

## **LICENSING SUB-COMMITTEE**

**Date and Time:-** Wednesday 12 March 2025 at 2.00 p.m.

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

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

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) by AKMS Retail Ltd for the Grant of a Premises Licence in respect of the premises known as Today's situated at Unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY (Pages 3 - 62)**

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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 members and ask officers to introduce themselves.
2. The Chairperson will then ask the following parties to introduce themselves:
  - a. the applicant, any person representing them and any witnesses they wish to call.
  - b. any person who has made representations, any person representing them and any witnesses they wish to call.
3. The Chairperson will then ask the Licensing Officer to introduce the report and provide any updates.
  - a. Questions to the Licensing Officer may be asked, **solely concerning the report**, by Members, the applicant and by persons making representations.
4. The Chairperson will then invite:
  - a. **any person who has made representations** to present their representations and call any witnesses they may have.

**Note:** Members of the Sub Committee, followed by the applicant may ask questions of all persons who have made representations to the hearing and their witnesses.
  - b. **the applicant** to present their application, respond to the representations, and call any witnesses they may have.

**Note:** Members of the Sub Committee, followed by any person who has made representations at the hearing may ask questions of the applicant and their witnesses.
5. **The applicant will then be given the opportunity to sum up**
6. The public hearing will then be concluded, and Members of 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 - 12<sup>th</sup> March 2025 at 14:00 hours (2pm)

### **Report Title**

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) by AKMS Retail Ltd for the Grant of a Premises Licence in respect of the premises known as Today's situated at Unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY.

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

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

### **Report Summary**

On the 17th January 2025 an application for the grant of a Premises Licence was made by AKMS Retail Ltd in respect of the premises known as Today's situated at Unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY

The applicant, is seeking authorisation to allow the:

- 24 hour sale of alcohol, for consumption off the premises, on every day of the week; and
- provision of late night refreshment, for consumption off the premises, on every day of the week between 23:00 hours (11pm) and 05:00 (5am) on the following day. No licence is required outside of these hours.

Representations from Responsible Authorities and "Other Persons", all of whom are opposed to the grant of the application, have been received. 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, together with offered conditions & premises layout plan
- Appendix 3 Representation from Responsible Authorities
- Appendix 4 Representation from “Other Persons”

### **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 by AKMS Retail Ltd for the Grant of a Premises Licence in respect of the premises known as Today's situated at Unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY.**

**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 17<sup>th</sup> January 2025 an application for the grant of a Premises Licence was made by AKMS Retail Ltd in respect of the premises known as Today's situated at Unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY. The application, which is accompanied by an Operating Schedule and a premises layout plan, is attached at Appendix 2.
- 2.2 The application seeks to allow the:
- Sale of Alcohol, for consumption off the premises, on every day of the week between 00:00 hours and 00:59 - 24 hour opening; and
  - Provision of Late-Night Refreshment, for consumption off the premises, on every day of the week between 23:00 hours and 05:00 - a licence for the provision of hot food and drink is not required outside of these hours.

The premises are described in the application as a general convenience store, selling an extensive range of goods and that the proposed 24-hour operation is to provide the greatest flexibility for the business.

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 CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Images will be retained for a period of at least 28 days and be made available with the minimum of delay to the Police and other Authorised Persons upon reasonable request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).
- b) The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

- c) There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.
- d) In the event of a breakdown of the CCTV equipment the PLH/DPS or another member of staff shall inform the Licensing Authority as soon as is reasonably practicable. This information shall be recorded in the incident report register and shall include the time, date and means this was reported. The breakdown shall be remedied as soon as possible.
- e) The PLH/DPS will run the premises well as a responsible retailer and be a good neighbour to promote the licensing objectives.
- f) An appropriate number of staff shall be on duty in the shop - the number of staff on duty will be assessed and determined on a regular basis by the PLH/DPS taking account of any peak periods in terms of sales, volume of customers, etc.
- g) All staff selling alcohol will be authorised to sell alcohol in writing and a record of the authorisation will be made available for inspection.
- h) The DPS and other staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.
- i) Spirits will be kept behind the counter.
- j) Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book kept at the shop. This book will be made available for inspection by the Police and other Authorised Persons upon request.
- k) The shop shall operate an alcohol refusals policy as follows - alcohol will not be sold to any person;
  - i. recognised or identified as a street drinker (regardless of their level of inebriation at the time);
  - ii. found to be drinking alcohol in the street;
  - iii. who is drunk or appears to be drunk;
  - iv. suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
  - v. unable to provide valid ID when requested by staff;
  - vi. who is verbally or physically abusive towards staff or customers.
  - vii. suspected of trying to buy alcohol for another person(s) who may be under age.
- l) A notice advising customers of the refusals policy shall be on display.
- m) A notice(s) shall be on display telling customers not to drink alcohol in the street.
- n) The PLH and/or the DPS will seek regular contact with the Police and other parties as appropriate to receive updates on any relevant issues in connection with the promotion of the licensing objectives.



- o) A 'Crimestoppers' notice will on display to promote the initiative;
- p) The premises shall comply with the Portman Group code of practice on rules for the naming, packaging and promotion of alcoholic drinks.
- q) Notice(s) will be displayed asking customers to leave the shop quietly;
- r) Notice(s) will be displayed asking customers not to drop any litter on the floor.
- s) Staff will monitor the area immediately outside the shop on a regular basis to check for, and dispose of, any litter.
- t) Deliveries to and from the shop will be conducted to ensure no public nuisance is caused.
- u) Challenge 25 shall be used. Alcohol will only be sold to people who can satisfy or prove to the seller that they are 18 years old or over. The only acceptable form of ID will be a passport, photo driving licence, a PASS accredited proof of age card, or other form of photo ID as recommended by Trading Standards.
- v) The premises shall display clear and prominent signage advising customers that a Challenge 25 policy is in operation.
- w) An automatic till prompt system shall be used to assist staff carrying out age verification.
- x) An alcohol refusals register will be kept and maintained. The register will include details of the date of the refusal, the time, and the reason(s) for refusing the sale. It will be checked on a regular basis by the DPS and be made available for inspection by responsible authorities.
- y) A notice(s) shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.
- z) A due diligence checklist will be used to help prevent underage sales.
- aa) All staff to be trained prior to serving alcohol and other age restricted products. The training will cover matters such as preventing underage sales, proxy sales, and refusing service.
- bb) Staff training will be refreshed every 12 months, records will be kept and be made available to responsible authorities upon request.

### Consultation

- 2.3 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.
- 2.4 At the end of the consultation period representations, all of which are opposed to the grant of the application, have been received from two (2) Responsible Authorities and thirty one (31) "Other Persons" .

### Representations

- 2.5 Two (2) of the Responsible Authorities have made representations to the application, namely South Yorkshire Police and the Licence Authority, the detail of which is attached at Appendix 3. Both of the Responsible Authorities object to the application as submitted.
- 2.6 Thirty one (31) "Other Persons", all of whom are opposed to the grant of the application, have made representations to it. A copy of the representation from three (3) local Councillors, the Parochial Church Council of St John's Church and twenty seven (27) local residents are attached at Appendix 4.

### Additional Evidence

- 2.7 At the time of writing no additional evidence has been received from the applicant, Responsible Authorities or "Other Persons."

### The Hearing

- 2.8 The applicant, Responsible Authorities and "Other Persons" have all 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.
- 2.9 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)**

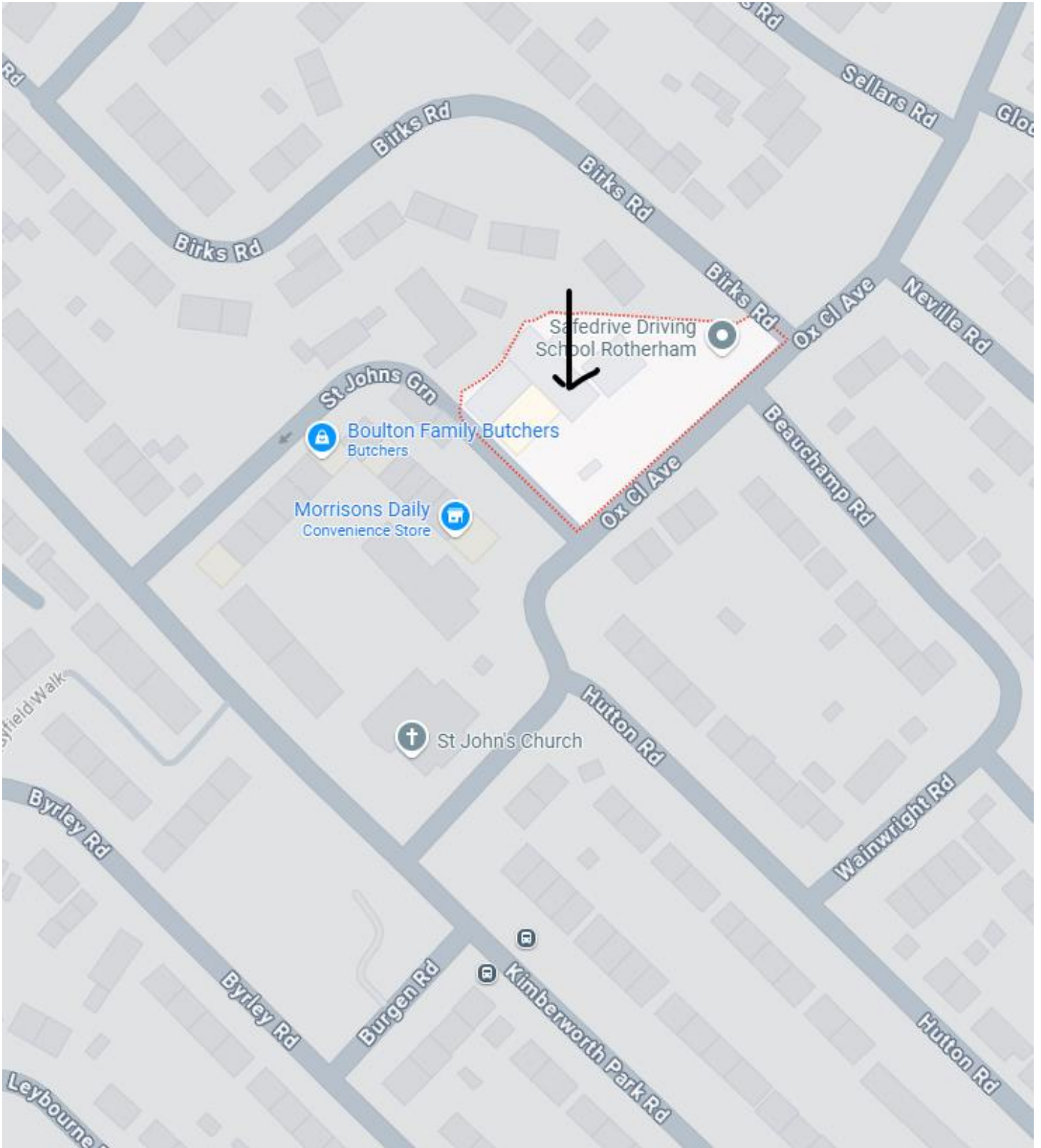
Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene



# APPENDIX 1

## Location Plan

Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY



# APPENDIX 1

## Aerial View

Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY





# APPENDIX 1

## Street View

Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY



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**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 AKMS RETAIL LTD**

*(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>TODAY'S 4 OX CLOSE AVENUE KIMBERWORTH PARK</b>			
<b>Post town</b>	<b>ROTHERHAM</b>	Postcode	<b>S61 3QY</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£0</b>

**Part 2 - Applicant details**

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

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

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**APPENDIX 2**

- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		<input type="checkbox"/>	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>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<b>Mr</b> <input type="checkbox"/>	<b>Mrs</b> <input type="checkbox"/>	<b>Miss</b> <input type="checkbox"/>	<b>Ms</b> <input type="checkbox"/>	<b>Other Title</b> (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	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>					

**(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.**

<b>Name</b> AKMS RETAIL LTD
<b>Address</b>  80 WHITE LION ROAD AMERSHAM BUCKS HP7 9JS
<b>Registered number (where applicable)</b> 15003449
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> COMPANY
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
15	02	2025

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)

This is a new business venture and the shop, currently empty, is to be refurbished with a major investment, as a new general convenience store.

The new shop will sell an extensive range of goods including newspapers, magazines, dairy, frozen goods, soft drinks, fruit and veg, bread, sweets, cigarettes, a wide variety of groceries, household goods, hot drinks, baby products, lottery tickets etc. The shop will also offer services such as paypoint.

The proposed hours (24 hours) would provide the greatest flexibility for the business, moving forward, to enable it to develop and operate to its full potential. The clear focus of the shop will be as a general convenience store, with alcohol sales just being a part of the overall business.

The applicant has a personal licence and plenty of retail experience.

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)



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**APPENDIX 2**

- 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)			<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	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				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 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					

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)	
Wed			<b>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</b> (please read guidance note 6)	
Thur				
Fri				
Sat				
Sun				

**D**

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

**E**

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



**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><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Sat					
Sun			<b><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></b> (please read guidance note 6)		

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon	2300	0500			Both	<input type="checkbox"/>
Tue	2300	0500	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Wed	2300	0500				
Thur	2300	0500	HOT DRINKS/SNACKS – FOR CUSTOMERS TO TAKE AWAY			
Fri	2300	0500				
Sat	2300	0500	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)			
Sun	2300	0500				
			<b><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></b> (please read guidance note 6)			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises <input type="checkbox"/>
				Off the premises <input checked="" type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	
Mon	0000	2359		
Tue	0000	2359		
Wed	0000	2359		
Thur	0000	2359		
Fri	0000	2359		
Sat	0000	2359		
Sun	0000	2359		
			<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)	

**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 AKMEEMANA MADDUMA ACHARIGE CHAMINDA SILVA	
Date of birth 6/1/1978	
Address <div style="background-color: black; width: 100%; height: 20px; margin-top: 5px;"></div>	
Postcode	S64 8JL
Personal licence number (if known) RM3416	
Issuing licensing authority (if known) ROTHERHAM	

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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0000	2359	<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>
Tue	0000	2359	
Wed	0000	2359	
Thur	0000	2359	
Fri	0000	2359	
Sat	0000	2359	
Sun	0000	2359	

**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)

See attached

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

See attached

**c) Public safety**

See attached

**d) The prevention of public nuisance**

See attached

**e) The protection of children from harm**

See attached



**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. (APPLICATION SUBMITTED ELECTRONICALLY SO LICENSING AUTHORITY WILL CIRCULATE THE APPLICATION)
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. NOT 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.**


<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</li> </ul>
--------------------	--

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**APPENDIX 2**

	her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>Ian Rushton</i>
Date	17/1/2025
Capacity	Agent

**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>Ian Rushton</b> <b>JL Licensing</b> <b>77 Womack Gardens</b>			
Post town	<b>St Helens</b>	Postcode	<b>WA9 5UY</b>
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <b>ijrushy@hotmail.com</b>			

**Application for a new premises licence**

**TODAYS, 4 OX CLOSE AVENUE,  
ROTHERHAM S60**

**Operating schedule/proposed licence conditions**

This operating schedule has been drafted having regard to the current information and guidance including the Council's Statement of Licensing Policy and the Statutory Guidance.

This is a new business venture and the shop, currently empty, is to be refurbished with a big investment as a new general convenience store.

The new shop will sell an extensive range of goods including newspapers, magazines, dairy, frozen goods, soft drinks, fruit and veg, bread, sweets, cigarettes, a wide variety of groceries, household goods, hot drinks, baby products, lottery tickets etc. The shop will also offer services such as paypoint.

The proposed hours of operation (24 hours) would provide the greatest flexibility for the business, moving forward, to enable it to develop and operate to its full potential. The clear focus of the shop will be as a general convenience store, with alcohol sales just being a part of the overall business. The applicant has a personal licence and plenty of retail experience.

The proposed operating schedule/conditions are shown below and we would welcome and consider any comments on the proposals during the consultation period.

**NOTE TO RESPONSIBLE AUTHORITIES AND INTERESTED PARTIES**

**IF YOU HAVE ANY QUERIES OR COMMENTS ON THESE PROPOSALS,  
PLEASE CONTACT IAN RUSHTON ON 07909 511953 OR BY EMAIL  
ijrushy@hotmail.com TO DISCUSS FURTHER, PRIOR TO MAKING ANY  
REPRESENTATIONS.**

**PROPOSED OPERATING SCHEDULE / CONDITIONS**

**Prevention of crime and disorder**

A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Images will be retained for a period of at least 28 days and be made available with the minimum of delay to the Police and other Authorised Persons upon reasonable request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.

In the event of a breakdown of the CCTV equipment the PLH/DPS or another member of staff shall inform the Licensing Authority as soon as is reasonably practicable. This information shall be recorded in the incident report register and shall include the time, date and means this was reported. The breakdown shall be remedied as soon as possible.

The PLH/DPS will run the premises well as a responsible retailer and be a good neighbour to promote the licensing objectives.

An appropriate number of staff shall be on duty in the shop - the number of staff on duty will be assessed and determined on a regular basis by the PLH/DPS taking account of any peak periods in terms of sales, volume of customers, etc.

All staff selling alcohol will be authorised to sell alcohol in writing and a record of the authorisation will be made available for inspection.

The DPS and other staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.

Spirits will be kept behind the counter.

Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book kept at the shop. This book will be made available for inspection by the Police and other Authorised Persons upon request.

The shop shall operate an alcohol refusals policy as follows - alcohol will not be sold to;

- (1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);
- (2) Any person found to be drinking alcohol in the street;
- (3) Any person who is drunk or appears to be drunk;
- (4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
- (5) Any person unable to provide valid ID when requested by staff;
- (6) Any person who is verbally or physically abusive towards staff or customers.
- (7) To any person suspected of trying to buy alcohol for another person(s) who may be under age.

A notice advising customers of the refusals policy shall be on display.

A notice(s) shall be on display telling customers not to drink alcohol in the street.

The PLH and/or the DPS will seek regular contact with the Police and other parties as appropriate to receive updates on any relevant issues in connection with the promotion of the licensing objectives.

A 'Crimestoppers' notice will on display to promote the initiative;

The premises shall comply with the Portman Group code of practice on rules for the naming, packaging and promotion of alcoholic drinks.

### **Public safety**

No specific risks have been identified under The Licensing Act 2003 (note – the applicant is aware of the need to comply with other legislative requirements to ensure that the shop is safe for customers and staff).

### **Prevention of public nuisance**

Notice(s) will be displayed asking customers to leave the shop quietly;

Notice(s) will be displayed asking customers not to drop any litter on the floor.

Staff will monitor the area immediately outside the shop on a regular basis to check for, and dispose of, any litter.

Deliveries to and from the shop will be conducted to ensure no public nuisance is caused.

### **Protection of children from harm**

Challenge 25 shall be used. Alcohol will only be sold to people who can satisfy or prove to the seller that they are 18 years old or over. The only acceptable form of ID will be a passport, photo driving licence, a PASS accredited proof of age card, or other form of photo ID as recommended by Trading Standards.

The premises shall display clear and prominent signage advising customers that a Challenge 25 policy is in operation.

An automatic till prompt system shall be used to assist staff carrying out age verification.

An alcohol refusals register will be kept and maintained. The register will include details of the date of the refusal, the time, and the reason(s) for refusing the sale. It

will be checked on a regular basis by the DPS and be made available for inspection by responsible authorities.

A notice(s) shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

A due diligence checklist will be used to help prevent underage sales.

All staff to be trained prior to serving alcohol and other age restricted products. The training will cover matters such as preventing underage sales, proxy sales, and refusing service.

Staff training will be refreshed every 12 months, records will be kept and be made available to responsible authorities upon request.





## **APPENDIX 3**

### **South Yorkshire Police**

**To:** Licensing <Licensing@rotherham.gov.uk>

**Cc:** Diane Kraus <Diane.Kraus@rotherham.gov.uk>; Jo Belton <Jo.Belton@southyorkshire.police.uk>; John Omalley <John.OMalley@southyorkshire.police.uk>

**Subject:** Objection to application for premise Licence application, Today's Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY

#### **Sent on behalf of Licensing, South Yorkshire Police**

Licensing General  
Rotherham Metropolitan Borough Council  
Riverside House  
Main Street,  
Rotherham  
S60 1AE

14<sup>th</sup> February 2025

#### **Licensing Act 2003**

#### **Objection to application for premise licence application**

#### **Today's Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY**

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

My representation is based on all four licensing objectives; the prevention of crime & disorder, public safety, prevention of public nuisance & the protection of children from harm.

The application seeks to operate under a 24hr license. The premise is situated in the centre of a housing estate, whilst adjoining a residential property. This locality has previously had issues with ASB, the area attracting "young people" who congregate in the area drinking alcohol, vaping and taking drugs.

Through the work carried out by both Rotherham Council and South Yorkshire Police, this issue is at present under control.

It is our opinion that without reasonable conditions placed upon this license, including reduced operating hours, there is an increased risk of the ASB returning and effecting the local community once again.

South Yorkshire Police contacted the applicant representative requesting the following changes to operating hours and additional conditions adding.

#### **Changes to operating hours**

From 24hrs Monday to Sunday to 06:00hrs – 23:00hrs Monday - Sunday

#### **Additional conditions adding to the proposed premise licence:-**

- No singular alcoholic drinks, including beer, lager & cider in cans will be sold; a minimum purchase of 4 will be required.
- No Beers, Lager or Cider of 6.5% ABV and above to be sold at this premise.

## **APPENDIX 3**

Following discussions with the applicants representative, they agreed to reduce the hours to 06:00hrs – 23:00hrs Sunday – Thursday & 06:00hrs – Midnight Friday & Saturday, but we are unable to reach an agreement regarding adding the additional conditions, I feel that without these conditions adding it would potentially lead to an increase in the issues previously seen in this area.

**With this in mind I request that the premise licence application be rejected.**

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

Regards.

Tracey Klein  
South Yorkshire Police Licensing Department  
E-mail: [Rotherham\\_Licensing@southyorks.pnn.police.uk](mailto:Rotherham_Licensing@southyorks.pnn.police.uk)

### **Licensing Authority**

Community Safety and Street Scene Licensing,  
Riverside House, Main Street, Rotherham, S60 1AE

Direct Line: 01709 254955  
My Reference: ASP/1744/140225  
Please ask for: Alan Pogorzelec

E.mail: [licensing@rotherham.gov.uk](mailto:licensing@rotherham.gov.uk)

Your Reference:

Date: 14th February 2025

To: Diane Kraus - [diane.kraus@rotherham.gov.uk](mailto:diane.kraus@rotherham.gov.uk)  
Copy to: Audrey Bailey - [audrey.bailey@rotherham.gov.uk](mailto:audrey.bailey@rotherham.gov.uk)

Dear Mrs Kraus,

### **Today's, Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham**

I write with reference to the application for the grant of a Premises Licence relating to the above premises and to inform you that the Licensing Authority is not satisfied that the application, as submitted, adequately promotes the licensing objectives.

The Licensing Authority is opposed the grant of the application, as submitted, as it considers that it will undermine the following licensing objectives:

- Preventing Crime & Disorder; and
- Public Nuisance

### **Grounds**

Public Health data, which excludes the Town Centre, specifies the density of alcohol licensed premises in the locality of the applicant premises as being "very low". Despite this, the same data identifies instances of anti-social behaviour and alcohol related ambulance call outs as "high"; and alcohol flagged violence against the person "medium".

To expand, with regard to instances of:

## **APPENDIX 3**

- anti-social behaviour (ASB), it is the location of ASB incident that is recorded rather than home address of the victim/suspect;
- alcohol related ambulance call outs are based on a clinical judgement, and it is of the location of the callout that is recorded rather than home postcode of the patient; and
- alcohol flagged violence against the person means that in the opinion of the responding police officer alcohol has contributed to the offence, again it is of the location of incident rather than rather than home address of the victim/suspect that is recorded

This data supports that the applicant premises is in an area that is currently subject to alcohol related crime and disorder and anti-social behaviour.

The applicant premises are located amongst a group of small retail outlets, surrounded by residential housing. There are no 24-hour businesses operating in this locality. If the applicant is granted there is a likelihood that local resident will be subject to noise nuisance from traffic, both vehicular and pedestrian, during the nighttime hours, and from people congregating in the immediate vicinity of the premises.

Whilst need is not a matter for the licensing process, the promotion of the licensing objectives is.

The grant of a licence that allows the 24-hour sale of alcohol and the all-night provision of late-night refreshment is likely to undermine the objectives of preventing crime and disorder and preventing public nuisance.

Consideration of the withdrawal of this representation will be given if the application is amended so as to:

- seek the consent for the sale of alcohol between 08:00 hours and 23:00 hours;
- withdraw the request to provide late night refreshment; and
- offer the following additional management controls as a condition of any licence that is granted:
  - No singular alcoholic drinks of beer, lager & cider in cans or bottles (smaller than 500ml) shall be sold. A minimum purchase of 4 cans or bottles shall be required;
  - No beers, lager, or cider of 6.5% ABV and above shall be sold.

The additional management controls to deter street drinkers from purchasing alcohol given that public health data indicates that alcohol related ambulance call outs in the locality are high.

Given this, representations are made on behalf of the Licensing Authority that the application for the grant of a licence is refused.

I am prepared to expand upon these matters further during a hearing before the Council's Licensing Sub-Committee, but in the meantime please feel free to contact me if you require anything further.

Yours Sincerely,

**Alan Pogorzelec**  
**Licensing Manager**

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## **APPENDIX 4**

### **Ward Councillor 1**

**From:** Cllr Carole Foster <[Carole.Foster@rotherham.gov.uk](mailto:Carole.Foster@rotherham.gov.uk)>

**Sent:** Sunday, January 26, 2025 11:15 AM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Application for a new premises licence - TODAY'S, UNIT 4, OX CLOSE AVENUE, KIMBERWORTH PARK, ROTHERHAM

Dear Licensing Team,

I am writing to formally object to the application for a premises licence at 4 Ox Close Avenue, Kimberworth Park. I respectfully submit my representation in light of the following concerns regarding the application:

#### **Sale of Alcohol for Off-Premises Consumption (24 hours daily)**

The application requests permission for the sale of alcohol for off-premises consumption every day of the week between 00:00 and 00:59. I am concerned that granting this licence, particularly with such late hours, could result in increased antisocial behaviour and noise disturbances in the area, especially during the early hours. There are established concerns from residents about potential disruptions that could arise from the 24-hour sale of alcohol. Furthermore, there is an increased likelihood of public nuisance, including littering and loitering, particularly late at night. This could affect the local community and detract from the safety and wellbeing of residents in the vicinity.

#### **Provision of Late-Night Refreshment (23:00 - 05:00 daily)**

The application also seeks permission to provide late-night refreshment (hot food and drink) from 23:00 to 05:00 every day of the week. I am concerned that this could lead to significant noise and disruption, particularly in the residential area, during the late-night and early morning hours. The increase in foot traffic and potential congregating of individuals outside the premises may contribute to public nuisance, impacting the peace and safety of the local community.

In line with the licensing objectives, I urge the Licensing Committee to consider the potential for increased public nuisance and community disturbance as a result of these late hours. The welfare and peace of local residents should be a priority, and I believe that this application poses a significant risk to those interests.

I trust that the Licensing Committee will take these concerns seriously and give careful consideration to the potential adverse impacts of granting this application.

Yours sincerely,  
Councillor Carole Foster

### **Ward Councillor 2**

**From:** Cllr Simon Currie <[Simon.Currie@rotherham.gov.uk](mailto:Simon.Currie@rotherham.gov.uk)>

**Sent:** Thursday, February 6, 2025 7:28 AM

**To:** Diane Kraus <[Diane.Kraus@rotherham.gov.uk](mailto:Diane.Kraus@rotherham.gov.uk)>

**Subject:** RE: Application for a new premises licence - TODAY'S, 4 OX CLOSE AVENUE, KIMBERWORTH PARK, ROTHERHAM

## **APPENDIX 4**

### **The prevention of public nuisance and the protection of children from harm.**

The area has many children who hang about the shops, the police and detached youth workers work tirelessly to keep these children safe .

We have residents who live near this unit in flats, houses and bungalows that house old and vulnerable adults.

### **The prevention of crime & disorder.**

24 hours of alcohol sales will attract a lot of people to the shop and would with it bring drug issues, the police work along with the community to protect our residents from crime , we have invested 10's of thousands of pounds improving St Johns Green shopping area to be a safer area for all.

The licence for 24hour alcohol sales will only cause massive issues .

### **Public safety**

It is a known fact that alcohol fuels violence and if people have access to and are drinking for 24 hours then members of the public as stated previously will be in danger from said drinkers.

Regards

Cllr Currie

### **Ward Councillor 3**

From: Cllr Gill Garnett <[Gill.Garnett@rotherham.gov.uk](mailto:Gill.Garnett@rotherham.gov.uk)>

Sent: 06 February 2025 15:41

To: Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

Subject: Objection

Dear Licensing team

I am writing to formally object to the provision of a license for Number 4 OX Close Avenue in S61 for the sale of Alcohol and hot food and drink for the hours between 23.00 to 05.00 am.

I wish to forward my concerns regarding this application due to the impact that this would have on the local community and its residents.

- Increased footfall could cause a congregation of individuals causing noise and public nuisance.
- Increased littering and vandalism could cause damage to the surrounding properties and area.
- Increased Anti-social behaviour may cause disturbance and stress to elderly residents and the neighbourhood.
- Could cause disruption to local businesses.
- There could be a concern for the safety of residents and surrounding premises and properties.

## **APPENDIX 4**

In line with the licensing objectives, I urge the Licensing Committee to consider the potential for increased public nuisance and community disturbance as a result of these late hours. The safety and welfare of residents should be a priority, and I believe that this application poses a significant risk to those interests.

Cllr Gill Garnett

### **Other Person One**

**Sent:** Friday, January 31, 2025 5:49 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** AKMS Retail Limited, Unit 4 Ox Close Avenue

LICENCE APPLICANT: AKMS Retail Limited

PREMISES: Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY

Strongly object to the 24 hour license, there is enough street drinking as it is, this will just encourage more street drinking making the green more UNSAFE. Why encourage a healthier lifestyle then let this, that leads to alcoholism, go ahead. If you care about community, this must not be allowed.

Thanks

### **Other Person Two**

**Sent:** Friday, January 31, 2025 7:07 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Unit 4 Ox Close Avenue Kimberworth Park

To whom this may concern

I would like to raise concern about the application for a 24 hour off licence to be situated at the above property.

I own a business [REDACTED] on St John's Green and have done for almost 23 years. During this time I have come to realise that the type of business that has been applied for is one that can cause majority of the problems that can arise on St John's Green.

There are already 2 businesses serving alcohol & refreshments, both of these close at 9-10pm as that is the time that trouble can begin. If alcohol is readily available 24 hours a day I believe that it will bring no end of trouble to the area and I am concerned what that will mean for my business.

Please consider the future of other business's around when making a decision on this matter.

Kind regards

## **APPENDIX 4**

### **Other Person Three**

Sent: Friday, January 31, 2025 7:57 PM  
To: Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
Subject: AKMS Retail

License applicant: AKMS Retail Ltd  
Premises: Unit 4 Ox Close Ave, Kimberworth Park, S61 3QY

St John's Green already has a serious antisocial behaviour problem which has failed to be contained by authorities. By opening a late night alcohol store it is going to attract further problems including drunken customers, alcohol consumption on the streets in addition to groups of teenagers congregating in the area and the vandalism, intimidation and noise concerns that come along with that.

I live across from St John's Green, it is already an unpleasant place to live without further opportunities for antisocial behaviour.

Regards,

### **Other Person Four**

**Sent:** Friday, January 31, 2025 8:04 PM  
**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
**Subject:** St John's Green Application

To whom it may concern,

I have just come across the below post on our local social media group and would like to put forward my own comments.

"New licence request has been submitted for a 24 hour shop to serve alcohol and late night refreshments at St John's Green. Licence is required to sell alcohol and food between 11 pm and 5 am. Details of the licence request below and where you can make comments about this request. Any comments need to be sent before 14th February 2025.

I believe that this is an absolutely horrendous idea. St John's Green has an antisocial behaviour problem as it is, without adding all-night alcohol to the mix. The police are called daily because of issues with Morrisons, let alone with somewhere fuelling the fire with alcohol. This is not something that the village needs at all, quite the opposite in fact.

RMBC must surely have had many many complaints about St John's Green and it's antisocial behavior issues, this proposed premises is not something that we want or need, and will only serve to further the issues we have in the area.

There are already grown men who sit behind St John's Church with crates of alcohol and teenagers who smoke and sell drugs on the church steps which I would assume you're very much aware of. Why encourage more of the same?



## **APPENDIX 4**

We need our greengrocers back, not access to alcohol all night every night.

Please put a stop to this absurd proposal.

Kind regards.

### **Additional Information from Other Person Four**

**Sent:** Wednesday, February 5, 2025 12:55 PM

**To:** Diane Kraus <Diane.Kraus@rotherham.gov.uk>

**Subject:** Re: Representations - Grant of a premises licence - TODAY'S, UNIT 4, OX CLOSE AVENUE, KIMBERWORTH PARK, ROTHERHAM

That particular area is already rife with antisocial behaviour with drug dealers using the steps to the building as a meeting point and frequently damaging the steps themselves making it unsafe to walk on. We really don't need that exacerbating.

### **Other Person Five**

**Sent:** Saturday, February 1, 2025 12:36 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Regarding licensing application

Dear sir or madam

I'm writing to you to request the attached application is refused as I believe this will cause more anti social behaviour and create trouble for me and my family who currently own the property on [redacted] ox close avenue [redacted]

There are already issue with St Johns green with antisocial behaviour as it is with many nights there been at least one police car moving on gangs of young people who gather around the local shops on St John's green as well and the takeaway which is on the opposite side of the above mentioned planning address.

Not only this but the amount of rubbish myself and my partner have to clear from our drive after a weekend is absolutely appalling i want my property to look good but having to clean up takeaway boxes and cans and disposable vapes aswell as the added rubbish this will create will make living at the property pointless.

I'm concerned for any damages that could be done to my property and any confrontations that will arise from intoxicated people leaving this establishment.

In all honesty I would probably consider selling up and moving if this is allowed

## APPENDIX 4

### Other Person Six

**From:** [no-reply@rotherhamcouncil.org.uk](mailto:no-reply@rotherhamcouncil.org.uk) <[no-reply@rotherhamcouncil.org.uk](mailto:no-reply@rotherhamcouncil.org.uk)>

**Sent:** Friday, January 31, 2025 8:26 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Ref: 3970044 Ask about licensing, enquire about a licence or raise a concern - Alcohol sales licensing

hi i would like to object to this been permitted New licence request has been submitted for a 24 hour shop to serve alcohol and late night refreshments at St John's Green.

we already have enough selling booze around here so yet another is bad enough but adding all night badly needs blocking theres more than enough drunken and abusive trouble around the green as it is your going to make it 10 times worse once booze ramps up like it will drugs will skyrocket even more id even put money on kids getting booze from it they get stuff from the back doors of the other shops its all getting too much and needs stopping not adding too

### Other Person Seven

**Sent:** Saturday, February 1, 2025 9:31 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Licence request

Dear Sir, Madame

I saw this in Facebook and would strongly request this us not granted. There is too much social disorder in the area already without adding in longer access yo alcohol. The Morrisons store is open late enough for people.

It would be better to fund a permanent youth group for this area especially aimed at teens.

Please fo not granted this 24 hour request.

### Other Person Eight

**From:** [no-reply@rotherhamcouncil.org.uk](mailto:no-reply@rotherhamcouncil.org.uk) <[no-reply@rotherhamcouncil.org.uk](mailto:no-reply@rotherhamcouncil.org.uk)>

**Sent:** Monday, February 3, 2025 7:12 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Ref: 3973648 Ask about licensing, enquire about a licence or raise a concern - Report a concern

I would like to register my concern regarding an application for 24hour alcohol license for a shop at St Johns Green Kimberworth Park. I live near the shops and also love alone. In the past i have been scared to go to the shops after dark due to anti social behaviour from gangs of youths. Recently this seems to have lessened and the shopping center is not as scary. Alcohol abuse in our town is a major concern also and having access to booze 24 hours a day is a recipe for disaster. The local people dont want the hassle and noise that will also be associated with this terrible idea.

## **APPENDIX 4**

### **Other Person Nine**

**Sent:** Tuesday, February 4, 2025 2:18 PM

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** OBJECTION TO LICENSE REQUEST: AKMS RETAIL LIMITED

I wish to object to the License request submitted by AKMS Retail Limited at unit 4, Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY.

This area of Kimberworth Park (St John's Green) is already subject to anti-social behaviour and patrols by Rotherham police. Public Safety is at further risk by approving this application as at present youths already intimidate and cause public nuisance to the staff at the Morrisons shop on the Green. The Green already has 2 shops selling alcohol (one until 10pm) and for people to have access to alcohol much later can only be a public nuisance to local residents with excess noise, people hanging about on the Green drinking.

This is not what is needed in this area.

### **Other Person Ten**

Date: Wed, 5 Feb 2025, 11:16

Subject: 24hr Alcohol Licence

To: <[licensinglicensing@rotherham.gov.uk](mailto:licensinglicensing@rotherham.gov.uk)>

Good morning, I live on [REDACTED]  
I absolutely oppose this licence.

There is enough anti social behaviour in Kimberworth without allowing people, in the middle of a large housing estate, to congregate early in the morning for booze. Can we not go 12 hours without being able to buy booze? If people are that desperate to drink then they will already have it in. Is it because you are assuming we are poor and it's assumed we all get through it with the numbing effects of alcohol?

This would be a major issue to an already fragile community. Come on now, it's mad.

### **Other Person Eleven**

**Sent:** Wednesday, February 5, 2025 8:08 PM

**To:** Diane Kraus <[Diane.Kraus@rotherham.gov.uk](mailto:Diane.Kraus@rotherham.gov.uk)>

**Subject:** Unit 4 ox close Avenue

I am writing to you about my concerns about the licensing of the above property.

There are already 2 shops selling alcohol in the vicinity at the moment the latest closing at the minute is 10pm.

One of the shops has been subjected to several robberies with one being very recent.

There is constant antisocial behaviour until the shops close and sometimes beyond which I fear will get worse and later as they have somewhere to go.

As a local resident we have lots of car doors slammed, music from cars at full blast until shops close and with a young child I don't want this to be later.

## **APPENDIX 4**

When the bookmakers was there previously it attracted a lot of drug users and with the license to make it the only place that will be open to sell alcohol and open in these hours I have a big concern about this. Like I have said before I have a young child and I don't want them witnessing any more anti social behaviour and the swear words used constantly and the more often than not smell of weed from the people who are already hanging round the area more than they are at the minute which I believe giving this licence will just make thing 100 times worse and encourage more people to the area.

### **Other Person Twelve**

**Sent:** 06 February 2025 07:59

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Re: licensing for unit 4 ox close

Dear Sir/Madam

I am writing to raise my concerns regarding the application for a licence to sell alcohol 24hr a day at unit 4 Ox Close Avenue, kimberworth Park, Rotherham.

I live on [REDACTED] close to this location and the area has for sometime now, problems with antisocial behaviour and large groups and gangs hanging around St John's Green shops where this unit is.

When doing activities and classes in the church on an evening we have to have the door locked for our safety. It already feels unsafe to venture to and from these classes and shops in the evening without the added sale of alcohol 24hrs.

I feel this would add and cause further problems to an already troubled area.

Thank you for taking my concerns into consideration.

### **Other Person Thirteen**

**Date:** Thu, 6 Feb 2025, 08:38

**Subject:** Liqueur licence ox close

**To:** <[licensing@rotgerham.gov.uk](mailto:licensing@rotgerham.gov.uk)>

Hello.

I am emailing my thoughts on the proposed licence for unit 4 Ox close Avenue kimberworth park Rotherham.

I believe it is proposing to be open 24hours, this is a dreadful idea the area is bad enough for anti social behaviour already I feel opening that length of time would be disastrous for the area and I strongly oppose it.

Please think carefully and ask the immediate residents of the area as some will not even know this is being proposed and I feel would be highly against it also.

## APPENDIX 4

### Other Person Fourteen

**Sent:** 06 February 2025 10:34 AM  
**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
**Subject:** St John's Green Kimberworth Park

You don't often get email from [pauline.betteridge007@gmail.com](mailto:pauline.betteridge007@gmail.com). [Learn why this is important](#)

I would like to object to the application for a 24 hour shop selling alcohol on St John's Green.

Myself and my family live in Kimberworth Park. St John's Green is my local shopping area that I use in the day time. It is not somewhere I would go after 6pm especially on dark nights. Youths, drug users and drunks are all milling around. They are intimidating. I'm only glad I live a few streets away.

I'm more than aware we need new life in our local shopping area but this kind of store would i feel impact negatively on the local residents lives.

### Other Person Fifteen

**Sent:** 06 February 2025 12:30  
**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
**Subject:** Licence Unit 4 Ox Close Avenue

I am emailing due to concerns of an alcohol licence being applied for at the above unit. We have enough problems, with alcohol, drugs, theft etc, in the area without adding to it by allowing this licence to go ahead, I would urge you to give consideration to the problems this would cause on an estate where it can only add to the problems

### Other Person Sixteen

**Sent:** 06 February 2025 15:12  
**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
**Subject:** Late hours for buying alcohol

Due to the information I received of the St John's green Kimberworth park I understand that you can buy alcohol during the times of 11pm and 5am. I find with occurring trouble due to crowds of kids and adults that occur I think it's absolutely unacceptable that people are allowing this to happen. The safety of staff is an issue and policing it it should be feet costly. This is an area which is common for drug takers and underage drinking. I disagree totally with the opening hours of this shop

### Other Person Seventeen

**Sent:** 06 February 2025 15:11  
**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>  
**Subject:** St johns green

## **APPENDIX 4**

I am emailing regarding my concerns about the idea of the 24 hour license on st johns green. I have lived around here for 25 years some of which where my teenage years.

These shops are barely safe now for the older generation and even the younger. The amount of time i have been up there and been hurled abuse at is un countable. I know my elder parents wont even use these shops during the day because of the terror of going up.

As the council you must know how much police resorces have been used up there over the years and this is going to cause so much more noise and public nuisance.

The crime and disorder rate will more than like go up as people will be drinking and it will affect the workers late at night in the other shops.

With the crime already going up with young people in south yorkshire, i think money should be spent on better area's than building somewhere for there to be more crime and potential harm to the public.

### **Other Person Eighteen**

**Sent:** 06 February 2025 18:55

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Stv John's green, new 24 hr license application

I wish to raise an objection to the above 24hr licence, which will enable the owners to sell food and alcohol. The area has been plagued by unsocial behaviour for years and just seems to be recovering from the effects of this. A 24 hr alcohol licence would set the area back years. It will become a meeting point to drink at any hour, which in itself puts local people at risk. It could encourage youngsters to congregate and cause anxiety and stress to residents. Please consult Rotherham police about the level of disruption that has happened in the past.

St John's green will become a no go area for the local residents ( old people's bungalows are adjacent to the area

Please do not approve the 24hr licence.

### **Other Person Nineteen**

**Sent:** 07 February 2025 11:48

**To:** Diane Kraus <[Diane.Kraus@rotherham.gov.uk](mailto:Diane.Kraus@rotherham.gov.uk)>

**Subject:** RE: FW: Licensing Objection

I object on the grounds of -

As a Grandparent and Mum of residents to this proposed shop, I wish to make an objection for the licence that has been applied for, for the sale of alcohol 24 hours and the sale of late night refreshments between 23:00 to 05:00.

I spend two days per week at my Daughters which is within a one minute walk of this shop.

I understand that objections have to meet set criteria and in my opinion, this application meets all 4 criteria for objection.

## APPENDIX 4

### Preventing Crime Disorder

Quote from Alcohol Change UK

“Antisocial behaviour is the main predictor of alcohol (mis)use and alcohol-related trouble, with alcohol (mis)use impacting only modestly on antisocial behaviour and alcohol-related trouble in the shorter term.”

Putting the opportunity to purchase alcohol 24 hours a day, 7 days a week is increasing the risk of anti-social behaviour in an area that has history and high rates of anti-social behaviour and serious crime.

There are already 2 shops at St Johns Green that can serve alcohol up to 10 pm, and both these have been subject to anti-social behaviour and serious crimes, which I am sure police will be able to provide statistics, adding a further shop that can serve alcohol outside of these hours, will put residents living in this area at greater risk.

**Finance** – The cost of security required to ensure local residents are kept safe through the night, extra police required.

### Public Safety

There are two local primary schools and two comprehensive schools within short walking distance of the shops on St. Johns Green. This area is frequented by children of school age.

I feel there is a risk if there is an opportunity for consumers to hang around this area, with the knowledge that they can purchase alcohol and hot food 24 hours per day.

This area has a number of one-bedroom bungalows for priority for elderly and disabled, who I feel may be put at risk if consumers can hang around to purchase alcohol 24 hours per day.

Specifically during the hours of 11:00 pm to 5:00 am.

### Prevention Public Nuisance

St Johns Green is being supported b Towns & Villages Fund to improve the area.

[\(Towns and Villages Fund: Keppel Ward – Rotherham Metropolitan Borough Council](#)

It is proposed that this scheme will make public realm improvements to St John’s Green in Kimberworth).

I feel adding a 24-hour shop selling alcohol will put the excellent work that has already happened to improve our area and future plans at risk.

This gives an opportunity for those wishing to buy alcohol during the night, somewhere to go. I have researched and there are very few establishments that open 24 hours, in fact in Rotherham I could not find any establishment that did open 24 hours other than a petrol station or a 24-hour supermarket who has security on site. There is surely a reason that these are the only type of establishments who have this type of licence and not a shop in a community shopping precinct, extremely close to properties (Less that 10 footsteps away is the first property).

Increase in litter – St. Johns Green is regularly cleaned by Litter Pickers, this shop being open during the night, will increase the risk of further litter as it is described, alcohol and hot food to be consumed off the premises.

## **APPENDIX 4**

### **Noise nuisance**

Consumers going into a shop to purchase alcohol and hot food during the night, could cause a noise nuisance. This establishment is extremely close to residential properties, surely they have the right to a peaceful night.

### **Protecting Children from Harm**

Mainly as described in Public Safety.

Also – if a shop is open 24 hours for alcohol and hot food, there is a risk of increased noise, contributing to disturbed sleep. Risk of anti-social behaviour or worse, as this has already been experienced with the current shops that are on St. Johns Green and these close at 10 pm. Spoilt environment with the risk of higher litter, risk of vandalism as alcohol can contribute to anti-social behaviour.

To summarise, I have no objection to a new shop opening on the precinct, but I feel that residents living in very close proximity have to be considered if this shop is going to be allowed to open after 11pm and through the night.

I feel the seriousness of this, local residents should have been alerted.

If there is already an objection from the Police, Local Councillors, then there has to be serious consideration given to the feelings of local residents.

If anyone is unsure – may be just one thought, would you like to live next door or across the road from a shop that is open 24 hours a day, serving alcohol and hot food after 11 pm up to 6 am in the morning? Something that has never happened or been available at St Johns Green.

I hope local residents will be considered.

### **Other Person Twenty**

**Sent:** 07 February 2025 12:41

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:**

I would like to object to the new shop at the top of ox close avenue/ St John's green being open all night selling alcohol. I live across the road and it's bad enough with Morrisons opening while 10pm. We will get anti social behaviour and we don't need it. Many thanks

### **Other Person Twenty One – Grounds closely mirror those submitted by Other Person Nineteen**

**Sent:** 10 February 2025 10:44

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Objection

**Firstly** I am a local resident living very close to the proposed 24-hour shop.



## **APPENDIX 4**

**Objection to:** Sale of alcohol, for consumption off the premises, between 00:00 to 00:50 (24 hours each day); and provision of Late-Night refreshment for consumption off the premises, on every day of the week between 23:00 hours and 05:00 (a licence for the provision of hot food and drink is not required outside of these hours).

As a very close resident to this proposed shop, I wish to make an objection for the licence that has been applied for, for the sale of alcohol 24 hours and the sale of late night refreshments between 23:00 to 05:00.

I understand that objections have to meet set criteria and in my opinion, this application meets all 4 criteria for objection.

### **Preventing Crime Disorder**

Quote from Alcohol Change UK

“Antisocial behaviour is the main predictor of alcohol (mis)use and alcohol-related trouble, with alcohol (mis)use impacting only modestly on antisocial behaviour and alcohol-related trouble in the shorter term.”

Putting the opportunity to purchase alcohol 24 hours a day, 7 days a week is increasing the risk of anti-social behaviour in an area that has history of anti-social behaviour and serious crime.

There are already 2 shops at St Johns Green that can serve alcohol up to 10 pm, and both these have been subject to anti-social behaviour and serious crimes, which I am sure police will be able to provide statistics, adding a further shop that can serve alcohol outside of these hours, will put residents living in this area at greater risk.

**Finance** – The cost of security required to ensure local residents are kept safe through the night, extra police required.

### **Public Safety**

There are two local primary schools and two comprehensive schools within short walking distance of the shops on St. Johns Green. This area is frequented by children of school age.

I feel there is a risk if there is an opportunity for consumers to hang around this area, with the knowledge that they can purchase alcohol and hot food 24 hours per day.

This area has a number of one-bedroom bungalows for priority for elderly and disabled, who I feel may be put at risk if consumers can hang around to purchase alcohol 24 hours per day.

Specifically during the hours of 11:00 pm to 5:00 am.

### **Prevention Public Nuisance**

St Johns Green is being supported by Towns & Villages Fund to improve the area. ([Towns and Villages Fund: Keppel Ward – Rotherham Metropolitan Borough Council](#))

It is proposed that this scheme will make public realm improvements to St John's Green in Kimberworth).

I feel adding a 24-hour shop will put the excellent work that has already happened to improve our area and future plans at risk.

## **APPENDIX 4**

This gives an opportunity for those wishing to buy alcohol during the night, somewhere to go. I have researched and there are very few establishments that open 24 hours, in fact in Rotherham I could not find any establishment that did open 24 hours other than a petrol station or a 24-hour supermarket who has security on site. There is surely a reason that these are the only type of establishments who have this type of licence and not a shop in a community shopping precinct, extremely close to properties (Less than 10 footsteps away is the first property).

Increase in litter – St. Johns Green is regularly cleaned by Litter Pickers, this shop being open during the night, will increase the risk of further litter as it is described, alcohol and hot food to be consumed off the premises.

### **Noise nuisance**

Consumers going into a shop to purchase alcohol and hot food during the night, could cause a noise nuisance. This establishment is extremely close to residential properties, surely they have the right to a peaceful night.

### **Protecting Children from Harm**

Mainly as described in Public Safety.

Also – if a shop is open 24 hours for alcohol and hot food, there is a risk of increased noise, contributing to disturbed sleep. Risk of anti-social behaviour or worse, as this has already been experienced with the current shops that are on St. Johns Green and these close at 10 pm.

Spoilt environment with the risk of higher litter, risk of vandalism as alcohol can contribute to anti-social behaviour.

**To summarise**, I have no objection to a new shop opening on the precinct, but I feel that residents living in very close proximity have to be considered.

If there is already an objection from the Police, Local Councillors, then there has to be serious consideration given to the feelings of local residents.

If anyone is unsure – may be just one thought, would you like to live next door or across the road from a shop that is open 24 hours a day, serving alcohol and hot food after 11 pm up to 6 am in the morning? Something that has never happened been available at St Johns Green.

### **Other Person Twenty Two**

Sent: 10 February 2025 21:27

To: Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

Subject: Unit 4 Ox Close Avenue

I wish to share my concerns and disapproval about the proposed new establishment at Unit 4 Ox Close Avenue Kimberworth Park

There is a huge issue in Kimberworth Park around alcohol misuse already without increasing access to it 24/7 Alcohol causes so many problems for individuals, families, friends, the general public, NHS and emergency services

Local residents in and around St Johns Green have had their lives disrupted by anti social behaviour for more than their share and is so unfair for this to be increased

## **APPENDIX 4**

There is more than enough opportunities for people to purchase alcohol without increasing it further As a long time resident and worker in Kimberworth Park I wish to register that I am completely against the proposal and would like to be kept up to date with the developments regarding this

### **Additional Information from Other Person Twenty Two**

Sent: 13 February 2025 12:45

To: Diane Kraus <Diane.Kraus@rotherham.gov.uk>

Subject: Re: Representations - Grant of a premises licence - TODAY'S, UNIT 4, OX CLOSE AVENUE, KIMBERWORTH PARK, ROTHERHAM

From time spent in the community or groups I see and hear there the devastating impact and effects of alcohol consumption on other families.

### **Other Person Twenty Three**

Sent: 10 February 2025 19:29

To: Licensing <Licensing@rotherham.gov.uk>

Subject: AKMS Retail Ltd Licence request

Dear Sir/Madam,

I just learned about this application and I am very worried of what 24 hours alcohol sale will bring at night to this residential neighbourhood. I don't know the owners and I cannot comment on the quality of the coming shop but I don't believe this is an appropriate location. We would need regular patrols, improved lighting and CCTVs around the square and all nearby streets and I don't believe the council will do that. All our cars are parked on not very wide roads and I also fear that they could not be safe. I would not object a location not so close to people residences and on a main road so traffic can come and go without disturbing the neighbourhood.

### **Other Person Twenty Four**

Sent: 11 February 2025 16:49

To: Licensing <Licensing@rotherham.gov.uk>; Cllr Simon Currie <Simon.Currie@rotherham.gov.uk>; Cllr Carole Foster <Carole.Foster@rotherham.gov.uk>

Subject: AKMS - OX Close Avenue

I am contacting you in relation to the licence application for a 24 hour shop to sell alcohol based on Ox Close Avenue, kimberworth park.

I am a resident of Kimberworth Park and regularly use the shops on St. Johns green. Anti social behaviour has always been an issue around the shops and ox close. Issuing a licence for a 24 hour shop to sell alcohol will just compound the problems further. Disruptive and harmful behaviour regularly occur, including vandalism, aggressive behaviour, littering, drug abuse; these actions significantly disturb the peace and safety of the community.

## APPENDIX 4

A 24 hours off-licence will lead to an increase in alcohol related issues like public disorder, noise pollution, potential for underage drinking and disruption to local residents. Which in turn will place a strain on the police forces due to the potential for more alcohol related crime and antisocial behaviour.

It will have a negative impact on the nearby residents and the area in general. Recently St. Johns Green has undergone a makeover, removing walls and areas for gangs to congregate around to improve the safety of the area for the community so issuing this licence now would be of significant detriment to the area.

### Other Person Twenty Five

**Sent:** 12 February 2025 09:19

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** comments/objection regarding Unit 4 Ox Close Avenue

I'm emailing in relation to a licence request you have received for Unit 4 Ox Close Avenue, Kimberworth Park, S61 3QY for a 24-hour licence to sell alcohol from their premises.

I would like to make comments to object against this licence request.

I am a local resident living [REDACTED] close to where this shop is located so I know first hand the impact this would have on our already struggling local community.

St Johns Green and the additional business units on Ox Close Ave already suffer from large groups of people gathering and congregating around the shops, resulting in frequent anti-social behaviour which then spills out on to and affects neighbouring residential streets.

This means that there is already a heavy police presence in the area to try and tackle this ongoing problem. Allowing this 24-hour licence would only encourage this behaviour and add extra strain on South Yorkshire Police.

There are residential properties next door to, behind and across the road from where this shop is located – some of which are bungalows housing elderly, vulnerable residents. The sale of alcohol 24 hours would create an uncomfortable living environment for these residents, especially since the licence is for the sale of alcohol to be consumed off the premises once bought, increasing the potential for this to be consumed on the surrounding streets.

There are children who frequent the area of these shops when passing through socialising with their friends and in addition to this, these shops are one of the main locations where children walk through early hours of the morning on their way to school. Children should not have to be subject to witnessing people coming and going at all hours purchasing alcohol. This would feed into the narrative that this is okay, if they are witnessing this frequently, it will be normalised to them and have the potential to influence them to pick up the same behaviours later in life.

Aside from the multiple factors I have stated above, I believe that the excessive sale and intake of alcohol should not be encouraged not only from community safety point of view, but also from a community health point of view. Allowing the sale of alcohol 24 hours, especially in this sensitive location, would feed into diseases such as alcoholism which would then impact and put strain on our already struggling NHS.

## **APPENDIX 4**

### **Other Person Twenty Six**

**Sent:** 12 February 2025 22:28

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** 4 ox close avenue s61 3qy

I am strongly against extended hours for the shop on ox close because:  
There is already enough anti social behaviour Gathering of youths And litter

### **Other Person Twenty Seven**

**Sent:** 14 February 2025 09:36

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Unit 4 Ox Close

I am emailing regarding the licence application for Unit 4 Ox Close Avenue  
Kimberworth Park S61 3QY

I have a few concerns regarding the 24 hour licence as the area already has issues with litter and  
some antisocial behaviour. If this application is granted the problems will increase.

Also the noise that would come with people and cars coming and going all through the night.  
I feel that this could have an impact on residents living in the surrounding area.

### **Other Person Twenty Eight**

**Sent:** 14 February 2025 13:31

**To:** Licensing <[Licensing@rotherham.gov.uk](mailto:Licensing@rotherham.gov.uk)>

**Subject:** Application: Unit 4 Ox Close Avenue, Kimberworth Park

#### **Representations from the Parochial Church Council, St John's, Kimberworth Park**

We wish to object to the application to allow the 24-hour sale of alcohol and light refreshments at  
the premises on Ox Close Avenue.

We are surprised that there is reckoned to be sufficient local demand for opening through the  
night. The premises would need adequate staff to be safe and if it is to succeed in attracting enough  
trade to be viable it would mean a significant amount of night-time traffic and the inevitable  
disturbance that would come with it. This is a residential area where it is wholly reasonable to  
expect peace and quiet during night-time hours and this should be protected. All-night opening  
would be more appropriate in the town centre and we note that there is a current application for  
premises there.

St John's Green already has a problematic reputation, having suffered from a lot of vandalism and  
other anti-social behaviour over the years. This led to the formation of the St John's Green  
Stakeholder Group to promote the Green as a place that is attractive and safe for all in the  
community. We have since been encouraged by the progress made through successive police and  
council initiatives in addressing the problems. Even so, local people are still understandably wary

## **APPENDIX 4**

about coming onto the Green at night. All-night opening for sale of alcohol in the vicinity would do more harm to the reputation of the area, adding to the risk of anti-social behaviour, reinforcing the perception that the area is unsafe and setting back the progress that has been made over recent years.

We think these concerns far outweigh any legitimate benefits of the proposal for the local community.

Vice Chair of the PCC