

LICENSING SUB-COMMITTEE
14th July, 2026

Present:- Councillor Hughes (in the Chair); Councillors Bennett-Sylvester and Jones.

Also present:-

Mr. Mark McGrail, Applicant

Mr. Scott Roberts, Operational Manager

Ms. Jo Belton, Licensing Officer, South Yorkshire Police

PS Antony Cartlidge, Licensing Dept, South Yorkshire Police

Mr. Phil Reed, Operational Support Unit, South Yorkshire Police

Mr. Robert Sowter, Solicitor, South Yorkshire Police

Councillor Beresford, Ward Councillor

Other Person 1, 12, 16, 17 and 19 together with 4 other local residents

Mrs. Diane Kraus, Principal Licensing Officer, RMBC

Ms. Kirsty Leonard, Community Protection Unit, RMBC

Mr. Lionel Desai, Solicitor, RMBC

Mrs. Dawn Mitchell, Governance Advisor/Clerk

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) BY SME ENVIRONMENTAL HOLDINGS LTD. FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF AN OUTDOOR EVENT SPACE SITUATED AT BASSINGTHORPE LANE, ROTHERHAM S61 4QW

Consideration was given to an application (made in accordance with Section 17 of the Licensing Act 2003) by SME Environmental Holdings Ltd. for the grant of a Premises Licence in respect of an Outdoor Event Space situated at Bassingthorpe Lane, Rotherham S61 4QW.

The applicant, Mr. Mark McGrail, Director of SME Environmental Holdings Ltd., was seeking authorisation to allow:-

- The sale of alcohol for consumption on the premises
- Regulated entertainment by way of the provision of live and recorded music, the performance of plays and dance and the exhibition of films
- Provision of late night refreshment

The application sought permission to provide licensable activities between May and September on no more than 16 occasions between the hours of 11:00 a.m. and 12.00 midnight. An “occasion” could fall on any day of the week.

Mr. McGrail was named in the application as the Designated Premises Supervisor.

Mr. McGrail was present at the hearing together with Mr. Roberts.

Consultation on the application had been carried out in accordance with all statutory requirements and the Council procedure. During the consultation period, 29 representations opposed to the application had been received together with a single representation in support.

Two of the Responsible Authorities, South Yorkshire Police and the Council's Community Protection Unit, had made representations opposed to the application (Appendix 3).

Representations of the 2 Ward Councillors and 25 "Other Persons", all of whom were opposed to the application, were attached at Appendix 4 of the report submitted.

The representation received by an "Other Person" in support of the application was attached at Appendix 5.

Subsequent to the publication of the agenda, South Yorkshire Police had continued their negotiations resulting in the applicant formally amending the application. The application now sought permission to provide licensable activities between May and September on a maximum of 6 occasions. In addition, a further 28 event management controls had been offered all of which would automatically be applied to any licence that may be granted.

This amendment to the application had resulted in the withdrawal of South Yorkshire Police's representation.

The Community Protection Unit had further added to their representation welcoming the proposed control measures, however, felt that they remained largely aspirational and lacked sufficient detail to provide confidence that events would be effectively managed and controlled in practice.

The proposed migration measures did not address the fundamental concerns associated with the suitability of the locality itself. The field was accessed via a narrow road with events proposed that may attract significant numbers of attendees. Noise sensitive receptors were 600 m away with no material barrier between themselves and the venue. This presented ongoing concerns regarding the prevention of public nuisance and the practical management of large scale events.

If the licence was to be granted, the Community Protection Unit had requested additional amendments and conditions be applied to the licence.

Representatives of South Yorkshire Police were present as a courtesy to the Sub-Committee and to answer any questions Members may have as a result of their representation withdrawal.

The applicant provided the following information:-

- Bassingthorpe was subject to a future housing development of approximately 2,400 new houses. The sports and recreation facility was not affected by the development
- Bassingthorpe sports and recreation facility had a long history of owners and had been a sporting facility for over 120 years. Following the purchase by the Council in 2013, it had been sold on with an agreement that an easement was put in place with no access/egress to the site and Gin House and Gin House Lane would feed the sports facility
- In 2019 there was a Letter of Comfort from the Council that the sports facility would remain as a sports and recreation facility used for sports and recreation and any events within that parameter
- There was an issue with the site in that there was a Control of Major Accidents Hazards (COMAH) in relation to the factory on the junction with Gin House Lane
- The applicant was not responsible for highways as stated in the deed and the contract between the Council and Bassingthorpe sports and recreation. The site must always be kept maintained, open and accessible. When originally built it was a 6m wide double lane road, however, since then the road had eroded
- Since 2014 due to the farm allocation there had been no interest in the area
- Since deciding to use the land, Mr. McGrail had cleaned up the location which had been associated with flytipping and related anti-social behaviour
- The houses had been built after the facility and were given a new access road up Potters Hill onto Munsbrough Lane
- Gin House Lane had always been a rat run
- The current licence allowed sports/recreation, however, it did not permit the sale/consumption of alcohol
- It was the aim to create a new facility and link it up with the other facilities in the town centre. The business model was to revitalise the town centre leisure and tourism offer and use Gin House Lane as a pedestrianised area
- There would be a sports facilities, restaurant, café and community element on the site. Once that facility was complete there would still be a need to apply for a premises licence
- The 200 parking spaces would be for day use e.g. café patrons, deliveries. The intention was not to encourage car usage. Festivals now encouraged walking and cycling rather than cars. It was about integrating the facilities e.g. use the camping/glamping facilities and walk to venues in the town centre
- The events would be in the Spring/Summer when there were lighter nights. The drinking time could stop at any time; the issue was getting people off the site in a controlled and safe manner

- Rotherham Council had given assurance in 2019 that the highway would be maintained and there was a legally binding Deed of Easement to ensure there was access/egress to the sports facilities. Highways would visit in September to assess the highways situation. It also needed to ensure the safety of pedestrians as currently there were no safe refuges
- The applicant, prior to any event, had to submit a traffic management plan as part of the report to the Safety Advisory Group. If it was not acceptable, the event would not go ahead
- Under the applicant's current licenced activities, glamping could be provided for 28 days a year, football matches etc. without an alcohol licence. There was no licensing requirement for a sports facility
- An Event Management Plan was now a required condition by the Police and would need to be circulated prior to any event taking place and include how visitors accessed/egressed the venue. If it was not satisfactory, the event could be cancelled
- The issue was not the drinking-up time but how the team could get visitors off the site. A midnight close with a 1:00 a.m. deadline allowed 1 hour to get visitors off site. There was no issue if the time to stop serving changed to 10:00 p.m.
- As part of the COMAH, Munsbrough Lane, Bassingthorpe Lane and Gin House Lane must be clear at all times. If an event was taking place, members of the public would not be allowed to park their cars on that route

Councillor Elliott had submitted his apologies for the meeting. Councillor Beresford presented their objections to the application which centred around:-

- It was felt to be the wrong place to hold large events with the potential to impact on public safety and may cause noise nuisance due to the number of potential attendees and the finishing time of such events
- Bassingthorpe Lane was a very narrow rural road, with no street lighting and a speed limit of 60 mph. It had limited visibility due to the number of bends and overgrown hedges on the side of the road
- Concern for pedestrian safety using the road particularly when it was dark as there were no footpaths
- Concern with regard to the proximity to Victrex, accessed by Bassingthorpe Lane, which had site specific emergency planning arrangements because of the storage and use of hazardous materials
- In the event of an emergency local residents were alerted by warning sirens and advised to stay indoors and close their windows. People attending events would not have this protection
- The possibility of visitors to events arriving by car and parking on Munsbrough Lane and Broom Riddings. Residents were concerned that their safety may be compromised if ambulances and fire engines were unable to get to their properties
- 12:00 midnight was too late for music events to be held on the field and the disruption caused to local residents as revellers left the venue

Kirsty Leonard presented the Community Protection Unit's objections to the application as follows:-

- Noise impact from outdoor events – there were no baseline noise survey/noise limits or specific decibel thresholds provided
- The measures outlined were vague and non-quantified and did not demonstrate adequate control of noise breakout
- Likely disturbance to nearby residential receptors and noise caused by late night dispersal
- No detailed Noise Management Plan
- Concerns regarding access and egress/dispersal with a single entrance/exit point with parking for 200 vehicles even though events would have up to 3,000 attendees
- Potential traffic congestion, noise and disturbance to the surrounding area
- Failure to demonstrate adequate measures to promote the prevention of public nuisance and protection of public health
- The objections had been updated and the CPU welcomed the proposed control measures, there was sufficient detail lacking to provide confidence that the events would be effectively managed and controlled in practice

The Sub-Committee considered the comments of the objectors, both in person and written, which could be summarised as follows:-

- Noise and light pollution from the venue
- Increased traffic and the unsuitability of the local highway infrastructure
- The unsuitability of Bassingthorpe Lane and associated highway safety concerns
- The movement of 3,000 people before, during and after events could create safety concerns and potential associated anti-social behaviour and alcohol related disorder
- The area was surrounded by working farmland with livestock including sheep and horses which were highly sensitive to noise and sudden disturbances
- Active agricultural land which could present a fire risk in dry weather conditions
- Large scale entertainment events were not in keeping with the character of the area
- The effect on local wildlife
- Ability for emergency services to access Bassingthorpe Lane whilst an event was taking place
- The lack of pavements and street lighting
- One of the access roads to the site passed directly through the middle of Bassingthorpe Farm farmyard

- Health and safety implications for the existing farm residents and the potential fire from discarded cigarettes. The events were due to take place during harvest; the farm required access both ways up/down the lane
- Existing issues with littering which was felt would increase
- The number of deliveries that would be needed prior to an event taking place

There was one “Other Person” who had submitted written support for the application:-

- It was a fantastic opportunity to have local events for people to attend during the summer months
- It was something that Rotherham needed and was good news for the town

Ms. Kraus clarified that currently a farmer’s market could be held on the site and alcohol could be purchased and consumed on site. However, the application as it currently stood was for the sale of alcohol on site only i.e. it could not be purchased and taken off site unless the application was amended.

The Sub-Committee considered the application for the review of the Premises Licence and the representations made specifically in light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- That, after due consideration the application for the grant of a Premises Licence in respect of an Outdoor Event Space situated at Bassingthorpe Lane, Rotherham S61 4QW, be refused.