

## **LICENSING SUB-COMMITTEE**

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

**Date: Monday, 16th December, 2019.**

**Time: 2.00 p.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 - Licence - Land off Guilthwaite Lane, Whiston (Pages 1 - 87)

### Hearing Procedure

- 1 The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
- 2 The Chair will ask the applicants to formally introduce themselves.
- 3 The Licensing Officer will outline the procedure to be followed at the hearing.
- 4 Hearing Procedure:-
  - i. The Licensing Officer will introduce the report.
  - ii. Questions concerning the report can be asked both by Members and the applicant.
  - iii. The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
  - iv. Members may ask questions of those parties
  - v. With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
  - vi. The applicant / licensee (or his/her nominated representative) will then be asked to:-
    - a) detail the application;
    - b) provide clarification on the application and respond to the representations made.
  - vii. The applicant / licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
  - viii. The applicant will then be given the opportunity to sum up the application. The Licensing Officer will then detail the options.
  - ix. There will then be a private session for members to take legal advice and consider the application.
- 5 The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.

#### Notes:

- At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.

- The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

**Committee Name and Date of Committee Meeting**

Licensing Sub-Committee – 16<sup>th</sup> December 2019 (2:00 pm)

**Report Title**

Consideration of an application (made in accordance with s.34 of the Licensing Act 2003) to Vary the Premises Licence in place at the premises identified as Land off Guilthwaite Common Lane, Upper Whiston, Rotherham, S60 4NG.

**Report Author(s)**

Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene (01709 254955)

**Report Summary**

On the 21<sup>st</sup> October 2019, Mr Jonathan Radcliffe and Mr Stephen Tate submitted an application to vary the Premises Licence at the premises identified as Land off Guilthwaite Common Lane, Upper Whiston, Rotherham, S60 4NG.

During the statutory consultation period, one representation was received from an interested party that wished to voice their concerns in relation to the application that had been made.

As a representation has been made in relation to the application, the application must be considered by the Licensing Sub-Committee.

The process to be adopted at the hearing is outlined prior to the main body of the report.

## **Recommendations**

1. That the Licensing Sub-Committee considers the information contained within this report (and associated appendices) along with any additional information presented at the hearing and subsequently determines the application that has been made.
2. The Licensing Sub-Committee should inform the Licensing Authority of the decision in accordance with the requirements of the Licensing Act 2003 and Regulations made thereunder.

## **List of Appendices Included**

- Appendix 1 Location details
- Appendix 2 Current Premises Licence (number P01014)
- Appendix 3 Application form dated 15<sup>th</sup> October 2019
- Appendix 4 Representation received from Whiston Parish Council (redacted)
- Appendix 5 Copy of Premises Licence with proposed amendments highlighted

## **Background Papers**

Revised guidance issued under section 182 of the Licensing Act 2003 (April 2018)

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

**Consideration of an application (made in accordance with s.34 of the Licensing Act 2003) to vary the Premises Licence in place at Land off Guilthwaite Common Lane, Upper Whiston, Rotherham, S60 4NG.**

**1. Background**

- 1.1 On the 21st October 2019, the Council received an application to vary the Premises Licence at the premises identified as Land off Guilthwaite Common Lane, Upper Whiston, Rotherham, S60 4NG. The location of the premises is shown at Appendix 1.
- 1.2 The premises currently has the benefit of a Premises Licence permitting the retail sale of alcohol, a copy of current Premises Licence can be found at Appendix 2. The application to vary the licence can be found at Appendix 3. This licence is only valid during the second to last week in June each year and is principally used to allow licensable activities to take place at the “Wheat Beat” festival which runs over three days in June.
- 1.3 During the statutory 28-day consultation period, one representation was received from an interested party that wished to voice their concerns in relation to the application that had been made. A redacted copy of this representation can be found at Appendix 4.

**2. Key Issues**

The application

- 2.1 The applicant is seeking to vary the licence as follows:

- Amend the times during which licensable activity is permitted.

The licence currently permits the following activities from 1200hrs until 2300hrs Thursday to Sunday:

- Performance of live music (indoors)
- Paying of recorded music (indoors)
- Performance of dance (indoors)
- Entertainment of a similar nature (indoors and outdoors)

In addition, the licence permits the following:

- Retail sale of alcohol (for consumption on the premises only) between 1100 hrs and 2300 hrs Thursday to Sunday.
- Provision of late night refreshment (indoors and outdoors) 2300hrs to 0000hrs Thursday to Sunday.

The applicant is seeking to vary the licence so that the terminal hour for all of the above licensable activities becomes 0100hrs on a Friday and Saturday (i.e. until 0100hrs the following morning).

Furthermore, the applicant is seeking to extend the terminal hour for all activities other than late night refreshment until 0000hrs on a Thursday (i.e. until 0000hrs the following morning).

- Amend / remove various conditions from the current premises licence.

The applicant is seeking to remove conditions 19, 20, 21, 22, 24, 25, 47 and 48 from the licence.

In addition, the applicant is seeking to amend certain conditions as follows:

- Condition 8 – include requirement for Approved Contractor Scheme (ACS) security personnel.
- Condition 27 – include a reference to there being a prohibition on groups larger than 4 people.
- Condition 30 – remove requirement for certain actions prior to first event.
- Condition 36 – remove requirement for waste receptacles to be lidded.
- Condition 37 – additional requirement for lighting to be positioned in such a way so as not to cause a disturbance to local residents.
- Condition 56 – amend condition so that access is allowed with “documentation or authorisation” not just documentation.
- Annex 3(a) – remove limit of 500 people at the event and allow capacity to be determined through agreement with responsible authorities.
- Annex 3(b) – insert words “on request” with reference to attendance at debrief session following event.

In addition to the above, the applicant is proposing to combine conditions 23 and 26.

For the ease of members of the Sub-Committee, the above proposals are highlighted on the amended copy of the premises licence which is attached as Appendix 5.

Representations received

2.2 One representation has been received from an interested party, this was from Whiston Parish Council.

2.3 The representation submitted by the local resident cited the following:

- Noise implications of music being permitted until 1am on Friday and Saturday.
- High risk of misuse of drugs and alcohol.
- Risks of access by younger children attending unlawfully.
- Lack of safeguards to prevent crime and disorder.

This is a summary only – full details are available at Appendix 4.

2.4 A representative of Whiston Parish Council has been invited to the hearing today and if attending will be given the opportunity to address the Sub-Committee in relation to the matters of concern.

2.5 Members of the Sub-Committee should give full consideration of the issues raised by the interested party when determining the application.

**3. Options available to the Licensing Sub-Committee**

3.1 A licensing authority must carry out its functions under the Licensing Act with a view to promoting the licensing objectives:

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

3.2 In considering this matter, the Committee should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement. In relation to this application, the options available to the Committee are:

- To vary the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate; or

- To reject the whole or part of the application.
- 3.3 The statutory guidance makes it clear that Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
  - 3.4 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
  - 3.5 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. The licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business (if appropriate).
  - 3.6 The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. Conditions may be placed on the licence (if granted) – further information in relation to conditions is provided later in this report.
  - 3.7 All licensing determinations should be considered on the individual merits of the application. The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
  - 3.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

### Conditions

- 3.9 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.
- 3.10 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

### Proposed conditions

- 3.11 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 3.12 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

### Consistency with steps described in operating schedule

- 3.13 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

- 3.14 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

#### Imposed conditions

- 3.15 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises.
- 3.16 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

#### Proportionality

The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

#### **4. Consultation**

- 4.1 The application has been subject to the statutory consultation process involving a newspaper advertisement and display of public notices in the vicinity of the site for 28 days.
- 4.2 The public consultation period ran for 28 days and ended on the 18<sup>th</sup> November 2019.
- 4.3 Relevant ward members have been notified of the application and all statutory requirements in relation to notification requirements have been complied with.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Any decision made by the Licensing Sub-Committee 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.
- 5.2 An appeal may be lodged by either the applicant or a party to the hearing that has made a relevant representation.
- 5.3 Parties to the hearing must be informed of the decision within 5 working days of the hearing (or within 5 working days from the last day of the hearing if it takes place over multiple days).

#### **6. Financial Implications**

- 6.1 There are no specific financial implications arising from this application.
- 6.2 However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all of the costs incurred. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

#### **7. Legal Advice and Implications**

- 7.1 A Council Solicitor will be in attendance at the hearing to provide appropriate legal advice to the Licensing Sub-Committee in relation to specific aspects of the application / hearing, however the advice below is generally applicable to all applications.

- 7.2 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 7.3 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 7.4 The Panel may accept hearsay evidence and it will be a matter for the Licensing Sub-Committee to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 7.5 The Secretary of State's guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 7.6 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The guidance is therefore binding on all licensing authorities to that extent. However, the guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 7.7 Departure from the guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

## **8. Risks and Mitigation**

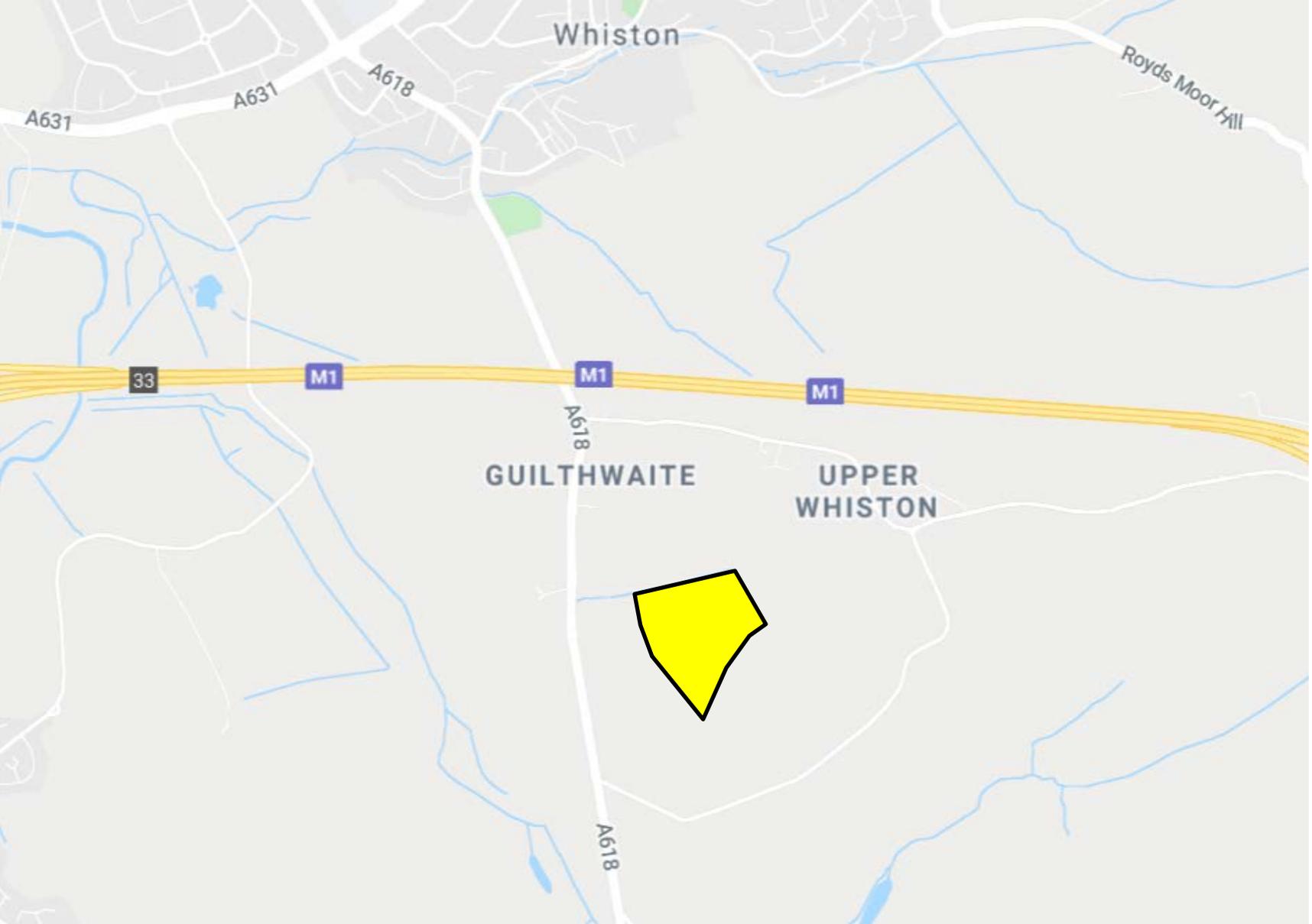
- 8.1 The statutory requirements in relation to the consideration of this application are detailed in this report. It is essential that the Sub-Committee act in accordance with these statutory provisions and take account of statutory guidance.
- 8.2 Failure to do this exposes the Council to significant risk of legal challenge, the consequences of which could result in financial and / or reputational damage to the Council.

- 8.3 Members are therefore urged to fully consider the information in this report when making a decision regarding this application, and to ensure that any decision made is justifiable, proportionate and based on the promotion of one or more of the Licensing Objectives.
- 8.4 Council officers are present at the meeting today and can provide additional advice to members of the Sub-Committee should this be required. In addition, a copy of the statutory guidance is available for members to review should they wish to do so.

**9. Accountable Officer(s)**

Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene

This report is published on the Council's [website](#).







# Licensing Act 2003 Premises Licence

P1014

## Part 1 - Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Land off Guilthwaite Common Lane**

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	Midnight
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	11:00pm

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		



# Licensing Act 2003 Premises Licence

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

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

## Part 2

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

Jonathan James Radcliffe  
[radcliffe@outlook.com]

15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.

Stephen Bruce Tate

Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

## NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ruth Catherine RADCLIFFE

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

Licence No. RM3056

Issued by Rotherham



# Licensing Act 2003 Premises Licence

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## ANNEXES

**Mandatory Conditions****All Premises Licence authorising 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

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## 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

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## 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

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## ANNEXES continued ...

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

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

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

### The Prevention of Crime and Disorder

1. The Premises Licence only permits one event per calendar year to take place on the

## Licensing Act 2003 Premises Licence

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### ANNEXES continued ...

premises.

**2.** The licence holder shall ensure that date of the event will be notified to Rotherham Police Licensing Department and Rotherham licensing authority at least three months prior to the event taking place.

**3.** The licence holder or a nominated deputy (in writing) must be on the licensed premises and available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place.

**4.** The licence holder shall ensure that details of the Premises Licence Holder or his deputy who is on duty on the premises when licensable activities are undertaken shall be recorded at the time. These records shall be made available to the Licensing Authority or a Responsible Authority on demand. Such record shall be kept for a period of 12 months after the end of licensable activities.

**5.** The licence holder shall ensure the draft of the Event Management Plan (EMP) will be produced no less than 3 months prior to the event each year and will be submitted to all responsible authorities who will determine whether that draft EMP is acceptable or unacceptable within one calendar month of receipt. Where notification is not received the draft EMP shall be deemed by the Premise Licence Holder to be agreed. The event shall not take place until the EMP has been agreed by all responsible authorities. Once agreed no change shall be made to the draft EMP without the agreement of all responsible authorities.

**6.** The licence holder shall ensure that the EMP will be a working document providing details of how the event is to be conducted and how safety issues identified in the risk assessment are to be addressed. The EMP will include an event risk assessment and provide specific details in the following areas in so far as they relate to the following list which is not exhaustive:

- Health and Safety Responsibilities
- Venue and Site Design
- Fire Safety
- Major Incident Planning (Emergency planning)

## Licensing Act 2003 Premises Licence

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### ANNEXES continued ...

- Communication
- Crowd Management (including steward and security numbers and their roles)
- Transport
- Management Structures
- Barriers
- Electrical Installations and Lighting
- Food and Alcohol
- Water
- Merchandising and Special Licensing
- Amusements,
- Attractions and Promotional displays
- Sanitary Facilities
- Waste Management
- Sound: Noise and Vibration
- Special Effects, Fireworks and Pyrotechnics
- Camping
- Facilities for People with disabilities

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

- Medical, Ambulance and First Aid Management
- Information and Welfare
- Children - including Lost Children's Policy
- Performers
- TV and Media

**7.** The licence holder shall ensure that an incident log shall be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (h) any visit by a relevant authority or emergency services

**8.** The licence holder shall ensure the use of SIA registered security is adopted for all events. Details of persons used including name date of birth and SIA reference number shall be recorded in a log and kept for a period of no less than 6 months

**9.** The licence holder shall ensure that all drinks are provided in plastic vessels.

**10.** The licence holder shall ensure that there is a zero tolerance to drugs policy at the premises and there shall be a suitable secure drop box for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police as soon as practicable.

**11.** The licence holder shall ensure steps are taken to ensure the safeguarding of visitors during

## Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

the event.

**12.** The licence holder shall ensure that security will be on site continuously throughout the event.

**13.** The licence holder shall ensure that a Traffic Management Plan (TMP) will be drawn up for the event each year and will be provided to relevant agencies no later than 3 months prior to the event. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out as well as for the event itself. The TMP will include arrangements for vehicle routes, emergency service routes, public transport, shuttle buses, taxis, pedestrian issues, a dispersal policy, car parking and a traffic signage plan.

**14.** The licence holder shall ensure that no unaccompanied person under the age of 16 years shall be permitted on the Licensed Premises. Persons accompanying must be a responsible adult over 18 years old.

**15.** The licence holder shall ensure that the premises shall have an age verification policy and adopt Challenge 25 within that policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or South Yorkshire Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least once every 5 metres behind any bar advertising the scheme operated.

**16.** The licence holder shall ensure that any persons who are found arriving at or on the Licensed Premises with alcohol which is not purchased from the premises will have the alcohol confiscated by security. No customer shall be permitted to take alcohol from the premises.

**17.** The licence holder shall ensure that a risk assessment and other event specific information including stewarding and policing proposals will be discussed at event planning meetings between the licensee (or representatives) and responsible authorities where appropriate.

**18.** The licence holder shall ensure that the Challenge 25 scheme must operate at the premises including a refusals log, signage and the maintenance of staff training records.

**19.** The licence holder shall ensure that the use of SIA registered Security to be adopted for all events. Details of persons used including name, date of birth and SIA ref number to be logged and kept for a period no less than six months.

**20.** The licence holder shall ensure that all drinks are provided in plastic drinking vessels.

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

21. The licence holder shall ensure that there shall be a zero tolerance drugs illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police.
22. The licence holder shall ensure that a copy of the South Yorkshire Police Violent Incident Protocol to be displayed within the premises, in sight of staff. This protocol should also form part of staff training and training records to reflect such input.
23. The licence holder shall ensure that clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the area quietly.
24. The licence holder shall ensure that all Site Security are UKAS and ACS Registered and are listed on the Home Office AIS Approved Contacts Register.
25. The licence holder shall ensure that clear and legible notices outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
26. The licence holder shall ensure that clear and conspicuous notices warning of potential criminal activity such as theft that may target visitors are displayed in prominent places. The licence holder shall also ensure boundary fencing with controlled access points.
27. The licence holder shall ensure that they establish a Crime Prevention Policy to include:
  - no sales of alcohol to drunk or intoxicated customers
  - Prevention and vigilance of illegal substances by way of bag checks and screening at entry stage
  - All persons under the age of 16 must be accompanied by an adult over 21
  - Refuse entry to any persons considered under the influence of drink or drugs
  - Remove any persons considered to be under the influence of drink or drugs or acting in an antisocial manner
28. The licence holder shall ensure they establish and document the procedure outlining:
  - Actions to take following an incident.
  - Monitoring Alerts
  - Post incident Review
  - Protection of infrastructure and equipment
  - Ensuring compliance

## Licensing Act 2003 Premises Licence

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ANNEXES continued ...

**29.** The licence holder shall ensure that clear objectives are also set for:

The best protection at all times for staff, children and visitors.

The protection of the property from malicious acts of damage or trespass.

The protection of company and visitor assets from fraud, theft, or damage.

Suitable advice with regard to the protection of personal property of staff and visitors whilst on the premises.

That effective and realistic improvements are made to security service provision.

Effective communication mechanisms for reporting crime and suspicious activity.

Include awareness to all staff via Crime Prevention Training.

Monitor and control access and egress of all staff and visitors.

Provide adequate lighting and provide secure vehicle parking.

Ensure robust mechanisms are in place to count and control visitor numbers through web ticket sales and clickers.

Encourage staff and visitors to report all incidents and suspicious behaviours as soon as practicable to: The Site Supervisor, The Site Management Team, Security and where applicable the Police.

That engaging with Contractors and Suppliers is carried out to ensure they are made aware of Company Policies and the requirements for compliance.

### The Prevention of public nuisance:

**30.** The licence holder shall ensure that they employ a suitably qualified and experienced Noise Consultant agreed by the Licensing Authority, to carry out a survey (and produce a report for submission) to determine the background noise levels at noise sensitive locations/premises to be agreed with the Licensing Authority. Noise monitoring/surveying points shall include, but not be limited to the 7 areas identified in red on the attached Plans 1-5 - 'Noise Monitoring/Surveying Locations'. The report shall be provided to the Licensing Authority not less than **4 months** prior to the start date of the first event and must be agreed with in writing prior to holding the event. Background noise surveys shall also be carried out as above for future events at the request of the Licensing Authority.

Note: Background Noise Level shall be defined as 'The prevailing sound level at a location, measured in terms of the  $L_{A90, T}$ , on an equivalent day and at an equivalent time when no

## Licensing Act 2003 Premises Licence

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## ANNEXES continued ...

concert or sound checks are taking place.'

31. The Music Noise Level (MNL) measured as  $L_{Aeq}$ , shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over a 15 minute period throughout the duration of the event.
32. The licence shall ensure that during the event, noise monitoring will be carried out at noise monitoring/surveying points agreed with the licensing authority at regular intervals throughout periods of regulated entertainment. Details of planned monitoring should be provided as part of the Event Management Plan.  
  
A record of all noise monitoring undertaken shall be made. This is to include details of the responsible person undertaking the assessment, dates and times of visits, locations, details of noise levels witnessed and if necessary, what action has been taken to mitigate any breach of maximum noise levels. The records shall be made immediately available to the Licensing Authority upon request.
33. The licence holder shall ensure that at the request of the Licensing Authority, a suitably qualified and experienced Noise Consultant shall be employed to monitor compliance with licensing conditions and undertaken noise monitoring (as per condition 25 and 26 above) for the duration of the event. The Consultant to be utilised should be agreed with the Licensing Authority at least 2 weeks prior to the event.
34. The licence holder, or a responsible person nominated by them in writing, shall receive and respond to complaints throughout the duration of all licensable activities. A telephone contact number shall be published using appropriate media outlets prior to the event for this purpose. Any complaints received shall be recorded and the records made available to the local authority upon request. Such records shall be retained for a minimum of 2 years.
35. The licence holder shall ensure that litter and refuse generated must be contained within the boundaries of the site and regularly cleared. The Premises Licence Holder shall ensure that adequate measures are in place to remove litter or waste arising from the event and the site shall be left in a clean condition following completion.
36. The licence holder shall ensure that an adequate number of suitable, lidded receptacles shall be provided to receive and store refuse produced during the event prior to its disposal.
37. The licence holder shall ensure that no lighting installed on the premises shall cause a public nuisance.

## Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

- 38.** The licence holder shall ensure the implementation and maintenance of an Environmental Management System that meets the requirements of ISO14001:2015.
- 39.** The licence holder shall ensure they populate an Environmental Aspects and Impacts register and carry out robust Environmental Impact assessments to mitigate impacts on the environmental and those that cause public nuisance.
- 40.** The licence holder shall ensure that noise reduction measures to address the public nuisance objective in full review and communication if HSG260 control of noise in entertainment to all staff.
- 41.** The licence holder shall ensure that any speakers will be positioned and screened in such a way as to not cause a disturbance to local residents with regular noise monitoring taking place.
- 42.** The licence holder shall ensure a robust traffic management system shall be implemented and adhered to.
- 43.** The licence holder shall ensure deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
- 44.** The licence holder shall ensure that staff who arrive early morning or depart late at night when organised activities have ceased shall conduct themselves in such a manner to avoid causing disturbance to nearby residents.
- 45.** The licence holder shall ensure that customers shall not be admitted to premises outside opening hours.
- 46.** The licence holder shall ensure the removal of waste and transfer shall be carried out between the hours of 08.00 and 17.00 only.
- 47.** The licence holder shall ensure that any lighting on or outside the premises will be positioned and screened in such a way to not cause a disturbance to nearby residents.

## Licensing Act 2003 Premises Licence

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## ANNEXES continued ...

48. The licence holder shall ensure all site security to be UKAD Certified and CS Registered and be listed on the Home Office AIS Approved Contractors Register.
49. The licence holder shall ensure that careful planning is carried out with a robust Site Waste Management Plan established and adequate waste receptacles for use by customers will be provided at key points within the premises.
50. The licence holder shall ensure compliance to all applicable Environmental legislation including Environmental Protection Act 1990 and Town and Country Planning Act 1990.
- Public Safety**
51. The licence holder shall ensure that full review and communication to all staff of the guidelines set out within HSG154 Managing Crowds Safely.
52. The licence holder shall ensure that adequate internal and external lighting is fixed at the premises.
53. The licence holder shall ensure that staff are well trained with comprehensive awareness of environmental health requirements. All staff will undergo an induction process to ensure adequate information, instruction, and training is communicated and understood.
54. The licence holder shall ensure the training for all staff and the implementation of underage sales identification checks.
55. The licence holder shall ensure that a log book or recording system shall be kept at the premises in which shall be entered particulars of any inspections made. The log book shall be kept available for inspection when required by persons authorised by Licensing Act 2003 or associated legislation.
56. The licence holder shall ensure that no entry to the premises is permitted without the required documentation.
57. The licence holder shall ensure that all parts of the premises and all temporary works, fittings and apparatus, equipment and all infrastructure therein will be maintained at all times in good order and in a safe condition. All electrical equipment will be supported by thorough inspections and where required, fixed wire electrical test certificates. All portable appliances will be subject to a portable appliance test (PAT) and register established. Any structures will be erected and dismantled by competent and qualified personnel and a comprehensive construction phase health and safety plan will be established to meet the

## Licensing Act 2003 Premises Licence

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## ANNEXES continued ...

requirements of CDM Regulations 2015.

- 58. The licence holder shall ensure that adequate welfare arrangements and safe conditions will be established.
- 59. The licence holder shall ensure that clear and informative information will be provided to all visitors and adequate safety signage is installed.
- 60. The licence holder shall ensure that vehicle and pedestrian segregation systems will be in established at the premises.
- 61. The licence holder shall ensure that secure site boundaries are maintained with controlled and monitored access/egress points.
- 62. The licence holder shall ensure that adequate First Aid arrangements are provided by trained and experienced personnel.
- 63. The licence holder shall ensure that documented Risk Assessment Processes with robust control mechanisms are in place to mitigate any possible risk to public safety.
- 64. The licence holder shall ensure that they obtain competent Health and Safety advice.
- 65. The licence holder shall ensure that Emergency Preparedness Systems have been established and tested.
- 53. The licence holder shall ensure that the existing Management System is reviewed and monitored to ensure full compliance with legislation and ensure Risk Assessment controls are effective.

### The Protection of Children from Harm

- 66. The licence holder shall ensure challenge 25 is in operation at the premises.
- 67. The licence holder shall ensure that well trained and competent staff with clear understanding of the requirements set out within the Child Protection Risk Assessment.
- 68. The licence holder shall ensure that all staff are aware that harm to a child or young person under 18 includes: Physical, emotional, sexual, neglect.
- 69. The licence holder shall ensure that they implement adequate reporting mechanism for all staff to raise concerns about the safety of a child immediately to the site management team and security.

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

**70.** The licence holder shall ensure any details of incidents are recorded on a designated Festival's Reporting Concerns Form.

**71.** The licence holder shall ensure confidentiality via a designated Data Protection Policy to ensure as few people as possible who needs to know; A log book is to be kept on the premises at all times.

**72.** The licence holder shall ensure that s secure boundary in maintained with controlled access / egress points.

**73.** The licence holder shall ensure that competent and additional ACS Registered Security.

**74.** The licence holder shall ensure that they provide secure facilities for children's entertainment by qualified staff who are trained in identifying and reporting issues that could affect the safety of children.

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

(a) a maximum of 500 persons/visitors at the organised event, which can only be varied by agreement with representatives of the appropriate responsible authorities.

(b) within a period of twenty-one days after the ending of the organised event, the applicant shall attend a meeting with representatives of the appropriate responsible authorities in order to provide a de-briefing in relation to how the event went.

### **Annex 4 Plans**

Rural Land Register Map SBI-106560980

# Licensing Act 2003 Premises Licence Summary P1014

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Land off Guilthwaite Common Lane

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- 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
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	Midnight
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	11:00pm

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		

## Licensing Act 2003 Premises Licence Summary P1014

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

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

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Jonathan James Radcliffe

15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.

Stephen Bruce Tate

Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ruth Catherine RADCLIFFE

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable



**APPENDIX 3****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.

I/We Jonathan James Radcliffe & Stephen Bruce Tate

*(Insert name(s) of applicant)*

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> Land off Guilthwaite Common Lane Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.
--

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description:</b>
--

Land off Guilthwaite Common Lane Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.
--

<b>Post town</b>	Rotherham	<b>Post code</b>	S60 4NG
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Telephone number at premises (if any)	██████████
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Non-domestic rateable value of premises	£0.00 - Agricultural
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**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>	██████████
---	------------

<b>E-mail address (optional)</b>	██████████
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<b>Current postal address if different from premises address</b>	15 Grange Avenue, Aughton, Rotherham. S26 3XF
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<b>Post Town</b>	Rotherham	<b>Postcode</b>	S26 3XF
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**Part 3 - Variation**

Please tick yes

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

✓

If not do you want the variation to take effect from

Day		Month		Year	

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

1. Proposed variation to the operating times for carrying out licensed activities to 1am.  
live music - recorded music - performances of dance - entertainment of a similar description - Provision of late night refreshment - Sale by retail of alcohol
2. Proposed changes to the wording of the mandatory conditions to consolidate and condense and re-word caveat set out in Annex 3 to:

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

(a) Number of visitors at the organised event to be proposed via the Event Management Plan each year and agreed with representatives of the appropriate responsible authorities as set out in Annex 2 Section 5.

(b) Within a period of twenty-one days after the ending of the organised event, the applicant shall attend a meeting upon request, with representatives of the appropriate responsible authorities in order to provide a de-briefing in relation to how the event went.

Proposed Sections and Clauses wording changes as per attached license.

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 tick yes**

- 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) (if ticking yes, fill in box H)

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	Noon 1200	Midnight 2400			
Fri	Noon 1200	1am 0100	<b>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</b> (please read guidance note 5)		
Sat	Noon 1200	1am 0100			
Sun					

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" 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 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur	Noon 1200	Midnight 2400			
Fri	Noon 1200	1am 0100			
Sat	Noon 1200	1am 0100	<b><u>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</u></b> (please read guidance note 5)		
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" 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 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur	Noon 1200	Midnight 2400			
Fri	Noon 1200	1am 0100	<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 5)		
Sat	Noon 1200	1am 0100			
Sun					

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur	Noon 1200	Midnight 2400	<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)		
Fri	Noon 1200	1am 0100			
Sat	Noon 1200	1am 0100	<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri	11pm 2300	1am 0100	<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 5)		
Sat	11pm 2300	1am 0100			
Sun					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input checked="" 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 4)		
Mon					
Tue					
Wed					
Thur	11am 1100	Midnight 2400			
Fri	11am 1100	1am 0100			
Sat	11am 1100	1am 0100			
Sun			<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 5)		

**N**

**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)

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

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

**P** 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 9)**

Assessment has been carried out of existing measures and these have been deemed by the license holder to be robust.

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

Assessment has been carried out of existing measures and these have been deemed by the license holder to be robust.

**c) Public safety**

Assessment has been carried out of existing measures and these have been deemed by the license holder to be robust.

**d) The prevention of public nuisance**

Assessment has been carried out of existing measures and these have been deemed by the license holder to be robust.

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

Assessment has been carried out of existing measures and these have been deemed by the license holder to be robust.

Please tick yes

- I have made or enclosed payment of the fee ✓
- 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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>Jonathan Radcliffe</i> — Jonathan Radcliffe
Date	15/10/2019
Capacity	Premises License Holder

**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 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	<i>Stephen Tate</i> – Stephen Tate
Date	15/10/2019
Capacity	Premises License Holder

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 13)			
Jonathan Radcliffe 15 Grange Avenue, Aughton, Rotherham. S26 3XF			
<b>Post town</b>	Rotherham	<b>Post code</b>	S26 3XF
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
Yes – [REDACTED]			

### 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. 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

# Licensing Act 2003 Premises Licence

P1014

## Part 1 - Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Land off Guilthwaite Common Lane**

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- 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
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm Proposal 1am Fri Sat
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm Proposal 1am Fri Sat
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm Proposal 1am Fri Sat
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm Proposal 1am Fri Sat
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	Midnight Proposal 1am Fri Sat
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	11:00pm Proposal 1am Fri Sat

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		



**Licensing Act 2003  
Premises Licence P1014**

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**  
- The sale by retail of alcohol for consumption ON the premises only

Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**  
Jonathan James Radcliffe 15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.  
[Redacted]  
Stephen Bruce Tate Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**  
Ruth Catherine RADCLIFFE [Redacted]

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**  
Licence No. RM3056 Issued by Rotherham



# Licensing Act 2003 Premises Licence

P1014

## ANNEXES

### Mandatory Conditions

#### All Premises Licence authorising 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



## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

vicinity of, the premises which can reasonably be considered to condone, encourage or 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



## Licensing Act 2003 Premises Licence

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## ANNEXES continued ...

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



# Licensing Act 2003 Premises Licence

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ANNEXES continued ...

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

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

### The Prevention of Crime and Disorder



## Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

1. The Premises Licence only permits one event per calendar year to take place on the premises.
2. The licence holder shall ensure that date of the event will be notified to Rotherham Police Licensing Department and Rotherham licensing authority at least three months prior to the event taking place.
3. The licence holder or a nominated deputy (in writing) must be on the licensed premises and available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place.
4. The licence holder shall ensure that details of the Premises Licence Holder or his deputy who is on duty on the premises when licensable activities are undertaken shall be recorded at the time. These records shall be made available to the Licensing Authority or a Responsible Authority on demand. Such record shall be kept for a period of 12 months after the end of licensable activities.
5. The licence holder shall ensure the draft of the Event Management Plan (EMP) will be produced no less than 3 months prior to the event each year and will be submitted to all responsible authorities who will determine whether that draft EMP is acceptable or unacceptable within one calendar month of receipt. Where notification is not received the draft EMP shall be deemed by the Premise Licence Holder to be agreed. The event shall not take place until the EMP has been agreed by all responsible authorities. Once agreed no change shall be made to the draft EMP without the agreement of all responsible authorities.
6. The licence holder shall ensure that the EMP will be a working document providing details of how the event is to be conducted and how safety issues identified in the risk assessment are to be addressed. An event Risk Assessment will be carried out and provide specific details in the following areas in so far as they relate to the following list which is not exhaustive:
  - ? Health and Safety Responsibilities
  - ? Venue and Site Design
  - ? Fire Safety
  - ? Major Incident Planning (Emergency planning)





# Licensing Act 2003 Premises Licence

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ANNEXES continued ...

- ? Communication
- ? Crowd Management (including steward and security numbers and their roles)
- ? Transport
- ? Management Structures
- ? Barriers
- ? Electrical Installations and Lighting
- ? Food and Alcohol
- ? Water
- ? Merchandising and Special Licensing
- ? Amusements,
- ? Attractions and Promotional displays
- ? Sanitary Facilities
- ? Waste Management
- ? Sound: Noise and Vibration
- ? Special Effects, Fireworks and Pyrotechnics
- ? Camping
- ? Facilities for People with disabilities



## Licensing Act 2003 Premises Licence

P1014

### ANNEXES continued ...

? Medical, Ambulance and First Aid Management

? Information and Welfare

? Children - including Lost Children's Policy

? Performers

? TV and Media

**7.** The licence holder shall ensure that an incident log shall be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police, which must record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) seizures of drugs or offensive weapons

(f) any faults in the CCTV system or searching equipment or scanning equipment

(h) any visit by a relevant authority or emergency services

**8.** The licence holder shall ensure the use of SIA ACS registered security is adopted for all events Details of persons used including name date of birth and SIA reference number shall be recorded in a log and kept for a period of no less than 6 months

**9.** The licence holder shall ensure that all drinks are provided in plastic vessels.

**10.** The licence holder shall ensure that there is a zero tolerance to drugs policy at the premises and there shall be a suitable secure drop box for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police as soon as practicable.

**11.** The licence holder shall ensure steps are taken to ensure the safeguarding of visitors during



## Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

the event.

**12.** The licence holder shall ensure that security will be on site continuously throughout the event.

**13.** The licence holder shall ensure that a Traffic Management Plan (TMP) will be drawn up for the event each year and will be provided to relevant agencies no later than 3 months prior to the event. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the ' load in and load out as well as for the event itself. The TMP will include arrangements for vehicle routes, emergency service routes, public transport, shuttle buses, taxis, pedestrian issues, a dispersal policy, car parking and a traffic signage plan.

**14.** The licence holder shall ensure that no unaccompanied person under the age of 16 years shall be permitted on the Licensed Premises. Persons accompanying must be a responsible adult over 18 years old.

**15.** The licence holder shall ensure that the premises shall have an age verification policy and adopt Challenge 25 within that policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or South Yorkshire Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least once every 5 metres behind any bar advertising the scheme operated.

**16.** The licence holder shall ensure that any persons who are found arriving at or on the Licensed Premises with alcohol which is not purchased from the premises will have the alcohol confiscated by security. No customer shall be permitted to take alcohol from the premises.

**17.** The licence holder shall ensure that a risk assessment and other event specific information including stewarding and policing proposals will be discussed at event planning meetings between the licensee (or representatives) and responsible authorities where appropriate.

**18.** The licence holder shall ensure that the Challenge 25 scheme must operate at the premises including a refusals log, signage and the maintenance of staff training records.



## Licensing Act 2003 Premises Licence

P1014

ANNEXES continued ...

21. The licence holder shall ensure that clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the area quietly. In addition, clear and conspicuous notices warning of potential criminal activity such as theft that may target visitors are displayed in prominent places. The licence holder shall also ensure boundary fencing with controlled access points.
22. The licence holder shall ensure that clear and legible notices outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
23. The licence holder shall ensure that they establish a Crime Prevention Policy to include:
- no sales of alcohol to drunk or intoxicated customers
  - Prevention and vigilance of illegal substances by way of bag checks and screening at entry stage
  - All persons under the age of 16 must be accompanied by an adult over 21
  - No groups permitted larger than 4 persons
  - Refuse entry to any persons considered under the influence of drink or drugs
  - Remove any persons considered to be under the influence of drink or drugs or acting in an antisocial manner
24. The licence holder shall ensure they establish and document the procedure outlining:
- Actions to take following an incident.
  - Monitoring Alerts
  - Post incident Review



## Licensing Act 2003 Premises Licence

P1014

ANNEXES continued ...

- Protection of infrastructure and equipment
- Ensuring compliance

29. The licence holder shall ensure that clear objectives are also set for:

The best protection at all times for staff, children and visitors.

The protection of the property from malicious acts of damage or trespass.

The protection of company and visitor assets from fraud, theft, or damage.

Suitable advice with regard to the protection of personal property of staff and visitors whilst on the premises.

That effective and realistic improvements are made to security service provision.

Effective communication mechanisms for reporting crime and suspicious activity.

Include awareness to all staff via Crime Prevention Training.

Monitor and control access and egress of all staff and visitors.

Provide adequate lighting and provide secure vehicle parking.

Ensure robust mechanisms are in place to count and control visitor numbers through web ticket sales and clickers.

Encourage staff and visitors to report all incidents and suspicious behaviours as soon as practicable to: The Site Supervisor, The Site Management Team, Security and where applicable the Police.

That engaging with Contractors and Suppliers is carried out to ensure they are made aware of Company Policies and the requirements for compliance.

### The Prevention of public nuisance:

30. Background noise surveys shall be carried out as above for future events at the request of the Licensing Authority.



## Licensing Act 2003 Premises Licence

P1014

ANNEXES continued ...

Note: Background Noise Level shall be defined as 'The prevailing sound level at a location, measured in terms of the  $L_{A90, T}$ , on an equivalent day and at an equivalent time when no concert or sound checks are taking place.'

31. The Music Noise Level (MNL) measured as  $L_{Aeq}$ , shall not at any noise sensitive premises exceed the recorded background noise level by more than 15dB(A) over a 15 minute period throughout the duration of the event.
32. The licence shall ensure that during the event, noise monitoring will be carried out at noise monitoring/surveying points agreed with the licensing authority at regular intervals throughout periods of regulated entertainment. Details of planned monitoring should be provided as part of the Event Management Plan.  
  
A record of all noise monitoring undertaken shall be made. This is to include details of the responsible person undertaking the assessment, dates and times of visits, locations, details of noise levels witnessed and if necessary, what action has been taken to mitigate any breach of maximum noise levels. The records shall be made immediately available to the Licensing Authority upon request.
33. The licence holder shall ensure that at the request of the Licensing Authority, a suitably qualified and experienced Noise Consultant shall be employed to monitor compliance with licensing conditions and undertaken noise monitoring (as per condition 25 and 26 above) for the duration of the event. The Consultant to be utilised should be agreed with the Licensing Authority at least 2 weeks prior to the event.
34. The licence holder, or a responsible person nominated by them in writing, shall receive and respond to complaints throughout the duration of all licensable activities. A telephone contact number shall be published using appropriate media outlets prior to the event for this purpose. Any complaints received shall be recorded and the records made available to the local authority upon request. Such records shall be retained for a minimum of 2 years.
35. The licence holder shall ensure that litter and refuse generated must be contained within the boundaries of the site and regularly cleared. The Premises Licence Holder shall ensure that adequate measures are in place to remove litter or waste arising from the event and the site shall be left in a clean condition following completion.
36. The licence holder shall ensure that an adequate number of suitable, waste receptacles shall be provided to receive and store refuse produced during the event prior to its disposal.
37. The licence holder shall ensure that no lighting installed on the premises shall cause a



## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

public nuisance. The licence holder shall ensure that any lighting on or outside the premises will be positioned and screened in such a way to not cause a disturbance to nearby residents.

38. The licence holder shall ensure the implementation and maintenance of an Environmental Management System that meets the requirements of ISO14001:2015.
39. The licence holder shall ensure they populate an Environmental Aspects and Impacts register and carry out robust Environmental Impact assessments to mitigate impacts on the environmental and those that cause public nuisance.
40. The licence holder shall ensure that noise reduction measures to address the public nuisance objective in full review and communication if HSG260 control of noise in entertainment to all staff.
41. The licence holder shall ensure that any speakers will be positioned and screened in such a way as to not cause a disturbance to local residents with regular noise monitoring taking place.
42. The licence holder shall ensure a robust traffic management system shall be implemented and adhered to.
43. The licence holder shall ensure deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
44. The licence holder shall ensure that staff who arrive early morning or depart late at night when organised activities have ceased shall conduct themselves in such a manner to avoid causing disturbance to nearby residents.
45. The licence holder shall ensure that customers shall not be admitted to premises outside opening hours.
46. The licence holder shall ensure the removal of waste and transfer shall be carried out between the hours of 08.00 and 17.00 only.



## Licensing Act 2003 Premises Licence

**P1014**

ANNEXES continued ...

48. The licence holder shall ensure that careful planning is carried out with a robust Site Waste Management Plan established and adequate waste receptacles for use by customers will be provided at key points within the premises.
49. The licence holder shall ensure compliance to all applicable Environmental legislation including Environmental Protection Act 1990 and Town and Country Planning Act 1990.

### Public Safety

51. The licence holder shall ensure that full review and communication to all staff of the guidelines set out within HSG154 Managing Crowds Safely.
52. The licence holder shall ensure that adequate internal and external lighting is fixed at the premises.
53. The licence holder shall ensure that staff are well trained with comprehensive awareness of environmental health requirements. All staff will undergo an induction process to ensure adequate information, instruction, and training is communicated and understood.
54. The licence holder shall ensure the training for all staff and the implementation of underage sales identification checks.
55. The licence holder shall ensure that a log book or recording system shall be kept at the premises in which shall be entered particulars of any inspections made. The log book shall be kept available for inspection when required by persons authorised by Licensing Act 2003 or associated legislation.
56. The licence holder shall ensure that no entry to the premises is permitted without the required documentation or authorisation.
57. The licence holder shall ensure that all parts of the premises and all temporary works, fittings and apparatus, equipment and all infrastructure therein will be maintained at all times in good order and in a safe condition. All electrical equipment will be supported by thorough inspections and where required, fixed wire electrical test certificates. All portable appliances will be subject to a portable appliance test (PAT) and register established. Any structures will be erected and dismantled by competent and qualified personnel and a



## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

comprehensive construction phase health and safety plan will be established to meet the requirements of CDM Regulations 2015.

58. The licence holder shall ensure that adequate welfare arrangements and safe conditions will be established.
59. The licence holder shall ensure that clear and informative information will be provided to all visitors and adequate safety signage is installed.
60. The licence holder shall ensure that vehicle and pedestrian segregation systems will be in established at the premises.
61. The licence holder shall ensure that secure site boundaries are maintained with controlled and monitored access/egress points.
62. The licence holder shall ensure that adequate First Aid arrangements are provided by trained and experienced personnel.
63. The licence holder shall ensure that documented Risk Assessment Processes with robust control mechanisms are in place to mitigate any possible risk to public safety.
64. The licence holder shall ensure that they obtain competent Health and Safety advice.
65. The licence holder shall ensure that Emergency Preparedness Systems have been established and tested.
53. The licence holder shall ensure that the existing Management System is reviewed and monitored to ensure full compliance with legislation and ensure Risk Assessment controls are effective.

### The Protection of Children from Harm

66. The licence holder shall ensure challenge 25 is in operation at the premises.
67. The licence holder shall ensure that well trained and competent staff with clear understanding of the requirements set out within the Child Protection Risk Assessment.
68. The licence holder shall ensure that all staff are aware that harm to a child or young person under 18 includes: Physical, emotional, sexual, neglect.
69. The licence holder shall ensure that they implement adequate reporting mechanism for all staff to raise concerns about the safety of a child immediately to the site management team and



## Licensing Act 2003 Premises Licence

**P1014**

ANNEXES continued ...

security.

**70.** The licence holder shall ensure any details of incidents are recorded on a designated Festival's Reporting Concerns Form.

**71.** The licence holder shall ensure confidentiality via a designated Data Protection Policy to ensure as few people as possible who needs to know; A log book is to be kept on the premises at all times.

**72.** The licence holder shall ensure that s secure boundary in maintained with controlled access / egress points.

**73.** The licence holder shall ensure that they provide secure facilities for children's entertainment by qualified staff who are trained in identifying and reporting issues that could affect the safety of children.

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

(a) Number of visitors at the organised event to be proposed via the Event Management Plan each year and agreed with representatives of the appropriate responsible authorities as set out in Annex 2 Section 5.

(b) Within a period of twenty-one days after the ending of the organised event, the applicant shall attend a meeting upon request, with representatives of the appropriate responsible authorities in order to provide a de-briefing in relation to how the event went

### **Annex 4 Plans**

Rural Land Register Map SBI-106560980



## Licensing Act 2003 Premises Licence Summary P1014

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Land off Guilthwaite Common Lane

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

#### THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	01:00am
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	01:00am
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	01:00am
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	01:00am
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	01:00am
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	01:00am

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		



## Licensing Act 2003 Premises Licence Summary P1014

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

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

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Jonathan James Radcliffe	15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.
Stephen Bruce Tate	Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ruth Catherine RADCLIFFE

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable





# WHISTON PARISH C APPENDIX 4

*well Lane  
Whiston  
Rotherham.  
S60 4HX*

Telephone: [REDACTED]

Email: [whistonparish@hotmail.co.uk](mailto:whistonparish@hotmail.co.uk)

RMBC Licensing Department  
Main Street  
Rotherham  
S60 1AE

18<sup>th</sup> November 2019

Dear Ms Underwood-Parken

**RE: Variation of Licensing Application and off Guithwaithe Common Lane Upper Whiston S60 4NG**

I write further to the above-mentioned licensing application and can advise that Whiston Parish Council objects to the variation reiterating the previous comments made in 2017.

- The duration of the proposal to serve alcohol until 1am on Friday & Saturday
- Music proposed until 1am on Friday and Saturday with the inevitable noise implications of this for the surrounding area/residents
- High risk of misuse of drugs and alcohol
- Risks of access by younger children attending unlawfully
- Lack of safeguards to prevent crime and disorder

You will note the concerns above relate to the applicants being able to establish at this location that there would be adequate provision to prevent crime and disorder or nuisance to the surrounding residents by these extended hours. The Council objected to the initial application but noted that the hours of operation were reduced at that time and assumed this was to comply with the Licensing Policy. The changes proposed now appear to be a move back to what was, in part, objectionable initially and we would maintain that the original operating hours for alcohol, music etc were reasonable taking into account the rural setting.

Yours Sincerely

[REDACTED]

Clerk to Whiston Parish Council

where everyone matters

# Licensing Act 2003 Premises Licence

P1014

## Part 1 - Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Land off Guilthwaite Common Lane**

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	Midnight
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	11:00pm

HOURS AMENDED  
AS DETAILED IN  
MAIN REPORT

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		

Licensing Act 2003  
Premises Licence P1014

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES  
- The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE  
Jonathan James Radcliffe 15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.  
Stephen Bruce Tate Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL  
Ruth Catherine RADCLIFFE

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL  
Licence No. RM3056 Issued by Rotherham



# Licensing Act 2003 Premises Licence

P1014

## ANNEXES

**Mandatory Conditions****All Premises Licence authorising 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

P1014

## 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

P1014

## 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

**P1014**

**ANNEXES continued ...**

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

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

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**

**The Prevention of Crime and Disorder**

1. The Premises Licence only permits one event per calendar year to take place on the

## Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

premises.

**2.** The licence holder shall ensure that date of the event will be notified to Rotherham Police Licensing Department and Rotherham licensing authority at least three months prior to the event taking place.

**3.** The licence holder or a nominated deputy (in writing) must be on the licensed premises and available to the Responsible Authorities and the Licensing Authority at all times when Licensable activities are taking place.

**4.** The licence holder shall ensure that details of the Premises Licence Holder or his deputy who is on duty on the premises when licensable activities are undertaken shall be recorded at the time. These records shall be made available to the Licensing Authority or a Responsible Authority on demand. Such record shall be kept for a period of 12 months after the end of licensable activities.

**5.** The licence holder shall ensure the draft of the Event Management Plan (EMP) will be produced no less than 3 months prior to the event each year and will be submitted to all responsible authorities who will determine whether that draft EMP is acceptable or unacceptable within one calendar month of receipt. Where notification is not received the draft EMP shall be deemed by the Premise Licence Holder to be agreed. The event shall not take place until the EMP has been agreed by all responsible authorities. Once agreed no change shall be made to the draft EMP without the agreement of all responsible authorities.

**6.** The licence holder shall ensure that the EMP will be a working document providing details of how the event is to be conducted and how safety issues identified in the risk assessment are to be addressed. The EMP will include an event risk assessment and provide specific details in the following areas in so far as they relate to the following list which is not exhaustive:

- Health and Safety Responsibilities
- Venue and Site Design
- Fire Safety
- Major Incident Planning (Emergency planning)

# Licensing Act 2003 Premises Licence

**P1014****ANNEXES continued ...**

- Communication
- Crowd Management (including steward and security numbers and their roles)
- Transport
- Management Structures
- Barriers
- Electrical Installations and Lighting
- Food and Alcohol
- Water
- Merchandising and Special Licensing
- Amusements,
- Attractions and Promotional displays
- Sanitary Facilities
- Waste Management
- Sound: Noise and Vibration
- Special Effects, Fireworks and Pyrotechnics
- Camping
- Facilities for People with disabilities

## Licensing Act 2003 Premises Licence

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## ANNEXES continued ...

- Medical, Ambulance and First Aid Management
- Information and Welfare
- Children - including Lost Children's Policy
- Performers
- TV and Media

**7.** The licence holder shall ensure that an incident log shall be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police, which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (h) any visit by a relevant authority or emergency services

**8.** The licence holder shall ensure the use of SIA registered security is adopted for all events. Details of persons used including name date of birth and SIA reference number shall be recorded in a log and kept for a period of no less than 6 months

AMENDED TO REQUIRE ACS REGISTERED SECURITY PERSONNEL

**9.** The licence holder shall ensure that all drinks are provided in plastic vessels.

**10.** The licence holder shall ensure that there is a zero tolerance to drugs policy at the premises and there shall be a suitable secure drop box for any illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police as soon as practicable.

**11.** The licence holder shall ensure steps are taken to ensure the safeguarding of visitors during

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

the event.

**12.** The licence holder shall ensure that security will be on site continuously throughout the event.

**13.** The licence holder shall ensure that a Traffic Management Plan (TMP) will be drawn up for the event each year and will be provided to relevant agencies no later than 3 months prior to the event. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out as well as for the event itself. The TMP will include arrangements for vehicle routes, emergency service routes, public transport, shuttle buses, taxis, pedestrian issues, a dispersal policy, car parking and a traffic signage plan.

**14.** The licence holder shall ensure that no unaccompanied person under the age of 16 years shall be permitted on the Licensed Premises. Persons accompanying must be a responsible adult over 18 years old.

**15.** The licence holder shall ensure that the premises shall have an age verification policy and adopt Challenge 25 within that policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Licensing Authority or South Yorkshire Police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least once every 5 metres behind any bar advertising the scheme operated.

**16.** The licence holder shall ensure that any persons who are found arriving at or on the Licensed Premises with alcohol which is not purchased from the premises will have the alcohol confiscated by security. No customer shall be permitted to take alcohol from the premises.

**17.** The licence holder shall ensure that a risk assessment and other event specific information including stewarding and policing proposals will be discussed at event planning meetings between the licensee (or representatives) and responsible authorities where appropriate.

**18.** The licence holder shall ensure that the Challenge 25 scheme must operate at the premises including a refusals log, signage and the maintenance of staff training records.

**19.** ~~The licence holder shall ensure that the use of SIA registered Security to be adopted for all events. Details of persons used including name, date of birth and SIA ref number to be logged and kept for a period no less than six months.~~

**20.** ~~The licence holder shall ensure that all drinks are provided in plastic drinking vessels.~~

## Licensing Act 2003 Premises Licence

P1014

ANNEXES continued ...

~~21. The licence holder shall ensure that there shall be a zero tolerance drugs illegal substances or items confiscated from customers. Seized items will be handed to South Yorkshire Police.~~

~~22. The licence holder shall ensure that a copy of the South Yorkshire Police Violent Incident Protocol to be displayed within the premises, in sight of staff. This protocol should also form part of staff training and training records to reflect such input.~~

23. The licence holder shall ensure that clear and legible notices shall be displayed at all exits requesting that the public respect the needs of local residents and to leave the area quietly.

~~24. The licence holder shall ensure that all Site Security are UKAS and ACS Registered and are listed on the Home Office AIS Approved Contacts Register.~~

~~25. The licence holder shall ensure that clear and legible notices outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.~~ CONDITIONS 23 AND 26 TO BE COMBINED

26. The licence holder shall ensure that clear and conspicuous notices warning of potential criminal activity such as theft that may target visitors are displayed in prominent places. The licence holder shall also ensure boundary fencing with controlled access points.

27. The licence holder shall ensure that they establish a Crime Prevention Policy to include:

- no sales of alcohol to drunk or intoxicated customers
- Prevention and vigilance of illegal substances by way of bag checks and screening at entry stage
- All persons under the age of 16 must be accompanied by an adult over 21
- Refuse entry to any persons considered under the influence of drink or drugs
- Remove any persons considered to be under the influence of drink or drugs or acting in an antisocial manner

ADDITIONAL PROHIBITION ON GROUPS LARGER THAN 4 PERSONS

28. The licence holder shall ensure they establish and document the procedure outlining:

- Actions to take following an incident.
- Monitoring Alerts
- Post incident Review
- Protection of infrastructure and equipment
- Ensuring compliance

## Licensing Act 2003 Premises Licence

P1014

ANNEXES continued ...

**29.** The licence holder shall ensure that clear objectives are also set for:

The best protection at all times for staff, children and visitors.

The protection of the property from malicious acts of damage or trespass.

The protection of company and visitor assets from fraud, theft, or damage.

Suitable advice with regard to the protection of personal property of staff and visitors whilst on the premises.

That effective and realistic improvements are made to security service provision.

Effective communication mechanisms for reporting crime and suspicious activity.

Include awareness to all staff via Crime Prevention Training.

Monitor and control access and egress of all staff and visitors.

Provide adequate lighting and provide secure vehicle parking.

Ensure robust mechanisms are in place to count and control visitor numbers through web ticket sales and clickers.

Encourage staff and visitors to report all incidents and suspicious behaviours as soon as practicable to: The Site Supervisor, The Site Management Team, Security and where applicable the Police.

That engaging with Contractors and Suppliers is carried out to ensure they are made aware of Company Policies and the requirements for compliance.

### The Prevention of public nuisance:

**30.** ~~The licence holder shall ensure that they employ a suitably qualified and experienced Noise Consultant agreed by the Licensing Authority, to carry out a survey (and produce a report for submission) to determine the background noise levels at noise sensitive locations/premises to be agreed with the Licensing Authority. Noise monitoring/surveying points shall include, but not be limited to the 7 areas identified in red on the attached Plans 1-5 'Noise Monitoring/Surveying Locations'. The report shall be provided to the Licensing Authority not less than 4 months prior to the start date of the first event and must be agreed with in writing prior to holding the event. Background noise surveys shall also be carried out as above for future events at the request of the Licensing Authority.~~

Note: Background Noise Level shall be defined as 'The prevailing sound level at a location, measured in terms of the  $L_{A90, T}$ , on an equivalent day and at an equivalent time when no

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

concert or sound checks are taking place.'

- 31.** The Music Noise Level (MNL) measured as  $L_{Aeq}$ , shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over a 15 minute period throughout the duration of the event.
- 32.** The licence shall ensure that during the event, noise monitoring will be carried out at noise monitoring/surveying points agreed with the licensing authority at regular intervals throughout periods of regulated entertainment. Details of planned monitoring should be provided as part of the Event Management Plan.
- A record of all noise monitoring undertaken shall be made. This is to include details of the responsible person undertaking the assessment, dates and times of visits, locations, details of noise levels witnessed and if necessary, what action has been taken to mitigate any breach of maximum noise levels. The records shall be made immediately available to the Licensing Authority upon request.
- 33.** The licence holder shall ensure that at the request of the Licensing Authority, a suitably qualified and experienced Noise Consultant shall be employed to monitor compliance with licensing conditions and undertaken noise monitoring (as per condition 25 and 26 above) for the duration of the event. The Consultant to be utilised should be agreed with the Licensing Authority at least 2 weeks prior to the event.
- 34.** The licence holder, or a responsible person nominated by them in writing, shall receive and respond to complaints throughout the duration of all licensable activities. A telephone contact number shall be published using appropriate media outlets prior to the event for this purpose. Any complaints received shall be recorded and the records made available to the local authority upon request. Such records shall be retained for a minimum of 2 years.
- 35.** The licence holder shall ensure that litter and refuse generated must be contained within the boundaries of the site and regularly cleared. The Premises Licence Holder shall ensure that adequate measures are in place to remove litter or waste arising from the event and the site shall be left in a clean condition following completion.
- 36.** The licence holder shall ensure that an adequate number of suitable, lidded receptacles shall be provided to receive and store refuse produced during the event prior to its disposal.
- 37.** The licence holder shall ensure that no lighting installed on the premises shall cause a public nuisance.

ADDITIONAL REQUIREMENT FOR LIGHTING TO BE POSITIONED IN SUCH A WAY AS TO NOT CAUSE DISTURBANCE TO NEARBY RESIDENTS

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

38. The licence holder shall ensure the implementation and maintenance of an Environmental Management System that meets the requirements of ISO14001:2015.
39. The licence holder shall ensure they populate an Environmental Aspects and Impacts register and carry out robust Environmental Impact assessments to mitigate impacts on the environmental and those that cause public nuisance.
40. The licence holder shall ensure that noise reduction measures to address the public nuisance objective in full review and communication if HSG260 control of noise in entertainment to all staff.
41. The licence holder shall ensure that any speakers will be positioned and screened in such a way as to not cause a disturbance to local residents with regular noise monitoring taking place.
42. The licence holder shall ensure a robust traffic management system shall be implemented and adhered to.
43. The licence holder shall ensure deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
44. The licence holder shall ensure that staff who arrive early morning or depart late at night when organised activities have ceased shall conduct themselves in such a manner to avoid causing disturbance to nearby residents.
45. The licence holder shall ensure that customers shall not be admitted to premises outside opening hours.
46. The licence holder shall ensure the removal of waste and transfer shall be carried out between the hours of 08.00 and 17.00 only.
47. ~~The licence holder shall ensure that any lighting on or outside the premises will be positioned and screened in such a way to not cause a disturbance to nearby residents.~~

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

48. ~~The licence holder shall ensure all site security to be UKAD Certified and CS Registered and be listed on the Home Office AIS Approved Contractors Register.~~

49. The licence holder shall ensure that careful planning is carried out with a robust Site Waste Management Plan established and adequate waste receptacles for use by customers will be provided at key points within the premises.

50. The licence holder shall ensure compliance to all applicable Environmental legislation including Environmental Protection Act 1990 and Town and Country Planning Act 1990.

### Public Safety

51. The licence holder shall ensure that full review and communication to all staff of the guidelines set out within HSG154 Managing Crowds Safely.

52. The licence holder shall ensure that adequate internal and external lighting is fixed at the premises.

53. The licence holder shall ensure that staff are well trained with comprehensive awareness of environmental health requirements. All staff will undergo an induction process to ensure adequate information, instruction, and training is communicated and understood.

54. The licence holder shall ensure the training for all staff and the implementation of underage sales identification checks.

55. The licence holder shall ensure that a log book or recording system shall be kept at the premises in which shall be entered particulars of any inspections made. The log book shall be kept available for inspection when required by persons authorised by Licensing Act 2003 or associated legislation.

56. The licence holder shall ensure that no entry to the premises is permitted without the required documentation. ADDITION OF "OR AUTHORISATION"

57. The licence holder shall ensure that all parts of the premises and all temporary works, fittings and apparatus, equipment and all infrastructure therein will be maintained at all times in good order and in a safe condition. All electrical equipment will be supported by thorough inspections and where required, fixed wire electrical test certificates. All portable appliances will be subject to a portable appliance test (PAT) and register established. Any structures will be erected and dismantled by competent and qualified personnel and a comprehensive construction phase health and safety plan will be established to meet the

## Licensing Act 2003 Premises Licence

P1014

## ANNEXES continued ...

requirements of CDM Regulations 2015.

- 58. The licence holder shall ensure that adequate welfare arrangements and safe conditions will be established.
- 59. The licence holder shall ensure that clear and informative information will be provided to all visitors and adequate safety signage is installed.
- 60. The licence holder shall ensure that vehicle and pedestrian segregation systems will be in established at the premises.
- 61. The licence holder shall ensure that secure site boundaries are maintained with controlled and monitored access/egress points.
- 62. The licence holder shall ensure that adequate First Aid arrangements are provided by trained and experienced personnel.
- 63. The licence holder shall ensure that documented Risk Assessment Processes with robust control mechanisms are in place to mitigate any possible risk to public safety.
- 64. The licence holder shall ensure that they obtain competent Health and Safety advice.
- 65. The licence holder shall ensure that Emergency Preparedness Systems have been established and tested.
- 53. The licence holder shall ensure that the existing Management System is reviewed and monitored to ensure full compliance with legislation and ensure Risk Assessment controls are effective.

### The Protection of Children from Harm

- 66. The licence holder shall ensure challenge 25 is in operation at the premises.
- 67. The licence holder shall ensure that well trained and competent staff with clear understanding of the requirements set out within the Child Protection Risk Assessment.
- 68. The licence holder shall ensure that all staff are aware that harm to a child or young person under 18 includes: Physical, emotional, sexual, neglect.
- 69. The licence holder shall ensure that they implement adequate reporting mechanism for all staff to raise concerns about the safety of a child immediately to the site management team and security.

# Licensing Act 2003 Premises Licence

**P1014**

ANNEXES continued ...

**70.** The licence holder shall ensure any details of incidents are recorded on a designated Festival's Reporting Concerns Form.

**71.** The licence holder shall ensure confidentiality via a designated Data Protection Policy to ensure as few people as possible who needs to know; A log book is to be kept on the premises at all times.

**72.** The licence holder shall ensure that s secure boundary in maintained with controlled access / egress points.

**73.** The licence holder shall ensure that competent and additional ACS Registered Security.

**74.** The licence holder shall ensure that they provide secure facilities for children's entertainment by qualified staff who are trained in identifying and reporting issues that could affect the safety of children.

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

(a) a maximum of 500 persons/visitors at the organised event, which can only be varied by agreement with representatives of the appropriate responsible authorities.

(b) within a period of twenty-one days after the ending of the organised event, the applicant shall attend a meeting with representatives of the appropriate responsible authorities in order to provide a de-briefing in relation to how the event went.

BOTH a) AND b) ARE AMENDED AS DETAILED IN THE MAIN REPORT

### **Annex 4 Plans**

Rural Land Register Map SBI-106560980

# Licensing Act 2003 Premises Licence Summary P1014

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Land off Guilthwaite Common Lane

Upper Whiston, Whiston, Rotherham, South Yorkshire, S60 4NG.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- 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
Performance of live music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Playing of recorded music (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Performance of dance (Indoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Entertainment of a similar description (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	Noon	11:00pm
Late night refreshment (Indoors & Outdoors)	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00pm	Midnight
The sale by retail of alcohol for consumption ON the premises only	Thursday to Sunday Licence only valid for 2nd to last week in June each year	11:00am	11:00pm

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Thursday	Noon	Midnight
Friday to Sunday	12:01am	Midnight
Licence only valid for 2nd to last week in June each year		

## Licensing Act 2003 Premises Licence Summary P1014

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

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

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Jonathan James Radcliffe

15 Grange Avenue, Aughton, Sheffield, South Yorkshire, S26 3XF.

Stephen Bruce Tate

Upper Whiston Farm, Upper Whiston, Rotherham, South Yorkshire, S60 4NG.

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

### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ruth Catherine RADCLIFFE

### STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable