

**LICENSING SUB-COMMITTEE**  
**25th August, 2026**

Present:- Councillor Garnett (in the Chair); Councillors Bennett-Sylvester and Brent.

Mr. J. White, Applicant

“Other Person” 1

“Other Person” 2

Ms. R. Chico, Wickersley Parish Council

Mr. A. Pogorzelec, Licensing Manager

Ms. D. Kraus, Principal Licensing Officer

Ms. K. Etheridge, Solicitor

Mrs. D. Mitchell, Governance Advisor/Clerk

**CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) BY JAXX IRISH BAR LTD FOR THE GRANT OF A PREMISES LICENCE IN RESPECT OF JAXX IRISH BAR SITUATED AT 236 BAWTRY ROAD, WICKERSLEY, ROTHERHAM, S66 1AA**

Consideration was given to an application (made in accordance with Section 17 of the Licensing Act 2003) by Jaxx Irish Bar Ltd. for the grant of a Premises Licence in respect of Jaxx Irish Bar, 236 Bawtry Road, Wickersley, Rotherham S66 1AA.

The applicant was seeking authorisation to allow the:-

Sale of alcohol for consumption on the premises on:

- Monday to Wednesday between 4.00 p.m. and 10.00 p.m.
- Thursday between 4.00 p.m. and 10.30 p.m.
- Friday between 2.30 p.m. and 11.30 p.m.
- Saturday between 12.00 Noon and 11.30 p.m.
- Sunday between 12.00 Noon and 9.30 p.m.

Provision of Recorded Music inside the premises on:

- Monday to Wednesday between 4.00 p.m. and 10.15 p.m.
- Thursday between 4.00 p.m. and 10.45 p.m.
- Friday between 2.30 p.m. and 11.45 p.m.
- Saturday between 12.00 Noon and 11.45 p.m.
- Sunday between 12.00 Noon and 9.45 p.m.

Provision of Live Music inside the premises on:

- Friday between 8.00 p.m. and 10.00 p.m.
- Saturday between 6.00 p.m. and 11.00 p.m.

Provision of Late Night Refreshment for consumption on the premises on:

- Friday and Saturday between 11.00 p.m. and 11.30 p.m.
- Sunday before a Bank Holiday Monday between 11.00 p.m. and 11.30 p.m.
- Where Christmas Eve and Boxing Day fell on Sunday to Thursday between 11.00 p.m. and 11.30 p.m.
- New Year's Eve between 11.00 p.m. and 12.15 a.m. on the following day

The application indicated that the premises would be open to the public between the same hours sought for the provision of recorded music.

Consultation on the application had been carried out in accordance with all statutory requirements and the Council procedure. At the end of the consultation period 16 representations opposed to the grant of the application had been received together with a single representation in support. The representations received opposing the application included the Licensing Authority (in their role as a Responsible Authority), a local Ward Councillor, Wickersley Parish Council and 13 "Other Persons".

As the premises were located within Wickersley, the application fell under the scope of the Council's Cumulative Impact Policy and should be considered in accordance with this Policy along with the Council's overarching Licensing Act 2003 Statement of Licensing Policy. The Council's Cumulative Impact Policy stated that, upon receipt of relevant representations, applications seeking authorisation for the sale of alcohol at a premises located within the Wickersley CIZ would be refused as it would be inconsistent with the promotion of the licensing objectives to grant any further licences unless an applicant could show that their licensed premises would not increase the impact of such premises.

When considering the presumption against granting a licence in the Wickersley Cumulative Impact Zone (CIZ), the Sub-Committee must be satisfied that the application would not impact any further on the cumulative impact of existing licensed premises.

Ms. Kraus, Principal Licensing Officer, introduced the application highlighting:-

- The person named in the application as the Designated Premises Supervisor (DPS) was Ms. Leona Edwards, one of the named Directors of the applicant company. Ms. Edwards had yet to make an application for a Personal Licence
- The premises would operate as a micro bar providing the sale of alcohol for consumption on and off the premises together with the provision of light refreshments and snacks. The premises would offer a relaxed and welcoming environment for customers wishing to enjoy craft beers, wines, spirits and other alcoholic beverages

- The internal layout comprised of a main customer seating and drinking area with a bar and service counter located within the main trading space. Seating would be provided throughout the premises with ancillary storage, cellar/storage facilities and staff welfare areas located to the rear of the premises. The layout had been designed to ensure clear supervision of all customer areas by staff at all times
- The premises was currently occupied by Greggs and operated as such for a period exceeding 10 years. Based on the available information, the existing use was considered to likely fall within Use Class E (Commercial, Business and Service). Any proposal to change the use of the premises to a micro bar involving the sale of alcohol, whether for consumption on or off the premises, would constitute a material change of use. Such a use would fall within a sui generis category i.e. a use that did not fall within any defined class such as the proposed use
- A change of use from Class E to a sui generis use required planning permission and any change between different sui generis uses would also require planning permission and must be obtained prior to the commencement of the proposed use of the premises as a bar

The objections of the Licensing Authority were based on 2 of the licensing objectives i.e.:-

- The prevention of crime and disorder
- The prevention of public nuisance

and raised the following concerns:-

- The premises was situated within the Wickersley CIZ; it was the view that the applicant had failed to:-
  - satisfactorily address noise generated from the premises as a result of the proposed activities;
  - the premises would operate primarily as a drinking establishment and include vertical drinking. Vertical drinking was associated with higher levels of alcohol consumption and drunkenness
  - the external area set aside for the consumption of alcohol would generate noise that would impact upon nearby residential properties
  - the location and nature of the premises was such that the measures outlined by the applicant within the Operating Schedule to mitigate the above, would not prevent the activities at the premises from increasing the impact of such premises in the area
- The noise generated as a result of proposed activities on the site would undermine the prevention of public nuisance
- In order to prevent the consumption of alcohol on the outside area, it would necessitate the plan to be amended and not include the area. This would then prevent any type of licensable activity taking place

Councillor T. Collingham had submitted his apologies for the meeting. His objections stood and were based on 3 of the licensing objectives i.e.

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety

and raised the following concerns:-

- The premises were within the Wickersley CIZ where the Council had concluded that the concentration of licensed premises had reached a level where granting further licences would be inconsistent with the promotion of licensing objectives
- There were 19 licensed premises located within a 350m radius significantly exceeding both the Borough and wider area averages
- The Council's assessment concluded that the centre lacked the infrastructure necessary to support a large and sustained night time economy and that the current concentration of licensed premises was already having a negative impact on nearby residential properties
- The premises plan showed a stage area for live performances and outdoor seating directly onto Bawtry Road. These type of activities were identified within the Cumulative Impact Assessment (CIA) as contributing to public nuisance and disturbance particularly noise from live music, outdoor drinking areas and customers dispersing late into the evening
- Wickersley village centre was surrounded by established residential properties many occupied by older residents who chose to live in what was historically a village centre rather than an entertainment destination
- The CIA identified that applications may be viewed more favourably where premises operated principally within the daytime economy and outside peak hours of disruption; this application was focused on alcohol sales and entertainment during the evening and late night periods

The objections of Wickersley Parish Council were based on 2 of the licensing objectives i.e.:-

- Public safety
- The prevention of public nuisance

and raised the following concerns:-

- Cumulative impact of a further bar in Wickersley
- Potential for noise nuisance and general disturbance for other users of the Tanyard
- Consideration be given to the removal of the outside area from the application and the addition of the need for door persons to ensure that no drinks left the premises

- If the application was to be granted there should be strict conditions including a maximum number of people, a limitation of hours to those stipulated in the application and a requirement that customers were not permitted to take alcoholic drinks outside of the premises at any time with the requirement of door persons to enforce

The objections of the “Other Persons” were based on all 4 of the licensing objectives i.e.

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

and raised the following concerns:-

- The site was within the Wickersley CIZ
- There were already a large number of drinking establishments in Wickersley and there was no unmet demand
- Residents of Wickersley already experienced anti-social behaviour from existing establishments such as loud music, sporadic minor vandalism, glasses discarded in the street and vomit on pavements
- There were residential flats above the application site which could only lead to disturbance and disruption to those residents
- The Tanyard area was heavily trafficked by pupils from Wickersley School
- Currently all the licensed premises in the centre of Wickersley which were not restaurant based were situated on the north side of Bawtry Road; the south side was retail or professional with the only exception of W situated on the other side of the roundabout
- Any encroachment of the retail area should be resisted if Wickersley was to remain as a retail hub
- The location of the proposed bar, immediately next to a healthcare practice and close to areas heavily used by school pupils and families, made the application unsuitable
- The bar would be next door to an audiology clinic which required a controlled and quiet acoustic environment to undertake audiology assessments
- Customers entering/leaving the bar, smoking outside, gathering near benches, using taxis and moving between nearby premises could increase noise, litter, obstruction and disturbance particularly in the afternoon, evening and weekends
- The introduction of a bar directly next door to a health centre risked changing the character of the immediate area and creating an environment that was less suitable for patients many of whom were elderly and children with learning disabilities
- Whilst the area was not formally designated as a School Superzone, children and young people should not be unnecessarily exposed to increased alcohol availability, alcohol advertising, intoxicated adults,

- smoking, disorder or unsafe public spaces on their routes to and from school or in places where they regularly gathered
- The Tanyard was not a suitable location for a bar
- It was a very small unit and would be crowded and noisy with the number of occupants quoted
- There was no unmet need for a micro bar with several establishments close by
- The applicant claimed that it was a unique concept but had no brewery lined up
- Granting the application within a CIZ would set a precedent

There had been one letter of support for the application which stated:-

- Wickersley was lacking a live music venue
- Micro bars were traditionally friendly venues and very rarely caused problems for residents as they closed before midnight
- A small bar offered an alternative for those wanting a quiet drink
- It would be a great business to support local independent artists

In response to questions, the applicant provided the following information:-

- Ms. Edwards, named in the application as the Designated Premises Supervisor, had not applied for a Personal Licence as yet due to the impending birth of her baby. Ms. Edwards had a background in hospitality
- The applicant and his partner lived in Wickersley and understood the concerns, however, they were trying to bring a completely fresh idea to the village. Local residents were asking for live music and an opportunity to showcase local talent
- Consideration had been given to the other shops on the Tanyard and to opening times in terms of the other bars/restaurants on the other side of Bawtry Road which were open later than the proposed opening hours for Jaxx Bar
- The takeaway further up from the premises was open until 01.00 a.m. with customers coming from the other side of the road to get food and congregating outside the area
- The premises would be fully sound proofed to minimise noise as much as possible. The doors would be closed at all times and live music would only be in the evening when the other businesses had closed for the day. Recorded music would be at a minimal background level. The applicant was agreeable for a condition to be added to any licence granted with regard to the bar's doors being closed at all times music was being played
- No alcohol would be consumed in the outside area; it was for smoking/vaping. The applicant was agreeable to a condition being added to any licence granted that no food or drink, whether alcoholic or non-alcoholic, was allowed on the outside area

- There would be 2 qualified door supervisors working on Fridays and Saturdays from 6.00 p.m. The applicant agreed to that being added as a condition to any licence granted
- The bar would hold a maximum of 35 people with 3/4 members of staff plus the 2 door supervisors. Staff would be trained by a third party training company
- Acknowledgement that there would be certain days of the year e.g. St. Patrick's Day where a TENS application would be submitted, however, usually it was celebrated on the weekend closest to the actual date
- It was the plan to initially close the bar on Mondays and Tuesdays whilst the business was established. Deliveries/deep cleaning would take place on those days
- Consideration still had to be given as to the supplier of alcohol/drinks
- The applicant would be agreeable to a condition regarding children off site by 9.00 p.m. to any licence granted
- The venue would not be open during school hours i.e. when children went to Greggs at lunchtime
- The premise's ideal avatar was local Wickersley residents who used to be regulars on the pub scene but no longer went out because they did not want to be part of that anymore. They would be the target audience for the events planned

The Sub-Committee considered the application for the grant of the Premises Licence and the representations made specifically in the 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 the application for the grant of a Premises Licence (made in accordance with Section 17 of the Licensing Act 2003), in respect of Jaxx Irish Bar, 236 Bawtry Road, Wickersley, Rotherham S66 1AA, as now submitted, be refused.