

## **LICENSING SUB-COMMITTEE**

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

**Date:** Tuesday 15 June 2021

**Time:** 9.30 a.m.

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

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. 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 (Pages 3 - 70)

# KEEP SAFE WHILE VISITING RIVERSIDE HOUSE AND THE TOWN HALL



## HOUSE KEEPING TIPS

- Meeting rooms and the Council Chamber will be sanitised before and after every meeting.
- Follow the one-way systems in place.
- Only one person (and their carer) should use a lift at a time.
- Get tested regularly, either at home or by booking a test at Riverside Lateral Flow Test Site.
- If you have any symptoms of COVID-19, stay at home and order a test.

Further information about COVID-19 can be found at  
[www.rotherham.gov.uk/coronavirus](http://www.rotherham.gov.uk/coronavirus)

[www.rotherham.gov.uk/coronavirus](http://www.rotherham.gov.uk/coronavirus)

**Hearing Procedure – Review of Premises Licence**

- 1 The Chair of the meeting 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 the applicant for the review (or the nominated representative) and invite them to detail the application and provide them with the opportunity to develop / clarify any of the matters raised as part of their application.
  - iv. The applicant for the review (or the nominated representative) may then be asked questions by members and, if agreed by the Chair, the licence holder and any other parties present.
  - v. The Licensing Officer will then introduce representatives for any Responsible Authorities that are a party to the hearing along with other Interested Parties in turn and each will be asked to detail their relevant representations. Following each submission, Committee members may ask questions of the Responsible Authority / Interested Party. If it is agreed by the Chair, the licence holder may also ask questions of those parties.
  - vi. The Premises Licence Holder (or their nominated representative) will then have the opportunity to make their submission in response to the matters raised by the other parties to the hearing. The licence holder may seek to provide further information / clarification to the Committee that will provide assurance that the licensing objectives are being adequately promoted, or may propose additional measures that will provide this assurance.
  - vii. Following this submission, Committee members may ask questions of the licence holder. If it is agreed by the Chair, the other parties to the hearing may also ask questions of the licence holder in relation to their submission.
  - viii. The applicant for the review will then be given the opportunity to sum up the application.

- ix. The licence holder will then be given the opportunity to sum up their submission in response to the review application.
  - x. The Licensing Officer will then detail the options.
  - xi. 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 – 15<sup>th</sup> June 2021 (9:30 am)

**Report Title**

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.

**Report Author(s)**

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

**Report Summary**

On the 27<sup>th</sup> April 2021, Rotherham MBC Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) made an application to review of the Premises Licence in place at The Waverley, Brinsworth Road, Brinsworth, Rotherham. The premises is a public house licensed for the sale of alcohol for consumption on and off the premises, and provides a significant food offer in addition to the provision of regulated entertainment.

The review application was submitted following the issuing of two fixed penalty notices issued in response to a failure of the licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus / Covid-19 within the UK.

Following the submission of the review paperwork, eight other responses were received in relation to the review. Further detail on these is provided within 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 Manager 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 Premises Licence P0034
- Appendix 3 Review application form
- Appendix 4 Additional information from Rotherham MBC Licensing Authority (acting in the role of a Responsible Authority under the Licensing Act 2003)
- Appendix 5 Representation from South Yorkshire Police
- Appendix 6 Representation from Rotherham MBC Environmental Health
- Appendix 7 Representations from interested parties

## **Background Papers**

Rotherham MBC Statement of Licensing Policy 2020 -2025  
(available at [www.rotherham.gov.uk/licensing](http://www.rotherham.gov.uk/licensing))

Revised guidance issued under section 182 of the Licensing Act 2003 (April 2018)  
(available at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>)

## **Council Approval Required**

No

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

No

**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.**

**1. Background**

- 1.1 The Waverley is located on Brinsworth Road in Brinsworth, Rotherham and is a public house providing food, drink and regulated entertainment. Further details on the location of the premises can be found at Appendix 1.
- 1.2 The premises currently has the benefit of a Premises Licence issued under the Licensing Act 2003 (licence number P0034). The licence permits the sale of alcohol for consumption on and off the premises, provision of regulated entertainment and the provision of late-night refreshment. A copy of the Premises Licence is attached to this report as Appendix 2.
- 1.3 On 27th April 2021, Rotherham MBC's Licensing Service (acting in its role as a Responsible Authority under the Licensing Act 2003) submitted an application to review the Premises Licence. This application was submitted following the issuing of two fixed penalty notices issued in response to a failure of the licence holder to comply with nationally imposed requirements introduced to control the spread of Coronavirus / Covid-19 within the UK.
- 1.4 A copy of the review application form is attached as Appendix 3, additional information provided by the review applicant is attached as Appendix 4.
- 1.5 There is a prescribed period of 28 days following the submission of a review application during which time interested parties / responsible authorities may submit representations in relation to the application.
- 1.6 At the end of the prescribed period, a total of 8 additional representations / comments had been received. Appropriately redacted copies of the representations / comments can be found at Appendices 5 to 7.

**2. Key Issues**

The application

- 2.1 The application submitted by Rotherham MBC Licensing Service outlines concerns regarding the following matters:
  - 2.1.1 Failure of the licence holder to adhere to legal requirements regarding the sale of alcohol to persons on the premises (occurred on the 4<sup>th</sup> November 2020).
  - 2.1.2 Failure of the licence holder adhere to legal requirements regarding the sale of food and drink to persons on the premises (occurred on the 4<sup>th</sup> November 2020).

- 2.2 Full details of the circumstances leading to the submission of the application to review the licence can be found at Appendices 3 and 4. In addition, the applicant will be in attendance at the hearing and will have the opportunity to further develop the above points and clarify any points or issues that may arise.

### Representations received

- 2.3 Eight additional representations / comments were received – full details of these representations can be found at Appendices 5 – 7, but are briefly summarised below:

#### 2.3.1 South Yorkshire Police have made reference to the following:

- A number of contacts with the Designated Premises Supervisor regarding allegations that Coronavirus related legislation had been breached (including a birthday party, “lock ins” and trading during “lock down” periods).
- Advice regarding use of CCTV equipment to evidence compliance with legislation.
- Allegations of drug usage and discovery of cannabis in the car park of the premises.

Further information is detailed in Appendix 5.

#### 2.3.2 The representation submitted by Rotherham MBC Environmental Health made reference to the following:

- An apparent failure to comply with legislation regarding the service of food and alcoholic / non-alcoholic drinks.
- Lack of effective controls in place to ensure that customers and staff are adequately protected from Coronavirus / Covid-19 (such as use of track and trace, use of face coverings, appropriate cleaning of contact surfaces).

Further information is detailed in Appendix 6.

#### 2.3.3 Six other interested parties have submitted representations in relation to the application, these are detailed in Appendix 7 (with redactions where appropriate) and summarised below (listed in the order that they were received):

- John Gaunt and Partners (on behalf of the Designated Premises Supervisor) have made the following points in support of the Designated Premises Supervisor:



- Confirmation that the Designated Premises Supervisor considers the review proceedings as a serious matter and that he and his team place great stall on their professionalism and quality of their systems.
  - That the Designated Premises Supervisor seeks at all times to uphold the Licensing Act 2003 and licensing objectives.
  - A lack of material complaints from Responsible Authorities in relation to the operation of the premises.
  - Concerns regarding administrative / procedural matters regarding the review and service of the fixed penalty notices.
- Ms L G has made the following comments in support of the review:
    - Impact of noise from the premises and / or patrons on surrounding residential properties.
    - Anti-social behaviour connected to the premises.
    - Safety issues caused by the volume of parked cars.
- Ms C H has made the following comments in support of the review:
    - Impact of noise and raucous behaviour on surrounding residential properties.
    - Failure of the licensee to consider the impact of the premises' activities on local residents.
- Mr J W has made the following comments in support of the Designated Premises Supervisor:
    - Personal support provided to him by the Designated Premises Supervisor during the previous 14 years.
    - Clarification regarding household arrangements and Mr J W's attendance at the premises in December 2020.
- Ms A B has made the following comments in support of the Designated Premises Supervisor:
    - Outline of the events on 4<sup>th</sup> November 2020 (the day that the alleged incidents took place that resulted in the service of the fixed penalty notices).
    - Adherence and enforcement of relevant rules.
    - Improvements to the local community.
- Mr L C has made the following comments in support of the Designated Premises Supervisor:
    - The professional approach and manner of the Designated Premises Supervisor and his respectfulness, honesty and integrity.

- 2.4 All parties that have submitted representations in relation to the application have been invited to attend the hearing today to provide further detail in relation to the above.
- 2.5 Members of the Sub-Committee should give full consideration of the issues raised the Responsible Authorities and Interested Parties when determining the application.
- 2.6 The process to be adopted at the hearing is provided with this report.

### **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.
- 3.3 The Sub-Committee must take steps that it considers appropriate for the promotion of the licensing objectives.
- 3.4 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 3.5 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

- 3.6 However, where responsible authorities such as the Police or Environmental Health Officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 3.7 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
  - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption).
  - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management.
  - suspend the licence for a period not exceeding three months.
  - revoke the licence.
- 3.8 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 3.9 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 3.10 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as

this would be a clear indication of deeper problems that impact upon the licensing objectives.

- 3.11 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.
- 3.12 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.
- 3.13 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.

#### **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 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**

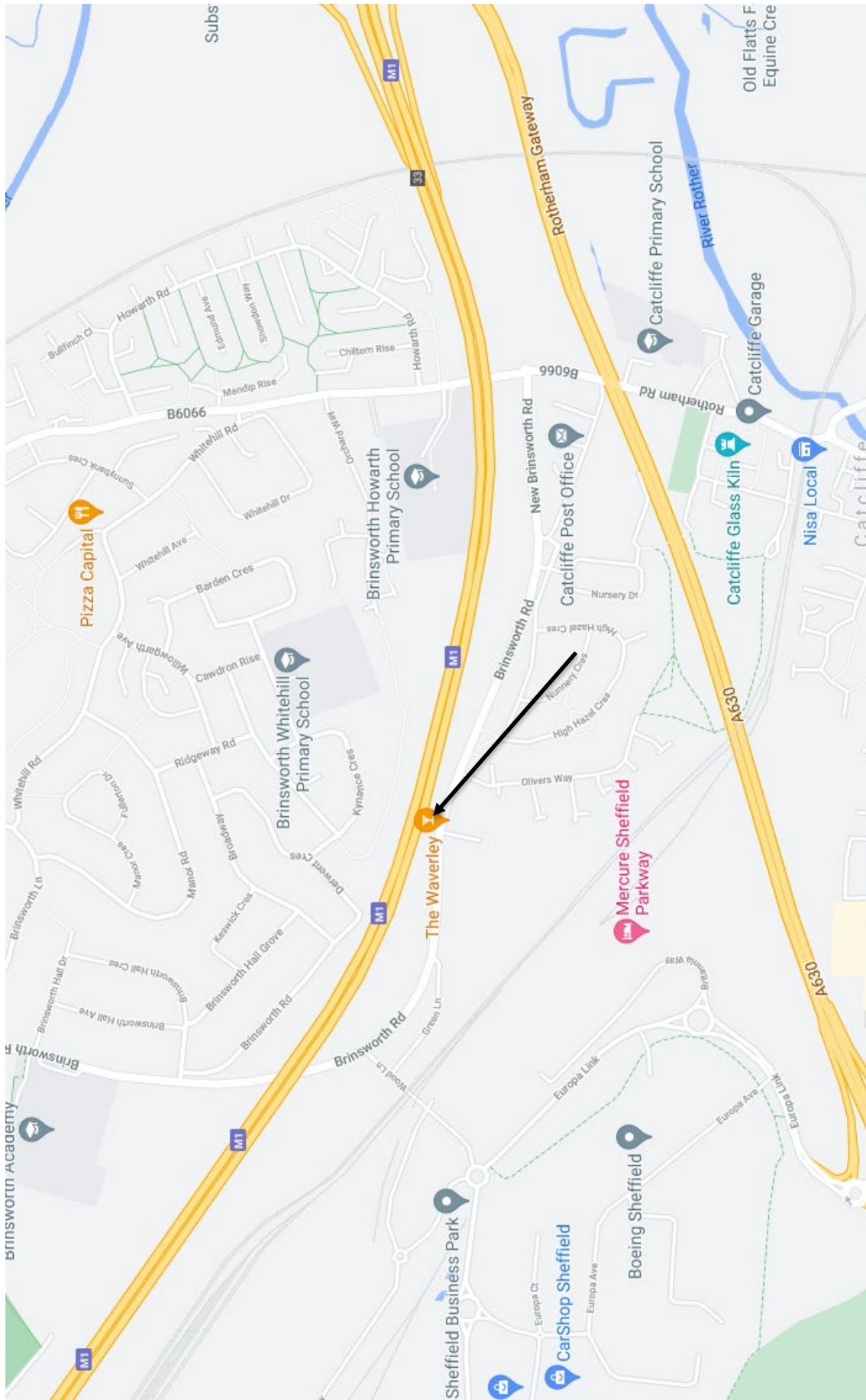
- 8.1 The statutory requirements in relation to the consideration of this application are detailed in this report. It is essential that the Sub-Committee act in accordance with these statutory provisions and take account of statutory guidance.
- 8.2 Failure to do this exposes the Council to significant 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

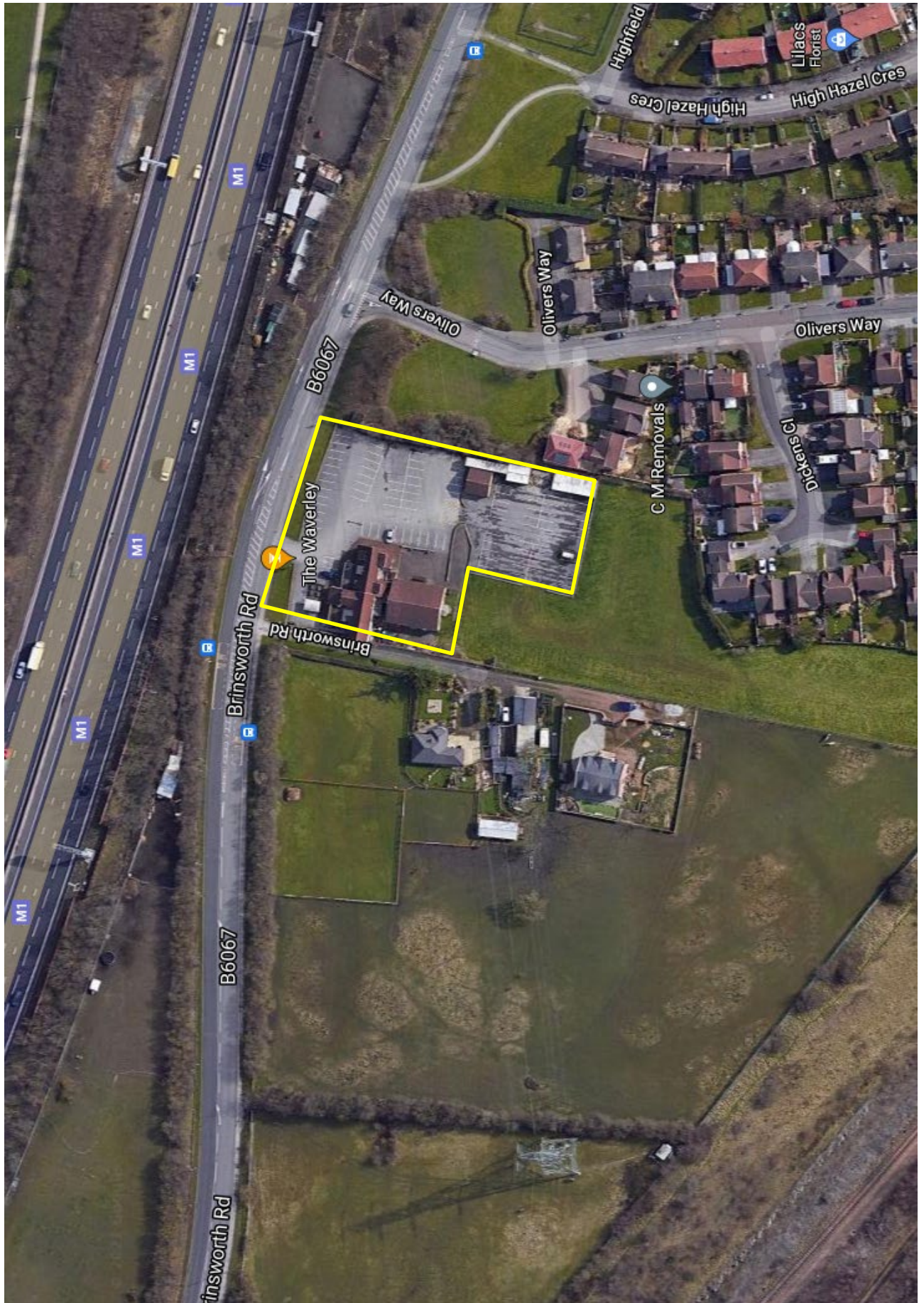
This report is published on the Council's [website](#).

# APPENDIX 1





# APPENDIX 1





# APPENDIX 1



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034**

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****The Waverley**

New Brinsworth Road, Catcliffe, Rotherham, South Yorkshire, S60 5RW.

Telephone 01709 360906

**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
- 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 & Outdoors)	Sunday to Thursday	8:00am	Midnight
	Friday	8:00am	1:00am
	Saturday	8:00am	2:00am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00 Live music outdoors permitted between 1 June and 1 September only : 11.00 to 22.30		
Playing of recorded music (Indoors & Outdoors)	Sunday to Thursday	8:00am	Midnight
	Friday	8:00am	1:00am
	Saturday	8:00am	2:00am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00 Recorded music outdoors permitted between 1 June and 1 September only : 11.00 to 22.30		
Performance of dance (Indoors)	Sunday to Thursday	11:00am	Midnight
	Friday	11:00am	1:00am
	Saturday	11:00am	2:00am
Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	12:30am
	Friday	11:00pm	1:30am
	Saturday	11:00pm	2:30am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00		
The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	9:00am	Midnight
	Friday	9:00am	1:00am
	Saturday	9:00am	2:00am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00		



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
The sale by retail of alcohol for consumption ON and OFF the premises continued ...			

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sunday to Thursday the following morning	8:00am	12:30am
Friday the following morning	8:00am	1:30am
Saturday the following morning	8:00am	2:30am
Non Standard Timings: Christmas Eve and New Year's Eve until 02.30		

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

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

## Part 2

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

Ronald Woodthorpe  
[lorrainewoodthorpe@yahoo.co.uk](mailto:lorrainewoodthorpe@yahoo.co.uk)

The Heights, Upper Whiston Lane, Upper Whiston, Rotherham, S60 4NF.  
 Telephone 07864944880

**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**

Alexander Nigel NOCTON

The Waverley, New Brinsworth Road, Catcliffe, Rotherham, South Yorkshire, S60 5RW.  
 Telephone 01709 377271

**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. WD/LN/000003695

Issued by Wealden



## Licensing Act 2003 Premises Licence

**P0034**
**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



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****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



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****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





**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****ANNEXES continued ...**

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

**Showing of films**

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

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

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

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

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

Films must be classified in the following way:

**U -** Universal. Suitable for audiences aged four years and over.

**PG -** Parental Guidance. Some scenes may be unsuitable for young children.

**12A -** Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.

**15 -** Passed only for viewing by persons aged 15 years and over.

**18 -** Passed only for viewing by persons aged 18 years and over.

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



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****ANNEXES continued ...**

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

**Annex 2**                      **Conditions consistent with Operating Schedule**
**Prevention of Crime and Disorder**

1. The licence holder shall ensure that a CCTV system is installed at the premises including 16HD cameras located inside and outside the premises. This shall be able to be monitored inside and off the premises.
2. The licence holder shall ensure that all staff are trained to handle difficult or awkward customers and to try and resolve any situation as peacefully as possible.
3. The licence holder shall ensure that all staff are informed and trained in who is bale to be sold alcohol to and to who they need to refuse service to.

**Public Safety**



**APPENDIX 2**
**Licensing Act 2003**  
**Premises Licence**
**P0034****ANNEXES continued ...**

4. The licence holder shall ensure that the premises are a member of the local pub watch and adhere to the regulations of such a scheme.

**Prevention of Public Nuisance**

5. The licence holder shall ensure that all persons are requested to respect the needs of the residents and to leave the location as peacefully as possible.
6. The licence holder shall ensure that any disorder found to be taking place is dealt with in a firm but fair manner.

**Protection of Children from Harm**

7. The licence holder shall ensure that children and adults with children are monitored by staff and cameras at all times to ensure their safety and steps taken if necessary.

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

8. The licence holder shall ensure that late night refreshment shall only be prepared and served inside the premises.
9. The licence holder shall ensure that the consumption of alcohol shall be restricted to the inside of the premises only between the hours of 09.00 and 11.00 a.m.

**Annex 4      Plans**

See attached.



# APPENDIX 2

## Licensing Act 2003 Premises Licence Summary P0034

### Premises Details

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

#### The Waverley

New Brinsworth Road, Catcliffe, Rotherham, South Yorkshire, S60 5RW.

Telephone 01709 360906

#### 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
- 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 & Outdoors)	Sunday to Thursday	8:00am	Midnight
	Friday	8:00am	1:00am
	Saturday	8:00am	2:00am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00 Live music outdoors permitted between 1 June and 1 September only : 11.00 to 22.30		
Playing of recorded music (Indoors & Outdoors)	Sunday to Thursday	8:00am	Midnight
	Friday	8:00am	1:00am
	Saturday	8:00am	2:00am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00 Recorded music outdoors permitted between 1 June and 1 September only : 11.00 to 22.30		
Performance of dance (Indoors)	Sunday to Thursday	11:00am	Midnight
	Friday	11:00am	1:00am
	Saturday	11:00am	2:00am
Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	12:30am
	Friday	11:00pm	1:30am
	Saturday	11:00pm	2:30am
	Non Standard Timings:		
	Christmas Eve and New Year's Eve until 02.00		
The sale by retail of alcohol for consumption ON and OFF the premises	Sunday to Thursday	9:00am	Midnight
	Friday	9:00am	1:00am
	Saturday	9:00am	2:00am
	Non Standard Timings:		





**APPENDIX 3***Rotherham Metropolitan Borough Council***Application for the review of a premises licence or club premises certificate 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 Keeley Ladlow, Principal Licensing Officer, Rotherham MBC***(Insert name of applicant)*

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Waverley New Brinsworth Road Catchcliffe	
<b>Post town</b> Rotherham	<b>Post code (if known)</b> S60 5RW

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Ronald Woodthorpe
--

<b>Number of premises licence or club premises certificate (if known)</b> PO034
--

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**APPENDIX 3**

Please tick ✓ yes

Mr

☐

Mrs

☐

Miss

☐

Ms

☐Other title  
(for example, Rev)**Surname****First names****I am 18 years old or over**

Please tick ✓ yes

☐**Current postal  
address if  
different from  
premises  
address****Post town****Post Code****Daytime contact telephone number****E-mail address  
(optional)****(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**APPENDIX 3****(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  Keeley Ladlow Principal Licensing Officer Rotherham Metropolitan Borough Council Main Street Rotherham S60 1AE
Telephone number (if any) <b>01709 822346</b>
E-mail address (optional) <a href="mailto:Keeley.ladlow@rotherham.gov.uk">Keeley.ladlow@rotherham.gov.uk</a>

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

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

# APPENDIX 3

**Please state the ground(s) for review (please read guidance note 2)**

Application is made under Section 51 of the Licensing Act 2003 for a full review of the premises licence in relation to a premises known as The Waverley, New Brinsworth Road, Catcliffe, Rotherham, S60 5RW.

The application seeks a revocation of the premises licence on the grounds that the premises licence holder is failing to properly promote the public safety licensing objective.

The grounds for the application are as follows:-

The premises are a large premises consisting of several separate rooms on one level, a large carpark and a large grassed external area. The premise is licensed for the sale of alcohol for consumption both on and off the premises. The licence has been in place since June 2005.

The current Designated Premises Supervisor of the premises is Alexander Nocton who has been the designated premises supervisor since December 2019.

On 10<sup>th</sup> November 2020 the licensing service were contacted by an officer from the Council's Environmental Health department regarding The Waverley. The officer notified the licensing service of two fixed penalty notices that had been served on Ronald Woodthorpe as the premises licence holder of the premises for breach of Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.

The first fixed penalty notice related to practices observed on 4<sup>th</sup> November 2020 by an Environmental Health Officer. Specifically, that on 4<sup>th</sup> November 2020 between 16.00hrs and 1725hrs the premises were observed to serve alcohol for consumption on the premises which was not served as part of a table meal. This contravened a restriction in force at the time that required alcohol to only be sold as part of a table meal.

The second fixed penalty notice related to practices observed on the same date by an Environmental Health Officer. Specifically, that on 4<sup>th</sup> November 2020 Mr Woodthorpe failed to comply with the restrictions imposed by Paragraph 15 (1)(a) and (b) of Part 2, Schedule 1 of the regulations; namely that as a restricted business serving alcohol for consumption on the premises Mr Woodthorpe did not sell food or drink for consumption on the premises that was ordered by, and served to, a customer who was seated whilst consuming the food and drink.

Environmental Health Officers observed customers in the premises approaching the bar to order drinks and approached staff members at various locations within the premises to request drinks. Environmental Health Officers further noted the premises had no signage on display to advise customers with regards to table service and the requirement to remain seated.

The lack of safe measures at the premises directly risks the safety of the public and undermines the public safety licensing objective.

On 14<sup>th</sup> December 2020 a written warning letter was sent to Mr Woodthorpe and Mr Nocton by the Councils Community Protection Officers following members of the public reporting the premises to South Yorkshire Police for hosting a party. South Yorkshire Police Officers attended the premises and discovered the party to be a private party on the premises for the birthday of one of Mr Noctons' children.

Mr Nocton and Mr Woodthorpe were reminded of the regulations which were in force to reduce the spread of Coronavirus and the requirement for the premises to be closed.

## APPENDIX 3

**Please provide as much information as possible to support the application** (please read guidance note 3)

Detailed as above.



APPENDIX 3

Please tick ✓ yes  
☐

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

**APPENDIX 3**

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature 

.....

Date **27<sup>th</sup> April 2021**

.....

Capacity **Principal Licensing Officer, Rotherham MBC**

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

**Post town****Post Code****Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

**Witness Statement**

(Criminal Procedure Rules, r27.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

**APPENDIX 4**

STATEMENT OF: ...Keeley Louise Ladlow.....

Age if under 18: ..... Over 18 Occupation.....Principal Licensing Officer ....

This statement, consisting of.....2..... Page(s) signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.



Date the...24th..... day of.....May.....2021

I am the above named person and currently employed as Principal Licensing Officer operating from Riverside House the offices of Rotherham Metropolitan Borough Council. I have been employed as an Enforcement Officer since 2015 and latterly the Principal Officer, my duties include liaising with Hackney Carriage and Private Hire Drivers, overseeing investigations concerning Private Hire and Hackney Carriage Drivers, vehicles, Private Hire Operators and licensed premises.

I make this statement by way of an overview statement in respect of the review of a premises licence for a premises known as The Waverley, New Brinsworth Road, Catcliffe, Rotherham.

Application is made under section 51 Licensing Act 2003 for a review of the premises following information received from the Council's Community Protection Unit due to two Fixed Penalty Notices being served upon the premises licence holder Ronald Woodthorpe.

The application seeks a revocation of the premises licence on the grounds that the premises licence holder is failing to properly promote the public safety licensing objective.

The premises is a large sized premise licensed for the sale of alcohol consisting of several separate rooms on one level, a large carpark and a large grassed external area. The premise is licensed for the sale of alcohol for consumption both on and off the premises. The licence has been in place since June 2005.

Ronald Woodthorpe has been the premises licence holder since its grant on 24<sup>th</sup> November 2005. The current Designated Premises Supervisor is Mr Alexander Nocton, a position that he has held since 8<sup>th</sup> January 2020 (the application was made in December 2019) which sees Mr Nocton residing at the premises as his current home address.

On 10<sup>th</sup> November 2020 I was contacted by Kim Haughey an Enforcement Officer with the Council's Community Protection Unit and currently attached to the Council's Covid 19 Taskforce.



SIGNED..... WITNESSED.....

**Witness Statement**

(Criminal Procedure Rules, r27.2;

Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

**APPENDIX 4**

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Ms Haughey advised me that two Fixed Penalty Notices had been served upon Ronald Woodthorpe as the premises licence holder for breach of Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.

I was advised that the first Fixed Penalty Notice relates to practices observed by Ms Haughey on 4<sup>th</sup> November 2020. Specifically that on 4<sup>th</sup> November 2020 between 16.00hrs and 1725hrs the premises were observed to serve alcohol for consumption on the premises which was not served as part of a table meal. This contravened a restriction in force at the time that required alcohol to only be sold as part of a table meal.

The second fixed penalty notice related to practices observed on the same date by Ms Haughey. Specifically, that on 4<sup>th</sup> November 2020 Mr Woodthorpe failed to comply with the restrictions imposed by Paragraph 15 (1)(a) and (b) of Part 2, Schedule 1 of the regulations; namely that as a restricted business serving alcohol for consumption on the premises Mr Woodthorpe did not sell food or drink for consumption on the premises that was ordered by, and served to, a customer who was seated whilst consuming the food and drink.

Ms Haughey stated that she had observed customers in the premises approaching the bar to order drinks and approaching staff members cited at different locations within the premises to order drinks. Further to this there was no signage on display at the premises advising customers that they must remain seated and participate in table service.

A copy of the Fixed Penalty Notices are exhibited as KLL/1.

I am of the view that the lack of Coronavirus safety measures implemented by the premises directly affected the safety of the public due to increase movement within the premises and closer contact between patrons.

On 14<sup>th</sup> December 2020 I received an email from Helen Cooper, South Yorkshire Police Licensing Officer, Helen had included an email sent by John O'Malley, South Yorkshire Police Licensing Manager on Saturday 12<sup>th</sup> December 2020. The email stated South Yorkshire Police had received a report of the landlord of the premises hosting a birthday party inside of the premises.

Helen confirmed that upon the arrival of the Police the only persons present were Mr Alexander Nocton and his children. The email received is exhibited as KLL/2.

As a result of the information received Jeremy Squires an officer within the Councils Community Protection Unit issued both Mr Woodthorpe and Mr Nocton with a warning letter. A copy of the warning letter is exhibited as KLL/3.

SIGNED..... WITNESSED.....

Reference Number: 007684

## ROTHERHAM METROPOLITAN BOROUGH COUNCIL

**The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High)  
(England) Regulations 2020 (SI.2020:No1105)****FIXED PENALTY NOTICE**Date: 10<sup>th</sup> November 2020.**Part A****To:** Mr. Ron Woodthorpe**At:** The Waverley Public House**Of:** Brinsworth Road, Catcliffe, Rotherham S60 5RW**Trading as:** The Waverley, Brinsworth Road, Catcliffe, Rotherham. S60 5RW

**This Fixed Penalty Notice is served under Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 (the Regulations).**

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Kim Fieldhouse, designated as an authorised person for the purposes of the Regulations by Rotherham Metropolitan Borough Council, have reasonable grounds for believing that you have committed a criminal offence under the Regulations. I am issuing this Notice to offer the opportunity to discharge liability to conviction for the offence by payment of a fixed penalty.

Rotherham Metropolitan Borough Council may not take criminal proceedings against you in respect of the offence during the period of 28 days following the date of this Notice. Payment of the fixed penalty within that period means that you cannot be convicted in relation to the offence set out in Part C of this Notice.

**Part B. Amount of Penalty and period to pay**

The monetary penalty you must pay is: **£ 1,000.00**

**Payment of the fixed penalty must be made within 28 days of the date of this notice.**

NOTES on Part B. Amount of Penalty

# APPENDIX 4

The penalty must be paid to Rotherham Metropolitan Borough Council:

Riverside House  
Main Street  
Rotherham  
S60 1AE

## How to Pay this Fixed Penalty

**Credit or Debit Card - by phone or online:** Call 0300 456 2723 enter the whole 8 digit reference number on the front of this Notice when prompted; or go to [www.rotherham.gov.uk](http://www.rotherham.gov.uk) and click on "Make a Payment" then "Online Payments" Select "Env Fixed Penalty" as the fund type and enter the above number in the reference field.

**In Person:** You can pay at any Rotherham Council payment office [NOTE: NOT AVAILABLE AT PRESENT TIME]

**By Post:** Payment can be made to the address on the back of this notice by cheque or postal order payable to RMBC. Do not send cash by post.

### By Post

Please complete the following form and post to:

Community Protection Unit  
Riverside House,  
Main Street,  
Rotherham S60 1AE

Please make cheques payable to Rotherham Metropolitan Borough Council.

**There is no appeal against this fixed penalty notice, as it has been issued because the Council has evidence you have committed an offence and would otherwise prosecute you for that offence. This notice is a way of you discharging your liability for the offence.**

Signature .....

Name in capitals .....

Date .....

**Part C. Grounds for imposing the Penalty****APPENDIX 4**

**Regulation contravened:** Regulation 5(1)(a) in that without reasonable excuse you contravened a Tier 3 restriction as set out under Paragraph 16 (1) & (2) of Part 2, Schedule 1.

**Particulars of the Offence:** On the 4<sup>th</sup> November 2020 as a person responsible for carrying on the business of a public house continued to carry on that business and failed, without reasonable excuse, to comply with the restriction imposed by Paragraph 16 (2) of Part 2, Schedule 1 of the Regulations in that you served alcohol for consumption on the premises that was not served as part of a table meal.

On the 4<sup>th</sup> November 2020 Council Officers attended the premises between 16:00hrs and 17:25hrs and observed alcohol being served which was not served as part of a table meal. This occurred on numerous occasions whilst Officers were in attendance.

**Part D. Challenging this Fixed Penalty Notice**

If you consider that the Notice should not have been issued, you can make representations to Rotherham Metropolitan Borough Council in writing outlining your reasons for challenging the Notice, within 14 days of the date on this Notice.

Your challenge will be processed in accordance with Rotherham Metropolitan Borough Council's Complaint Procedure: <https://www.rotherham.gov.uk/council/complain-council-services/2>

**Email:** [complaints@rotherham.gov.uk](mailto:complaints@rotherham.gov.uk)

**Tel:** 01709 382121

This Notice remains in force even if you have raised a challenge.

Should the local authority's review of your challenge determine that the Notice should be revoked, you will be notified in writing that the Notice has been revoked.

**Part E. Consequences of non-payment/ continued non-compliance**

If you fail to pay the fixed penalty within 28 days, you lose the opportunity to discharge liability to conviction, and criminal proceedings may be commenced against you in respect of the offence set out in Part C of this Notice.

Continued contravention of a requirement in the Regulations, without reasonable excuse, is an offence punishable by a fine on summary conviction in a Magistrates Court.

Signed [redacted] Date 10/11/20

Name in capitals: Kim Fieldhouse

Telephone [redacted] Email [kim.fieldhouse@rotherham.gov.uk](mailto:kim.fieldhouse@rotherham.gov.uk)

If you are not sure of your rights or the implications of this notice, you may want to seek independent legal advice

# APPENDIX 4



Reference Number: 007690

## ROTHERHAM METROPOLITAN BOROUGH COUNCIL

**The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High)  
(England) Regulations 2020 (SI.2020:No1105)****FIXED PENALTY NOTICE**Date: 10<sup>th</sup> November 2020**Part A****To:** Mr. Ron Woodthorpe**At:** The Waverley Public House**Of:** Brinsworth Road, Catcliffe, Rotherham S60 5RW**Trading as:** The Waverley, Brinsworth Road, Catcliffe, Rotherham. S60 5RW

**This Fixed Penalty Notice is served under Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 (the Regulations).**

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Kim Fieldhouse, designated as an authorised person for the purposes of the Regulations by Rotherham Metropolitan Borough Council, have reasonable grounds for believing that you have committed a criminal offence under the Regulations. I am issuing this Notice to offer the opportunity to discharge liability to conviction for the offence by payment of a fixed penalty.

Rotherham Metropolitan Borough Council may not take criminal proceedings against you in respect of the offence during the period of 28 days following the date of this Notice. Payment of the fixed penalty within that period means that you cannot be convicted in relation to the offence set out in Part C of this Notice.

**Part B. Amount of Penalty and period to pay**

The monetary penalty you must pay is: **£ 2,000.00**

**Payment of the fixed penalty must be made within 28 days of the date of this notice.**

## NOTES on Part B. Amount of Penalty

**APPENDIX 4**

The penalty must be paid to Rotherham Metropolitan Borough Council:

Riverside House  
Main Street  
Rotherham  
S60 1AE

**How to Pay this Fixed Penalty**

**Credit or Debit Card - by phone or online:** Call 0300 456 2723 enter the whole 8 digit reference number on the front of this Notice when prompted; or go to [www.rotherham.gov.uk](http://www.rotherham.gov.uk) and click on "Make a Payment" then "Online Payments" Select "Env Fixed Penalty" as the fund type and enter the above number in the reference field.

**In Person:** You can pay at any Rotherham Council payment office [NOTE: NOT AVAILABLE AT PRESENT TIME]

**By Post:** Payment can be made to the address on the back of this notice by cheque or postal order payable to RMBC. Do not send cash by post.

**By Post**

Please complete the following form and post to:

Community Protection Unit  
Riverside House,  
Main Street,  
Rotherham S60 1AE

Please make cheques payable to Rotherham Metropolitan Borough Council.

**There is no appeal against this fixed penalty notice, as it has been issued because the Council has evidence you have committed an offence and would otherwise prosecute you for that offence. This notice is a way of you discharging your liability for the offence.**

Signature .....

Name in capitals .....

Date .....

**Part C. Grounds for imposing the Penalty****APPENDIX 4**

**Regulation contravened:** Regulation 5(1)(a) in that without reasonable excuse you contravened a Tier 3 restriction as set out under Paragraph 15 (1) (a) & (b) of Part 2, Schedule 1.

**Particulars of the Offence:** On the 4<sup>th</sup> November 2020 as a person responsible for carrying on a restricted business of a public house as specified in Paragraph 19 (2) (e) of Part 2, Schedule 1 of the Regulations you continued to carry on that business and failed, without reasonable excuse, to comply with the restrictions imposed by Paragraph 15 (1)(a) and (b) of Part 2, Schedule 1 of the Regulations; Namely that as a restricted business in a Tier 3 area serving alcohol for consumption on premises you did not sell food or drink for consumption on premises that was ordered by, and served to, a customer who was seated on the premises and you failed to take all reasonable steps to ensure that customers remained seated whilst consuming food and drink on the premises.

On the 4<sup>th</sup> November 2020 Council Officers attended the premises between 16:00hrs and 17:25hrs and observed customers in the premises approaching the bar to order drinks and also approaching staff at various locations within the premises to request drinks. Officers noted that the premises had no signage on display in order to advise customers with regards to table service and the requirement to remain seated.

**Part D. Challenging this Fixed Penalty Notice**

If you consider that the Notice should not have been issued, you can make representations to Rotherham Metropolitan Borough Council in writing outlining your reasons for challenging the Notice, within 14 days of the date on this Notice.

Your challenge will be processed in accordance with Rotherham Metropolitan Borough Council's Complaint Procedure: <https://www.rotherham.gov.uk/council/complain-council-services/2>

**Email:** [complaints@rotherham.gov.uk](mailto:complaints@rotherham.gov.uk)

**Tel:** 01709 382121

This Notice remains in force even if you have raised a challenge.

Should the local authority's review of your challenge determine that the Notice should be revoked, you will be notified in writing that the Notice has been revoked.

**Part E. Consequences of non-payment/ continued non-compliance**

If you fail to pay the fixed penalty within 28 days, you lose the opportunity to discharge liability to conviction, and criminal proceedings may be commenced against you in respect of the offence set out in Part C of this Notice.

Continued contravention of a requirement in the Regulations, without reasonable excuse, is an offence punishable by a fine on summary conviction in a Magistrates Court.

Signed: [Redacted] ... Date: 10/11/20

Name in capitals: Kim Fieldhouse

Telephone [REDACTED] Email [kim.fieldhouse@rotherham.gov.uk](mailto:kim.fieldhouse@rotherham.gov.uk)

## APPENDIX 4

**If you are not sure of your rights or the implications of this notice, you may want to seek independent legal advice**

Keeley Ladlow

**APPENDIX 4**

**From:** HELEN E COOPER <[REDACTED]>  
**Sent:** 14 December 2020 10:51  
**To:** Craig Cornwall; Elizabeth Anderton; Denise Fedyszyn; Keeley Ladlow; Lewis Coates; Michelle Scales; COVIDTeam  
**Cc:** Alan Pogorzelec  
**Subject:** RE: Licensing updates

Craig

I can confirm that the office updated the incident that when they responded there was just Mr Nocton and his children there.

I intend to give him a call about this incident before the meeting.

Regards

**Helen E Cooper**  
**Rotherham Licensing Enforcement Officer**

South Yorkshire Police  
 Licensing Department  
 Rotherham District  
 Riverside House  
 Main Street  
 S60 1AE

Email: [helenE.cooper@southyorks.pnn.police.uk](mailto:helenE.cooper@southyorks.pnn.police.uk)  
 T: 01709 832154 (Int: 722154)  
 M: 07919300353

[southyorks.police.uk](http://southyorks.police.uk)




---

**From:** Craig Cornwall <[REDACTED]>  
**Sent:** 14 December 2020 10:47  
**To:** Elizabeth Anderton <[REDACTED]> Denise Fedyszyn <[REDACTED]>  
 <[REDACTED]> Keeley Ladlow <[REDACTED]> Lewis Coates <[REDACTED]>  
 <[REDACTED]> Michelle Scales <[REDACTED]> COVIDTeam <[REDACTED]>  
**Cc:** HELEN E COOPER <[REDACTED]> Alan Pogorzelec <[REDACTED]>  
**Subject:** RE: Licensing updates

Agreed – can discuss this afternoon.

Are there any further details from the visiting Police Officer ie. number of people, verified names, household mixes etc.

## APPENDIX 4

Craig

Craig Cornwall  
Community Protection Manager  
**Community Safety & Street Scene**  
**Rotherham Metropolitan Borough Council**

**Riverside House, Main Street, Rotherham, S60 1AE**

☎: 01709 255039 Internal; 55039

---

**From:** Elizabeth Anderton <Elizabeth.Anderton@rotherham.gov.uk>  
**Sent:** 14 December 2020 09:45  
**To:** Denise Fedyszyn <Denise.Fedyszyn@rotherham.gov.uk> Keeley Ladlow <Keeley.Ladlow@rotherham.gov.uk>  
Craig Cornwall <Craig.Cornwall@rotherham.gov.uk> Lewis Coates <Lewis.Coates@rotherham.gov.uk> Michelle  
Scales <Michelle.Scales@rotherham.gov.uk> COVIDTeam <COVIDTeam@rotherham.gov.uk>  
**Cc:** 'HELEN E COOPER' <HelenE.Cooper@southyorks.pnn.police.uk> Alan Pogorzelec  
<Alan.Pogorzelec@rotherham.gov.uk>  
**Subject:** RE: Licensing updates

Morning All

Perhaps this is one that we can pick up at the meeting this afternoon.

Thanks

Liz

---

**From:** Denise Fedyszyn <Denise.Fedyszyn@rotherham.gov.uk>  
**Sent:** 13 December 2020 20:18  
**To:** Keeley Ladlow <Keeley.Ladlow@rotherham.gov.uk> Craig Cornwall <Craig.Cornwall@rotherham.gov.uk> Lewis  
Coates <Lewis.Coates@rotherham.gov.uk> Elizabeth Anderton <Elizabeth.Anderton@rotherham.gov.uk> Michelle  
Scales <Michelle.Scales@rotherham.gov.uk> COVIDTeam <COVIDTeam@rotherham.gov.uk>  
**Cc:** 'HELEN E COOPER' <HelenE.Cooper@southyorks.pnn.police.uk> Alan Pogorzelec  
<Alan.Pogorzelec@rotherham.gov.uk>  
**Subject:** Re: Licensing updates

Get [Outlook for iOS](#)

---

**From:** Keeley Ladlow <Keeley.Ladlow@rotherham.gov.uk>  
**Sent:** Sunday, December 13, 2020 6:21:30 PM  
**To:** Craig Cornwall <Craig.Cornwall@rotherham.gov.uk> Lewis Coates <Lewis.Coates@rotherham.gov.uk> Elizabeth  
Anderton <Elizabeth.Anderton@rotherham.gov.uk> Michelle Scales <Michelle.Scales@rotherham.gov.uk>; Denise  
Fedyszyn <Denise.Fedyszyn@rotherham.gov.uk>; COVIDTeam <COVIDTeam@rotherham.gov.uk>  
**Cc:** 'HELEN E COOPER' <HelenE.Cooper@southyorks.pnn.police.uk>; Alan Pogorzelec  
<Alan.Pogorzelec@rotherham.gov.uk>  
**Subject:** Fwd: Licensing updates

Hi all,

## APPENDIX 4

Please see the below email from South Yorkshire Police regarding The Waverley.

Can I have your thoughts on whether there is any further action we need to take regarding the premises please.

[REDACTED]

Thanks

Keeley

---

**From:** JOHN OMALLEY [REDACTED] [John.OMalley@southyorks.pnn.police.uk](mailto:John.OMalley@southyorks.pnn.police.uk)

**Sent:** Saturday, December 12, 2020 9:45 am

**To:** [REDACTED]

**Cc:** HELEN E COOPER; Keeley Ladlow; [REDACTED]

**Subject:** Licensing updates

Morning

Rotherham

0831 Report that landlord of Waverley Pub, Brinsworth Rd is having a birthday party in the pub STILL OPEN

Update on incident ,When officers arrived it was the DPS and family. Passed onto Licensing officer for SYP and also RMBC licensing team for their information. RMBC did a spot check during tier two early in November and found issues re social distancing. Helen can you input this onto inn keeper please and ask local team to give passing attention.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

John O' Malley  
Liquor licensing Manager  
Moss Way Police Station

[REDACTED]

Licensing Objectives

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from harm



## APPENDIX 4

Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at [www.sypalerts.co.uk](http://www.sypalerts.co.uk) #SignMeUp

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at [www.sypalerts.co.uk](http://www.sypalerts.co.uk) #SignMeUp

---

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail software, and then delete it from your system. Rotherham MBC may monitor the content of the e-mails sent and received via its network for the purposes of ensuring compliance with the law and with RMBC policies. Any views or opinions presented are only those of the author and not those of Rotherham MBC. The copyright in all documentation is the property of Rotherham Metropolitan Borough Council and this email and any documentation must not be copied or used other than as strictly necessary for the purpose of this email, without prior written consent which may be subject to conditions.

---

---

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail software, and then delete it from your system. Rotherham MBC may monitor the content of the e-mails sent and received via its network for the purposes of ensuring compliance with the law and with RMBC policies. Any views or opinions presented are only those of the author and not those of Rotherham MBC. The copyright in all documentation is the property of Rotherham Metropolitan Borough Council and this email and any documentation must not be copied or used other than as strictly necessary for the purpose of this email, without prior written consent which may be subject to conditions.

---

---

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail



software, and then delete it from your system. Rotherham MBC may monitor the content of the e-mails sent and received via its network for the purposes of ensuring compliance with the law and with RMBC policies. Any views or opinions presented are only those of the author and not those of Rotherham MBC. The copyright in all documentation is the property of Rotherham Metropolitan Borough Council and this email and any documentation must not be copied or used other than as strictly necessary for the purpose of this email, without prior written consent which may be subject to conditions.

---

---

The information in this e-mail is confidential and intended solely for the use of the individual to whom it was addressed. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please advise the sender by using the reply facility in your e-mail software, and then delete it from your system. Rotherham MBC may monitor the content of the e-mails sent and received via its network for the purposes of ensuring compliance with the law and with RMBC policies. Any views or opinions presented are only those of the author and not those of Rotherham MBC. The copyright in all documentation is the property of Rotherham Metropolitan Borough Council and this email and any documentation must not be copied or used other than as strictly necessary for the purpose of this email, without prior written consent which may be subject to conditions.

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at [www.sypalerts.co.uk](http://www.sypalerts.co.uk) #SignMeUp

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at [www.sypalerts.co.uk](http://www.sypalerts.co.uk) #SignMeUp

**Community Safety & Street Scene**

Riverside House, Main Street, Rotherham, S60 1AE

Direct Line: 01709 823118

Email: [env.health@rotherham.gov.uk](mailto:env.health@rotherham.gov.uk)*Email the Council for **free** @ your local library!*My Reference:  
B03541

Your Reference:

Please ask for:  
Jeremy SquiresDate:  
14 December 2020

Mr Nocton  
The Waverley  
Brinsworth Road  
Brinsworth  
Rotherham,  
S60 5RW

Dear Mr Nocton,

**The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

I am writing to you to ensure your co-operation in the current pandemic and state of national emergency. We have received information that your business, trading or known as The Waverley, is continuing to trade and been used for activities that could be interpreted as a breach of the above regulations.

You should be aware that the Council has put emergency measures in place and that your business may be subject to specific and targeted monitoring during the day and evening. Regulation & Enforcement Services from the Council are operating 7 days a week.

The Council also reserves it's right to consider all relevant enforcement action with regards to this matter. This may include, but is not limited to, the following:

- You may be subject to a Closure notice and intention of Prosecution served under the above 2020 Regulations.
- A series of Fixed Penalty notices may be issued
- If you are a licensed operator or premises, the Council may request a Licensing Review into your ability to satisfactorily meet your legal obligations as a licence holder
- The matter may be presented to Court where the Council will underline the potential harm and culpability of the offence in order to secure the strongest possible conviction.

Should you require any further information or advice please contact me using the above details.

Yours faithfully,

Jeremy Squires  
**Community Protection Unit**

**Community Safety & Street Scene**

Riverside House, Main Street, Rotherham, S60 1AE

Direct Line: 01709 823118

Email: env.health@rotherham.gov.uk

*Email the Council for **free** @ your local library!*My Reference:  
B03541

Your Reference:

Please ask for:  
Jeremy SquiresDate:  
14 December 2020Mr R Woodthorpe  


Dear Mr Woodthorpe,

**The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

I am writing to you to ensure your co-operation in the current pandemic and state of national emergency. We have received information that your business, trading or known as The Waverley, is continuing to trade and been used for activities that could be interpreted as a breach of the above regulations.

You should be aware that the Council has put emergency measures in place and that your business may be subject to specific and targeted monitoring during the day and evening. Regulation & Enforcement Services from the Council are operating 7 days a week.

The Council also reserves it's right to consider all relevant enforcement action with regards to this matter. This may include, but is not limited to, the following:

- You may be subject to a Closure notice and intention of Prosecution served under the above 2020 Regulations.
- A series of Fixed Penalty notices may be issued
- If you are a licensed operator or premises, the Council may request a Licensing Review into your ability to satisfactorily meet your legal obligations as a licence holder
- The matter may be presented to Court where the Council will underline the potential harm and culpability of the offence in order to secure the strongest possible conviction.

Should you require any further information or advice please contact me using the above details.

Yours faithfully,

Jeremy Squires  
**Community Protection Unit**

# APPENDIX 5

**WITNESS STATEMENT OF**  
**HELEN COOPER**  
**1<sup>ST</sup> STATEMENT**  
**ON BEHALF OF THE APPLICANT**

**BEFORE THE LICENSING COMMITTEE**  
**OF ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

**IN THE MATTER OF A REVIEW OF**  
**PREMISES LICENCE UNDER**  
**SECTION 51 OF THE LICENSING**  
**ACT 2003**

**CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE**

Applicant

**AND**

**RONALD WOODTHORPE**

Premises Licence Holder

---

**WITNESS STATEMENT OF HELEN COOPER**

---

1. I am Helen Cooper, I am employed by South Yorkshire Police as a Licensing Enforcement Officer .
2. I make this statement in support of an Application for Review of Premises Licence relating to the above premises.
3. **Licensing Enforcement Officer Engagement / SYP Incidents :**

- a. Report to SYP – 11<sup>th</sup> December 2020 @ 19:25

Below are incident details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the incidents detailed below:

**Incident Number - 20201211-0831 – Covid 19 Concern**

Caller reports to SYP, the landlord is having a birthday party at the venue and a lot of people have been invited. Caller knows this as they themselves were invited. Officers attended and this was not the case at all- landlord and his children were the only persons present.

## APPENDIX 5

b. Crime Stoppers Report - 13<sup>th</sup> April 2020 @ 09:38

Below are details of a Crime Stoppers report details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the report incidents detailed below:

Crime Stoppers report detailed the landlord of the Waverley public house, new Brinsworth road, Catcliffe, Rotherham and is having lock in in his pubs despite the lockdown. Spoe research: Waverley public house, Brinsworth road, Catcliffe, Rotherham, S60 5RW. On connect previous intel for licensing offences - landlord in March 2019 Alex Nocton 11/12/1969.

c. Licensing Officer Engagement – 16<sup>th</sup> April 2020 @ 09:03 – Phone Call

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

Following a Crime Stoppers report dated 13th April which was emailed through to me I called the DPS Alex Nocton on 16<sup>th</sup> April 2020.

I told Alex that we have received some information that they are still open and serving customers he told me that the pub is not open and he has CCTV to prove this.

He told me that they are carrying out food deliveries to houses and care homes. He told me they are doing fish and chips on Fridays and then a carvery on Sunday's. I asked him if they are all being delivered and he told me mostly there has been approx. 6 who have collected and this is due to the fact that the meal is going outside of their deliver boundary. I asked him what the policy is when they collect as he would need to ensure that social distancing is adhered to at all times and he told that they stay in the bar area the food is brought out to them and then they use the rear door to enter and leave.

I asked who else is at the bar and he told me [REDACTED] - staff his daughter himself and [REDACTED] he assured me that no alcohol is being served.

d. Licensing Officer Engagement – 16<sup>th</sup> April 2020 @ 09:50 – Email to DPS

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

See email below sent to DPS – Alex Nocton to confirm advise from telephone conversation we had earlier today @ 09:03.

Alex

I would like to confirm as discussed on the phone, please ensure that you retain CCTV for when you have people you stated in the bar area and when you carry out the food deliveries / collection so you have the proof of carrying out your social

## APPENDIX 5

distancing policy during this lockdown period.

I am advising this I am have concerns that further reports could be made.

Many thanks

Helen E Cooper  
Rotherham Licensing Enforcement Officer

e. Licensing Enforcement Officer Engagement – 12<sup>th</sup> May 2020 @ 13:45 – Phone Call

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

On 12<sup>th</sup> May I called Alex Nocton and advised him that I have received an anon report that the Waverley is still open despite of Government closure.

Alex told me that they are closed . He told me that he is there everyday as they are doing food deliveries between 8am - 6pm. I asked him if he has deliveries everyday and he told me most days however today they have not had any deliveries or pickups.

He told me that today a delivery driver called in to use the toilet and he is trying to accommodate these as a lot of places they would normally call into are closed.

I asked him to explain the food collection process and he told me that he is emailing out to advertise so customer are aware of what food is available each day. He has an a frame board outside advertising. They are told to stay in the car and the food will be taken out to them and given to them from a safe distance he told me that some customer do pop their heads in when collecting and they use the back entrance.

He told me he does not have any tills on and the CCTV is working . He told me that the front door is locked and is used only by Alex for access.

Alex told me that he had assisted with the police last week for a shop lifter when they came for a statement him and [REDACTED] were drinking a can outside on the seating.

I explained to him that it could be something as simple as this that could have been reported. I advised him to ensure that his CCTV is maintained and advised him that I would complete this report of what we have discussed.

## APPENDIX 5

- f. Reported to SYP - 22<sup>nd</sup> May 2020 @ 13:28

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

See email below regarding a phone call I had with Alex Nocton – DPS advising me of his step daughters 13th Birthday Party. I have sent the email out so authorities are aware of this gathering.

██████████

Just to let you know I have had the DPS Alex Nocton call me from the Waverley to tell me that on Saturday 13th May, it is his step Daughters Birthday and he wants to hold a family celebration in the Waverley in the afternoon. It will be for family members from 3 x house holds 15 in total. He told me there will be 2/3 cars in the car park and wanted me to know in case they were any calls.

I have advised him that this will be a straight breach of the Covid 19 legislation and he has told me that the room is big enough to social distance all attending. He told me that they will not be selling any food or drink they will be bringing their own.

I have again advised him that he would be in breach as first and foremost they are a pub and all pubs are ordered by the government to be strictly closed.

I asked him to ensure that the CCTV is running at all times.

For you all to be aware.

Regards

Helen Cooper

- g. Licensing Enforcement Officer Engagement – 14<sup>th</sup> December 2020 @ 10:53

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

Today after seeing smart contact incident 0831 11/12/20 . The incident was called in at 19:25

On 14<sup>th</sup> December I called Alex Nocton (DPS) to discuss this.

I explained to Alex the details on the incident that people had been invited and had been told that it was a birthday party and when they came to the premise to not park in the carpark and that the curtains would be closed so no one could see in and who was at the party.

## APPENDIX 5

Alex told me that it was a load of rubbish the lot of it. He said that the curtains are always closed from a security point of view because of the drinks behind the bar and the machines. He told me that police did come and he showed them around and there was his daughters there and his niece. He said they wanted to watch a film on the big screen. He told me that his niece was in his bubble. He went on to tell me that his brother in law had recently died and his daughter is distraught so he is trying to support her through her grief. I asked how many in total were there and he confirmed him and 3 girls. Alex told me that she slept over and he took her back the following day.

Alex told me that he goes down stairs also to watch TV on the big screen it also has more channels. I pointed out that he is compromising the licence by carrying out such practice. It is a business and therefore should be closed and only open for takeaway.

I advised him that under the current tier 3 licensed premises can only open for takeaways, Alex told me that they are only doing takeaway on Sundays as the other days are really not worth it.

I pointed out to him that he has already been served with a Fixed Penalty Notice so the spotlight will be on him as he has had a previous covid breach. He told me that when this was issued to him he was at the hospital with his mum, he got some staff in from the Yorkshire Terrier to cover the pub it is a shift that he normally does on his own then he got a call to say that it was really busy and he does not know where it came from. I raised probably the news that the borough was going into tier 3 and therefore the pubs would be closing. He told me he came back to speak with them. Alex told me that the hospital was longer than he thought it was going to be as his mum had to have xrays etc. I told him that the pub needs to be considered during these Covid times .

He went on to say that only his sister [REDACTED] ( who's husband has died) and her Daughter have been to the pub to arrange the funeral , he told me he has now got his Dad ill again. Alex expressed that someone has got it in for him. I told him that others are being reported if they have been in and around the pub family or not.

Alex told me that the other night he had someone wandering around the pub with a torch.

I raised with him that I understand that he lives on and advised him to watch TV upstairs to reduce further reports . He told me that when his Daughter wants a drink of pop he comes down to get her one as it is going to go out of date.

I made it very clear to alex that the pub is a business and therefore under tier 3 needs to remain closed and only used for takeaways it is not an extension to the living quarters. I made it clear that there are no special rules for families to use the pub. Closed means closed.



## APPENDIX 5

h. Report to SYP – 24<sup>th</sup> April 2021 @ 00:46

Below are incident details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the incidents detailed below:

Incident Number - 20210425-0047 - Drug Use / Dealing

Caller reporting on 24<sup>th</sup> April 2021 to SYP that there is a car in the car park and the occupants are smoking cannabis and drinking in the vehicle. States that they have been there for the past few minutes. Caller is watching the car and can see it on the cameras. Further call from male who states that they are actively sniffing cocaine off a key. Officers attended and sniffer dog recovered a large amount of cannabis.

### Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

**Signed:** *Helen Cooper*

**Name:** Helen Cooper

**Date:** 24/05/2020

## APPENDIX 6

### WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Criminal Procedure Rules, r. 27.2)

STATEMENT OF Craig Cornwall

AGE OF WITNESS Over 18  
(if over 18, enter "over 18"):

OCCUPATION OF WITNESS: Community Protection Manager

ADDRESS: Riverside House, Main Street, Rotherham,  
S60 1AE

This statement consisting of 1 page(s) signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.

SIGNED: 

DATED: 25<sup>th</sup> February 2021

1. My name is Craig Cornwall; I am a Community Protection Manager, employed by RMBC. I am duly authorised to make this statement on behalf of the Council.
2. I can confirm that in the case against The Waverley, Brinsworth Road, Brinsworth I did give authorization for officers to issue two fixed penalty notices for The Waverley with regards to breaches of under Regulation 6(1) of The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020 (the Regulations). The FPNs served outlined the particulars of the offences made. In total two Fixed Penalty Notices were issued, totalling £3000.
3. This decision was made on review of all case file notes, which included visits and observations by officers of the Council and in addition complaints received by members of the public.
4. Having full view of the allegations received, the copious visit notes on our database, I am satisfied that the action to serve Fixed Penalty Notices were reasonable and proportionate.
5. In addition, I can confirm that by 3<sup>rd</sup> January 2021 both Fixed Penalty Notices had been paid.

**APPENDIX 6**

(Criminal Justice Act 1967, s.9; Criminal Procedure Rules, r. 27.2)

STATEMENT OF Ms Kim Haughey

AGE OF WITNESS Over 18  
(If over 18, enter "over 18"):

OCCUPATION OF WITNESS: Enforcement Officer

ADDRESS: Riverside House, Main Street, Rotherham,  
S60 1AE

This statement consisting of 4 page(s) signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.

SIGNED: .....

DATED: .....

1. My name is Kim Haughey, I am an Enforcement Officer, employed by Rotherham Metropolitan Borough Council. I am duly authorized to make this statement on behalf of the Council.
2. On 4<sup>th</sup> November 2020 at 16:17 I visited The Waverley, Brinsworth Road, Catcliffe, Rotherham S60 5RW following a report of Covid 19 breaches – serving drinks with out ordering a substantial meal.
3. Upon arrival in the Council vehicle with visible signage, I parked up with a clear unobstructed view of the main bar area. My Colleague Linda Hopkins – Enforcement Officer and I observed 5 males seated altogether with just drinks on the table. There was no sign of any of them having eaten nor going to eat. This was established as there was no condiments nor cutlery placed on table. At this point we decided to enter the premises.

## APPENDIX 6

4. Upon entry there was large group of customers by the doorway having cigarettes none of which were social distanced. I proceeded to enter through the doorway straight into the main bar area which we had earlier observed from the council Vehicle. There were no visible QR codes nor social distancing posters.
5. I proceeded visually inspect the bar area. I observed Staff serving customers at the bar none of which requested food, the customer then walked back to table. At the table where at least 5 other customers also without food with a large amount of used empty glasses. It was also apparent that they were not from the same household. This practice took place several times from other tables within the same bar area. Within the bar area at the time of visit where 7 different tables in use.
6. I observed new customers entering the bar from the outside walking past the manual track and trace paperwork and sanitizing station without completing the sheet provided nor using the sanitizer provided. As I had a clear unobstructed view from inside the pub through doorway to outside, I could clearly see if they had used their own personal sanitizer before entering the premises. At no time did the staff member challenge the customer to complete track and Trace nor use sanitizer.
7. At this point I Identified myself by name, post and showing council photo ID card to the member of staff behind the bar. I asked "to speak to the Licensee " The member of staff went to the kitchen area to ask the two staff their " The female staff member stated "that he wasn't here " I then asked " who was acting on his behalf as he not on the premises " The female stated "no one " . The other male said "he would ring him "
8. I continued to monitor the bar area. At this point a male member of staff exited from behind the bar walked over to a tall round table with a large amount of dirty glasses on. He proceeds to sit down and pull out a pad from his pocket along with a pen. He then turns to a customer who has just walked in and seated at this table. He takes a drink order. At no time was the table cleared or cleaned before this gentleman had sat down. He was not from the party that was seated there before. All the party before had gone outside for a cigarette. After their cigarettes only two of the original five returned to the table. I could

**APPENDIX 6**

clearly observe this table from where I was standing. the view was not obstructed at any time.

9. When the male member of staff returned to the table with the drink, there were no condiment nor cutler given out to the customer to indicate that he had purchased a meal. At this point the customers where not challenged about social distancing whether they where from different households, Hand sanitizing, track and trace or ordering food. The male member of staff then cleared the table of about 10 empty glasses, but no plates or cutlery have been seen on this table. The table was still not wiped down nor seating that was not occupied. This table size would not have been able to have all 6 customers seated socially distanced let alone having a substantial meal. This would defiantly not been possible.
10. The female staff member came over to me and stated that "Alex was on his way back and wouldn't be long "
11. Whilst still waiting in the main bar area we observed a female customer enter the premises and order a drink at the bar. At no time did the staff member challenge again about track and trace, sanitizing and instructing that it was table service. Once again there was no request for food nor challenged regarding not ordering food.
12. I noticed a set of double doors behind me, I proceeded to go through these doors, I found myself in the family area. There were two families in there seated together, the children were playing on the coin machines in this area. A member of staff entered this room with plates of food, this was the first time that I had seen any food served. But no social distancing was undertaken, no masks worn by staff when serving food.
13. I went back through to the main bar area observed a gentleman get up from his table without a mask walked over to the slot machine , proceed to play several games , still no mask nor clear visible identification to being exempt . He was at the machine for approximately 10 mins. He then walked back to his table still no mask and seated back at his table. At no point did any of the three members of staff clean the slot game. Even when another customer went to the same slot machine did, they get challenged to not use it before it was cleaned. The other customer also played the machine without it being cleaned. we left the property the machine had still not been cleaned.

## APPENDIX 6

14. At approximately 16:45 a gentleman and women entered the building, they immediately approached the staff who pointed over to my direction. The male approached me and identified himself Mr Alex Nocton the licensee of The Waverley. He introduced the women he was with as his mother. His arrival was about 20 minutes after we where told he was on his way. I once again identified myself by name, post and showing council photo ID. I advised Mr Nocton why we were conducting the visit and what we had found. I stated, "that with the breaches that we had found and that we would pass our findings onto management to discuss what action would be taken". I also advised if any action were to be taken that it would be in writing.
15. I left the premises at 17:25, I only noticed the food being served to the family section, in total there were approximately 16 male customers and 1 female customer in the main bar area. All male customers were seated three tables within the main bar area – no social distancing nor from the same household, no food provided to any of these tables during our visit. There was no challenging of Face masks when walking around premises, no track and trace nor sanitizing challenging. No signs of cleaning undertaken including tables and Slot games and large amount of dirty glasses on tables. Most of the service to customers was undertaken from the bar not table service. None of the Tier Three rules had been implanted nor any of the challenging of customers under the Tier three rules. No senior member of staff on site when we first challenged staff upon entry at 16:17.
16. I believe the content of this statement to be true and I understand that it may be placed before the court as evidence.

SIGNED:



DATED: .....12<sup>th</sup> January 2021

# APPENDIX 6

## WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Criminal Procedure Rules, r. 27.2)

STATEMENT OF Linda Hopkins

### AGE OF WITNESS

(if over 18, enter "over 18"): Over 18

OCCUPATION OF WITNESS: Enforcement Officer

ADDRESS: Riverside House, Main Street, Rotherham, S60 1AE

This statement consisting of 2 pages signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th day of January 2021

My name is Linda Hopkins and I am an Enforcement officer authorised by Rotherham Metropolitan Borough Council.

On Thursday 4th November 2020 at approximately 16:16hrs, I attended the Waverley Public House situated on Brinsworth Lane, Brinsworth, with my colleague Kim Fieldhouse. The visit made was in relation to Covid 19 Compliance checks during Tier 3 Restrictions, from a complaint made to our department.

Upon arrival my colleague parked up in full view of the main bar area, as i could clearly see through the large side window what activities were taking place inside, under my observations I could clearly see that no one in the premises were wearing protective masks , even when they got up from their seats.

I could see a group of males sitting directly on the backrest seats directly in front of the Large window I was looking through to observe, they were drinking alcohol But I could not see anyone eating food.

I saw a male get up from his seat and go to the slot machine, not wearing a mask. Upon entry into the Pub, I walked past a large group of males standing outside the entrance smoking, none of them were socially distancing, I observed approximately 18 people in the bar area, main room. A group of males were sitting at a small high round table, with approximately 12 empty glasses piled up on it, situated near to the bar and entrance to the pub with approximately 5 males seated and stood around the table.

My Colleague approached the bar and asked for the Licence Holder, one of the bar staff stated he was not in, my colleague asked who was in charge in his absence, the male bar staff went to a door to the side of the bar and entered, When the lady staff member came out of the kitchen and another male staff member, she said he was on his way back from hospital, has he had taken his mother for an appointment.

Whilst observing a male entered the pub and walked to the bar shouting to the bar staff usual please, he was not wearing a protective mask.

I also saw a male member of staff go over to a male at the small round table with A writing pad, at no point whilst he was their did he clear the glasses away from the table or sanitise the table.

## APPENDIX 6

I witnessed a further male get up from his seat and go to the slot machine, no protective mask was being worn, and no bar staff went to sanitise the machine after use.

Whilst waiting I observed 3 adults and 3 children in another room to the rear of the bar area, the adults were drinking but no signs of meals at this point.

A young girl from the group was using the coin machine, at no point after she had finished using the machine did any of the bar staff go and sanitise it.

I saw different males leaving and entering the pub going to the small table

At this point I could only see people drinking and still no meals had been served to customers in the pub. Eventually I saw two meals being fetched out from the kitchen by bar staff, one of the meals was served to one of the adults in the back room.

I saw a lady walk into the pub and order a drink from the bar, but no meal was ordered. Males left and entered the pub and made there way to this table, definitely not from the same household, and at no point did I see anyone fill the track and trace paperwork in.

I believe the content of this statement to be true and I understand that it may be placed before the court as evidence.

Signed... ..

Witnessed.....



Dear Sirs

We are instructed to act on behalf of Mr Alex Nocton, the Designated Premises Supervisor of the above-mentioned premises which is subject to a Premises Licence Review under Section 51 of the Licensing Act 2003, dated 27th April 2021 . We would be grateful if you could note the position.

On the basis that our client is not the Premises Licence holder, that is a Mr Ronald Woodthorpe, please take this email by way of service upon you of a Representation on behalf of our client so as to ensure that he has rights of audience before the licensing Sub Committee when this matter is brought before them.

Furthermore, to set out in brief our client's position in respect of which further detail will be provided prior to and at the hearing itself.

Firstly, our client would wish to confirm the seriousness with which they take the issue of Review proceedings against them. The Designated Premises Supervisor, Mr Alex Nocton and his team place great stall by their professionalism and the quality of their systems, particularly those which touch upon regulatory matters and in more recent times, the requirements imposed upon both the population and operators arising from the Coronavirus Regulations.

Our client has set out to co-operate very closely with the Authorities in respect of all matters and since having held the position as Designated Premises Supervisor has sought at all times to uphold the Licensing Act 2003 and licensing objectives.

Since taking over operation of the Waverley, Mr Nocton has not received material complaints as to the nature of its operation from the Police or any other Responsible Authority. It is apparent from the Review papers that the only complaint is as to the detailed operation of the premises on one occasion when open to the public under the Coronavirus Regulations and on a second occasion, interpretation by Officers of what was perceived to be a children's party.

At this point in the proceedings we feel that we are compelled to raise issue as to the legitimacy of the Review papers. The documentation was served on the 27th April, some 5 ½ months after the alleged first incident and over 4 months from the second, thereby rendering the ability to recover CCTV to support the defence of the position redundant. Additionally, matters as to the timing and method of service of the Fixed Penalty Notices recited in the papers will be raised.

Should this matter proceed to a Review hearing, we will attend on our client's behalf and will call evidence from third parties to support his defence of the position which may include the Premises Licence holder being the Landlord of the premises.

Prior to the hearing, we reserve the right to adduce additional evidence and documentation in support of our client's position.

We would be grateful if you could kindly acknowledge safe receipt of this email and its status as a Representation which was received during the consultation period.

Yours faithfully



Hello

Following on from my telephone call earlier today in regard to the licensing review P0034, I would like to raise my concerns again around the potential opening hours of the Waverley and the noise impact this has on the surrounding houses in the area, this will increase the anti-social behaviour as well as extend the noise levels for longer periods of time late into the night.

The Waverley is situated at the edge of a residential estate where many young families reside the noise levels and increased anti-social behaviour will impact on these families as well as reduce sleep levels. Weekends are already disturbed outside of COVID lockdowns.

There should also be consideration to the increase in traffic generated when the Waverley holds events on weekend's and bank holidays, the Waverley allows events to take place in the car park meaning cars then park on the Main road to the front of the Waverley as well as onto the adjoining estate where children play etc, on many occasions finding exiting the estate rather dangerous as visibility is significantly reduced to the high volume of parked cars. Issues such as this could be avoided if the landlord took the necessary precautions such as monitoring of parking and only using the green space within the Waverley boundaries so the car park remained available for parking during events.

Additionally the noise increases during the summer months when the live events are on until late with patrons anti-social behaviour on occasions becoming utterly unacceptable (urinating on garden fences that adjoin the Waverley boundary).

The environment also suffers as patrons often through waste onto the Estate when exiting the Waverley establishment rather than leaving at the pub.

regards

[Redacted signature]

Representation from Ms C H

## APPENDIX 7

To The Licensing Team

I refer to the licensing review relating to The Waverley, New Brinsworth Rd., Catcliffe

I have only now seen the posted notice re the above mentioned matter.

The noise emanating from these premises late a night on summer evenings- loud pop and rock music, raucous behaviour in the car park is very disturbing indeed. We have telephoned the premises on numerous occasions to complain about bass noise making our windows vibrate.

Also, people leaving the premises are very noisy, this too can be heard by us - we live at [REDACTED] - very close to the pub.

We strongly object to having our peace disturbed by the inconsiderate actions of the licensees in this way.

Yours sincerely

[REDACTED]

Sent from my iPad

Brinsworth

Rotherham  

To Whom it my concern,

I have known Alex Nocton now for in excess of 14 years and in my past I can say that I was not a well behaved person. But Alex has taken me under his wing and shown me what to do to be the great husband and father that I am today. I have come away from my rough and ready past and worked my way up now to a retail manager for Perry's motor group in Rotherham.

Some but not all for this is due to the guidance of Alex and his family that I class as my own and even my daughters call him Uncle Alex and his parent's I see as my own family and call them mum and dad.

During the tire system me and my family came down to the Waverley on several occasions and were told the rules and followed them as stated and at no point did I see these rules been broken by any person entering the pub. Also, during lock down Alex and his daughter we both in my families bubble.

On the 11<sup>th</sup> of December 2020 Alex called me and requested that my daughter  (D.O.B ) came and stayed with his daughter as she was upset still from the cremation of her other uncle  (Alex's brother-in-law) that had happened days earlier. Myself and my wife along with both our daughters walked up and  stayed for the night with Alex and .

This was done because Alex had asked for help (which is not like him) with his daughter, and I knew he was struggling with what had happened himself and he was extremely worried about his nieces and sister, I knew that I had to keep an eye on him for a change as things were now getting him incredibly stressed out. Not only with the business been closed but that all the family were constantly coming to him for help and advice on what was happening with 's death because of his knowledge and experience.

I gave Alex his birthday card and a bottle of whisky and at no point did we see anyone else in the property apart for Alex and his daughter. The girls went off to play and I spoke to Alex to make sure her was ok. We spoke for some time, but I am not sure for how long and then walked back home.

The following day Alex told me about the Police visit and that he had been reported for have a big birthday party and we both laughed about it. He told me that at the point the Police came the girls where in the children's side watching a film on the big screen and he was sat in the lounge side watching TV and playing on his phone.

Yours Faithfully

Representation from Ms A B

## APPENDIX 7

I attended the waverly pub on the 4th of November when entering with my mum and my children we were asked to sign in told the rules etc when seated we ordered food and was told there would be a slight wait due to it being busier than usual which we were happy to wait while seated someone from the council entered looking around to make sure rules were being followed in my opinion she was being very picky because some people were waiting for food she presumed they weren't having food without knowing the facts even when asking they told the lady they had ordered food and was waiting for it because I was sat with my mum who I live with along with my children she presumed we weren't from the same household without even asking us and I even overheard Alex who runs the waverly tell her we was from the same household but she shot it down without even finding out the facts a group of 4 young men came in and was asked to sit at separate tables which they accepted and did but because they were talking to each other from separate tables the lady had an issue in my opinion she just wanted to find faults I have attended the waverly on many occasions and since Alex has taken over the pub has improved massively all rules are stuck to and enforced by Alex and his staff everyone is made to feel welcome and you can see the money and effort put into improving the waverly for the community I hope you take my opinion into account Many thanks

Sent from my iPhone

Representation from Mr L C

## APPENDIX 7

Ive been ask to provide a character reference for Alex Nocton .

Lets start by introducing myself.

My name is [REDACTED],

i live at

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Im currently involved with this ministry as a prayer minister and have been in training and full ministry for the last 2 years.

Now may i offer the relationship with Alex.

I have know Alex for approximately 15 to 17 years as a family friend.

When i first meet Alex he was a serving special constable and thro time became a full time police officer of good standing.

Over the years of the friendship Alex has offten shown a good discernment of not only his character but that of others people's character too .

I was recently back in Rotherham for just a few weeks and spent some time with Alex once the lockdown had been eased for sunday lunch,s ( outside dinning only, due to covid registrations)

At one of his public houses, business)

i have wittnest Alex,s friendly but professional approach and manner to all the patrons the visited Alexs business many time theses character trates that lay within his character.

Alex , once again as described above showed compassion in friendship to many, that are privileged to know Alex .

In conclusion

Alex is of a respected and respectful character,

That stands for full equality in others , with an honest integrity rearly seen in this moden age ..

If i can be of any more help , please dont hesitate to contact myself.

With kind regards

[REDACTED].