usually present in the area on Friday and Saturday nights in order to ensure public order. The increase in crime and disorder in this locality had previously been acknowledged by the South Yorkshire Police."*

Reinforcing the views of Local Councillors and South Yorkshire Police I have personally witnessed

- Fighting between intoxicated individuals directly outside my six year old son's bedroom window from patrons drinking at the Three Horse Shoes Pub.
- People urinating in the street.  
A Local Business owner which is located opposite the Three Horse Shoes pub has had to install security light to the rear of the property as on a night as people have been using his car park to defecate.
- Drunken individuals throwing bottles and glasses in the street.
- Shouting and screaming into the early hours of the morning:
- Specifically when the rear of the Three Horse Shoes have been used for events
  - Damage to residential properties (reported to the Health and Safety Executive and RMBC)
  - Noise Pollution – Reported by numerous residents to Liz Costello – RMBC
  - Attendance of emergency vehicles to attend patrons at the rear of the Three Horseshoes.
  - Reporting to '101' of Green Lane being blocked by vehicles of patrons visiting the Three Horse Shoes.

More recent incidents include

- 1<sup>st</sup> March 2019 - Rotherham South NHP as part of Operation Alligator attending local pubs in Wickersley and arresting customers with Class A and B drugs.
- 2<sup>nd</sup> March 2019 - An area outside the pubs on Bawtry Road was closed for emergency services to treat injuries for a 'glassing' incident between intoxicated groups of individuals.

The introduction of an additional bar and increasing operating hours from 7am – 7 days a week will only exacerbate existing anti-social behaviour which will directly impact local residents. By allowing the inclusion of an additional outside bar will attract more customers thus increasing the consumption of alcohol next to residential properties.

Unfortunately due to policing cuts, more customers does not equate to more policing and licensees need to be reminded that Wickersley is a village not the town centre. It is fundamentally unfair that due to the miss-management of the Town Centre that a village should have to 'bear the brunt' of the negative elements that are linked with the excess consumption of alcohol.

The fundamental issue is that no matter how proactive Pub Managers are they cannot police the fallout from the over consumption of alcohol from their premises, therefore it is the local residents who suffer and are left to endure the anti-social behaviour whilst cleaning up the mess which is left behind.

- **The prevention of public nuisance**

As per the Licensing Act 2003 and its broad common law meaning of 'public nuisance', the main issues concerning the inclusion of an additional bar and extended trading hours would be in relation to noise nuisance, litter, community safety and parking.

### **Noise Pollution**

Regarding noise pollution, as previously stated the 'beer garden' is surrounded by a large number of residential properties. At the RMBC Licensing Sub-Committee on Friday 22<sup>nd</sup> June 2018, a representative of Wickersley Parish Council highlighted that,

*"the number of complaints which the Parish Council had received from parishioners about anti-social behaviour and noise nuisance in this area of Wickersley near to the Three Horse Shoes public house. In the past there had been complaints about noise nuisance from some of these events, requiring the attention of the Borough Council's Environmental Health service".*

Ordinarily the noise pollution emanating from the Three Horse Shoes is confined mainly to,

- The early hours of the weekends when patrons are shouting when they exit the premises and are waiting for taxis to get home.
- When the beer garden is used in the summer and at bank holiday weekends. (Friday 12 noon to Monday 9pm) to play extremely loud music for 9 / 10 hours a day. With this comes a spike in all of the anti-social behaviour issues that have been highlighted and last year resulted in a large number of complaints from residents to RMBC noise enforcement.
- For balance it has to be stated that through the day and in the week we have no problems whatsoever with noise emanating from the pub.

### **Community Safety**

The inclusion of another bar in Wickersley will add to the ongoing threats to community safety. The Local Ward Councillor has previously made reference to cumulative impact policies which were not included in the Licensing Act 2003 but have been mentioned

in Home Office guidance (March 2015) issued in accordance with Section 182 of the Act. The cumulative impact on the promotion of the Licensing objectives of a significant number of licensed premises concentrated in one area, is as per the view of South Yorkshire Police at the June 22<sup>nd</sup> 2018 license review,

*"adversely affecting the safety of the local community as they have seen an increase in crime and disorder in this locality."*

This view is reinforced by the recent examples of violence highlighted above.

### **Litter**

With regards to litter from licensed premises it is advised that License holders should

- keep rubbish bins and glass refuse at the rear of the premises, away from public access
- put a bin outside the entrance of the premises
- not empty bottles, bins and rubbish between 11pm and 7am

Unfortunately it would seem that Stonegate does little to improve the environment around their establishment and they seem content for the residents and Parish Council to have to clear up after them. Empty and broken glasses are a common sight on Green Lane, especially weekends and it is usually down to residents to clean up the mess. Piles of vomit at the end of drives and disused clothing aren't uncommon. As has been said previously people have been found to defecate behind commercial properties and I've witnessed people openly urinating in the street.

I have to agree with the Parish Council's previous comments at a previous Licensing Board that stated.

*"There were also doubts as to whether the applicants would fulfil their stated aim of litter clearing and picking, as the village has experience of other businesses not fulfilling similar stated aims. The clearing of litter from the streets was a specific burden upon the finances of the Parish Council and upon the Parish residents as taxpayers."*

The inclusion of an additional outside bar and extended hours will only add to the litter problems which are already endured by local residents and ignored by those running the pub.

### **Car Parking**

Regarding Car parking, it is advised that Licence holders should provide:

- car parking facilities for the use of customers
- details of the nearest public car park
- notices advising customers not to park in residents' driveways and not to block the highway

To my knowledge the afore mentioned advisories are not being acted upon.

Parking is an ongoing problem on the surrounding streets which is exacerbated by those visiting the pubs but this is a wider problem across Wickerlsey and it is a challenge that the RMBC have not got to grips with.

The suggestion that Licensees should give details of the nearest public car park and asking customers not to park across drives is a positive one but I think the Council need to address the parking situation across Wickersley not just at the Three Horse Shoes as this problem needs a number of agencies to come together to find a solution.

The most prevalent issues caused by those parking on the roads near the Three Horseshoes are:

- Double parking – my partner has had to ring 101 to report the street being completely blocked due to double parking.
- Visitors blocking off residents drives
- Parking on grass verges which makes the area look a mess
- Banging of car doors in the early hours

I have reported my concerns regarding the parking problems on surrounding streets on numerous occasions to RMBC and the Parish Council but a solution isn't forthcoming. It isn't the responsibility of the Three Horse Shoes to resolve the parking issues of Wickersley but including an additional bar will encourage more patrons and more traffic.

• **The protection of children from harm**

This objective relates to the protection of children from moral, psychological and physical harm. This includes protecting them from early exposure to:

- strong language
- sexual expletives
- adult entertainment
- drinking alcohol
- violence

There is a large concentration of family homes surrounding the Three Horse Shoes beer garden. In the summer when the beer garden is in use we have to be mindful of when my children can play in our garden as the swearing and shouting that occurs becomes more prevalent. My young daughter's bedroom overlooks the beer garden and strong language; sexual expletives etc are easily heard and shouldn't have to be endured.

As mentioned previously I have witnessed violence outside my property and shouting and screaming is commonplace on the weekends.

It is obviously difficult for the pub to contain this therefore even if the outside bar is managed by two members of staff I am not sure how the Stonegate can be expected to build an outside bar in ear shot of young children but adhere to this licensing principle, I think it would be disingenuous to say otherwise.

• **Summary & Recommendation**

I think it would be duplicitous to 'paint a picture' that the Three Horse Shoes pub is the epicentre for the anti-social behaviour that occurs in Wickersley but there is a clear correlation that when the pub uses the rear of the property adjacent to residential properties, the anti-social issues become more prevalent.

Pubs like the Three Horse Shoes are a key part of the local economy but there has to be a balance between the pursuit of profit versus the impacts this has on the immediate and wider community.

The evidence provided from myself and public sector agencies already shows there is a current and growing problem in Wickerlsey linked predominantly to the over consumption of alcohol therefore common sense dictates that allowing a licensed premise to include another outlet for alcohol sales and extending trading hours will only add to the current problems, that are spilling onto the neighbouring residential streets.

In summary I would like the Licensing Board to reject the specific elements of the license that request to erect a bar at the rear of the property and extend trading hours based on the issues raised in this letter. Furthermore I believe the licensing principles haven't previously



being adhered to and therefore I would kindly ask the Licensing Board to consider the following recommendations.

- On the grounds of the '**Crime and Disorder**' objective, I suggest RMBC Implement the 'Late night Levy', which will enable RMBC to raise a contribution from late-opening alcohol suppliers towards policing the night-time economy. A more visible and prevalent police presence will hopefully mitigate some of the serious issues raised in this letter.
- To adhere to the prevention of '**Public Nuisance**' it would be welcome if the following actions were considered:
  - To reduce the *noise* emanating from patrons of the Three Horse Shoes
    - Include natural noise barriers around the beer garden to mitigate the noise.
    - Do not play loud amplified music in the beer garden for consecutive days, 9 hours at a time.
    - Inform local residents when events are taking place so they can make alternative arrangements.
    - Provide more visible signage to ask patrons to leave quietly.
  - To promote *Community Safety*, establish a 'Community Impact Area' in Wickersley similar to the one in Bawtry, where agencies will generally oppose any further applications for large vertical drinking establishments in the identified area.
  - Regarding *Car parking*, adhere to the licensing principles by providing details of the nearest public car park and providing notices advising customers not to park in residents' driveways and not to block the highway.
  - Three horseshoes pub to clean *litter, broken glass, and empty bottles/glasses* outside and around the perimeter of their properties instead of leaving it for residents to clean up after their patrons.
- To ensure '**the protection of children from harm**' it would be welcome if the hours the beer garden was open was reduced to ensure the children in the surrounding residential properties which overlook the beer garden did not have to witness:
  - strong language
  - sexual expletives
  - drinking alcohol
  - violence

Also introduce the erection of natural sound barriers and a rethink on where new 'furniture' will be erected. This would include re-examining the erection of the pagoda and seating which abuts the boundary of residential properties.

- If not already in place establish a forum with licensees and the Parish Council so Pub Managers and the local community have a platform to discuss ongoing issues they may have which may provide more holistic approaches to tackle the problems that emanate from the licensed properties. As a resident there is a perception that there is no corporate social responsibility for how the pubs operate in the local community and a view could be taken that in the pursuit of making profit businesses are ignoring the adverse impacts their establishments are having on local residents.

Yours sincerely

**THREE HORSE SHOES, 133 BAWTRY ROAD, WICKERSLEY, ROTHERHAM, S66 2BW**

**VARIATION OF PREMISES LICENCE TO EXTEND HOURS**

**LICENSING SUB-COMMITTEE HEARING 01/04/2019 at 10:00**

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL, THE TOWN HALL,**

**MOORGATE STREET, ROTHERHAM, S60 2TH**

**EVIDENCE BUNDLE INDEX**

<b>Document</b>	<b>Date</b>	<b>Pages</b>
Stonegate Pub Company Ltd Information Sheet		1-2
Stonegate Licensing Manual Index		3-5
Stonegate Noise Management Policy		6-7
Stonegate Outside Areas Policy		8-9
Email and Letter Correspondence to Resident and Parish Council	20/03/2019	10-20



### **The Company**

Stonegate Pub Company is the largest privately held managed pub operator in the UK operating over 690 pubs across the UK. The business comprises 6 operating Divisions, consisting of branded and unbranded pubs and bars which include community and local pubs, catering for customers within the local neighbourhood; high street venues including the Slug & Lettuce, Yates's and Walkabout brands that attract businessmen and women, tourists, families, and students; our Venues Division of late night style bars and nightclubs.

Since the formation of the company in 2010 the company has made significant investment within the estate, both within the fabric of the buildings and the services offered. Its pubs and bars continue to benefit from a multi-million pound investment programme that continually strives to improve amenities and community facilities. Free Wi-Fi is now standard across the estate.

Stonegate's 'Bar to Boardroom' training ethos has resulted in the company being awarded the following;

- Best Managed Pub Company 2017 (Publican Awards)
- Best Late Night Operator 2017 (Publican Awards)
- Best Managed Company for Training (More than 30 outlets) BII National Industry Training Awards 2016
- Distinction in Innovation for digital and social media – HR distinction Awards 2016
- Distinction in People Development – HR Distinction Awards 2015
- Distinction in Innovative Use of Technology Award – HR Distinction Awards 2014
- Menu Masters Award for Best New Concept category for Missoula, Montana Bar & Grill at the Menu Innovation and Development Awards (MIDAS) 2014
- Best Pub Employer (51+ sites) – Publican Awards 2013
- Menu Masters Award for City and Bar Dining category for Slug and Lettuce at the Menu Innovation and Development Awards (MIDAS) 2013
- Winner of the Town and City category for Yates's in the Menu Innovation and Development Award (MIDAS) in 2012
- MA 250 Best Training Programme award in 2012 – Publican's Morning Advertiser

### **People**

The company employs over 12,500 people and make significant investment in the training and development of their staff. A leading edge, award winning training programme ensures all front-line staff are equipped with the necessary skills to operate safely and legally within the business. Within the last 6 months alone, over 94,000 training modules have been undertaken by pub staff.

### **Community and Social Responsibility**

All pub managers are encouraged to join their local Pubwatch, town centre management or business improvement forums, where they operate. Entry into Best Bar None programmes has resulted in many Stonegate pubs across the country being recognised for their contribution in helping create safer environments for staff and customers alike. This has resulted in a number of our pubs, bars and clubs winning local Best Bar None, Pubwatch and Community Safety awards.



Engagement with the local community takes place in many forms, from supporting community groups, providing facilities clubs, teams and local supplier. Many of these activities result in the raising of significant funds for local and national charities.

#### **The Senior Management**

Stonegate Pub Company is operated by a team of highly experienced directors that have a wealth of industry experience.

Ian Payne is Chairman of Stonegate Pub Company. Ian, an accomplished expert in the licensed leisure sector, has held Board positions with Bass Taverns, Stakis plc and Ladbroke gaming. He was CEO of the Laurel Pub Company from its inception in May 2001 through to December 2004 and later Chairman of the Bay Restaurant & Town and City Pub Groups prior to the formation of Stonegate in November 2010. Ian started his career in the trade behind the bar of a local pub more than 35 years ago.

Simon Longbottom serves the Chief Executive Officer of Stonegate Pub Company. Simon held the post of Managing director of Pub Partners at Greene King plc since 2010. Prior to that, he served as Managing Director of Gala Coral's gaming division. He has over 11 years' experience at a senior level in the sector having held prominent positions at Mill House Inns and Mitchells & Butlers.

Graham Jones is Director of Operations Support of Stonegate Pub Company, with direct and specific responsibility for licensing matters. A high performing and long standing professional, Graham has held senior operations positions in Whitbread PLC, Laurel Pub Company, Greene King, Barracuda Group and more recently Punch Taverns.

Suzanne Baker is the Commercial Director of Stonegate Pub Company, responsible for all commercial contracts including purchasing and property. Suzanne has spent her career within the licensed leisure sector having previously held Board positions in Bay Restaurant Group, Laurel Pub Company and JD Wetherspoon. She commenced her career joining Grandmet Retail in operations progressing within the marketing and purchasing roles across national brands, including Chef & Brewer.

Tim Painter is the HR Director of Stonegate Pub Company. Tim, who joined from Musgrave Retail Partners, has extensive experience in HR strategy, leadership and development, and change management across the retail sector.

# LICENSING MANUAL

## England and Wales

Premises Name:

---

Address:

---

---

---

---

---

DPS Name:

---

Tel no:

---

Area Manager Name:

---

Tel no:

---

## CONTENTS

1. Guidance on How to Use and Complete This Manual
2. Licensing Manual Training Sign Off Sheet for Management Team
3. Record of Licences Held
4. Complete List of Mandatory Conditions
5. Certified Copy Premises Licence and All Other Licences (Tables and Chairs, Gaming Permits)
6. Details of Temporary Event Notices at Premises for Current Calendar Year
7. Details of Personal Licence Holders at Premises
8. Bar Staff Authorisation/ DPS Authorisation Sign Off Sheets
9. Key Contact Details, i.e. Police, Council, Head Office, Solicitors
10. Company Licensing Policies
  - a. Social Responsibility Policy
  - b. Underage Sales and Age Verification Policy
  - c. Dispersal Policy
  - d. Outside Areas Policy
  - e. Search Policy
  - f. Drugs Policy
  - g. Lost Property Policy
  - h. Mobile Phone and Theft Policy
  - i. Door Staff Policy
  - j. Drink Spiking Policy
  - k. Children Policy
  - l. Entry Queues Policy
  - m. Floor Walkers' Policy
  - n. Intoxicated Customer Policy
  - o. Crime Reporting and Crime Scene Preservation Policy
  - p. Disorder Strategy Policy and Conflict Management
  - q. Noise Management Policy
  - r. Glassware and Glass Collection Policy
  - s. Vulnerability Awareness and Duty of Care Policy
  - t. Capacity Policy
11. Risk Assessments and Action Plans

- a. High Profile Event Risk Assessment
- b. Drug Awareness Action Plan
- 12.Minutes of Pubwatch Meetings
- 13.Minutes of Residents' Meetings
- 14.Minutes of Other Meetings
- 15.Any Other Business

## NOISE MANAGEMENT POLICY

Stonegate Pub Company Limited is a responsible national operator and strives to work closely with the communities within which we operate. We have sites in highly residential areas and some with neighbours further away, and different brands and types of operation. However in all situations it is important that all staff use their best endeavours to manage noise both internally and externally to the best of your control. At all times you should be promoting the licensing objectives of prevention to public nuisance.

Noise can come from a variety of sources, for example, from outside areas and smoking areas, customers, music, staff leaving the premises and from rubbish disposal, amongst other things. Unwanted or excessive noise can cause a nuisance for neighbours and subsequent complaints. Furthermore, the Environmental Health Department has a wide range of powers to deal with noise nuisance from premises, and they or residents could also bring a review against the premises licence. See also the Outside Areas Policy.

### Key Control Measures for All Sites

- Consideration should be given to keeping windows and doors closed (except for access and egress) during noisy times, for example, when you have music on. In any event, there may be a condition on the Premises Licence requiring this.
- You should monitor customers in an entry queue and on dispersal to ensure that they are not making too much noise. If necessary, a member of staff should be available to remind them to keep quiet to avoid disturbing neighbours.
- Similarly, you should ensure customers who have stepped outside to smoke or who are in an outside area are managed carefully to ensure they are not causing a noise nuisance.
- Notices should be displayed around the premises as appropriate to remind customers to be respectful and keep the noise down.
- High profile events, such as football matches, may attract large crowds. In these situations it may be necessary to carry out a risk assessment and in any event a larger crowd must be managed carefully to ensure they do not cause too much noise.
- If you have neighbours it may be advisable to keep them informed of any specific events that may be taking place.
- If you have a noise limiter device at the premises this must be used and any set limits adhered to at all times.
- If you have been playing music, consider reducing the volume and beats per minute (BPM) towards the end of trading or as the entertainment ceases as this may encourage your customers to be quieter when they leave.
- You should ensure that any deliveries or collections take place at a suitable hour or in such a way so as not to disturb anyone in the local vicinity.



- Remember noise can also come from air conditioning plant, ventilations fans and other equipment.

## OUTSIDE AREAS POLICY

This Policy details the actions and processes which must be followed by employees of Stonegate Pub Company Limited with regard to management and control of all outside areas. The Policy sets out the steps which should be taken to minimise the potential for disorder and disturbance as customers increasingly use outside areas. This includes measures to control potential issues such as noise and litter, maintain customer and staff safety and minimise any impact on the local environment.

It is recognised that whilst the Company has no direct jurisdiction outside of the boundaries of Company premises, we must continue to use our best endeavours to encourage customers in these areas to behave appropriately. The creation of proper boundaries is key to being able to effectively control all of the following issues so you must therefore ensure that you know the extent of your area of responsibility and manage it in accordance with this Policy.

### Key Control Measures for All Sites

- Ensure relevant licence conditions on both Premises Licences and any relevant Pavement Permits are strictly adhered to and outside areas are not used outside the specified times. You may also have conditions on the lease of the building which you must comply with.
- Where licence conditions exist with regard to entry and re-entry conditions, these must be complied with at all times.
- All outside areas must be fully risk assessed in line with normal Company procedure.
- Regular checks of outside areas must be undertaken and recorded in accordance with the schedule in the Incident and Due Diligence Logs.
- These outside checks must cover the following control aspects:

#### **1. Noise Issues**

In all instances the playing of music (which includes both live music and DJ music, as well as music played through the site internal system) must not be permitted to cause a nuisance to neighbouring properties.

Entrances to all outside areas must be by self closing doors and must not remain open unnecessarily. It is the ultimate responsibility of the General Manager to ensure that doors do not remain held open other than for access and egress purposes.

Moving furniture will make noise - consider the effect on neighbours of taking in the furniture and putting it out, and adhere to any Premises Licence conditions or hours.

Increased customer numbers will create extra noise. It is the responsibility of the General/ Duty Manager and Team to monitor noise levels in outside areas to ensure no nuisance is caused. It may be necessary to place a team member or member of door staff at relevant exits to ensure this.

## **2. Signage**

Ensure appropriate signage is in place, requesting customers to respect the local residents.

Where licence conditions dictate, signage must also be in place to remind customers that they are not permitted to take alcohol/glasses outside at any time.

## **3. Litter**

Ashtrays will be provided for the benefit of customers using the outside areas. These must be regularly emptied to ensure that litter is minimised.

Collection of flammable materials must be carried out in compliance with the relevant fire risk assessment and appropriate precautions taken. Ensure no obstruction takes place where these ashtrays are placed on the highway.

It is the responsibility of the General/ Duty Manager to ensure that, at the end of trading hours, the outside areas are left clear of litter, including smoking debris, and that no nuisance is caused to neighbours by litter being allowed to accumulate.

## **4. Other**

A robust procedure must be in place to manage the capacity issues potentially created by the flow of customers to and from any outside areas. It is the responsibility of the General Manager to implement and maintain this process.

Consider stationing a door supervisor or member of management in the outside area at busy times to monitor customers in this area and prevent any problems from escalating.

Where the outside area is covered by CCTV, the General Manager must ensure the system is in full working order and is set to record at all times that the outside area is in use. Where this area is not currently covered by CCTV consideration is to be given to providing this coverage.

Appropriate clothing is to be worn at all times. Customers are not permitted to remove shirts, t-shirts or equivalent items to expose their bodies.

**Tina Rogers**

---

**From:** Suraj Desor  
**Sent:** 20 March 2019 10:08  
**To:** 'Chris.Burnett@rotherham.gov.uk'  
**Cc:** 'lisa.underwood-parkin@rotherham.gov.uk'; 'licensing@rotherham.gov.uk';  
Andy Grimsey  
**Subject:** Three Horse Shoes, Rotherham - Variation Application - Response to  
Resident Representation  
**Attachments:** Letter to Resident.pdf; Variation Application.pdf; Noise Management  
Policy.pdf; Outside Areas Policy.pdf  
  
**Importance:** High  
  
**DOCID:** 2146882137  
**SENTON:** 20/03/2019 10:07:28

Dear Chris,

Further to our conversations, please find attached a letter in response to the resident's objection, and I would be grateful if you could forward this onto the resident for his reference.

I hope this further clarifies our application and alleviates any concerns the resident may have, and if he wishes to discuss this further with me please provide him with my contact details. I am in the office until close of today, otherwise he can contact my colleague Andy Grimsey on direct telephone 0115 9487423 who will be dealing with the application from tomorrow and attending the hearing.

Alternately, if he wishes to contact our client directly to arrange a meeting, I have provided Terry Holford's mobile number (our client's Area Manager's for the Three Horse Shoes), and Terry is happy for the resident to contact him directly.

Kind regards.

**Suraj Desor**

Date: 20 March 2019

FAO The Licensing Officer on behalf of the Resident Objector  
Licensing Authority  
Rotherham Metropolitan Borough Council  
Riverside House  
Main Street  
Rotherham  
S60 1AE

Our ref: SXD/TXR/P36772-19206  
Doc Ref: 2146877951

Your ref:  
E-mail: s.desor@popall.co.uk

Direct line: 0115 9349 183

Dear Sir

**Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham**  
**Variation Application**

I act on behalf of the owners and operators of Three Horse Shoes, Wickersley, Rotherham, Stonegate Pub Company Limited, and I have received your representation in relation to my Client's application for a variation of the premises licence.

As the Council's Licensing Officer may have confirmed to you, the hearing in respect of this application is scheduled to take place on Monday 1 April 2019.

By way of background, my Client, Stonegate Pub Company Limited, are a highly respected and experienced national pub company with over 700 premises throughout the UK, and just like the Three Horse Shoes in Wickersley, they operate many of these premises in close proximity to residents to the hours sought here and later, and with outside areas for customer use, and are committed to working in partnership with the local community. Therefore, my Client's Area Manager, Terry Holford, together with John Slide, the new General Manager at the premises, would welcome the opportunity to meet with you to discuss your concerns, clarify our application, explain the relevant measures and policies in place at the venue which will continue to be in place if the application is granted, along with the additional measure we have agreed with the Authorities. Terry and John will be available at the premises to meet with you at a suitable date and time in the next couple of weeks which would be convenient for you. If you would like to arrange a specific time and date, please call Terry and he would be happy to arrange this with you. Terry's telephone number is 07808 094822. Alternatively, in the first instance, I would be more than happy to speak to you on the telephone to discuss your representation and clarify our application further if required.

I would also like to take this opportunity to clarify our application and address the points raised in your representation.

I understand that your concerns relate to the licensing of the outside bar to permit the sale of alcohol in the external area, and the extension of a start time for sale of alcohol and other licensable activities to 7am, 7 days a week. I note you have not raised any objections or concerns as to any other parts of the application.

In respect of your concerns that the inclusion of an outside bar and earlier hour for sale of alcohol may undermine the Licensing Objectives, particularly increased nuisance and crime and disorder, please be aware prior to submission of the application we consulted with the Responsible Authorities – Licensing Authority, Police Licensing and Environmental Health. They have raised no objections to the application partly based on them being satisfied that there have been no recent incidents of note in relation to crime and disorder or nuisance, and due to the additional condition offered in consultation with them to restrict use of the external servery to no later than 11pm. If the Police or Council's Environmental Health Noise Officer felt that the application would undermine the Licensing Objectives, or exacerbate public nuisance or crime and disorder, I am sure an objection would have been raised by them.

Furthermore, as you may be aware nearby to Three Horse Shoes there is already a licensed premises that operates early hours for sale of alcohol similar to what we are requesting, as well as a licensed premises that has an external bar within its outside area which operates later than we have sought, and therefore these changes sought to our Client's premises would not be unprecedented for this area.

With regards to the early hours sought for sale of alcohol and other activities to start from 7am, as you may be aware the premises is already permitted to open from 7am (films is permitted from 7am already). The purpose of extending alcohol hours to match opening hours is to extend the customer offering in the morning to include alcohol, along with breakfast food. Our Client has vast experience of operating many licensed premises across the country to earlier start times for sale of alcohol and other licensable activities, including premises in close proximity to residents and community buildings, and has done so without any issues of note whilst continuing to promote the Licensing Objectives. Stonegate are a responsible and experienced licensed operator and will continue to provide sale of alcohol and other licensable activities responsibly. They have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, including responsible selling of alcohol and to prevent sales to those who may be overly intoxicated, dispersal and management of outside areas policies, as well as procedures to prevent crime and disorder and public nuisance. These are robust policies and procedures that are already in place and will continue to operate if the application is granted. Given the vast experience of our Client, and the appropriate measures in place, we do not believe that extending alcohol (and other licensable activities) to match opening hours will undermine the promotion of the Licensing Objectives.

# PopplestonAllen

In respect of the outside bar sought, the purpose of this is to allow our customers using the outside area to purchase drinks from this area rather than having to go to the bar inside. No extension of alcohol hours are sought and I set out the condition offered in our application restricting use of the outside bar following consultation with the Police and Environmental Health officers:

- The use of the external bar shall be restricted to no later than 11pm each night.

Additionally, internal measures will be in place including that the outside bar will be manned at all times by at least one person, there will be appropriate supervision of the external area throughout all times that the bar is trading, and existing robust measures, policies and procedures in place internally will also apply to the outside bar, such as age verification checks, challenge policies, refusal logs. The Company's noise management and outside areas policies will continue to be implemented and adapted at site level as appropriate including monitoring noise levels and customer behaviour within the outside area and taking relevant action where necessary. Furthermore, the new General Manager who was appointed to the site at the start of January, John Slide, has extensive experience of operating licensed premises with outside areas successfully whilst continuing to promote the licensing objectives.

I note concerns have been raised as to general crime and disorder, particularly in respect of the Wickersley area generally rather than our Client's premises specifically. In particular, with reference to the incidents referred to on 1st and 2nd March 2019 with regards to Operation Alligator and an incident on Bawtry Road, as far as my client is aware, these do not directly relate to their premises. Furthermore, as mentioned previously Police Licensing were consulted in relation to this application, including extending alcohol to 7am to match opening hours and the inclusion of the external bar for use to 11pm, and raised no concerns as to crime and disorder or antisocial behaviour.

Your representation also makes reference to previous events and complaints. Our Client has confirmed that they have only been made aware of a few incidents in relation to complaints, and these are historical complaints. Two relate to resident complaints in relation to damage from high winds caused by a marquee falling on a tree, and both of these were resolved. The only noise complaint our client is aware of, again which is historical, related to a complaint from a business opposite with regards to a summer festival event that took place within the outside area; again this was resolved and no formal enforcement action was taken. As far as our Client is aware, they have received no other noise complaints directly from residents or the Council's Environmental Health Officer, Liz Costello, and no enforcement action has been taken as to any noise issues by the Council's Environmental Health Team. Liz Costello was consulted in relation to this application, including extending alcohol to 7am to match opening hours and the inclusion of the external bar for use to 11pm, and as mentioned previously no objection has been received from her. Please be assured that where a complaint has been received from residents or Environmental Health, our Client's management team would have investigated this and liaised with those concerned in an attempt to resolve any issues and their concerns.

I can confirm that our client has no intention to host events in the external area on a regular basis moving forward, and on the odd occasion where the external area is intended to be used for events, then our client is happy to give assurances that the General Manager will liaise with the residents and put in place appropriate measures to prevent nuisance and ensure the licensing objectives are promoted. Furthermore, given that there are no speakers fixed in the external area for amplification of music, and that the stage that was previously in place for live music has been removed, I hope this alleviates your concerns and further assures you of our client's intention not to have music events on a regular basis.

With regards to your comments as to rubbish and litter in outside areas, and the premises external area not being maintained, Stonegate have specific policies to ensure the outside areas are managed effectively which the General Manager has confirmed are implemented at site level to ensure outside areas of the premises are properly maintained and cleared of litter and other rubbish regularly. Furthermore, we can confirm that bins are contained in an area not accessible to members of the public, and there are bins outside the entrance of the premises. Notwithstanding the concerns raised, the outside bar which we are seeking is at the rear of the premises, and self-contained within the rear area and away from the public highway at the front of the premises, and therefore we would respectfully submit that this application is unlikely to impact on any alleged litter issues in and around Wickersley or the public areas around the premises.

Nonetheless, our Client has taken on-board your concerns raised and is happy to give further assurances as to management of the outside areas and clearing away of litter and rubbish and glassware from outside areas and will be happy to ensure that more visible signage is placed in a prominent location asking customers to respect local residents and leave quietly on dispersal. John has confirmed that bins are usually emptied after 9am, however, our Client is happy to give further assurances that the emptying of bottles and bins of rubbish will not take place between 11pm and 7am, which I trust satisfies your concerns as to this point.

We also note your concerns as to car parking issues in Wickersley, which is outside the remit of licensing, this application and the promotion of the Licensing Objectives. Nonetheless we can confirm the premises already has signage outside directing customers to the nearest car park.

Three Horse Shoes is and will continue to be a community pub with a variety of offerings available for a diverse clientele. Our Client is happy to work with the local community to encourage a safe environment with a good offering for local residents and continue to attract local customers as well as those from further afield. Significant time and investment has also been made in seeking this application. Our Client would not do that only to cause problems and be a nuisance to the neighbours. Our Client believes that the investment and this proposed application will ultimately benefit the local community and given the experience of our Client as a responsible licensed operator, the robust internal measures in place,



# PopplestonAllen

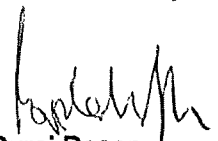
including the additional measure offered as part of the application, will ensure the premises continues to promote the Licensing Objectives if the application is granted.

Notwithstanding the above, our Client's management team note your concerns and would be happy to liaise with you further as to any additional operationally workable measures we could look to put in place, and would welcome the opportunity to meet with you to discuss this.

I hope the above clarifies our application and alleviates any concerns you may have. Should you feel that the information provided is sufficient for you to withdraw your representation so we can avoid a hearing in respect of this matter, then please be assured that my Client would be happy to continue to liaise with you as to any issues or concerns you may have.

I have enclosed a copy of our application, along with the Company's policies as to noise and outside area management, for your reference.

Yours sincerely



**Suraj Desor**  
**Poppleston Allen**

**Enclosures:**

1. Application
2. Noise Management Policy
3. Outside Areas Policy

**Tina Rogers**

---

**From:** Suraj Desor  
**Sent:** 20 March 2019 10:03  
**To:** 'clerk@wickersleypc.org.uk'  
**Cc:** 'Chris.Burnett@rotherham.gov.uk'; 'lisa.underwood-parkin@rotherham.gov.uk'; 'licensing@rotherham.gov.uk'; Andy Grimsey  
**Subject:** Three Horse Shoes, Wickersley, Rotherham - Variation of Premises Licence - Response to Parish Council Representation  
**Attachments:** Letter to Parish Council.pdf; Variation Application.pdf; Noise Management Policy.pdf; Outside Areas Policy.pdf  
  
**Importance:** High  
  
**DOCID:** 2146882106  
**SENTON:** 20/03/2019 10:02:11

Dear Greg,

I act on behalf of the owners and operators of Three Horse Shoes, Rotherham, Stonegate Pub Company Limited, and attach a letter in response to your representation to our Client's variation of premises licence application.

Kind regards.

**Suraj Desor**

FAO Mr G Pacey  
Interim Clerk  
On Behalf of Wickersley Parish Council  
Wickersley Community Centre & Library  
286 Bawtry Road  
Wickersley  
Rotherham  
S66 1JJ

Date: 20 March 2019  
Our ref: SXD/TXR/P36772-19206  
Doc Ref: 2146880792  
Your ref:  
E-mail: s.desor@popall.co.uk  
Direct line: 0115 9349 183

Dear Mr Pacey

**Three Horse Shoes, 133 Bawtry Road, Wickersley, Rotherham**  
**Variation Application**

I act on behalf of the owners and operators of Three Horse Shoes, Wickersley, Rotherham, Stonegate Pub Company Limited, and I have received your representation in relation to my Client's application for a variation of the premises licence.

As the Council's Licensing Officer may have confirmed to you, the hearing in respect of this application is scheduled to take place on Monday 1 April 2019.

By way of background, my Client, Stonegate Pub Company Limited, are a highly respected and experienced national pub company with over 700 premises throughout the UK, and just like the Three Horse Shoes in Wickersley, they operate many of these premises in close proximity to residents to the hours sought here and later, and with outside areas for customer use, and are committed to working in partnership with the local community. Therefore, my Client's Area Manager, Terry Holford, together with John Slide, the new General Manager at the premises, would welcome the opportunity to meet with you to discuss your concerns, clarify our application, explain the relevant measures and policies in place at the venue which will continue to be in place if the application is granted, along with the additional measure we have agreed with the Authorities. Terry and John will be available at the premises to meet with you at a suitable date and time in the next couple of weeks which would be convenient for you. If you would like to arrange a specific time and date, please call Terry and he would be happy to arrange this with you. Terry's telephone number is 07808 094822. Alternatively, in the first instance, I would be more than happy to speak to you on the telephone to discuss your representation and clarify our application further if required.

I would also like to take this opportunity to clarify our application and address the points raised in your representation.

I understand that your concerns relate to the licensing of the outside bar to permit sale of alcohol in the external area, and the extension of a start time for sale of alcohol to 7am, 7 days a week. I note you have not raised any objections or concerns as to any other parts of the application.

In respect of your concerns that the inclusion of an outside bar and earlier hour for sale of alcohol may undermine the Licensing Objectives, particularly increased nuisance and crime and disorder, please be aware prior to submission of the application we consulted with the Responsible Authorities – Licensing Authority, Police Licensing and Environmental Health. They have raised no objections to the application partly based on them being satisfied that there have been no recent incidents of note in relation to crime and disorder or nuisance, and due to the additional condition offered in consultation with them to restrict use of the external servery to no later than 11pm. If the Police or Council's Environmental Health Noise Officer felt that the application would undermine the Licensing Objectives, or exacerbate public nuisance or crime and disorder, I am sure an objection would have been raised by them.

Furthermore, as you may be aware nearby to Three Horse Shoes there is already a licensed premises that operates early hours for sale of alcohol similar to what we are requesting, as well as a licensed premises that has an external bar within its outside area which operates later than we have sought, and therefore these changes sought to our Client's premises would not be unprecedented for this area.

With regards to the early hours sought for sale of alcohol and other activities to start from 7am, as you may be aware the premises is already permitted to open from 7am (films is permitted from 7am already). The purpose of extending alcohol hours to match opening hours is to extend customer offering in the morning to include alcohol, along with breakfast food. Our Client has vast experience of operating many licensed premises across the country to earlier start times for sale of alcohol and other licensable activities, including premises in close proximity to residents and community buildings, and has done so without any issues of note whilst continuing to promote the Licensing Objectives.

Our Client does not believe that amending sale of alcohol hours to match existing opening hours will lead to children who are going to school witnessing "customers leaving the premises under the influence of drink". Stonegate are a responsible and experienced licensed operator and will continue to provide sale of alcohol responsibly. They have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, including responsible selling of alcohol and to prevent sales to those who may be overly intoxicated, dispersal and management of outside areas policies, as well as procedures to prevent crime and disorder and public nuisance. These are robust policies and procedures that are already in place and will continue to operate if the application is granted.

Our Client notes your concerns as to the inclusion of the bar in the outside area and noise disturbance to nearby residents. In respect of outside bar sought, the purpose of this is to allow our customers using the outside area to purchase drinks from this area rather than having to go to the bar inside. No extension of alcohol hours are sought and as you may be aware we have offered the following additional condition restricting use of the outside bar following consultation with the Police and Environmental Health officers:

- The use of the external bar shall be restricted to no later than 11pm each night.

Additionally, internal measures will be in place including that the outside bar will be manned at all times by at least one person, there will be appropriate supervision of the external area throughout all times that the bar is trading, and existing robust measures, policies and procedures in place internally will also apply to the outside bar, such as age verification checks, challenge policies, refusal logs. The Company's noise management and outside areas policies will continue to be implemented and adapted at site level as appropriate including monitoring noise levels and customer behaviour within the outside area and taking relevant action where necessary. Furthermore, the new General Manager who was appointed to the site at the start of January, John Slide, has extensive experience of operating licensed premises with outside areas successfully whilst continuing to promote the licensing objectives.

I can confirm that our client has no intention to host events in the external area on a regular basis moving forward, and on the odd occasion where the external area is intended to be used for events, then our client is happy to give assurances that the General Manager will liaise with the residents and put in place appropriate measures to prevent nuisance and ensure the licensing objectives are promoted. Furthermore, given that there are no speakers fixed in the external area for amplification of music, and that the stage that was previously in place for live music has been removed, I hope this alleviates your concerns and further assures you of our client's intention not to have music events on a regular basis.

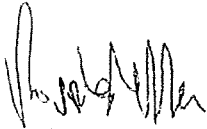
Three Horse Shoes is and will continue to be a community pub with a variety of offerings available for a diverse clientele. Our Client is happy to work with the local community to encourage a safe environment with a good offering for local residents and continue to attract local customers as well as those from further afield. Significant time and investment has also been made in seeking this application. Our Client would not do that only to cause problems and be a nuisance to the neighbours. Our Client believes that the investment and this proposed application will ultimately benefit the local community and given the experience of our Client as a responsible licensed operator, the robust internal measures in place, including the additional measure offered as part of the application, will ensure the premises continues to promote the Licensing Objectives if the application is granted.

Notwithstanding the above, our Client's management team note your concerns and would be happy to liaise with you further as to any additional operationally workable measures we could look to put in place, and would welcome the opportunity to meet with you to discuss this.

I hope the above clarifies our application and alleviates any concerns you may have. Should you feel that the information provided is sufficient for you to withdraw your representation so we can avoid a hearing in respect of this matter, then please be assured that my Client would be happy to continue to liaise with you as to any issues or concerns you may have.

I have enclosed a copy of our application, along with the Company's policies as to noise and outside area management, for your reference.

Yours sincerely



Suraj Desor  
**Poppleston Allen**

Enclosures:

1. Application
2. Noise Management Policy
3. Outside Areas Policy



# Licensing Act 2003

## Premises Licence

**P0107**

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****Three Horseshoes**

133 Bawtry Road, Wickersley, Rotherham, South Yorkshire, S66 2BW.

Telephone 01709 704310

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
Exhibition of films (Indoors)	Sunday to Thursday	7:00am	Midnight
	the following morning		
	Friday and Saturday	7:00am	1:00am
	the following morning		
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		
Indoor sporting event	Sunday to Thursday	10:00am	Midnight
	the following morning		
	Friday and Saturday	10:00am	1:00am
	the following morning		
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		



# Licensing Act 2003 Premises Licence

**P0107****THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Playing of recorded music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Performance of dance (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Provision of facilities for making music (Indoors)	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings:		
	An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		





# Licensing Act 2003

## Premises Licence

**P0107****THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
Provision of facilities for making music (Indoors) continued ...	commences		
Provision of facilities for dancing (Indoors)			
	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings: An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		
Late night refreshment (Indoors)			
	Sunday to Thursday the following morning	11:00pm	Midnight
	Friday and Saturday the following morning	11:00pm	1:00am
	New Years Eve the following morning	11:00pm	5:00am
	Non Standard Timings: An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		
The sale by retail of alcohol for consumption ON and OFF the premises			
	Sunday to Thursday the following morning	10:00am	Midnight
	Friday and Saturday the following morning	10:00am	1:00am
	Non Standard Timings: An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
	An additional hour to the standard and non-standard times on the day when British Summer-time commences		





# Licensing Act 2003 Premises Licence

**P0107****THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sunday to Thursday the following morning	7:00am	12:30am
Friday and Saturday	7:00am	1:30am
Non Standard Timings:		
An additional hour into the morning on Friday, Saturday, Sunday of all Bank Holiday Weekends, Christmas Eve, Boxing Day, 27 December, 28 December and New Years Day.		
From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
An additional hour to the standard and non-standard times on the day when British Summer-time commences		

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- The sale by retail of alcohol for consumption ON and OFF the premises

## Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Stonegate Pub Company Limited

Porter Tun House, 500 Capability Green, Luton, Bedfordshire, LU1 3LS.

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Stonegate Pub Company Limited

FCO29833

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL**

John Leslie SLIDE

10 Bittern Close, Summergroves Way, Hull, HU4 6SQ.

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL**

Licence No. KUHPA466

Issued by Kingston upon Hull, City of



# Licensing Act 2003 Premises Licence

**P0107****ANNEXES****Annex 1 Mandatory Conditions****Mandatory conditions where licence authorises supply of alcohol**

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
    - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or



## **Licensing Act 2003 Premises Licence**

**P0107****ANNEXES continued ...**

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

(a) a holographic mark or

(b) an ultraviolet feature.

6. The responsible person shall ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the



## Licensing Act 2003 Premises Licence

**P0107**

### ANNEXES continued ...

premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of



## **Licensing Act 2003 Premises Licence**

**P0107****ANNEXES continued ...**

alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Showing of films**

Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.

The admission of children to an exhibition of a film where the film classification body or this Council has determined the classification must be restricted in accordance with that classification. The film classification body is the British Board of Film Classification. In this condition children means persons under 18 years of age.

Films must be classified in the following way:

- U -** Universal. Suitable for audiences aged four years and over.
- PG -** Parental Guidance. Some scenes may be unsuitable for young children.
- 12A -** Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 -** Passed only for viewing by persons aged 15 years and over.
- 18 -** Passed only for viewing by persons aged 18 years and over.

**If the Premises Licence has conditions in respect of Door Supervision  
[except theatres, cinemas, bingo halls and casinos]**



# Licensing Act 2003 Premises Licence

**P0107****ANNEXES continued ...**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - (b) in respect of premises in relation to:
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
  - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## **Annex 2      Conditions consistent with Operating Schedule**

### **Prevention of Crime and Disorder**

1. A digital CCTV system shall be installed at the premises and maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be held for at least 28 days and shall be made available to an officer of the Licensing Authority or Police on reasonable request.
2. Where pub watch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pub Watch.
3. The premises will use toughened glass where available.
4. The need for door supervisors will be assessed by way of risk assessment and cognisance will be



## Licensing Act 2003 Premises Licence

**P0107****ANNEXES continued ...**

taken of any police advice.

5. The company operates zero tolerance with regard to drugs.
6. An incident log book shall be kept on the premises and made available on request to an authorised officer of the council or police which will record the following - Any incident of disorder, Any seizure of drugs or offensive weapons, Any ejections of patrons.

**Public Safety**

7. All employees will understand and take their obligations and responsibilities under existing legislation seriously.

**Prevention of Public Nuisance**

8. Reasonable steps will be taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.

**Protection of Children from Harm**

9. A proof of age scheme such as challenge 21 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.
10. A log shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be made available on request by an officer of the Licensing Authority or police.

**Annex 3 Conditions attached after a Hearing of Licensing Authority**

1. The licence holder shall ensure that all external doors and windows to the first floor function room are closed at all times when regulated entertainment and entertainment facilities are provided in the function room.

**Annex 4 Plans**

See attached.





**Licensing Act 2003  
Premises Licence**

**P0107**

ANNEXES continued ...



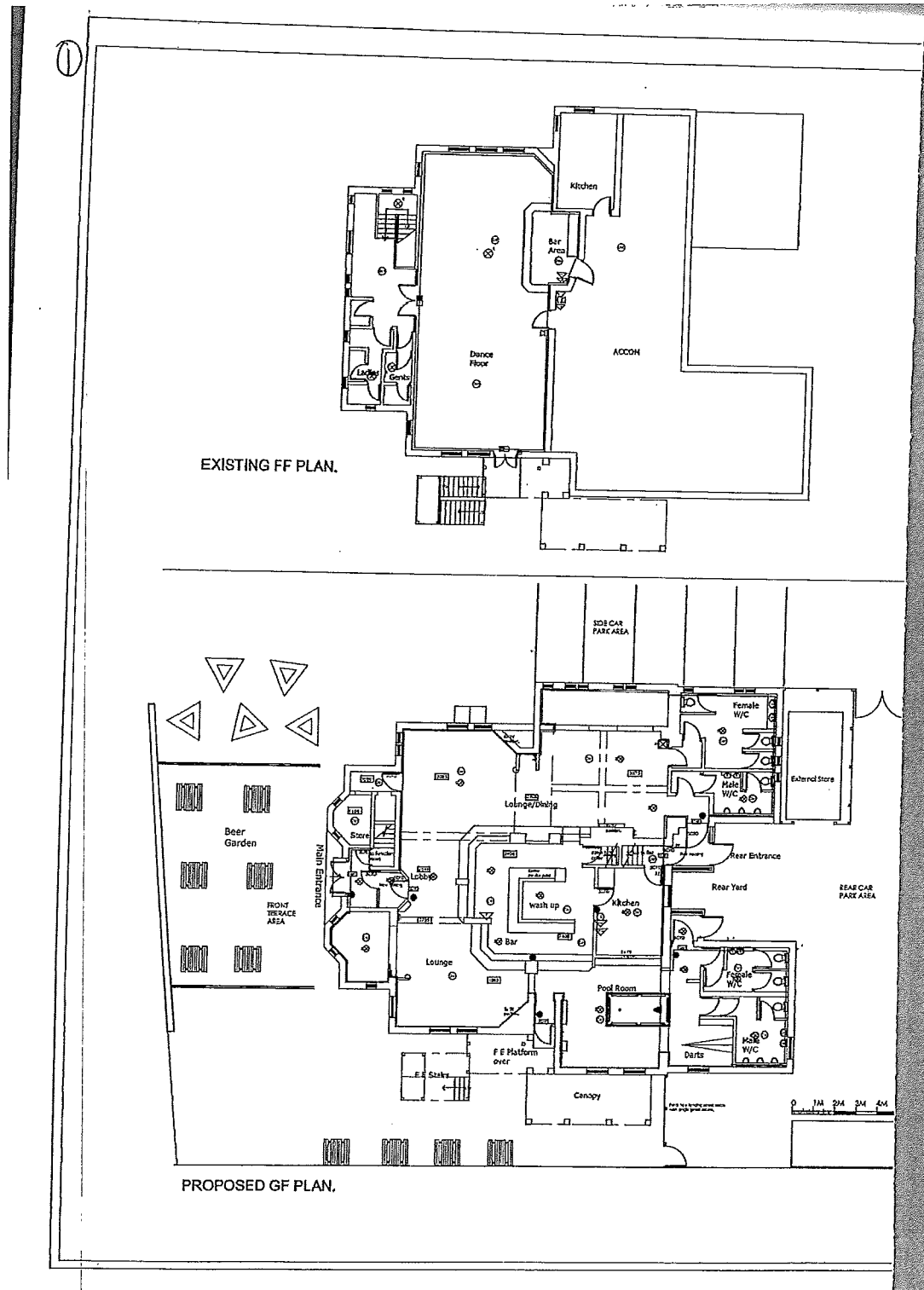
Details entered:  
Date requested:  
Date received:  
Appointment date:  
Result:  
Name:  
Date commences:

21 January 2016 at 12:28 by Lisa Underwood-Parkin  
08/01/2016

Reason: **Minor Variation**

Appointment time:  
Result Date:  
Number:  
Date expires:

Notes:



Reason: **Minor Variation**

Result Date:

Number:

Date expires:

Notes:

[illegible]