

LICENSING SUB-COMMITTEE
15th June, 2021

Present:- Councillor Ellis (in the Chair); Councillors Jones and Mills.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.51 OF THE LICENSING ACT 2003) TO REVIEW THE PREMISES LICENCE IN PLACE AT THE WAVERLEY, BRINSWORTH ROAD, CATCLIFFE, ROTHERHAM, S60 5RW

Consideration was given to an application for the review of a Premises Licence in accordance with the provisions of Section 51 of the Licensing Act 2003, in respect of the premises known as The Waverley, Brinsworth Road, Catcliffe, Rotherham.

Mr. A. Nocton, Licensee/Designated Premises Supervisor, was in attendance together with Michelle Hazlewood, Legal Adviser.

The Licensing Authority received representations made by the Council's Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) submitted following the issuing of 2 Fixed Penalty Notices issued in response to a failure of the former licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus /Covid-19 within the United Kingdom.

Following a prescribed period of 28 days following the submission of the review application a total of 8 additional representations/comments had been received.

As a result of discussion/negotiations with the License Holder and the application to transfer the license to the Designated Premises Supervisor, several of the objections were withdrawn, but the only remaining objection was from a Miss. L.G and it was confirmed that the positive representations in support of the premises also remained.

The Sub-Committee heard the representations from the new Licensee and their legal representative around how all the concerns raised as part of this review were taken on board and offered suggestions on how the 4 licensing objectives could be promoted.

The Licence Holder should also noted that an application for review may be triggered at any point in the future should there be further issues.

The Sub-Committee considered the application for the review of the premises licence and the representation made specifically in light of the following Licensing objectives (as defined in the 2003 Act):-

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- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- That, after due consideration of the application for review and to the representations submitted, the premises licence for the premises known as The Waverley be modified and the following conditions be approved and added to the Premises Licence:-

1. The Licence Holder or Designated Premises Supervisor shall, daily from 23.00 hours, undertake hourly sound checks at the boundary of the premises so as to monitor sound levels and make appropriate adjustments so as to avoid public nuisance. Records should be kept of the sound checks/monitoring undertaken, retained at the premises and made available for inspection upon request by an Authorised Officer.
2. The Licence Holder or Designated Premises Supervisor shall, when the premises undertake outdoor events, undertake hourly sound checks at the boundary of the premises so as to monitor sound levels and make appropriate adjustments to the operation of the event so as to avoid public nuisance. Records should be kept of the sound checks/monitoring undertaken, retained at the premises and made available for inspection upon request by an Authorised Officer.
3. There shall be placed at all exits from the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and the area quietly.
4. No nuisance shall be caused by noise coming from the premises or by vibration transmitted through the structure of the premises.