

LICENSING SUB-COMMITTEE

Date and Time:- Tuesday, 23rd July, 2024 at 10.00 a.m.

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

Membership:- Councillors Beresford (Chair), T. Collingham and Steele.

The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes.

Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

AGENDA

- 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 Chair 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 in respect the premises to be known as Happy Local situated at 98A Claypit Lane, Rawmarsh, Rotherham S62 5JL (Pages 3 - 49)**

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Licensing Act 2003 - Hearing Procedure – Grant of a Premises Licence

1. The Chair of the Licensing Sub Committee will introduce the Committee and ask officers to introduce themselves.

The Chair of the Licensing Sub Committee will ask the following parties to introduce themselves:

- a) the applicant and any witnesses they wish to call.
- b) any person who has made representations and any witnesses they wish to call.

2. The Licensing Officer will introduce the report and provide any updates.

Note: Questions solely concerning the report can be asked by Members, the applicant and by persons making representations.

3. The Chair of the Licensing Sub Committee will then invite any person who has made representations to present their representations and call any witnesses

Note: Members of the Sub Committee, followed by the applicant may ask questions of persons who have made representations and their witnesses.

4. The Chair of the Licensing Sub Committee will then invite the applicant to present their application, respond to the representations, and call any witnesses

Note: Members of the Sub Committee, followed by any person who has made representations may ask questions of the applicant and their witnesses.

5. The licence holder will then be given the opportunity to sum up

6. The public hearing will then be concluded, and the Sub Committee will go into closed session, together with the Councils Solicitor and the Clerk to the meeting.

7. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made thereunder.

Note:

At any time throughout the hearing Members of the Licensing Sub Committee may request legal advice from the Council's Solicitor. Any advice sought during closed session will be included in the notice setting out the decision.

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

Committee Name and Date of Committee Meeting

Licensing Sub-Committee – 23rd July 2024 at 10:00 hours (10am)

Report Title

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) for the Grant of a Premises Licence in respect the premises to be known as Happy Local situated at 98A Claypit Lane, Rawmarsh, Rotherham S62 5JL.

Report Author(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene
Tel: 01709 289536

Report Summary

On the 20th May 2024 an application the grant of a premises licence was made by Mr Khvinder Kumar in respect of Happy Local, 98A Claypit Lane, Rawmarsh, Rotherham S62 5JL.

The applicant is seeking authorisation to allow the sale of alcohol for consumption off the premises on every day of the week between 08:00 hours and 22:00 hours.

Representations to the application have been made by “Other Persons”, all of whom are opposed to the grant of the application. A petition, in opposition to the application, has also been submitted. Further detail of the application, representations to it are 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 plan
- Appendix 2 Application form
- Appendix 3 Premises layout plan
- Appendix 4 Representations from “Other Persons”
- Appendix 5 Petition from “Other Persons”

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 in respect of the premises to be known as Happy Local situated at 98A Claypit Lane, Rawmarsh, Rotherham S62 5JL.

1. Background

- 1.1 The premises are not currently licensed under the Licensing Act 2003.
- 1.2 A location plan identifying the premises is attached at Appendix 1.

2. Key Issues

The application

- 2.1 On 20th May 2024 an application for the grant of a premises licence was made by Mr Khvinder Kumar, in respect of the premises to be known as Happy Local situated at 98A Claypit Lane, Rawmarsh, Rotherham S62 5JL. The application indicates that the premises will operate as a convenience store.
- 2.2 A copy of the application form is attached at Appendix 2. The application seeks authorisation to allow the sale of alcohol for consumption off the premises on every day of the week between 08:00 hours and 22:00. The layout plan of the premises licensed area is attached at Appendix 3.
- 2.3 The opening hours of the premises, as stated in the application, are between 08:00 hours and 22:00 on every day of the week.
- 2.4 The applicant, Mr Khvinder Kumar, has named himself as the Designated Premises Supervisor (DPS). Mr Kumar holds a Personal Licence issued by Rotherham MBC.
- 2.5 Section M of the application form, known as the “operating schedule”, sets out the management controls the applicant, Mr Khvinder Kumar, has offered to put in place should the application be granted. These management controls, which would be made a condition of Annex 2 of any licence granted, are set out below:
 - a) There shall be a suitable colour digital CCTV recording system in operation at the premises, which shall be capable of providing 28 days recording.
 - b) CCTV images recorded shall be retained for 28 days and made available to the police or other enforcement agencies upon reasonable request (within 48 hours) in line with data protection legislation. DVD/USB copies of relevant CCTV footage shall be provided to the police or other enforcement agencies at no cost.

- c) A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
- i. Biometric Home Office photo ID
 - ii. European National ID Card
 - iii. MILITARY ID
 - iv. VETERANS ID
 - v. Passport (UK or International)
 - vi. Photo Driving Licence (UK or European)
 - vii. Proof of Age Standards Scheme (PASS) card
- d) Where Home Office approved digital proof of identity or age assurance technology is in use, this condition applies only when confirming that a person is 18 years or older following a failure of that technology to do so.
- e) The premises shall clearly display signs that a 'Challenge 25' policy is in force.
- f) The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.
- g) Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
- h) All staff involved in the sale of alcohol shall undertake staff training. Staff training shall be recorded and updated every 6 months. Training shall cover the requirements for ID as part of age verification, and other matters regarding the Licensing Act 2003, relevant to the staff members role in the premises

Consultation

- 2.6 Consultation on the application has been carried out in accordance with all statutory requirements and the Council's procedure. There is a prescribed period of 28 days following the submission of an application during which time representations in relation to the application may be submitted.
- 2.7 Nineteen (19) "Other Persons" have made relevant representations to the application, all of whom are opposed to the grant of the application. Copies of the representations are attached at Appendix 4.
- 2.8 A petition in opposition to the application, signed by five hundred & sixty three (563) "Other Persons" has been received. The summary of this petition is attached at Appendix 5. A copy of the petition in its entirety will be provided to the Sub Committee at the hearing.
- 2.9 There have been no representation received from the Responsible Authorities.

- 2.10 The applicant has been provided with the detail of the representations received from “other Persons”, together with the summary of the petition.
- 2.11 The applicant, “Other Parties” and the petition organiser have been invited to the hearing today. All parties attending, will be given the opportunity to address the Sub-Committee in relation to the matters raised in the application and the representations they have made to it.
- 2.12 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

Additional Evidence

- 2.13 At the time of writing no additional documentary evidence has been received.

For information only

- 2.14 The Council’s Development Control service has confirmed that planning permission would not be required to change the use of the fish and chip shop into a shop, under Part 3 Class A of Town and Country Planning General Permitted Development Order.
- 2.15 The twenty (20) working days’ time period in which to hear the application, as laid out by licensing regulations, was extended at the request of the applicant in order for his representative to be present at today’s hearing. It was not in the public interest to deny this request. .

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 Sub-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 Sub-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 Sub-Committee'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 the Sub-Committee to decide that no lesser step will achieve the aim, the Sub-Committee should aim to consider the potential burden that the condition would impose on the applicant/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 Sub-Committee ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside those parameters. The Sub-Committee may 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 Sub-Committee is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. Conditions may be placed on the licence (if granted) and 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 Sub-Committee'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 the Sub-Committee 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 holder, which they should carry out before making their application for a premises licence. This would be translated into the steps recorded in the 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 has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence 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 in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder must be clear to the licence holder, enforcement officers and the courts.

Imposed conditions

3.15 The Sub-Committee may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises.

3.16 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Proportionality

3.17 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. 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. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

4. Timetable and Accountability for Implementing this Decision

4.1 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.

- 4.2 An appeal may be lodged by either the applicant or a party to the hearing that has made a relevant representation.
- 4.3 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).

5. Financial Implications

- 5.1 There are no specific financial implications arising from this application.
- 5.2 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.

6. Legal Advice and Implications

- 6.1 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.
- 6.2 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 6.3 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.
- 6.4 The Sub-Committee may accept hearsay evidence and it will be a matter for the 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.
- 6.5 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.

- 6.6 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.
- 6.7 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).
- 6.8 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.

7. Risks and Mitigation

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 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.

8. Accountable Officer(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene

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APPENDIX 1

The premises are identified on the plan as Claypit Lane Fish Bar





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 KHVINDER KUMAR

(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 HAPPY LOCAL 98A CLAYPIT LANE RAWMARSH ROTHERHAM			
Post town	ROTHERHAM	Postcode	S62 5JL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£3,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KUMAR			First names KHVINDER		
Date of birth 22/12/1979		I am 18 years old or over		<input checked="" type="checkbox"/>	Please tick yes
Nationality ITALIAN					
Current residential address if different from premises address		215 SOUTH STREET ROTHERHAM			
Post town	ROTHERHAM			Postcode	S61 2NP
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? AS SOON AS POSSIBLE

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)
 - Provision of late night refreshment** (if ticking yes, fill in box I)
 - Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

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)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
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			

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)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
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					

E

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

F

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

G

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

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			
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
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						
Sun			<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)			

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)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
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								

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	<input type="checkbox"/>			
				Off the premises	√			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)					
Mon	08:00	22:00						
Tue	08:00	22:00						
Wed	08:00	22:00				<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur	08:00	22:00						
Fri	08:00	22:00						
Sat	08:00	22:00						
Sun	08:00	22:00						

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 KHVINDER KUMAR	
Date of birth 22/12/1979	
Address 215 SOUTH STREET ROTHERHAM	
Postcode	S61 2NP
Personal licence number (if known) RM3764	
Issuing licensing authority (if known) ROTHERHAM	

K

<p>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</p>
--

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>	<p><u>State any seasonal variations</u> (please read guidance note 5)</p>																								
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Tue</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Wed</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Thur</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Fri</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Sat</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Sun</td> <td>08:00</td> <td>22:00</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	08:00	22:00	Tue	08:00	22:00	Wed	08:00	22:00	Thur	08:00	22:00	Fri	08:00	22:00	Sat	08:00	22:00	Sun	08:00	22:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
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Sun	08:00	22:00																							

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)

All staff involved in the sale of alcohol shall undertake staff training. Staff training shall be recorded and updated every 6 months. Training shall cover the requirements for ID as part of age verification, and other matters regarding the Licensing Act 2003, relevant to the staff members role in the premises

Could any responsible authorities who wish to put in any objection please contact the agent first to see if any agreement can be made.

b) The prevention of crime and disorder

There shall be a suitable colour digital CCTV recording system installed at the premises. The system shall be capable of providing 28 days recording. The images recorded are to be retained for 28 days and made available to the police or other enforcement agencies upon reasonable request (within 48 hours) in line with data protection legislation. DVD/USB copies of relevant footage to be provided to the police or other enforcement agencies at no cost.

c) Public safety

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.

d) The prevention of public nuisance

Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.

e) The protection of children from harm

1. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:

- Biometric Home Office photo ID
- European National ID Card
- MILITARY ID
- VETERANS ID
- Passport (UK or International)
- Photo Driving Licence (UK or European)
- Proof of Age Standards Scheme (PASS) card

Where Home Office approved digital proof of identity or age assurance technology is in use, this condition applies only when confirming that a person is 18 years or older following a failure of that technology to do so.

The premises shall clearly display signs that a 'Challenge 25' policy is in force.

The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises. √
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. √
- I understand that I must now advertise my application. √
- I understand that if I do not comply with the above requirements my application will be rejected. √
- [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 (please read note 15). √

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.**

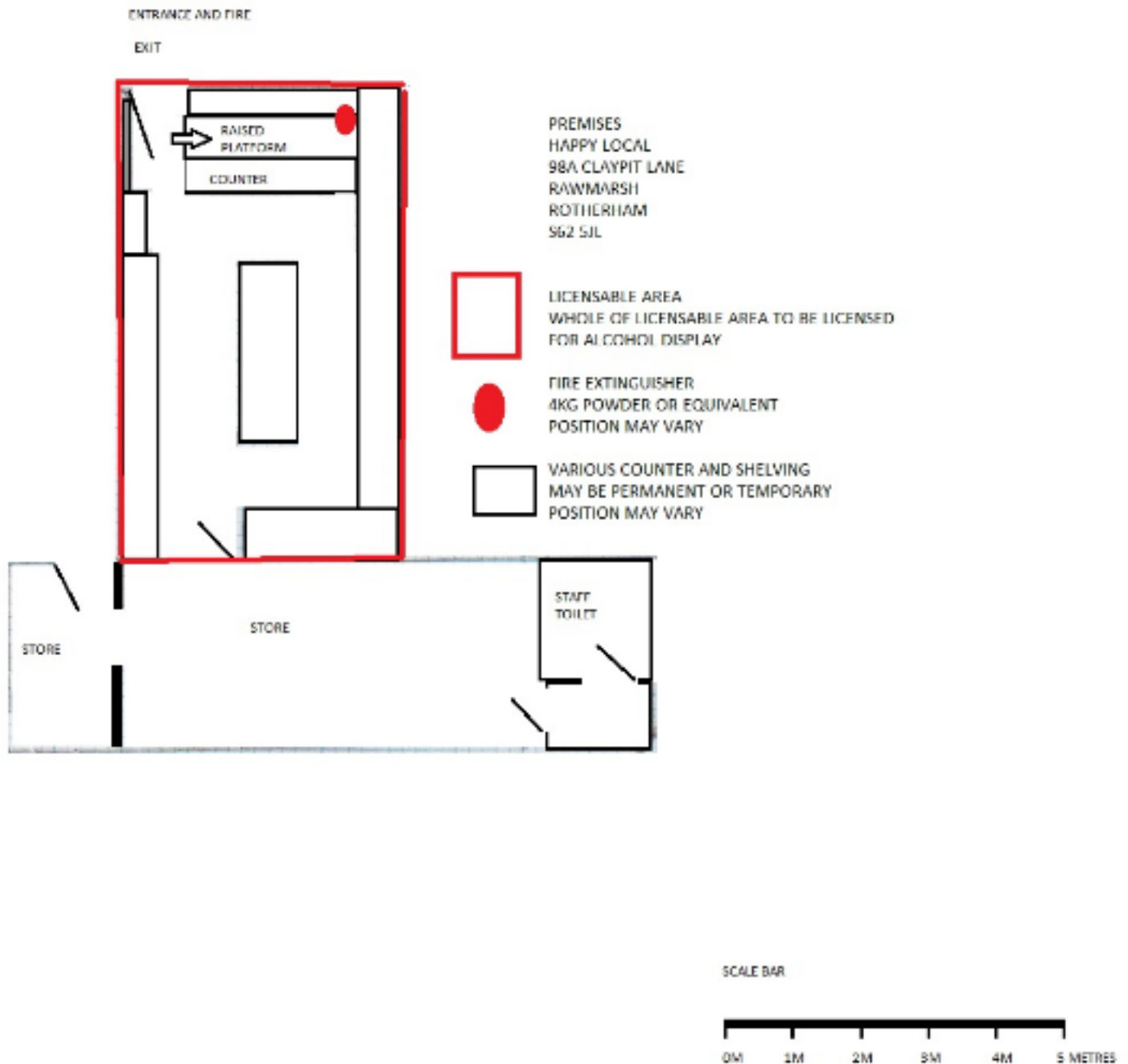
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am 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, if appropriate (please see note 15)
Signature	XXXXXXXX for pr retail consultants
Date	20 th May 2024
Capacity	agent

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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) R JORDAN BSc for pr retail consultants E mail only			
Post town		Postcode	
Telephone number (if any)	07774044585		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) ROBERTJORDAN01@BTINTERNET.COM			

APPENDIX 3



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APPENDIX 4

Representations received regarding Happy Local, Clay Pit Lane, Rawmarsh

1. Representation received from Ms M B

This email is in aim to prevent the application of Khvinder Kumar to turn the current fish bar on claypit lane rawmarsh into an off license.

There has been a notice put in the window of a building on Claypit lane where I live stating that it will be turned into yet another off license. On Claypit lane we have 3 off license on the same street all of which already bring a lot of traffic and drunk and disorderly people. These all make living in this area hard as I often cannot even park on my own drive way and people going to the shops block it. I only dread to think of how hard my parking will be when the building next to my house is also converted into a shop. Along with these three shops we have two shops up the hill from our house and more shops a two minutes walk down the road on kilnhurt road and sandhill all which provide a range of products rendering it pointless having another shop as it has nothing more to offer the community than the current shops do.

Enabling another shop not only in this area but across the road from two other well established shops is only polluting the area further making life for residents harder and more unsafe. There will be more drunk and disorderly people outside my house making me feel unsafe and access to my property will be further hindered.

I write this in aim of some understanding to the worry and concern that residents in my community feel about this announcement of a new shop and hope that we can prevent this license from being passed.

Many thanks,

Additional information provided:

I would like to further add to my previous concerns

If that is okay, I just wish to point out that there is a child care on the corner of the road next to the current chip shop and so I am concerned that heavier traffic, more parked cars will pose a threat to these children as they will struggle to cross the road, or if they run across the road there is a heavier traffic flow than usual and so they could be in danger. As I previously stated parking is hard on the street at current time and I find it hard to cross the road sometimes as there are always cars pulling in to let others go and you can't see the road clearly so I only think of how hard it will be for children when there is more road traffic. Moreover, the drunk people going to the shop will be on the same side of the road as the childcare meaning they are closer to the children, at current time all the shops are across the road and so they do have a bit of distance but if they are walking past the yard of the childcare or past children as their parents drop them off they are more likely to pose a threat to the child. Our current shops are very good at removing the threat of drunk and disorderly people as they refuse to serve them if they appear intoxicated meaning the community is slightly safer. I can't guarantee that the new shop will have this same ethic towards the communities safety.

Thankyou for answering my concerns.

Further information provided:

Hi, sorry to email again but I just wanted to say that this is the reason I sent my first objection.....1.40 pm and outside the chippy is two drunk men arguing. I was about to pull up home but kept driving as I didn't want to get out. Again all I can say is when this business is selling alcohol this can only get worse. I shouldn't be made to feel unsafe to even get out of my car to get into my home.

Thankyou.

2. Representation received from Mr D W:

My objection is based on my concern that this new licence may increase the possibility of public nuisance for the many dwellings nearby, including my own. I am particularly concerned about noise nuisance as this already happens I object to the alcohol licensing application. It will increase drunken behaviour and harm to children also it will increase public nuisance. Thinking back to when I was a kid and what I got up to we would wait outside for people to go in to the shop for alcohol and we just got drunk and caused chaos for the locals living in this area also there are many elderly people living close around that don't want another shop selling alcohol it will increase noise for them that an elderly person just doesn't need at their age there is already a nisa shop and another local shop on that road we don't need another turning a fish and chip shop into another shop is just a bad idea for everyone living in this area it will increase crime and disorder and public safety.

3. Representation received from Ms E T:

To Whom It May Concern

I am hereby putting my objection forward to this application to be granted on the grounds of nuisance behaviour and street congestion.

We already have 3 local shops on the street selling alcohol, but these premises work together and try to stop selling to those who they know will cause an upset, we have already been told by the owner that he will sell to anyone. So, no social conscience or respect for the street.

I am also worried that this already busy street with very little parking will become a nightmare to navigate as a local, busses already struggle to get through and another outlet will not make that task any easier.

If we have no choice in the matter and you grant the application as you see it as an opportunity for the area, which we sincerely hope you don't, could the selling of alcohol be restricted from 10am to 10pm, as the early selling of alcohol via another establishment caused 2 drunks to cause mayhem and nuisance to residents the other day when they were refused more alcohol by the other 3 shops - I do not think Mr Kym's would have such a social conscience and as a local resident who can remember the shop next door being refused as a sandwich shop because of the shop opposite selling sandwiches, should not this be the same outcome - we have enough disruption of the amount of cars, we have enough choice of where we purchase our goods from. We do not need another.

Please turn down this application and if you can't, put restrictions on when it can be sold so that anti social behaviour is not the new normal for our area.

Thank you

Kind regards

Additional information provided:

Secondly, I really do want to state that I am deeply concerned about the application for an alcohol license at the former Claypit Lane Fish Bar. The road is very problematic with regular speeding and youths/drunks/drug users on electric scooters or muscled cars using the street as their playground and supply network, adding another shop selling cheap alcohol will only make things worse.

More easily available alcohol with no community conscience means more people drinking on my street and locality, making it dangerous for everyone. There are already eight shops within a ten-minute walk from here selling alcohol, which we already see the issues of, adding another one, who has stated will be cheaper, offers no benefit other than to those wanting cheap alcohol, but it adds further crime, disorder and public nuisances to our community.

We have had new houses built to the rear of our property who have commented on seeing drugs being sold towards the rear of the "chip shop" where there is no street light cover in the evening and during the day is not on a well-travelled route.

The incident I informed you of with the 2 local drunks causing a nuisance to local residents on the street happened just 10 minutes before the school run for families walking to the local schools, including a local child minder who operates to the side of the "chip shop", happened without easier and requested earlier selling of alcohol.

I do not wish to quash any hope of another local business idea for the area as anything that offers something different would be welcome, but I cannot see past the dangerous nuisance that we have had previously, before the cost of living hit, happening again.

Where local drunks and drug dealers, are robbing local houses, using our passageway links as urinals and dumping grounds - our rear passageway, which serves 82 to 94 Claypit lane, is now open again following the development of new houses and has already been used to dump old plaster with tiles on it there, but it could now bring the easy access or rat runs when needed by the people buying the alcohol to consume on the streets rather than going to their own homes.

I may not be able to attend any hearing as I work full time, but I do wish for my worries to be heard positively for my local community, where I would like it to be one of inclusion and safety for all, not one of additional drunks with the drug sellers and users, which I have seen so many times go hand in hand.

Thank you for taking my objections forward.

4. Representation received from Ms E W:

Dear Sir,

I am writing to you regarding my deep concerns that Claypit Lane is getting yet another out let for selling alcohol. I have two main concerns.

1. Increased anti social behaviour - already Southwell Road around this once Fish and Chip Shop is a drop off point on the local drug run. We often have youths drinking and causing disturbances on the street will this increase due to cheap alcohol been on sale from such an early hour. Do drugs and alcohol mix? The owner of this new outlet does not know this community and with his ambitions I fear he will ignore the warning signs and sell alcohol to anyone.
2. Traffic congestion - people living on this section of Claypit Lane already have issues regarding parking. As a Take Away, this shop was only open at certain times. But a shop open from 8am to 10am, I am concerned about increased traffic parking. It is a major road in Rawmarsh which includes a bus route. Years ago, an application was made to make next door into a sandwich shop (its now a hairdressers) the application was refused. I believe one of the reasons was increased traffic parking.

I therefore object to the licensing of this property due to the threat of increased anti social behaviour.

Yours faithfully

5. Representation received from Ms R G B

Dear licencing manger.

I am writing to reject the licencing application of the Happy local of Claypit Lane.

I reject this application on all four grounds of

A) the prevention of crime and disorder

B) public safety

C) the prevention of public nuisance

D) the protection of children from harm.

I go on the grounds of prevention of crime and disorder linking to an incident only a few weeks ago. This incident police did show attendance as two very drunken men went on a rampage around the area. Attacked a gentlemen, kicked our shop door in for entry as we locked ourselves in for protection. Wanted to fight with a gentleman who was dropping his daughter off at the child and another local man and his son in law on way to work. They caused trouble for the staff at nisa. Tried to rob a gentleman after using the bank machine. This was at 8.05 in the morning. Children was going to the child minders or walking to school. This is behaviour and actions we do not want in our local community.

The street has three shops already. Another seven all within a ten minute walk where people can purchase alcohol. With so many alcoholic premises we are seeing more drunken disorder behaviour reported or unreported to the police.

Another example, a drunken man was refused alcohol because how drunk he were so caused trouble in the street. His brother was called to remove him from the area, which ended up in a fight in the middle of the street again police were called. Thus was during early morning where children congregate.

Just these examples show rejecting the application will help prevent crime and disorder, protect the public, prevent public nuisance and protecting children from harm, which is definitely on the increased in our community.

The three local shops on claypit lane, Cox shop, Nisa and Claypit news all work together in cases when nuisances are occurring, robberies etc. Send messages to each other, pop in and check in on each other, hence why we were able to lock our selves in that morning due to the heads up from nisa staff. The three shops work together with opening and closing times to help reduce crime and disorder, another

shop selling alcohol will only increase the crime figures. As a community all support each other in so many aspects.

Public safety comes in above example but also from the lines of parking. Parking is very poor on this street as it is. Regularly we see very near misses not just with car on car but also with pedestrians. A property owner prevented a local lad from seriously getting injured and was only hit by the wingmirror of the car by shouting so loud. We see this all the time due to restricted parking. Van deliveries will only restrict the public's vision of traffic and other car uses vision to put them more at risk. Public transport or emergency services would seriously struggle to get larger vehicles through, as it is already a struggle. One local resident has even suggested parking permits to reduce the problem. The child minder across the road already has a task to cross the children, more deliveries, more cars will only not just put her looked after children at harm, but also the local children on way to school and when getting that bit of independence out with friends.

Around this area we have notice recently a lot more of substance reliant individuals hanging around. Another premises where alcohol can be purchased potentially increased how often we see them. Rejecting this application can prevent and potentially lower public nuisance. Prevent them hanging around on the corner where the shop wishes a licence. It is a public nuisance already as it is very intimidating working alone with them hanging on that corner. It would be potentially put children at harm especially the childminders children as her house is next to the local hangout spot. The spot where the application has gone in, a disabled lives on the opposite side. Very intimidated the other night as Cox shop had refused an alcohol sale due to his drunkenness so he sat on the wall to the flat wanting others people passing to purchase the alcohol. Another premises selling alcohol could have made that sale what would have promoted more drunken disorder. The gentleman is known to the police and to locals hence the refused sale of alcohol. Another premises selling alcohol will only promote this drunken nuisances causing more upset and disturbance to the community.

Police have been informed about these individuals on many occasions by Cox shop and Nisa. They have spoke to them and said they have upped patrols but unfortunately these individuals spot them and disperse. I personally am trying to help

our little community by going through the courts to evict a Tenant who is causing trouble. This is cause loss of income but as a community we don't want the trouble.

So many examples have been used to protect children from harm, parking, drunk and disorderly behaviour, public nuisance. The locals in this area is all about community and protecting children from harm is very important. Nisa has no direct house next to it so outside noise should or does not impact on any children at night. However even down to children's sleep links to children and harm. Cox shop closes at 8pm, the applicants are applying to stay open till 10pm. So late night noise will occur with customers to the shop. Noise from Shuttles will disturb locals children's sleep, cars pulling up and in a nuisance to the locals. People leaving the pub will be tempted to go get more beers to take home, whereas because Cox shop is closed they tend to go on their way. Some not all people leaving the pub will be intoxicated, more easily accessed alcohol could lead to more drunken crime and disorder, put public safety at risk, increase public nuisance, and put children at harm.

Some local residents have even emailed the local MP David Sheppard and John Healy to see what they can do to prevent this, as the local people do not want this for all so many reasons.

Thankyou for taking the time to read this

6. Representation received from Ms L F:

I am sending this email as a protest to the above opening with an alcohol licence. My daughter lives next door to the property and I am worried for her safety and vulnerability should the licence go ahead. As there is a public house across the road, there is already an issue with alcohol fuelled people causing noise and nuisance, and I don't feel this licence necessary. I worry for my daughter's safety and if this goes ahead, I wouldn't want her to leave her home to walk her dogs 3 or 4 times a day like she currently does.

Please see this email as my word against such a license being allowed to go ahead.

7. Representation received from Ms S P

Hi sir/madam

I noticed new alcohol licence application for 98A Claypit Lane, Rawmarsh, Rotherham. S625JL.

Ref khvandia kumar.

I am not happy. I object to the alcohol licence application of Claypit Lane. Because I have a business in this same area. My business big effect and loss when come new application. Already more alcohol licence shop Retailer business this area. My business going down I can't pay my staff wages and bills, rent. Not only me affects everyone have problems. And also vehicle parking is bad because busy traffic road. And we are seeing more drunken nuisance behaviour and troubles in the area another off licence will make this increase the application. effect public safety for our community.

Please consider I request council need to cancel this new application. Not just protect my family, my business this is all of our local community. Thank you

8. Representation received from Mr K H:

I object to the alcohol licence because kids can't cross road properly cos of the overcrowded roads due to the parking and to many people under the influence hanging on that corner will cause more trouble to local residents to go home especially with children because the danger their children could be placed in due to the amount of drunk people.

9. Representation received from Ms C H:

reference khvinder kumar.... i object to alcohol licence because kids can't cross road properly cos of parking..to many drunken smoke heads hang on that corner will cause more trouble to local residents etc and people with mobility scooter will not be able to pass so hope this will not go throw as it will be a danger to many

10. Representation received from Mr C B:

I send this email to object to the alcohol licence application for 98 claypit lane.

My reasonings for this objection along the groups of public nuisance. The new premises used as an off license would deter customers from entering the local vicinity. No steps have been proposed by the applicant how to deter this. Nethertheless, thinking on how steps can promote this is zero. There is no space for parking which is already a negative issue for this area. Street drinking and crime related incidences around drink is being seen more and with more off licences will make this more easily accessible. Many of our local older generation have commented on how they feel scared and avoid coming out in evenings. This naturally has an impact on their social lives as many of these people used to attend the local bingo at the local pub.

Negitive effects are already being seen and escalation of these negitive effects on the local community will be enhanced.

Many thanks

11. Representation received from Mr M D:

Recently moved on southwell road Rawmarsh and already having issues with local drunks , to be told there's planning for a new off license on clay Pitt lane less than 50ft from my new home where the drunks hang out ...I'm writing this email to oppose permission as it can't be a necessity as there's 2 other shops on same street selling absolutely same things .. I live on a through road which only as a few parking spaces

which obviously customers will use preventing parking issues for myself my neighbours and any friends and family that call....I hope you take these things into consideration when making your decision.... kind regards

Additional information provided:

we're already having trouble in a new build house only been in 3 weeks threats to smash windows etc by drunks etc

12. Representation received from Ms T H:

I'm writing with concern about a shop on claypit Lane that was formally a chip shop. I have concerns about this shop been given the go ahead we have 2 local shops within minutes of each other we don't need a third. I have deep concerns that this will have serious repercussions under age sales and gatherings of young ppl causing a nuisance this does not need to go ahead I urge you to look into it

13. Representation received from Ms E R:

I am sending this email to object to the application of a alcohol licence on Claypit Lane.

The area has changed of late and I feel opening another off-licence, making drink more accessible will make things worse especially for the older community as they don't feel safe to walk the streets. This is causing social isolation to many.

Opening another off licence will allow more opportunity for drunks to congregate around this area in particular in the alley, at the bus stop or on the field.

This area is seeing an increase in drug and drink related crimes. From street fights to push bikes being stolen out of gardens to help fund their addictions. So making alcohol more accessible potentially will increase the petty crimes to fund their habits.

14. Representation received from Mr G D:

I am writing this email to object to the alcohol licence application on claypit lane. I have lived on this estate nearly all my life and of late the area is declining.

I feel alot if this is strongly due to the clientelle the area is seeing. The field or the steps of the old hairdressers next to my house is where groups congregate to drink, causing nuisance with noise and pollution. Enough alcohol is available to these without making it more accessible. I live on my own and having to walk through and past groups of drunken people is really indimating. This new business can not prevent this from happening it will just escalate the matter.

Another avenue I object to is the parking. Parking on our street is horrendous. The new business will only make parking even more of a nightmare. We have people parking obstructing gateways, again this will be made worse. And the business will have no measures to prevent this. But is a nuisance to any member if public living in this area. The road is not very accessible at best, trying to get a fire engine in an emergency is going to be near impossible. Again the new business can not help this or prevent this happening. No car park is available so this is going to not just be a nuisance but also putting being at risk through not getting emergency vehicles through, crossing the road etc.

The whole idea of opening an off licence there to all of our community will cause nothing but a nuscience to us all.

15. Representation from Ms L S:

I run a childminding business. I have children from 1 year old to 10 years old and I think adding an off licence there would be an horrendous idea. There is already a really bad problem with drugs / drug dealing in the area and adding another place to get alcohol that's cheap would just add to the problem. I open at 7am and have a duty of care to safeguard the children I look after I had to ring the police last month because drunks were fighting in the street and it was not safe to walk to school. Adding another venue to purchase alcohol from will just cause more problem for the local area. There

is the cocks pub and Alcohol can already be purchased from the cox shop and from Nisa shop which are all extremely close there is no need for another.

16. Representation from Ms E O:

I have become aware that the Ower is looking at opening an off license in the former chipshop, I feel this would be madness, there is no parking and the road always has cars parked either side of the road, this is a road in which many people walk along to take their children to school, there is already 2 shops on this road and the nisa shop creates already a lot of traffic and parking issues, this will result in more issues for the residents living around this area. Please come and have a walk around and see for yourselves. This area does not need another shop that sells alcohol there is 5 within a 10 minute walk, there are many issues with alcohol and I feel this is making it more accessible to young people as well as the locals who have issues with alcohol, I know of several who have local shop keepers restrict their intake daily, would they? It feels that they want to make money and fast without thinking about the people who live around them, will it be cheaper than the other shops, do they care that that cheap (he has been heard to say he will undercut other businesses) alcohol can lead to addiction and abuse. This new business is not thinking about the effects they will have on an area that is already saturated with shops that offer cheap alcohol on deals there is already drinking on streets and areas making places no go areas. I would like to raise my objection to this application,

17. Representation from Ms C A:

Ref Khvander Kumar license application

I am writing in relation to the above request for alcohol license on clay pit lane , Rawmarsh , Rotherham .

As a previous member of RMBC CYPS social services I have dedicated 20 plus years of serving the local communities to safeguarding young people and adults and would

like to contest the above application , not only due to my previous morals , roles , and experiences of the local communities suffering due to lack of care / opportunities and addictions but also the areas of rotherham local villages/areas that are in dyer need of more positive businesses, within low income areas that sell or produce more positive opportunities that are healthy/ substantial to the growth of local people !

The local area was my home for over 7 years and the street already has a public house (the cox) local supermarket and off license all within walking distance to open yet a fourth franchise to obtain more opportunities for under age children / adults and people already suffering from addiction to alcohol would this business not be again a let down that rawmarsh can only sell alcohol !

why can we not have youth clubs to allow safe havens for young people to go to be sheltered and safe and off the streets !

local charity shops to help people with low incomes provide goods that are affordable to the living cost crisis !

local mother and children safe havens, coffee shops the building could be put to so much more than another off license !

I understand that this is a request from someone whose partners background has a criminal record and is the area is well established for high drug use ! would this be really something to encourage a fourth off license with poor ownership and morals ! Do we not have enough problems of young people being served vapours and alcohol !

RMBC morals to build a better town to encourage growth , development , training and positive opportunities yet Rawmarsh is becoming more notorious for none of the above ideas that you and I share !

please consider the again impact this new business will actually have on the area surly we can do better !

18. Representation from Ms L G:

Dear licensing.

I object to the licensing application for claypit lane fish bar. I am objecting as there are enough shops on the road to cater for everyone's needs. Allowing another shop to open will cause the flow of traffic what is already a current problem, which will undermine the nuisance to public principle. I feel this will undermine this as people will find alternative routes to get to destination which will prevent people visiting and passing through our local area impacting on passing trade for other current businesses in the local vicinity.

If a licensing application is granted I also feel it undermines public safety as the road is dangerous enough without creating double parking which will happen as the premises has no parking available. People are going to be put at risk crossing the road especially the childminder on the corner and other walking to school. Parking is not permitted up the alley as land belongs to some residents, which will cause another nuisance as their entry will be blocked.

Another alcoholic premises brings nothing to the community and just totally undermines all 4 of the licensing principles of public safety, prevent to public nuisance, protect children and prevent crime and disorder. The crime committed around this area is always drink related so having more off licences is going to make this worse.

I work across at the pub, I walk home at night alone. Already I don't feel safe when doing this but a taxi is not affordable or warranted. Having more drinkers out late will make my journey home more intimidating and uncomfortable

19. Representation from Mr S H:

I do not agree with this as it is a liability to pedestrians and other road users with parking already being very restricted due to the shop that is already there, so with a shop very opposite, is going to cause more congestion and pedestrians trying to cross

the road being unable to see potential hazards in the road it's self. There are too many shops, iam not the only one to raise this concern.

Please listen to what the community is asking for. I can almost guarantee that there are more opposed than in favour on yet another off licence, that will likely cause even more disorderly and antisocial behaviour that the area is already suffering from.

Kind regards

End

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Appendix 5

Petition Summary:

We have decided to sanction this petition under numerous circumstances.

- Nuisance caused by the new premises will deter customers from entering the local area, and the steps proposed by the applicant are inadequate
- Nuisance caused by double parking/ deliveries will impact on residents, any pedestrians and road users. This causes a detrimental threat to public safety.
- Failure to protect children from harm. Due to a restricted view of on-coming traffic, children are likely to walk between parked cars to cross the main road. Without been able to view the road they may walk out into oncoming traffic causing a collision.
- In 2023 187 anti-social crimes in Rawmarsh were reported that involved alcohol. This number is already staggering and with the addition of another alcohol premises within the local area this number is guaranteed to see a dramatic increase. Furthermore, Rawmarsh is considered one of the top 5 most dangerous places within south Yorkshire so why encourage this behaviour by approving and promoting a 4th business which supplies alcohol all on the same street.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to object the acceptance of Khvinder Kumar's alcohol license.

Signed by 563 “Other Persons”

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