

LICENSING SUB-COMMITTEE

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

Date: Monday 29 April 2024

Time: 10.30 a.m.

Meetings of the Licensing Sub-Committee can be viewed by live webcast by following this link:- <https://rotherham.public-i.tv/core/portal/home>

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.17 of the Licensing Act 2003) for the grant of a Premises Licence at Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham, S60 5DL (Pages 3 - 59)

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Committee Name and Date of Committee Meeting

Licensing Sub-Committee – 29th April 2024 (10:30 am)

Report Title

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) for the grant of a Premises Licence at Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham, S60 5DL.

Report Author(s)

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

Report Summary

On the 12th March 2024, an application was made for the grant of a premises licence in relation to Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham, S60 5DL.

The applicant is seeking a licence authorising:

- the retail sale of alcohol, for consumption on and off the premises, on every day of the week between 09:30 hours and 21:30 hours; and
- Provision of live and recorded music (inside) on every day of the week between 08:00 hours and 22:00 hours.

Following the submission of the application paperwork, one representation was received – this was from a local resident.

Further details in relation to the matters referred to above can be found within the body of this 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 Application form accepted on 12th March 2024 (including the premises plan)
- Appendix 3 Conditions agreed with Rotherham MBC Licensing Service
- Appendix 4 Representation received from local resident
- Appendix 5 Response from applicant in relation to representation

Background Papers

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

Revised guidance issued under section 182 of the Licensing Act 2003 (December 2023)
(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.17 of the Licensing Act 2003) for the grant of a Premises Licence at Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham, S60 5DL.

1. Background

- 1.1 An application has been made by S C Valentine & Co Ltd Limited for the grant of a premises licence at Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham, S60 5DL.
- 1.2 The premises is an existing café / bistro business within a small mixed development of commercial units and residential properties. The location of the premises is shown at Appendix 1.
- 1.3 The applicant is seeking authorisation for the following activities:
 - the retail sale of alcohol, for consumption on and off the premises, on every day of the week between 09:30 hours and 21:30 hours; and
 - provision of live and recorded music (inside) on every day of the week between 08:00 hours and 22:00 hours.
- 1.4 The full application form is attached to this report as Appendix 2.
- 1.5 There is a prescribed period of 28 days following the submission of an 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, one representation had been received – this was from a local resident.
- 1.7 In addition to the above, a number of additional conditions were proposed by the Council's Licensing Service – these proposed conditions were agreed by the applicant and will be added to the licence should the licence application be granted.

2. Key Issues

The application

- 2.1 The applicant is seeking a licence that will authorise the following:
 - the retail sale of alcohol, for consumption on and off the premises, on every day of the week between 09:30 hours and 21:30 hours; and
 - provision of live and recorded music (inside) on every day of the week between 08:00 hours and 22:00 hours.

Conditions agreed with Rotherham MBC Licensing Service

The applicant has engaged with the Council's Licensing Service and has agreed a number of conditions that are considered appropriate for the promotion of the Licensing Objectives. Further detail is provided at Appendix 3 to this report.

The conditions detailed in Appendix 3 will be added to the licence as Annex 2 conditions should the Sub-Committee decide to grant the application under consideration.

Representations received

- 2.2 One representation has been received – this is from a local resident and cites concerns regarding the level of noise created by the activities taking place at the premises.
- 2.3 Full details of the above representation can be found at Appendix 4. Please note that elements of the representation has been redacted as they do not relate to the Licensing Objectives and / or the licensable activity that is the subject of the application that is being considered.
- 2.4 The applicant has responded to the representation, this is attached as Appendix 5.
- 2.5 The resident that has made a representations has been invited to the hearing today and if attending will be given the opportunity to address the Sub-Committee in relation to the matters of concern.
- 2.6 Members of the Sub-Committee should give full consideration of application submitted and the and representations to it, together any supporting evidence provided by any party prior to the date of the hearing. Documentary evidence provided on the day of the hearing should only be considered with the consent of all parties.
- 2.7 No representations have been received from Responsible Authorities in relation to this application.

Important considerations in relation to Regulated Entertainment

- 2.8 The applicant has not indicated an intention for there to be live and / or recorded music at the premises, it is however important that the following information is brought to the attention of the Licensing Committee.

2.9 There are a number of exemptions that mean that a licence (or other authorisation) under the 2003 Act is not required. The following activities are examples of entertainment which are not licensable:

- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity (see below).
- A spontaneous performance of music, singing or dancing.
- Stand-up comedy.

2.10 Whether or not music is “incidental” to another activity will depend on the facts of each case. In considering whether or not live or recorded music is incidental, one relevant factor could be whether, against a background of the other activities already taking place, the addition of music will create the potential to undermine the promotion of one or more of the four licensing objectives of the 2003 Act. Other factors might include some or all of the following:

- Is the music the main, or one of the main, reasons for people attending the premises and being charged?
- Is the music advertised as the main attraction?
- Does the volume of the music disrupt or predominate over other activities, or could it be described as ‘background’ music?

2.11 In addition to the above, as a result of deregulatory changes that have amended the 2003 Act, no licence is required for the following activities:

- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that does not have a licence, provided that the audience does not exceed 500 (a workplace could include an external area to a licensed premises – for example a beer garden or other outdoor space provided for patrons to consume alcohol).
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

2.12 The deregulatory changes mean that, for example, a performance of live music taking place between 07.00 and 23.30 on a particular day is licensable in respect of activities taking place between 07.00-08.00 and 23.00-23.30. Similarly, where the audience for a performance of recorded music, those

activities are licensable if, and for so long as, the number of people in the audience exceeds 500.

- 2.13 Anyone involved in the organisation or provision of entertainment activities – whether or not any such activity is licensable under the 2003 Act – must comply with any applicable duties that may be imposed by other legislation relevant to the event (e.g. in areas such as crime and disorder, fire, health and safety, noise, nuisance and planning). Any such person should take steps to be aware of relevant best practice and may find responsible authorities a useful source of expert support and advice.
- 2.14 If the Licensing Committee grant the licence, and the licence includes permission for the retail sale of alcohol, then any live or recorded music taking place at the premises (subject to the above requirements) will not be licensable between the hours of 0800hrs and 2300hrs. In addition, any conditions that are applied to live or recorded music will not be effective during these hours (subject to certain conditions being met). Further detail in relation to conditions is contained within section 3 of 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. In relation to this application, the options available to the Committee are:
- To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Sub-Committee may modify to such extent as they consider appropriate; or
 - To reject the whole or part of the application (which may include the omission of certain licensable activities from the licence and / or the

refusal to specify a particular individual as the Designated Premises Supervisor).

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

Conditions

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

Proposed conditions

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

Consistency with steps described in operating schedule

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

broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

Imposed conditions

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

Conditions relating specifically to live and recorded music

- 3.17 Any existing licence conditions (or conditions added on a determination of an application for a premises licence) which relate to live music or recorded music remain in place, but are **suspended** between the hours of 08.00 and 23.00 on the same day where the following conditions are met:
- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
 - if the music is amplified, it takes place before an audience of no more than 500 people; and
 - the music takes place between 08.00 and 23.00 on the same day.
- 3.18 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same

day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

- 3.19 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.
- 3.20 Licence conditions imposed for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and / or the activities are taking place between 23.00 and 08.00.
- 3.21 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.
- 3.22 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence or certificate, if there are appropriate grounds to do so.

Proportionality

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

4. Consultation

- 4.1 The application has been subject to the statutory consultation process involving a newspaper advertisement and display of public notices in the vicinity of the site for 28 days.
- 4.2 The public consultation period ran until 9th April 2024, all representations received by this date have been included in this report.
- 4.3 All Responsible Authorities, relevant ward members, and the Town / Parish Council 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 (as amended).

- 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 In addition to the above, members are reminded that all decisions must be taken in accordance with the Council's Statement of Licensing Policy (adopted 3rd June 2020).
- 7.8 Departure from the guidance and / or Statement of Licensing Policy 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 and Statement of Licensing Policy 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

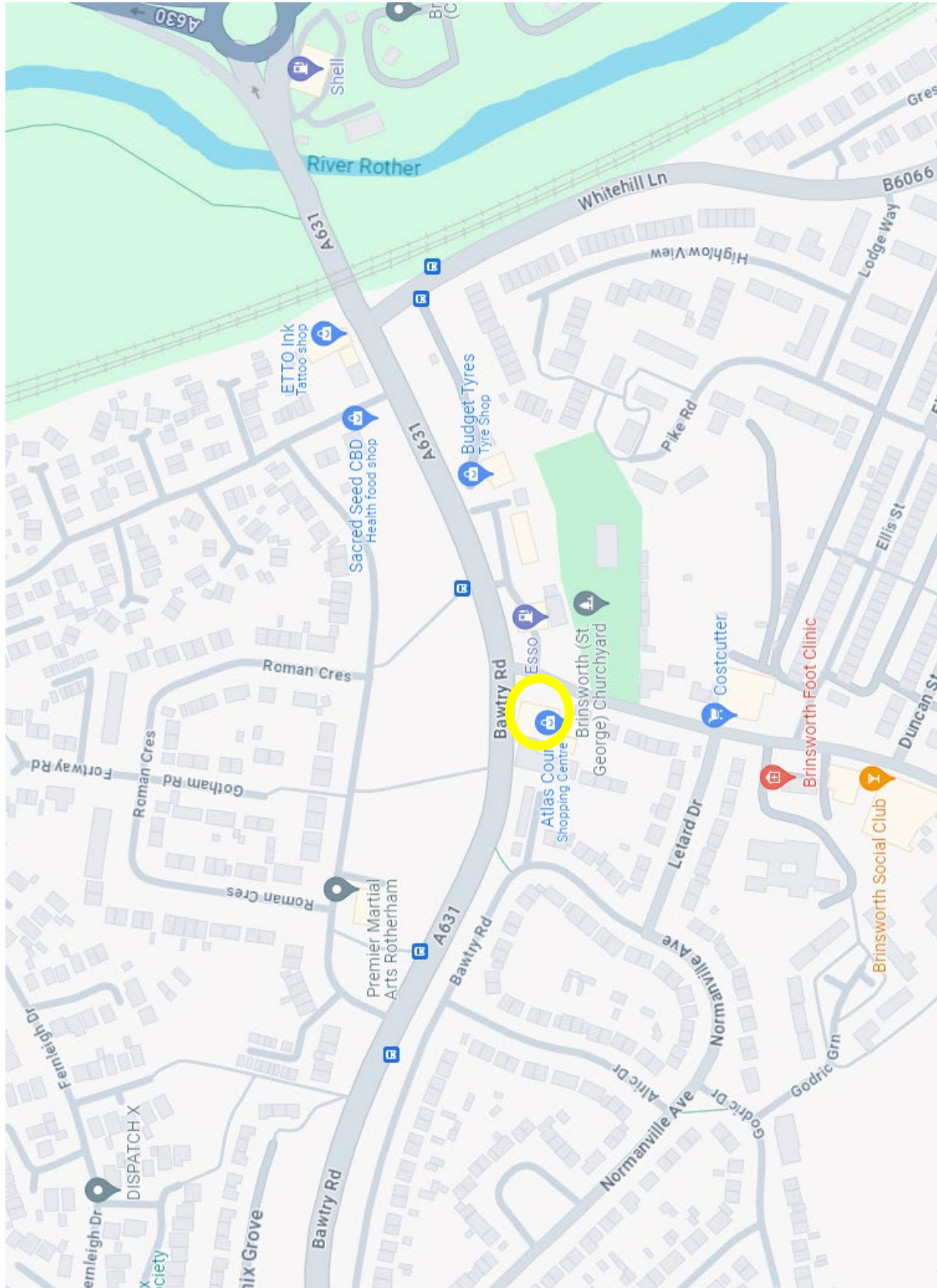
Hearing Procedure

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

Notes:

- At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
- The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Appendix 1



Appendix 1



Appendix 1



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Appendix 2

Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

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

You may wish to keep a copy of the completed form for your records.

I/We **SC Valentine & Co Limited**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Valentines Unit 1 Atlas Court Brinsworth Rotherham S605DL			
Post town	Rotherham	Postcode	S605DL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£7300

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	X	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)
c)	a recognised club		please complete section (B)

Appendix 2

d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over		Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

Appendix 2

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name SC Valentine & Co Limited
Address 39 Farm View Road, Rotherham, S612AW
Registered number (where applicable) 14454650
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 07514466622
E-mail address (optional) sandcvalentine@gmail.com

Appendix 2

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Seated café serving food and drinks maximum of 35 covers.
Café situated in a parade of shops and offices with car parking for approximately 25 cars.
Tables and chairs, so table service will be the purchase method.
Disabled toilet facility within the café.
Alcohol to be served with or after food to drink on site and for customers to take away.
Internal seating only no outdoor consumption so licence for internal consumption only.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	X
f)	recorded music (if ticking yes, fill in box F)	X
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X

In all cases complete boxes K, L and M

Appendix 2

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3) N/A	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

Appendix 2

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3) N/A	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

Appendix 2

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4) N/A
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

Appendix 2

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) N/A	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

Appendix 2

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish			
Mon	08:00	22:00	Please give further details here (please read guidance note 4) Live singers or acts may occasionally perform for customers, amplified but limited due to proximity to residents.		
Tue	08:00	22:00			
Wed	08:00	22:00	State any seasonal variations for the performance of live music (please read guidance note 5) Nil		
Thur	08:00	22:00			
Fri	08:00	22:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) Maundy Thursday, Good Friday Easter Saturday & Easter Sunday from 08:00 hours until 23:00 hours The Friday, Saturday & Sunday prior to the two Bank Holiday Mondays in May and the Bank Holiday Monday In August from 08:00 hours until 23:00 hours Christmas Eve, Boxing Day from 08:00 hours until 23:00 hours New Years Eve from 08:00 hours until 23:00 hours		
Sat	08:00	22:00			
Sun	08:00	22:00			

Appendix 2

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
				Both	
Day	Start	Finish			
Mon	08:00	22:00	Please give further details here (please read guidance note 4) Background music via radio or other music device.		
Tue	08:00	22:00			
Wed	08:00	22:00	State any seasonal variations for the playing of recorded music (please read guidance note 5) Nil		
Thur	08:00	22:00			
Fri	08:00	22:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) Maundy Thursday, Good Friday Easter Saturday & Easter Sunday from 08:00 hours until 24:00 hours The Friday, Saturday & Sunday prior to the two Bank Holiday Mondays in May and the Bank Holiday Monday in August from 08:00 hours until 24:00 hours Christmas Eve, Boxing Day from 08:00 hours until 24:00 hours New Years Eve from 08:00 hours until 00:30 on the day following		
Sat	08:00	22:00			
Sun	08:00	22:00			

Appendix 2

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3) N/A	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

Appendix 2

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing N/A		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Appendix 2

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) N/A	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

Appendix 2

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	X
Mon	09:30	21:30	State any seasonal variations for the supply of alcohol (please read guidance note 5) Some celebratory bank holidays eg New Years Eve alcohol to be served until 24:00		
Tue	09:30	21:30			
Wed	09:30	21:30			
Thur	09:30	21:30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) Maundy Thursday, Good Friday Easter Saturday & Easter Sunday from 09.30 hours until 23:30 hours The Friday, Saturday & Sunday prior to the two Bank Holiday Mondays in May and the Bank Holiday Monday in August from 09:30 hours until 23:30 hours Christmas Eve, Boxing Day from 09:30 hours until 23:30 hours New Years Eve from 09:30 hours until 24:00.		
Fri	09:30	21:30			
Sat	09:30	21:30			
Sun	09:30	21:30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Christopher Paul Valentine	
Date of birth 30/01/1981	
Address 39 Farm View Road Rotherham	
Postcode	S612AW
Personal licence number (if known) RM3784	
Issuing licensing authority (if known) RMBC	

Appendix 2

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	22:00	
Tue	08:00	22:00	
Wed	08:00	22:00	
Thur	08:00	22:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	08:00	22:00	
Sat	08:00	22:00	Maundy Thursday, Good Friday Easter Saturday & Easter Sunday from 08:00 hours until 24:00 hours
Sun	08:00	22:00	The Friday, Saturday & Sunday prior to the two Bank Holiday Mondays in May and the Bank Holiday Monday In August from 08:00 hours until 24:00 hours
			Christmas Eve, Boxing Day from 08:00 hours until 24:00 hours
			New Years Eve from 08:00 hours until 00:30 on the day following

Appendix 2

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. A CCTV system shall be operational in the premises. The system shall record clear images, that show the date and time that the recording was made. Recordings shall be retained for 30 days.
2. The premises licence holder or designated premises supervisor shall be fully trained on the operation of the CCTV system and shall routinely check that the equipment is operating properly.
3. CCTV shall be made available to the police or authorised officers of the Licensing Authority upon request. Where requested a copy of a recording shall be immediately provided, or within 12 hours at the latest.
4. The premises shall operate a “Challenge 25” proof of age policy. This means that persons who appears to be under the age of 25 must produce proof of identity/age before being sold/supplied alcohol. Only the following forms of id shall be accepted
 - a. passport or photo-card driving licence; or
 - b. proof of age card bearing the official ‘PASS’ accreditation hologram.
5. The premises shall maintain a refusals log in which a record the details of all occasions that a member of staff has refused to sell alcohol to a person suspected of being under the age of 25 shall be recorded.
6. The refusals log shall be made available to the police or authorised officers of the Licensing Authority upon request.
7. An incident book/register shall be maintained, in which the following shall be recorded
 - a. All incidents of crime and disorder occurring at the premises; and
 - b. Details of occasions when the police are called to the premises.
8. The incident book/register shall be made available for inspection by a police officer or other authorised officers of the Licensing Authority upon request.
9. On occasions that live or recorded music (other than background music) is being provided regular checks shall be made to the outside of the premises so as to ensure that noise emanating from the premises is not at a level to cause nuisance. These checks shall be recorded, and records made available to a police officer or other authorised officers of the Licensing Authority upon request.
10. No adult entertainment or services shall be provided.
11. Clear and legible notices shall be displayed:
 - a. inside the premises advertising that a “Challenge 25 Policy” is in operation;
 - b. at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly; and
 - c. in the w/c provision advertising “Ask Angela”.
12. All staff engaged shall be trained in:
 - a. Responsible Alcohol Retailing - to include the:
 - i. Challenge 25 policy and the need to records refusal
 - ii. Prevention of Proxy sales
 - iii. Not selling alcohol to persons who appear drunk

Appendix 2

- b. "Ask Angela"; and
- c. The terms and conditions of the Licence.

13. Staff training shall take place upon commencement of employment and every six months thereafter. A written record of this training shall be kept, and this record shall be made available to the police or authorised officers of the Council upon request.

14 A zero drugs policy will be adhered to.

- a. All staff engaged will be trained on a zero drugs policy.
- b. a locked facility eg locked box will be available for any substances found on the premises.
- c. A log book will be maintained for this purpose.
- d.

b) The prevention of crime and disorder

See box A.

c) Public safety

See box A.

d) The prevention of public nuisance

See box A.

e) The protection of children from harm

See box A.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
•	I understand that if I do not comply with the above requirements my application will be rejected.	X
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

Appendix 2

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Christopher Paul valentine
Date	12-03-24
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Appendix 2

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

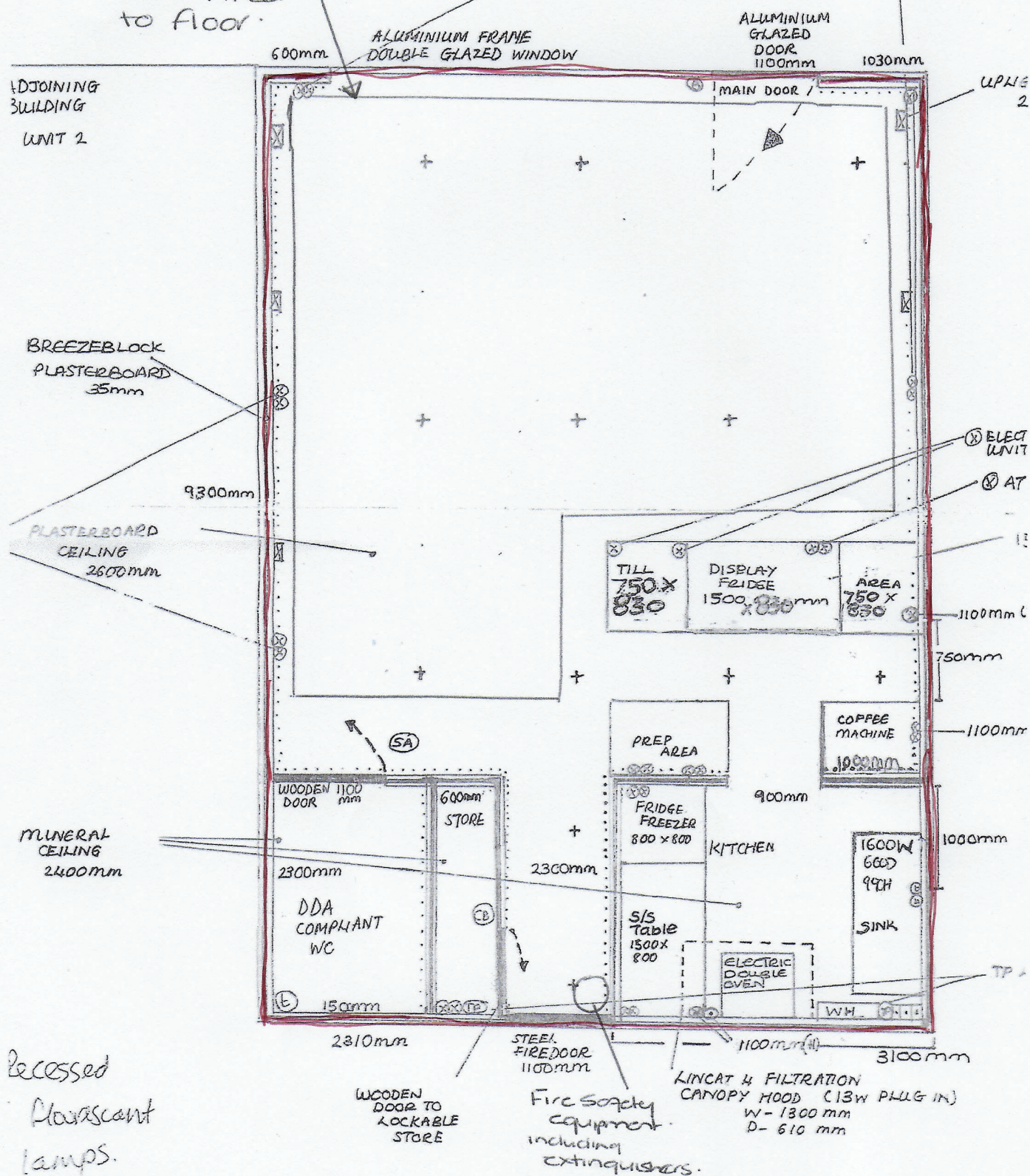
Christopher Valentine
39 Farm View Road

Post town	Rotherham	Postcode	S612AW
Telephone number (if any)	07514466622		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
sandcvalentine@gmail.com			

Appendix 2

VALENTINES
Unit 1 Atlas Court
Brinsworth
SGO 5DL

Tables & chairs
for food & drinks
including alcohol.
Not fixed
to floor.



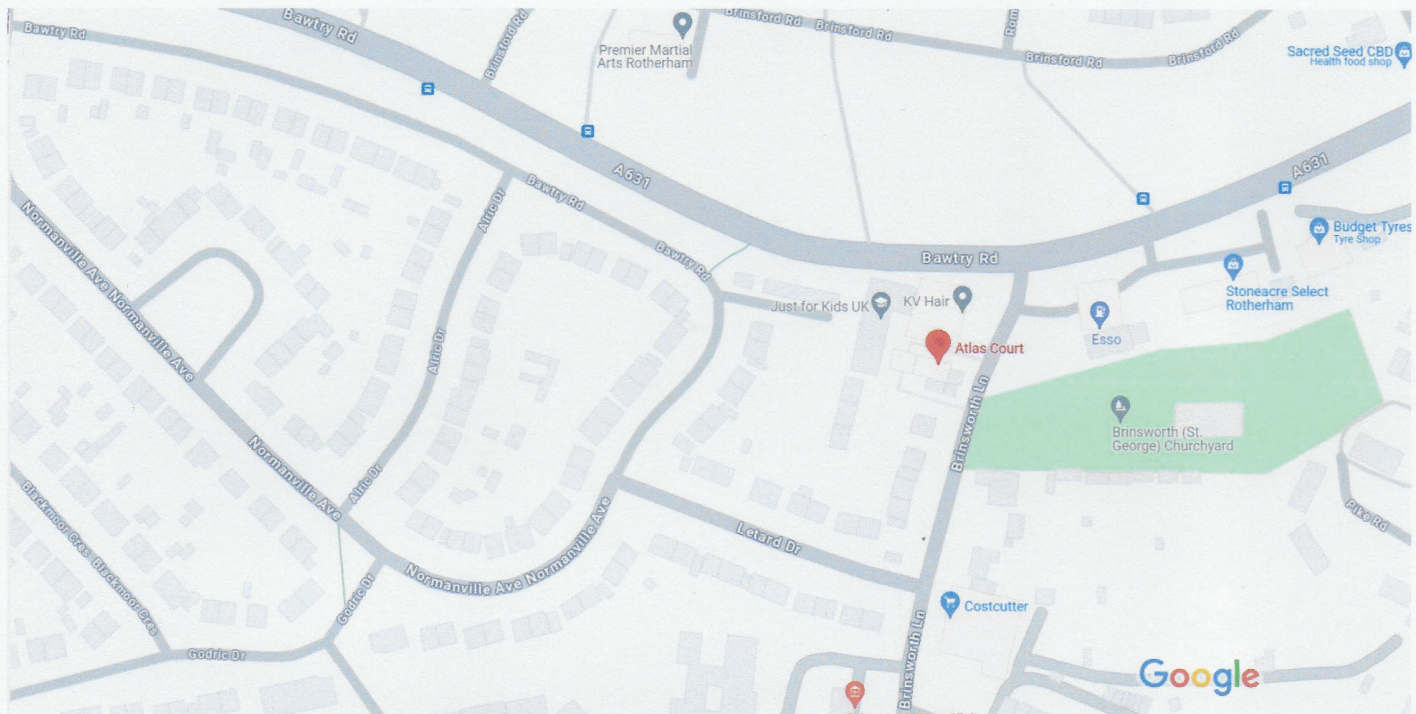
Key = Red line is Licensable Activity where Alcohol will be consumed.



Atlas Court.

pin is valentines cafe unit 1 atlas court brinsworth s60 5dl

Appendix 2



Map data ©2024 20 m



Atlas Court.

5.0 ★★★★★ (2) ⓘ

Shopping Centre

[Overview](#)

[Reviews](#)

[About](#)

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Appendix 3

Conditions proposed by the applicant to promote the licensing objectives:

1. A CCTV system shall be operational in the premises. The system shall record clear images, that show the date and time that the recording was made. Recordings shall be retained for 30 days.
2. The premises licence holder or designated premises supervisor shall be fully trained on the operation of the CCTV system and shall routinely check that the equipment is operating properly.
3. CCTV shall be made available to the police or authorised officers of the Licensing Authority upon request. Where requested a copy of a recording shall be immediately provided, or within 12 hours at the latest.
4. The premises shall operate a "Challenge 25" proof of age policy. This means that persons who appears to be under the age of 25 must produce proof of identity/age before being sold/supplied alcohol. Only the following forms of id shall be accepted:
 - a. passport or photo-card driving licence; or
 - b. proof of age card bearing the official 'PASS' accreditation hologram.
5. The premises shall maintain a refusals log in which a record the details of all occasions that a member of staff has refused to sell alcohol to a person suspected of being under the age of 25 shall be recorded.
6. The refusals log shall be made available to the police or authorised officers of the Licensing Authority upon request.
7. An incident book/register shall be maintained, in which the following shall be recorded:
 - a. All incidents of crime and disorder occurring at the premises; and
 - b. Details of occasions when the police are called to the premises.
8. The incident book/register shall be made available for inspection by a police officer or other authorised officers of the Licensing Authority upon request.
9. On occasions that live or recorded music (other than background music) is being provided regular checks shall be made to the outside of the premises so as to ensure that noise emanating from the premises is not at a level to cause nuisance. These checks shall be recorded, and records made available to a police officer or other authorised officers of the Licensing Authority upon request.
10. No adult entertainment or services shall be provided.
11. Clear and legible notices shall be displayed:
 - a. inside the premises advertising that a "Challenge 25 Policy" is in operation;
 - b. at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly; and

Appendix 3

- c. in the w/c provision advertising “Ask Angela”.
12. All staff engaged shall be trained in:
- a. Responsible Alcohol Retailing - to include the:
 - i. Challenge 25 policy and the need to records refusal
 - ii. Prevention of Proxy sales
 - iii. Not selling alcohol to persons who appear drunk
 - b. “Ask for Angela”; and
 - c. The terms and conditions of the Licence.
13. Staff training shall take place upon commencement of employment and every six months thereafter. A written record of this training shall be kept, and this record shall be made available to the police or authorised officers of the Council upon request.
14. A zero drugs policy will be adhered to:
- a. All staff engaged will be trained on a zero drugs policy.
 - b. a locked facility e.g. locked box will be available for any substances found on the premises.
 - c. A logbook will be maintained for this purpose.

Additional conditions agreed with the Licensing Authority:

15. Alcohol will only be purchased by people that are seated at a table, and the drinks will be taken to their table by a member of staff - there will be no service direct to the customer at a bar or other server.
16. Alcohol will only be sold to patrons with or after food purchased or supplied onsite, or for takeaway purposes.
17. Patrons will not be permitted to leave the premises whilst in possession of any drinking vessel or open glass bottle / can whether empty or containing any beverage, with the exception of part bottles of wine or similar product that has been recorked / recapped prior to the customer leaving the premises.

Appendix 4

From:
Sent: Wednesday, April 3, 2024 6:25 PM
To: Licensing <Licensing@rotherham.gov.uk>
Subject: Change of licence Valentines, Unit 1, Atlas Court S60 5DL

To whom it may concern,

[REDACTED]

There will also be a noise issue with music being played. Some of the tenants have small children.

[REDACTED]

Thanks

From:
Sent: Tuesday, April 9, 2024 2:28 AM
To: Diane Kraus <Diane.Kraus@rotherham.gov.uk>
Subject: Re: Change of licence Valentines, Unit 1, Atlas Court S60 5DL

Following on from my initial email.

Valentines Cafe is open currently throughout the day and is usually closed by about 5pm.
I think if this change of licence was granted it would make the place more of a destination venue.

[REDACTED]

Looking at the application details it looks like they are hoping to possibly hold events on most bank holidays.

The previous cafe sometimes had evenings with live music. [REDACTED]
[REDACTED] what was more of an issue was the noise levels with the music going on and extra noise when people were outside smoking.

This isn't the right place for a live/recorded music venue.

There are tenants here that have young children so it definitely wouldn't be ideal at all for them.

Thanks

Flat ■ Atlas Court
Brinsworth Lane
Rotherham
S60 5DL

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Appendix 5

Dear Atlas Court 'Resident'

On the receipt of your objection to the application to grant an alcohol licence for our small family business 'Valentines' I would like to provide the following information / clarification that will address each point of your concern.

The application was made with the full consideration of the residents that live within proximity of our business, ensuring that that all the licence specifications were not detrimental. We have greatly reduced our revenue potential to maintain our amazing relationship with our loyal customers (and friends) and fellow residents of Atlas Court – this is reflected in the following specifications that we felt were considerate and fair.

- 1 Reduced opening hours – last beverage to be served at 21:30 rather than 23:00.
- 2 Alcoholic drinks only to be served with food – as not to encourage a drinking only establishment.
- 3 Table service for drinks – we do not want to operate as a 'bar'. Our aim is to provide our customers with a choice of either an alcoholic or soft beverage with their food.
- 4 No consumption of alcohol outside the premise.

Your points of concern are -

1 Parking

We completely empathise with your concerns, as a small business we are trying to provide a service to our local customers who have expresses a need for a facility that provides food, drinks and some entertainment. As most of our customers are local residents of Brinsworth who will be visiting for both food and drinks including alcohol, we envisage that the majority of them will be travelling on foot. As you stated 'The previous café sometimes had evenings with live music. It made the parking here extremely difficult'. To clarify, the previous café did not hold a regulated alcohol licence therefore some of their customers may have travelled in cars.

As a licensee, we will have specific objectives we have to abide by to maintain the licence, hence this may deliver some reassurance to you that the operation of our business will be monitored and inspected at any point. We will have to operate within the licence objectives that we devised as to not impact on your residency on Atlas Court.

As you are aware, there is ample street parking. Unfortunately, we are unable to police the cars that enter the car park to access the nursery. We have observed that the nursery has displayed notices to their service users to park more considerately and we can certainly promote the same.

We have observed the car park at various intervals throughout the day and other than the peak times when parents and carers are dropping children at the nursery, we have not noticed an issue with available spaces. Photographic time stamped evidence will be included in this email.

Appendix 5

2 Events

We do not plan to hold regular events. We hope to provide the occasional event to enrich and provide for our local customers and community. This will not be every bank holiday. As we were unable to specify which bank holiday we would like to hold an event (day or night) we had to apply for every calendar bank holiday to avoid any deviation from our licence. All our events will be promoted in a timely manner and will not deviate from our licencing agreement.

3. Noise

The majority of evenings will be low volume background music, only to enhance the ambiance of our customers enjoying their meal. On the occasional event where there is live music it would be low key with the attendance of a solo acoustic artist- not bands or events that encourage excessive drinking, dancing or loud amplified music. We do not wish to operate in this manner. We are a business that encompasses the ethos of a local community and hope to provide an occasional event that may include a live singer. On the occasional event that a live musician may be present, the sound will be monitored both inside and outside and recorded and logged on site. The window and doors will be kept closed as much as possible as to reduce the outbreak of noise to reduce the effect of nearby residents. Internal speaker will be directed away from external windows and doors.

This log would be available to inspect as required on request despite this not being a condition of our licence as per the environmental health officer. As we understand, the building that we both lease / rent are constructed to a standard that reduces the conduction of noise. As previously stated, we feel we have a duty to all residents and fellow business owners to operate a harmonious establishment for all to enjoy.

We are very aware of a resident that has a small child and that the parents work variable shifts, so we have prepared direct signage to encourage all customers to be considerate and courteous when entering and leaving the café.

4. Smoking

There is an established designated smoking area within Atlas Court that is available for both visitors and residents. This is located away from the building towards the exit of the car park. We agree that smoking near both our business and residents is not considerate. We do not want our customers to smoke directly outside our business or beneath our fellow residents of Atlas Court. We have already designed signage to signpost customers to the smoking area and will actively encourage the compliance of this.

Moving forward, the café will operate as planned with evening food available to our customers from the end of April up to the hours of 21:30. This will be operational with or without a licence to serve alcohol. We, as a small business need to explore every avenue possible to generate an income to sustain a viable business. If we were to operate where customers could bring their own alcohol to enjoy with their meal there would be no licence objectives to comply with and regulation would be negligible.

Appendix 5

We, as a small local community spirited business want to provide an environment for people to relax and enjoy the choice of an alcoholic drink or soft drink with their meal.

As part of our licence objectives, we have installed CCTV cameras inside the café which will capture data 24 hours per day and be stored for 30 days which is available for police or licencing officers to view at any time. At an additional cost to our business we have planned to install external cameras to monitor and record any events that may be of concern to yourself or any other residents.

We hope you feel some reassurance from this response.

SC Valentine & Co

22:08

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Today
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Appendix 5





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