

## **LICENSING SUB-COMMITTEE**

**Date and Time:-** Thursday 21 November 2024 at 2.00 p.m.

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

**Membership:-** Councillors Hughes (Chair), Bennett-Sylvester and Beresford.

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 Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Licensing Act 2003 - Application (made in accordance with s.17 of the Licensing Act 2003) for the Grant of a Premises Licence in respect of the premises known as The Longbar, Unit 2 Braithwell Road, Ravenfield, Rotherham (Pages 3 - 47)

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**Licensing Act 2003 - Hearing Procedure**

**Grant of a Premises Licence**

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

The Chairperson 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 Chairperson 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 Chairperson 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.**

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### **Committee Name and Date of Committee Meeting**

Licensing Sub-Committee – 21<sup>st</sup> November 2024 at 14:00 hours (2pm)

### **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 of the premises known as The Longbar, Unit 2 Braithwell Road, Ravenfield, Rotherham, S65 4LH.

### **Report Author(s)**

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

### **Report Summary**

The application under consideration is for the grant of a premises licence and was made on the 25<sup>th</sup> September 2024 by Mr David Marshall in respect of The Longbar, Unit 2 Braithwell Road, Ravenfield, Rotherham, S65 4LH.

The applicant, is seeking authorisation to allow the:

- Sale of alcohol, for consumption on and off the premises, commencing at 12:00 hours (12 noon) until:
  - 22:30 hours (10.30pm) on Monday to Friday;
  - 23:30 (11.30pm) on Saturday;
  - 17:30 hours (5.30pm) on Sunday; and
  - 01:30 hours (1.30am) on the day following New Years Eve.
  
- Provision of late night refreshment, for consumption on the premises, commencing at 23:00 hours (11pm) until:
  - 23:30 (11.30pm) on Saturday; and
  - 01:30 hours (1.30am) on the day following New Years Eve.

Representations from “Other Persons”, who are opposed to the grant of the application, are continuing to be made. Further detail of the application, and 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 & the premises layout plan.
- Appendix 3 Applicants response to the representations from "Other Persons"
- Appendix 4 Ongoing Representations

## **Background Papers**

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

Revised guidance issued under section 182 of the Licensing Act 2003 (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 known The Longbar located at Unit 2 Braithwell Road, Ravenfield, Rotherham, S65 4LH.**

**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**

Initial Application

- 2.1 On 27<sup>th</sup> August 2024 an application for the grant of a premises licence was made by Mr David Marshall in respect of the premises known as The Longbar located at Unit 2 Braithwell Road, Ravenfield, Rotherham, S65 4LH.
- 2.2 Representations to the application were received from “Other Persons” , four of which were deemed to be relevant. All persons who had made irrelevant representations were provided with information to allow them to re-submit a relevant representations. However, due to the failure on the part of the applicant to advertise the application in a local newspaper within the statutory time frame set out in Licencing regulations this application was abandoned.

Application under consideration

- 2.3 The application for the grant of a Premises Licence was resubmitted on 26<sup>th</sup> September 2024, and it is this application which is under consideration today. The applicant, is seeking authorisation to allow the:
- Sale of alcohol, for consumption on and off the premises, commencing at 12:00 hours (12 noon) until:
    - 22:30 hours (10.30pm) on Monday to Friday;
    - 23:30 (11.30pm) on Saturday;
    - 17:30 hours (5.30pm) on Sunday; and
    - 01:30 hours (1.30am) on the day following New Years Eve.
  - Provision of late night refreshment, for consumption on the premises, commencing at 23:00 hours (11pm) until:
    - 23:30 (11.30pm) on Saturday; and
    - 01:30 hours (1.30am) on the day following New Years Eve.
- 2.4 The proposed operation of the premises, as provided in the application, is as a café/coffee shop and deli during the daytime and a small wine bar in the evening, with seating for 38 persons.

- 2.5 The applicant, Mr David Marshall, has himself as the Designated Premises Supervisor (DPS) in the application.
- 2.6 The management controls offered in the application, all of which would be made a condition of Annex 2 of any licence granted, are set out below:
- a) A Challenge 25 Policy shall be in operated. This Policy shall require that any person who appears to be under the age of 25 must provide ID prior to being served alcohol. Acceptable forms of ID are:
    - i. a passport;
    - ii. a UK photo driving licence; or
    - iii. a military ID card.
  - b) All refusals made under the Challenge 25 Policy shall be logged in a bound book. This log must show:
    - i. date of refusal made;
    - ii. member of staff who made the refusal; and
    - iii. if refused, whether fake ID was seized.
  - c) Signs shall be displayed inside the premises that advertise that the premises operates "Challenge 25".
  - d) A bound incident book shall be maintained, in which the following shall be recorded:
    - i. All incidents of crime and disorder occurring at the premises; and
    - ii. Details of when the Police are called.
  - e) The Challenge 25 log and the incident book shall be kept on the premises and shall be available for inspection upon request by the Police or an authorised officer of the Licensing Authority.
  - f) The DPS, or their nominated deputy, shall check the Challenge 25 log and the incident book at least once a week, and sign and date each check.
  - g) The DPS shall routinely attend meetings of the local Pubwatch.
  - h) The premises shall operate in accordance with the "ask Angela scheme" ; and notices to this effect shall be displayed.
  - i) The CCTV system installed at the premises, shall:
    - i. be maintained fully at all times;
    - ii. make and retain clear images; and
    - iii. show an accurate date and time that the images were made.
    - iv. be both internal and external.



- j) All CCTV images shall be retained for a period of not less than 31 days.
- k) CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority.
- l) A copy of a CCTV image shall be provided within 24 hours upon request of the Police or an authorised officer of the Licensing Authority.
- m) A record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff members full name, address, and date of birth.
- n) There shall be a zero-drug tolerance policy in operation at the premises, which shall include the requirement that regular checks are carried out by management to prevent the use of drugs by patrons; and that such checks are recorded. A copy of the premises drugs policy, and associated records, shall kept at the premises and made available to the Police or an authorised officer of the Licensing Authority upon request.
- o) No adult entertainment or services shall be provided at the premises.
- p) Children must be accompanied by an adult(s) at all times.
- q) Children will not be permitted on the premises after 21.00 hours.
- r) There shall be no outdoor consumption of alcohol. Alcohol shall only be permitted to be taken off the premises in sealed containers.
- s) All staff shall receive training on induction and year thereafter, on:
  - i. operation of 'Challenge 25';
  - ii. types of acceptable ID;
  - iii. method of recording refusals;
  - iv. refusing sales of alcohol to persons who appear to be drunk;
  - v. preventing proxy sales;
  - vi. incident recording and when to call the Police;
  - vii. operation of the "ask Angela Scheme" ; and
  - viii. how to review the CCTV system if requested.
- t) Staff training shall be recorded, records shall be kept of the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority.

2.7 A copy of the application form, together with the proposed layout plan of the premises is attached at Appendix 2.

### Consultation

- 2.8 Consultation on the application was 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.
- 2.9 All parties who has made representations to the initial application, regardless of whether they had been accepted as "relevant", were directly consulted on the resubmitted application.
- 2.10 At the end of the consultation period representations, opposed to the grant of the application, were received from five (5) "Other Persons". Four of which were from local residents, with the remaining representation being submitted on behalf of the Ravenfield Parish Council.
- 2.11 No representation to the application have been received from the Responsible Authorities.

### Conciliation

- 2.12 The applicant was provided with the detail of the representations and responded by way of a letter, providing more information on the proposed operation of the premises. A copy of the applicants response to the representations is attached at Appendix 3.
- 2.13 The information provided by the applicant led to the withdrawal of one of the representation made by a local resident.

### Ongoing Representations

- 2.14 Two of the remaining three local residents who made representations to the application have confirmed that they wish to continue with their representations. The third did not respond to the applicants letter, so it is assumed that they are continuing with their representations.
- 2.15 At the time of writing the representation made on behalf of Ravenfield Parish Council remain in place. However this may change when the Parish Council next meet on 14<sup>th</sup> November 2024, which is their first opportunity to consider the applicant reply. An invite for the applicant, to attend this meeting and address the Parish Council in person was extended. This invite was passed on to Mr Marshall by the Licensing Office.
- 2.16 The detail of the ongoing representations from four (4) "Other Persons", three local residents and the Ravenfield Parish Council, is attached at Appendix 4.
- 2.17 An oral update will be provided at the meeting should any of the ongoing representation be subsequently withdrawn.

The Hearing

2.18 The applicant and “Other Persons” who are continuing to make representations 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.

2.19 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.

**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 3<sup>rd</sup> 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



# APPENDIX 1



# APPENDIX 1



## 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 **David Marshall**

*(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			
<b>The Longbar Unit 2 Braithwell Road Ravenfield</b>			
<b>Post town</b>	<b>Rotherham</b>	<b>Postcode</b>	<b>S65 4LH</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£6400</b>

#### Part 2 - Applicant details

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

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	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)

## 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 <input checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname <b>Marshall</b>			First names <b>David</b>		
Date of birth <b>18/02/1962</b>		I am 18 years old or over		Please tick yes <input checked="" type="checkbox"/>	
Nationality <b>British</b>					
Current residential address if different from premises address		<b>6 Kingsley Drive Ravenfield</b>			
Post town	<b>Rotherham</b>		Postcode	<b>S65 4GY</b>	
Daytime contact telephone number			<b>07872476015</b>		
E-mail address (optional)		<b>davemarshall1@hotmail.co.uk</b>			
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

## 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)

**A cafe/coffee shop and Deli during the day-time, operating as a small wine bar in the evening with a small and intimate setting, with seating for 38 persons.**

**No outdoor area for consumption**

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)	

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

In all cases complete boxes K, L and M

## Appendix 2

**A**

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

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

<b><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></b> (please read guidance note 6)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

## Appendix 2

### D

<b>Boxing or wrestling entertainments</b> 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	
Day	Start	Finish		Outdoors	
Mon				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Fri					
Sat			<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)		
Sun					

## Appendix 2

E

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

## Appendix 2

**F**

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

## Appendix 2

**G**

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

## Appendix 2

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue				<b>Please give further details here</b> (please read guidance note 4)	
Wed			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Thur					
Fri					
Sat			<b>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</b> (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)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)  <b>New Year's Eve between 23:00 and 01:30 on the day following</b>		
Sat	<b>23:00</b>	<b>23:30</b>			
Sun					

## Appendix 2

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises		
Day	Start	Finish		Off the premises		
Mon	12:00	22:30	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)			
Tue	12:00	22:30				
Wed	12:00	22:30				
Thur	12:00	22:30		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	12:00	22:30				
Sat	12:00	23:30				
Sun	12:00	17:30				
				Both	<b>x</b>	

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):

<b>Name</b>	<b>David Marshall</b>
<b>Date of birth</b>	<b>18/02/1962</b>
<b>Address</b> <small>Note: Application for change of address of personal licence to the address below has been made</small>	<b>6 Kingsley Drive, Ravenfield, Rotherham</b>
<b>Postcode</b>	<b>S65 4GY</b>
<b>Personal licence number (if known)</b>	<b>RM0182</b>
<b>Issuing licensing authority (if known)</b>	<b>RMBC</b>



## 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	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	
Thur	09:00	23:00	
Fri	09:00	23:00	
Sat	09:00	00:00	
Sun	09:00	18:00	
			<p><b><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></b> (please read guidance note 6)</p> <p><b>New Year's Eve between 09:00 and 02:00 on the day following</b></p>

## 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 Challenge 25 Policy shall be in operation. This Policy shall require that any person who appears to be under the age of 25 must provide ID prior to being served alcohol. Acceptable forms of ID are:**
  - a) a passport;
  - b) a UK photo driving licence; or
  - c) a military ID card.
2. **All refusals made under the Challenge 25 Policy shall be logged in a bound book. This log must show:**
  - a) date of refusal made;
  - b) member of staff who made the refusal; and
  - c) if refused, whether fake ID was seized.
3. **Signs shall be displayed inside the premises that advertise that the premises operates “Challenge 25”.**
4. **A bound incident book 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 when the Police are called.
5. **The Challenge 25 log and the incident book shall be kept on the premises and shall be available for inspection upon request by the Police or an authorised officer of the Licensing Authority.**
6. **The DPS, or their nominated deputy, shall check the Challenge 25 log and the incident book at least once a week, and sign and date each check.**
7. **The DPS shall routinely attend meetings of the local Pubwatch.**
8. **The premises shall operate in accordance with the “ask Angela scheme” ; and notices to this effect shall be displayed.**
9. **The CCTV system installed at the premises, shall:**
  - a) be maintained fully at all times;
  - b) make and retain clear images; and
  - c) show an accurate date and time that the images were made.
  - d) be both internal and external.
10. **All CCTV images shall be retained for a period of not less than 31 days.**

## Appendix 2

11. CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority.
12. A copy of a CCTV image shall be provided within 24 hours upon request of the Police or an authorised officer of the Licensing Authority.
13. A record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff members full name, address, and date of birth.
14. There shall be a zero-drug tolerance policy in operation at the premises, which shall include the requirement that regular checks are carried out by management to prevent the use of drugs by patrons; and that such checks are recorded. A copy of the premises drugs policy, and associated records, shall kept at the premises and made available to the Police or an authorised officer of the Licensing Authority upon request.
15. No adult entertainment or services shall be provided at the premises.
16. Children must be accompanied by an adult(s) at all times.
17. Children will not be permitted on the premises after 21.00 hours.
18. There shall be no outdoor consumption of alcohol. Alcohol shall only be permitted to be taken off the premises in sealed containers.
19. All staff shall receive training on induction and year thereafter, on:
  - a) operation of 'Challenge 25';
  - b) types of acceptable ID;
  - c) method of recording refusals;
  - d) refusing sales of alcohol to persons who appear to be drunk;
  - e) preventing proxy sales;
  - f) incident recording and when to call the Police;
  - g) operation of the "ask Angela Scheme" ; and
  - h) how to review the CCTV system if requested.
20. Staff training shall be recorded, records shall be kept of the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority.

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

**See Box a) Above**

## Appendix 2

### c) Public safety

See Box a) Above

### d) The prevention of public nuisance

See Box a) Above

### e) The protection of children from harm

See Box a) Above

### 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.	
•	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).	

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.

## Appendix 2

### 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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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)</li> </ul>
Signature	<b>David Marshall</b>
Date	<b>25/09/2024</b>
Capacity	<b>Applicant</b>

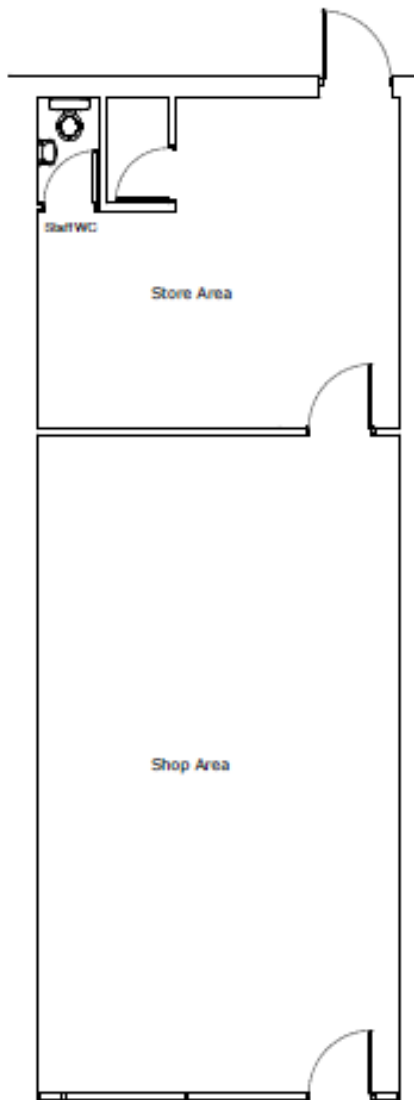
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

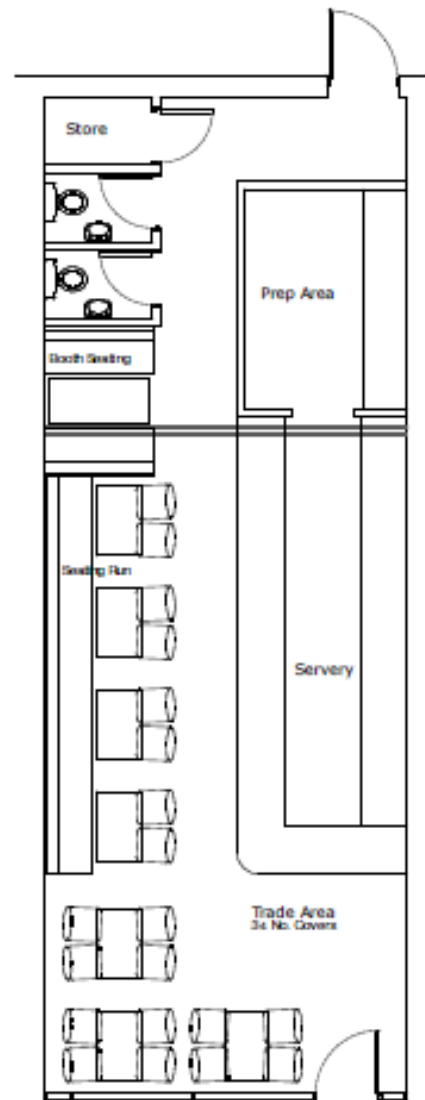
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<b>David Marshall</b>			
<b>6 Kingsley Drive, Ravenfield</b>			
Post town	<b>Rotherham</b>	Postcode	<b>S65 4GY</b>
Telephone number (if any)	<b>07872476015</b>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
<b>davemarshall1@hotmail.co.uk</b>			

# Appendix 2

## Layout Plan



Existing Plan



Proposed Plan

## **Appendix 3**

Dear Local Residents and Ravenfield Parish Council

### **Premises Licence Application - The Longbar, Unit 2 Braithwell Road, Ravenfield**

The Council's Licensing Team has sent me the detail of the representations you have lodged against my application for the grant of a Premises Licence.

In response I would like to provide you with some more information about my plans for the business.

As a local resident myself I intend to open a classy, sophisticated establishment that will not only fit into the area but will enhance the quality of the community. A venue that local clientele can walk too and enjoy food and drink in a "high end establishment".

During the day the premises will operate as a café, providing a warm and friendly environment for local people to get together and enjoy a coffee or a bite of lunch. The plan for the evening operation is to create a small, sophisticated bistro, a place where people will want to dress up to visit and enjoy a classy upmarket environment. People who just want to go out and get drunk are not my target market, and the prices I plan to charge will certainly not attract this type of clientele.

The building itself will be double glazed ,with no opening windows to the front and will benefit from an air conditioning system. There will also be a two-door entry system to enter and exit the venue. These measures, together with the fact that only background music will be provided, should minimise any potential of noise disturbance emanating from inside the premises.

Drinking outside of the premises will not be permitted at any time. However, there is the possibility that customers may want to stand outside to have a cigarette. I plan to manage this by not allowing groups of people to stand outside together, restricting it to just a couple of customers at any one time. I would also mention that outside of the premises there is a bin, that has the facility for people to safely dispose of their cigarette ends, without littering the area.

The nearest residents are situated over a car park, then a grassed area with trees and benches, then a public footpath, a main busy road that feeds a traffic lighted crossroads, another footpath and finally their front gardens. Given this I feel it unlikely that my business will cause any nuisance to them. Added to which the area itself already has a busy fish and chip shop open until 9.30pm and a supermarket open till 11pm every night, so there are already people and activity in the area.

## **Appendix 3**

Whilst work to the premises is ongoing, at the end of this response, I have attached a couple of photographs to illustrate my vision as to how the front and interior of the premises would look at the end of this letter. Obviously, there will be no outdoor seating at the Longbar.

You may not be aware that I could open the business and sell hot food and nonalcoholic drink until 11pm at night without the need for a Licence, which includes allowing customers to bring their own alcohol to drink with a meal. I have chosen to apply for a Licence primarily so that I can sell alcohol, which I think will give me greater control. In my application I have volunteered the following management controls:

1. **A Challenge 25 Policy shall be in operation. This Policy shall require that any person who appears to be under the age of 25 must provide ID prior to being served alcohol. Acceptable forms of ID are:**
  - a) a passport;
  - b) a UK photo driving licence; or
  - c) a military ID card.
2. **All refusals made under the Challenge 25 Policy shall be logged in a bound book. This log must show:**
  - a) date of refusal made;
  - b) member of staff who made the refusal; and
  - c) if refused, whether fake ID was seized.
3. **Signs shall be displayed inside the premises that advertise that the premises operates "Challenge 25".**
4. **A bound incident book 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 when the Police are called.
5. **The Challenge 25 log and the incident book shall be kept on the premises and shall be available for inspection upon request by the Police or an authorised officer of the Licensing Authority.**
6. **The DPS, or their nominated deputy, shall check the Challenge 25 log and the incident book at least once a week, and sign and date each check.**
7. **The DPS shall routinely attend meetings of the local Pubwatch.**
8. **The premises shall operate in accordance with the "ask Angela scheme"; and notices to this effect shall be displayed.**
9. **The CCTV system installed at the premises, shall:**
  - a) be maintained fully at all times;
  - b) make and retain clear images; and
  - c) show an accurate date and time that the images were made.



## **Appendix 3**

- d) be both internal and external.
10. **All CCTV images shall be retained for a period of not less than 31 days.**
  11. **CCTV images shall be immediately made available for review upon request of the Police or an authorised officer of the Licensing Authority.**
  12. **A copy of a CCTV image shall be provided within 24 hours upon request of the Police or an authorised officer of the Licensing Authority.**
  13. **A record of each member of staff who is authorised to sell alcohol shall be kept on the premises. This record shall include the staff members full name, address, and date of birth.**
  14. **There shall be a zero-drug tolerance policy in operation at the premises, which shall include the requirement that regular checks are carried out by management to prevent the use of drugs by patrons; and that such checks are recorded. A copy of the premises drugs policy, and associated records, shall kept at the premises and made available to the Police or an authorised officer of the Licensing Authority upon request.**
  15. **No adult entertainment or services shall be provided at the premises.**
  16. **Children must be accompanied by an adult(s) at all times.**
  17. **Children will not be permitted on the premises after 21.00 hours.**
  18. **There shall be no outdoor consumption of alcohol. Alcohol shall only be permitted to be taken off the premises in sealed containers.**
  19. **All staff shall receive training on induction and year thereafter, on:**
    - a) **operation of 'Challenge 25';**
    - b) **types of acceptable ID;**
    - c) **method of recording refusals;**
    - d) **refusing sales of alcohol to persons who appear to be drunk;**
    - e) **preventing proxy sales;**
    - f) **incident recording and when to call the Police;**
    - g) **operation of the "ask Angela Scheme" ; and**
    - h) **how to review the CCTV system if requested.**
  20. **Staff training shall be recorded, records shall be kept of the premises and shall, on request, be made available for inspection by the Police or an authorised officer of the Licensing Authority.**

All of the above would become a condition of any Licence that may be granted, so as you can see the venue would be regulated and well managed. If I failed to comply with any of the conditions of the Licence I would risk being prosecuted or having my Licence reviewed and possibly revoked. .

## Appendix 3

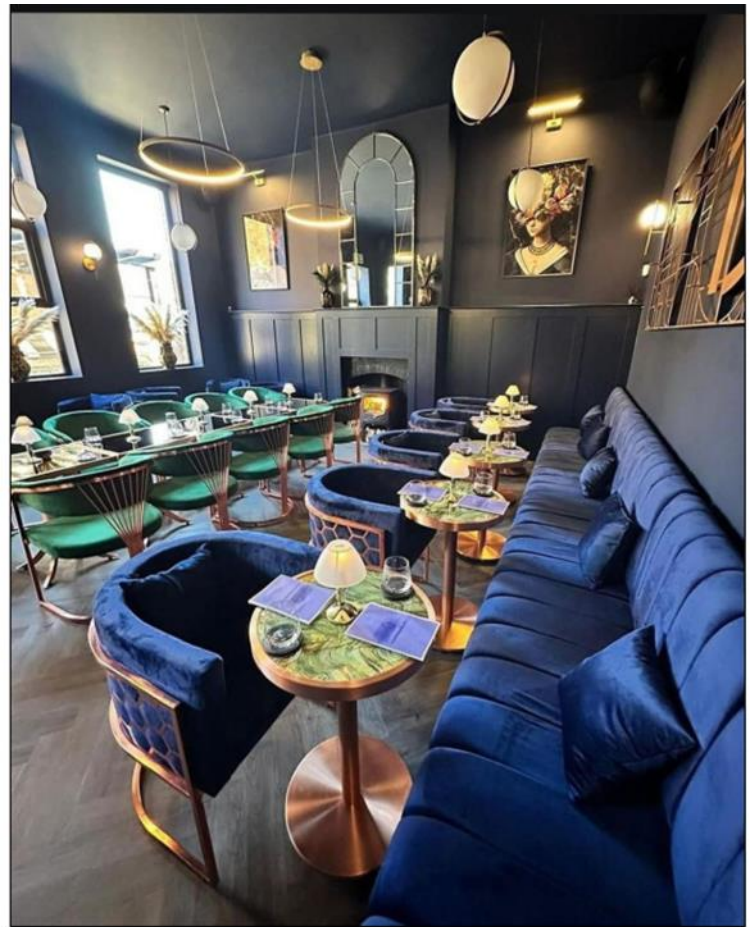
Other than the representation made to my application for a Licence, the feedback I have received has from locals has been very supportive, with many people asking about when we will be open and how they can reserve a seat or a table. The local community on social media have also shown great support.

I hope that when you consider this information you will decide to withdraw your representations. However, regardless of your decision and the outcome of my application for a Licence, I want to reassure you that I plan to run a well-managed, high-end venue. I will be a hands-on manager and will be available to discuss any problems or concerns any of my neighbors may have.

Yours sincerely

*David Marshall*

David Marshall



## **Appendix 4**

**Licensing Act 2003 – Application for Grant of a Premises Licence**  
**The Longbar, Unit 2 Braithwell Road, Ravenfield, Rotherham, S65 4LH**

### **Representation 1**

Please consider our objections documented below to the licensing requests relating to the above unit.

The unit is situated opposite a row of domestic bungalows. These are currently occupied by retired residents in their 70's. As such they spend a lot of their daytime in their homes. The proposed establishment will impact on their daily lives whether in living rooms or gardens from noise etc from 9.00 am onwards.

1. However it is evening and night time when the most effect will be felt due to the extremely long opening hours requested, with such late finishes not to mention the facilities requested i.e. alcohol and music. Most of the residents sleep to the front alongside the main Braithwell Road and retire to bed well before proposed closing times. If all proposals are granted we face noise not just from music but from customers leaving, car doors opening and closing cars departing and taxis coming and going potentially not just after 10pm but until midnight.
2. Current legislation relating to smoking allows customers to smoke outside only. Potentially, therefore, we face the prospect of groups congregating around the new benches to smoke with all the resulting noise again late at night into the early hours.
3. Requesting provision of refreshments on Saturday's between 23.00 and 23.30 seems unusual. Are the owners intending to provide specific late night events for parties? If so totally unacceptable noise of comings and goings etc.
4. The application is for alcohol consumption off the premises as well as inside, we hope therefore that this does not include provision for outdoor seating for customers to sit on the grassed area adjacent to the car park.

We as residents feel that there really is no need for such a facility in our small village.

Such a venue would have a detrimental impact on residents in terms of noise and general disturbance.

### **Update to Representation 1 following re-submission of the application**

Thank you for your recent email including the revised application relating to The Long Bar Unit 2 Braithwell Road. We have now considered the details proposed.

Unfortunately the new application does not address our main concerns for objection.

These are summarised in your email below and therefore those objections still stand, in brief noise disruption and nuisance to residents from the venue especially at closing time. If anything the new application exacerbates our concerns. We are now aware that parties (private, possibly birthday's etc) of up to 38 people after drinks

## Appendix 4

and refreshments, can be leaving the venue at the same time, shouting their " Goodnights" banging car/taxi/minibus doors late at night/possibly into the early hours. This we feel is clearly not acceptable to the elderly residents living directly opposite and who may have retired to bed a couple of hours earlier.

This can be evidenced already from the recently opened large supermarket, this together with the car park exit, [REDACTED] and cars etc accelerating away up to 10pm. We particularly emphasise this point as we cannot imagine what potential disruption this could lead to after 10pm.

Our objections therefore still stand to be considered in full and in due course.

### Response of Representation 1 following conciliation letter

Regarding Mr Marshall's response we are pleased he is going to address issues re. drinking outside, smokers congregating and client and children control. However there are a couple of issues that both we and Mrs Richardson would like to comment on

- 1) We believe that the 9.30pm closure of the Fish and Chip shop has no relevance to the closing time of the wine bar.
- 2) Regarding the supermarket which does close at 11pm on **TWO** nights only, similarly the footfall is minimal compared to possibly up to 38 people leaving the wine bar en masse.
- 3) Although our bungalows are situated across the road, noise does carry particularly at night, eg people shouting Goodnight, car doors banging and engines accelerating away from the car park.

We do not wish to appear negative to the opening of a cafe/wine bar, our concern is merely the closing times.

We would stress that current residents are all over 70 years old (some of whom sleep in the front) and will have generally retired to bed between 10pm and 10.30pm.

We therefore suggest that closing times be granted to respect us as residents ie. 10pm premises to be vacated by 10.30pm Monday - Saturday inc.

**Representation One – confirmed not attending the hearing on 21<sup>st</sup> November 2024**

### Representation 2

I wish to object to the opening of the wine bar/ coffee bar on Braithwell road.

As an OAP resident across the road i am concerned about the opening and closing times, the music playing at night, excess noise

## **Appendix 4**

### **Update to Representation 2 following re-submission of the application**

Thank you for the additional information.

I would still like to object because of the late opening times of the wine bar.

### **Response of Representation 2 following conciliation letter**

In reply to your previous email, I would still like to object to the opening of this bistro, mainly due to the late night hours.

### **Representation Two – confirmed not attending the hearing on 21<sup>st</sup> November 2024**

### **Representation 3**

My objections are:-

Noise from patrons leaving the bar late at night as my bedroom is on the front of my property.

### **Update to Representation 3 following re-submission of the application**

Further to your correspondence regarding a modified application to the above premises I still want to go ahead with my objection regarding noise from patrons leaving the premises late at night. Slamming car doors and shouting to each other.

As there is no space at the rear or front of the proposed bar for patrons to smoke or vape it is likely that they will congregate on the benches on the side walk in front of the premises. The proposal is for 38 seats and if they are all filled say with a party gathering the likelihood is that the number of people using the benches will create a public nuisance. Especially additional noise late at night and blocking the pedestrian walk way.

Children use the benches to the front of the premises early evening. Patrons smoking in this area will create a poor atmosphere for any children in the vicinity. It is known that passive smoking is detrimental to health especially to the young

### **Representation 4**

The above application was discussed at Ravenfield Parish Council meeting, held on Thursday 10 October 2024.

Ravenfield Parish Council wish to OBJECT to the application referenced above.

Listed below are issues and concerns.

1. **Insufficient Parking and Increase in Traffic:** The premises, with seating for up to 38 people, does not have enough parking to meet the needs of both customers

## Appendix 4

and staff. We are concerned that the parking shortage will impact other businesses sharing the same parking facilities and will lead to unsafe parking outside the shopping centre area and on neighbouring residential roads. We believe that the parking concerns cause a threat to public safety, particularly for pedestrians (many of the elderly residents rely on quiet and safe pathways) and road users. The introduction of a new bar, with extended hours, increases the likelihood of accidents, congestion, and disturbances from customers leaving the premises under the influence of alcohol.

2. **Impact on Noise Levels and Public Disturbance:** The proposed bar is located in extremely close proximity to residential properties, predominantly occupied by elderly individuals. Operating hours that extend late into the night will inevitably lead to increased noise levels, both from the premises itself and customers leaving the establishment, resulting in public nuisance. This disturbance is likely to disrupt the peace of the neighbourhood, significantly affecting the quality of life for nearby residents, particularly those who are elderly or vulnerable.
3. **Proximity to Existing Public Houses:** The village is already served by two established public houses: one directly across the road and another a little further down the road. These existing businesses adequately meet the social and hospitality needs of the community. Another licensed premises in such close proximity would not only be unnecessary but could also lead to over-saturation and competition, potentially causing public nuisance/anti-social behaviour as customers move between establishments late at night.

Given these concerns, the Parish Council believes that approving this application may negatively affect the local community. Therefore, we respectfully request that the application be reconsidered in light of the licensing objectives, around public safety, and the prevention of crime and disorder and public nuisance.

We trust our concerns will be taken into consideration and look forward to your response.

**Note: Ravenfield Parish Council have been informed that the following part of their representation will not be considered by the Licensing Sub Committee –**

*“... these existing businesses adequately meet the social and hospitality needs of the community. Another licensed premises in such close proximity would not only be unnecessary but could also lead to over-saturation and competition.....”*

### **Response of Representation 4 following conciliation letter**

Thank you for your email and for providing the information from Mr Marshall.

I will pass this information on to the Parish Councillors; however, the Council will need to discuss this in a meeting before I can provide a response. The Council is scheduled to meet on Thursday 14 November 2024 at 6:30 pm, and I can share the Council's feedback after that time.

## **Appendix 4**

It might be helpful for Mr Marshall to attend this meeting (which is open to the public), as he may be able to address the concerns shared by both Parishioners and the Council.

After reviewing the information, I noticed that Mr Marshall hasn't directly addressed the main concerns regarding insufficient parking and increase in traffic. While he mentions that local clients could walk to the establishment, not all customers will live locally or choose/be able to walk.

I understand there would also be a requirement for a change of business application, so appreciate issues specifically around parking may be more relevant there than for licensing. However, I am including them here as they may be helpful for Mr. Marshall to consider.

Thank you again for your email. I will follow up with you after the Council meeting with any comments or feedback discussed.

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