

LICENSING SUB-COMMITTEE

Date and Time:- Tuesday 25 August 2026 at 2.00 p.m.

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

Membership:- Councillors Garnett, Bennett-Sylvester and Brent.

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

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

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

AGENDA

- 1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.**
- 2. To determine any item(s) which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.**
- 3. 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 (Pages 3 - 63)**



**JOHN EDWARDS,
Chief Executive.**

This page is intentionally left blank

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

1. The Chairperson of the Licensing Sub-Committee **will introduce themselves and the other Members** of the Committee and then ask **the following parties to introduce** themselves:
 - Officers of the Council;
 - The Applicant, any person representing them and any witnesses they want to call.
 - Persons who have made representations, any person representing them and any witnesses they want to call
2. The Chairperson will then **ask the Licensing Officer to introduce the report** and provide any updates. Questions to the Licensing Officer may be asked, **solely concerning the report**, by;
 - Members,
 - The Applicant; and
 - Persons making representations.
3. The Chairperson will then invite the **applicant to introduce their application and call any witnesses they may have**. Questions to the Applicant **regarding their application** may be asked by:
 - Members; and
 - Persons making representations.
4. The Chairperson will then invite the **persons making representations to address the Sub Committee and call any witnesses they may have**. Questions to the person making representations may be asked by:
 - Members; and
 - The Applicant.
5. The Chairperson will then invite the **Applicant if they wish to sum up their application**
6. The Chairperson **will then advise** that:
 - The public hearing is now concluded;
 - That Members of the Sub Committee will go into closed session, together with the Council's Solicitor and the Clerk to the meeting; and
 - All parties will be informed of the decision of the Licensing Committee 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 – 25th August 2026 at 14:00 hours (2pm).

Report Title

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.

Report Author(s)

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

Report Summary

On 1st July 2026 an application for the grant of a Premises Licence was made by Jaxx Irish Bar Ltd in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

The premises are located within the within the Wickersley Cumulative Impact Zone.

The applicant, seeks authorisation to allow the:

Sale of alcohol, for consumption on the premises, on:

- Monday to Wednesday between 4pm and 10pm;
- Thursday between 4pm and 10.30pm;
- Friday between 2.30pm and 11.30pm;
- Saturday between 12 noon and 11.30pm; and
- Sunday between 12 noon and 9.30pm.

Provision of Recorded Music, inside the premises, on:

- Monday to Wednesday between 4pm & 10.15pm;
- Thursday between 4pm & 10.45pm;
- Friday between 2.30pm & 11.45pm;
- Saturday between 12 noon & 11.45pm; and
- Sunday between 12 noon & 9.45pm.

Provision of Live Music, inside the premises, on:

- Friday between 8pm & 10pm; and
- Saturday between 6pm & 11pm.

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

- Friday and Saturday between 11pm & 11.30pm.

Representations, opposed to the grant of the application, have been received from one of the Responsible Authorities, one local councillor, Wickersley Parish Council and thirteen (13) "Other Persons".

One representation in support of the application has also been received from an "Other Person".

Further detail of the representation is 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 RMBC Cumulative Impact Zone
- Appendix 3 Application and Premises Layout Plan
- Appendix 4 Representations - Opposed
- Appendix 5 Representation - Support
- Appendix 6 Supporting Information from Applicant

Background Papers

Rotherham MBC Statement of Licensing Policy 2025 -2030
(available at www.rotherham.gov.uk/licensing)

Revised guidance issued under section 182 of the Licensing Act 2003 (February 2026) 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 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.

1. Background

- 1.1 The applicant premises, are not currently licensed under the Licensing Act 2003.

2. Key Issues

- 2.1 On 1st July 2026 an application for the grant of a Premises Licence was made by Jaxx Irish Bar Ltd in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

Location and Wickersley Cumulative Impact Zone

- 2.2 A location plan, together with street view pictures of the applicant premises, is attached at **Appendix 1**. The premises formerly traded as “Greggs”.
- 2.3 The applicant premises sits within the Wickersley Cumulative Impact Zone (CIZ); and a copy of Rotherham Metropolitan Borough Council’s CIZ policy is attached at **Appendix 2**.
- 2.4 In summary, the Council’s policy states that, on receipt of relevant representations, applications seeking authorisation for the sale of alcohol at a premises located within the Wickersley CIZ will be refused, as it would be inconsistent with the promotion of the licensing objectives to grant any further licences unless an applicant can show that their licensed premise would not increase the impact of such premises.
- 2.5 When considering the presumption against granting a licence in the Wickersley CIZ, the Sub Committee must be satisfied that the applicant will not impact any further on the cumulative impact of existing licensed premises.
- 2.6 Applicants may suggest measures which they believe will demonstrate there will be no further impact from their premise. Examples that the Sub Committee may consider as demonstrating that there will be no further impact include:
- Small premises who operate outside of the peak hours of disruption;
 - Premises which are not alcohol-led and operate during the day-time economy;
 - Where a business is relocating to a new premise but retaining the same style of business; and.
 - Conditions which ensure the premise will operate in a particular manner, such as a minimum number of waiting staff to secure a food-led premise.

2.7 Examples of factors the Sub Committee will not consider include that the:

2.8

- Premise will be well managed and well run;
- Premise will be constructed to a high specification; and
- Applicant operates similar premises in other areas without complaint.

The Applicant

2.9 A search of Company House records, carried out on 1st July 2026, showed that the applicant Company, Jaxx Irish Bar Ltd, has two directors, Ms Leona EDWARDS and Mr Joshua WHITE.

The Application

2.10 A copy of the application form, together with the premises layout plan, is attached at **Appendix 3**.

2.11 The application seeks to allow the:

Sale of alcohol, for consumption on the premises, on:

- Monday to Wednesday between 4pm and 10pm;
- Thursday between 4pm and 10.30pm;
- Friday between 2.30pm and 11.30pm;
- Saturday between 12 noon and 11.30pm;
- Sunday between 12 noon and 9.30pm;
- Sunday before a Bank Holiday Monday between 12 noon and 11.30pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 12 noon and 11.30pm; and
- New Years Eve between 12 noon and 12.15am on the following day.

Provision of Recorded Music, inside the premises, on:

- Monday to Wednesday between 4pm & 10.15pm;
- Thursday between 4pm & 10.45pm;
- Friday between 2.30pm & 11.45pm;
- Saturday between 12 noon & 11.45pm;
- Sunday between 12 noon & 9.45pm;
- Sunday before a Bank Holiday Monday between 12 noon and 11.45pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 12 noon and 11.45pm; and
- New Years Eve between 12 noon and 12.30am on the following day.

Provision of Live Music, inside the premises, on:

- Friday between 8pm & 10pm;
- Saturday between 6pm & 11pm;
- Sunday before a Bank Holiday Monday between 6pm and 11pm;
- Christmas Eve & Boxing Day 6pm and 11pm; and
- New Years Eve between 6pm and 12 midnight.

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

- Friday and Saturday between 11pm & 11.30pm;
- Sunday before a Bank Holiday Monday between 11pm and 11.30pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 11pm and 11.30pm; and
- New Years Eve between 11pm and 12.15am on the following day.

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

2.13 The person named in the application as the Designated Premises Supervisor (DPS) is Ms Leona EDWARDS, who is one of the named Directors of the applicant company. At the time of writing Ms Edwards has yet to make an application for a Personal Licence. Any such application would have to be made to the Council's Licensing Team as Ms Edwards lives in Rotherham.

2.14 The description of the premises, as provided in the application, is as follows:

"The premises comprise a ground floor retail unit situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA, within The Tanyard shopping parade in the centre of Wickersley. The premises occupy a prominent position on Bawtry Road within a well-established commercial area, surrounded by a mixture of retail, hospitality and service businesses. Customer parking is available to the front of the premises, with service access provided to the rear.

The premises will 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 will offer a relaxed and welcoming environment for customers wishing to enjoy craft beers, wines, spirits and other alcoholic beverages.

The internal layout comprises a main customer seating and drinking area, with a bar and service counter located within the main trading space. Seating will be provided throughout the premises, with ancillary storage, cellar/storage facilities and staff welfare areas located to the rear of the premises. The layout has been designed to ensure clear supervision of all customer areas by staff at all times".

2.15 Section M of the application provides information regarding the manner in which the premises will operate. Having regard to this information, the following management controls would be made a condition of any Licence that may be granted:

- a) A comprehensive CCTV system shall be installed and maintained at the premises. CCTV cameras shall cover all customer areas, entrances and exits.
- b) CCTV recordings shall be retained for a minimum of 28 days and made available to authorised officers upon request.
- c) A Challenge 25 policy shall be operated at the premises. This policy shall require that any person who appears to be under the age of 25 to produce valid photographic identification before being served alcohol. Acceptable forms of identification will be limited to a:

- I. passport,
 - II. photocard driving licence, or
 - III. PASS-accredited proof of age card.
- d) Notices shall be clearly displayed at the premises notifying customer of the Challenge 25 policy and the acceptable forms of identification.
- e) A refusals register shall be maintained to record all refused alcohol sales, including attempted purchases by underage persons or proxy sales.
- f) Intoxicated persons shall not be served alcohol, and customers displaying disorderly or anti-social behaviour will be refused service and asked to leave the premises if necessary.
- g) An incident register shall be maintained to record any crime, disorder or anti-social behaviour occurring on the premises.
- h) The premises shall be maintained in a safe condition at all times, with regular inspections carried out to identify and address any potential hazards. Suitable public liability insurance shall be in place, and all relevant health and safety legislation shall be complied with
- I. A fire risk assessment shall be undertaken and reviewed regularly, with appropriate fire safety equipment, including fire extinguishers and smoke detectors, installed and maintained in accordance with legal requirements.
 - II. Clearly marked emergency exits shall be provided and kept unobstructed at all times to ensure safe evacuation in the event of an emergency.
 - III. Adequate lighting shall be provided throughout the premises, including entrances, exits, toilets, and external areas, to ensure customer safety and deter criminal activity.
 - IV. The premises capacity shall be monitored to prevent overcrowding and ensure a safe and comfortable environment for customers.
 - V. Floors, walkways, and customer areas shall be kept clean, well maintained, and free from trip hazards.
 - VI. A fully stocked first aid kit shall be available on the premises and incidents involving injury or accidents will be recorded in an accident book.
- i) Clear signage shall be displayed at exits requesting customers to *“respect neighbouring residents and leave the premises and surrounding area quietly”*.
- j) Staff shall monitor customers at closing time to ensure patrons disperse in an orderly manner.
- k) Any recorded music played at the premises shall be maintained at a background level appropriate to the size and nature of the venue so as not to cause disturbance to nearby properties.

- l) The designated smoking area shall be monitored by staff to ensure customers do not create excessive noise or obstruction outside the premises.
- m) Waste disposal, bottle collections and deliveries shall take place at reasonable times to minimise disturbance to local residents and neighbouring businesses.
- n) The area immediately outside the premises shall be regularly checked and kept free from litter, cigarette ends and other waste associated with the business.
- o) Any complaints from local residents or businesses relating to noise or nuisance shall be recorded, together with any action taken.
- p) Children under the age of 16 shall only be permitted on the premises when accompanied and supervised by a responsible adult.
- q) Any incidents involving children, including concerns relating to safeguarding or attempted underage purchases, shall be recorded and dealt with appropriately.
- r) The DPS, or their nominated deputy, shall effective communication with local police, licensing authorities and neighbouring businesses to address any concerns promptly.
- s) All staff will receive appropriate training on induction, and each year thereafter on, but not limited to:
 - I. The terms, conditions and restrictions of the Licence;
 - II. The operation of the Challenge 25 policy, including acceptable forms of identification and recording any challenge/refusals;
 - III. Preventing proxy sales;
 - IV. Refusing the sale of alcohol to persons who appear to be drunk;
 - V. Fire safety, emergency procedures and first aid awareness;
 - VI. Conflict management and the prevention of crime and disorder;
 - VII. Incident recording, and when to call the Police; and
 - VIII. Safeguarding children and vulnerable adults, including how to report any concerns

Consultation

- 2.16 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.
- 2.17 At the end of the consultation period sixteen (16) representations opposed to the grant of the application had been received, together with a single representation in support.

Representations Opposed

- 2.18 Representations, opposed to the application have been received from:
- The Licensing Authority, in their role as a Responsible Authority;
 - A local Ward Councillor;
 - The Parish Council; and
 - Thirteen (13) Other Persons
- 2.19 The detail of the representations objecting to the application is attached at Appendix 4

Representations In Support – Other Person

- 2.20 A copy of the representation received an Other Persons in support of the application is attached at **Appendix 5**.

Additional Information

- 2.21 At the time of writing the applicant company has not provided any additional information in support of the application, nor has any additional information been provided in support of the representations. Should this change, then an oral update will be provided at the hearing

The Hearing

- 2.22 The applicant, relevant Responsible Authorities, ward councillors and “Other Persons” have been invited to the hearing today. All parties attending, will be given the opportunity to address the Sub-Committee in relation to the matters raised in the application and the representations they have made to it.
- 2.23 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. For Information Only

- 3.1 The response from the Council’s Planning Service to the application is provided for information only; and should not form any part of the Sub Committee’s deliberations.

Official response Planning Service sent to applicant

- 3.2 The premise is currently occupied by Greggs and has operated as such for a period exceeding 10 years. Based on the available information, the existing use is considered to likely fall within Use Class E (Commercial, Business and Service), either as:

- Class E(a): retail sale of goods (bakery-type outlet), and/or
- Class E(b): café/restaurant use.

OR Suis Generis (Hot food take-away)

3.3 You are advised that 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 does not fall within any defined use class, such as the proposed use. As a result:

- A change of use from **Class E to a sui generis use** requires **planning permission**; and
- Any change between **different sui generis uses** would also require **planning permission**.

3.4 Planning permission must be obtained prior to the commencement of the proposed use of the premises as a bar.

4. Options available to the Licensing Sub-Committee

4.1 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

4.2 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).

4.3 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.

- 4.4 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.
- 4.5 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).
- 4.6 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.
- 4.7 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.
- 4.8 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

- 4.9 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.

- 4.10 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

- 4.11 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.
- 4.12 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

- 4.13 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.
- 4.14 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

- 4.15 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.

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

Proportionality

- 4.17 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.

5. Timetable and Accountability for Implementing this Decision

- 5.1 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.
- 5.2 An appeal may be lodged by either the applicant or a party to the hearing that has made a relevant representation.
- 5.3 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).

6. Financial Implications

- 6.1 There are no specific financial implications arising from this application.
- 6.2 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.

7. Legal Advice and Implications

- 7.1 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.
- 7.2 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 7.3 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.
- 7.4 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.
- 7.5 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.
- 7.6 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.
- 7.7 In addition to the above, members are reminded that all decisions must be taken in accordance with the Council's Statement of Licensing Policy (adopted 3rd June 2020).
- 7.8 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.

8. Risks and Mitigation

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 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.

9. Accountable Officer(s)

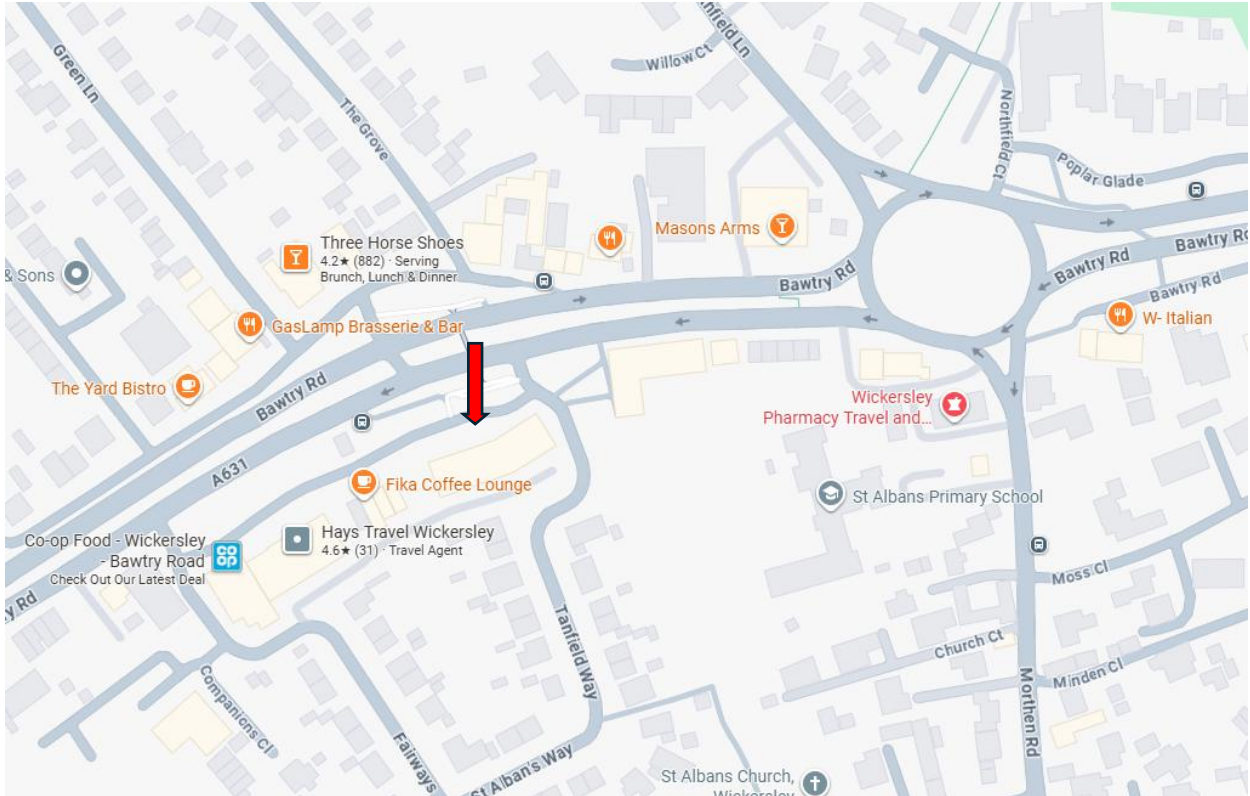
Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene

This page is intentionally left blank

Appendix 1

Location Map

Jaxx Irish Bar, 236 Bawtry Road, Wickersley, Rotherham S66 1AA, formerly “Greggs”



Appendix 1

Street View

Jaxx Irish Bar, 236 Bawtry Road, Wickersley, Rotherham S66 1AA, formerly “Greggs”



Rotherham Metropolitan Borough Council
Cumulative Impact Assessment 2023

Licensing Act 2003

Appendix 2

Contents

Background	3
Implementing a Cumulative Impact Assessment.....	4
Evidencing a Cumulative Impact Assessment.....	5
Public Health Licensing Toolkit.....	5
Police and Crime Data.....	5
Community Protection and Regulation Data.....	6
Public Consultation	6
Rotherham Town Centre	6
Wickersley	7
Wickersley Cumulative Impact Assessment.....	8
1. Public Safety	9
2. Prevention of public nuisance	10
3. Prevention of Crime and Disorder.....	11
4. Protection of Children from Harm.....	11
Conclusion	12
Factors considered when granting applications in a Cumulative Impact Zone	12

Background

The concept of Cumulative Impact has been included within Section 182 Licensing Guidance issued by the Home Office since the implementation of the Licensing Act 2003.

The Licensing Act regulates the sale of alcohol, late night refreshment and the provision of entertainment. Section 5 of the Act requires licensing authorities to publish a Statement of Licensing Policy every five years (amended by the Police Reform and Social Responsibility Act). This Statement of Policy sets out the Council's framework in regulating the trade.

The Council's Statement of Licensing Policy was reviewed and consulted upon between June 2019 and March 2020. A reviewed policy was introduced in June 2020, the policy must be reviewed on a five yearly basis.

The Policing and Crime Act 2017 gave Cumulative Impact a statutory basis and this is now included in primary legislation. A licensing authority may publish a 'cumulative impact assessment' stating that it considers that the number of premises licenses or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licenses.

The inclusion of cumulative impact within primary legislation gives licensing authorities a prescribed method for implementing cumulative impact assessments and provides guidance for the level of evidence required for an assessment to be successfully included and upheld. This part of the Act was commenced in April 2018, alongside revised Section 182 Guidance issues to licensing authorities.

Any cumulative impact assessment must set out the evidence for the authority's opinion, must be consulted upon before it is published, must be reviewed every three years as a minimum, and any review must be consulted upon and any revisions must be published alongside an evidence base.

Implementing a Cumulative Impact Assessment

Publishing a cumulative impact assessment sets a strong statement of intent about the approach that will be taken when considering applications for the grant and variation of premises licenses or club premises certificates in the area described. The Council will have regard to the assessment when determining or revising the Statement of Licensing Policy, as well as when making determinations alongside the Section 182 guidance.

Any cumulative impact assessment does not change the fundamental principles of which licensing decisions are determined and the Council reserves the right to grant an application where it is appropriate and demonstrates through the operating schedule that the applicant would not add to the cumulative impact of the area in which they are applying.

However, the Council would expect an applicant to consider the potential cumulative impact of their licence on local issues when setting out the steps that will be taken to promote the licensing objectives. An applicant must be able to demonstrate to the Council and other responsible authorities that granting a new or varied licence will not add to the cumulative impact already being experienced within the area.

This policy does not create a ban on the grant of licenses within the assessed zone and the Council can only consider cumulative impact to refuse an application if one or more relevant representations are made. Where no representation is received, the Council must grant the licence, as stated in the Licensing Act 2003.

Therefore, a cumulative impact assessment does not reduce the onus placed on responsible authorities, local residents or residents' groups in making representations where they consider this necessary in order to uphold and promote the licensing objectives. This policy gives a basis of information which can be used when making a representation; a representation can be made just on the fact that an assessment has been published. Any person making a representation must be able to demonstrate that the representation withstands the scrutiny which it will be subjected to at a Licensing Committee, or sub-committee meeting.

The obligation to demonstrate that the application is suitable for the area is placed onto the applicant. An applicant must suitably evidence that their proposal will not add to the cumulative impact within the area. To assist this process, the Council recommends early consultation with responsible authorities. This can be achieved separately with each responsible authority, or through the Council's Licensing service.

Evidencing a Cumulative Impact Assessment

This Cumulative Impact Assessment has been carried out in accordance with Section 5a of the Licensing Act 2003.

A large variety of data has been included for analysis within this policy, to evidence the need for a Cumulative Impact Assessment. The following methods and data have been included in this policy:

Public Health Licensing Toolkit

As a responsible authority, Public Health has a meaningful contribution to make to licensing decisions. However, as health is not explicitly mentioned as part of any licensing objective, it is challenging for Public Health to fully engage with licensing decision making. However, the Council believe that Public Health has an important role to play within Licensing and should be encouraged to influence the process, within the boundaries of the legislation.

One way in which Public Health are now able to input into licensing decisions is through a 'toolkit', which uses a wide range of data from responsible authorities, including public health. This toolkit has created a rating system of each Lower Super Output Area (LSOA) within the borough to inform decision makers of the 'risk rating' associated to the location of any application.

The data sources included have been chosen due to their relevance to the licensing objectives, alongside contextual factors such as health data which allows decision-makers to understand the wider implications of granting an application within certain areas. All responsible authorities, as well as the public, will have access to this toolkit and can use it when deciding to make a representation against a licence, or when negotiating appropriate licensing conditions.

This toolkit is in-line with recommendations made by Public Health England.

Police and Crime Data

South Yorkshire Police publish crime data monthly through the police data portal (data.police.gov.uk). This data has been used alongside confidential intelligence reports shared between the police and its partner agencies, including the Council. These reports focus on specific areas and give further information and analysis around particular areas and its associated crime.

All crime data records offence type, location, date and time which has been used to analyse crime statistics within the borough. Although a borough-wide assessment has been undertaken, only relevant information to the Cumulative Impact Assessments undertaken has been included within this report. This is partly due to the sensitive

Page 26

Appendix 2

nature of some crime statistics and some of these are not able to be published. Further information is available through the Licensing Service if needed.

Community Protection and Regulation Data

Data provided by the Community Protection and Regulation service was focused on noise complaints which are recorded by the Environmental Health unit. This data stores information regarding every noise complaint which is sent to the Council, alongside the case information which is updated as and when the Council assess the complaint received.

Public Consultation

A consultation period occurred between July and September 2023 which asked specific questions regarding the current Cumulative Impact Assessment and the issues associated to a large number of licensed premises. The survey received 53 responses.

An assessment of the above data brought to attention two main areas of interest with regards to Cumulative Impact. These were:

1. Rotherham Town Centre
2. Wickersley

Rotherham Town Centre

Rotherham Town Centre is the largest urban centre within the borough. The data provided through the assessment process shows that crime, anti-social behaviour and environmental health rates are at their highest in this area and that there could be links between these statistics and licensed premises, although this does reflect the town centre being the largest urban centre in the borough.

The Council is looking to encourage responsible licensable activity within the Town Centre to create a thriving and bustling historic market town as part of its ambition set out in the Town Centre Masterplan. This vision relies on diversifying the offer within the Town Centre, creating new leisure and entertainment venues incorporating places to eat out, as well as bars and cafes. Currently, the density of licensed premises in the centre is decreasing, meaning that CIA may have very little use.

The focus on improving licensed premises in the town centre should focus on those premises that are already licensed. There are a number of measures in place to improve the centre, including a Public Space Protection Order, alongside significant resource deployed by responsible authorities.

Currently, the Council believe that the Town Centre would not benefit from a Cumulative Impact Zone. Taking a decision to implement a zone may detract from the overarching ambition of regenerating the Town Centre and attracting new businesses, increasing footfall and diversifying the current offer. However, this decision will be regularly reviewed and amended if the licensing objectives are being undermined within the town centre.

The Town Centre Masterplan also focuses on improving the residential offer which could mean that a Cumulative Impact Assessment may be relevant in the future.

Wickersley

Wickersley is a village which is situated on the urban fringe of Rotherham town centre. Although the village is well served by road, with direct links to the M1, M18 and A1(M) motorways, it is a settled, residential community with distinct heritage and associated characteristics. It has a population of approximately 8,000 people.

There are currently 23 premises within Wickersley. In total, 19 premises are located along a 300 metre section of Bawtry Road, with all nineteen located within a 350 metre radius of one another. Of these 23 premises, 14 are on-licensed drinking establishments.

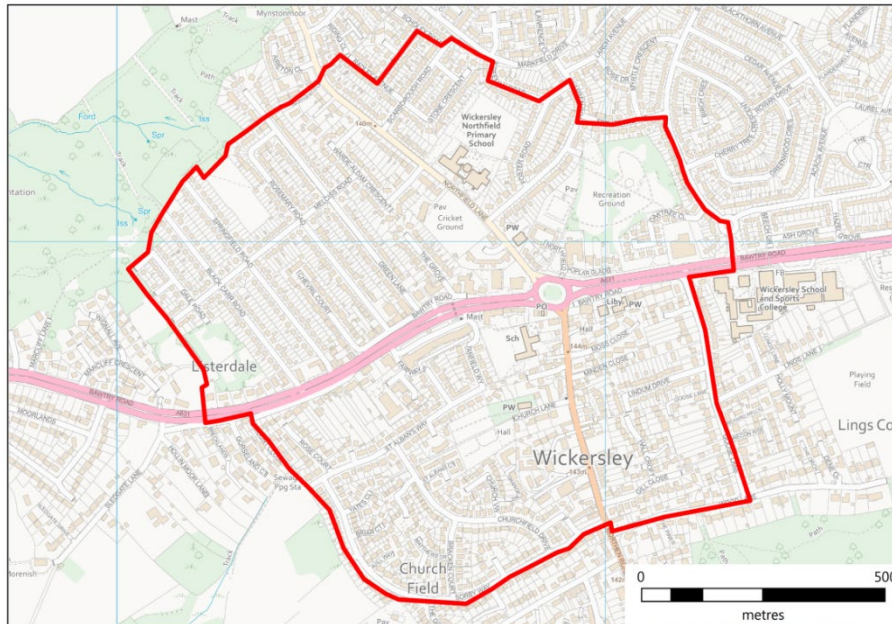
In recent years, Wickersley has become an urban centre with a significantly increased range and number of licensed premises. The area attracts a large amount of people from across the borough and surrounding areas of South Yorkshire. Currently, the density of premises within Wickersley West LSOA is 37.6 premises per square kilometre (pkm²). Across the broader Middle Super Output Area (MSOA) of Bramley and Wickersley, the average density is 12.7 pkm², whilst the average across the borough is 2.2 pkm². The MSOA covering Rotherham Town Centre has a density of 23.6 pkm², which suggests that proportionately, Wickersley's evening economy is the busiest within Rotherham (outside of Rotherham Town Centre).

However, the centre does not have the required infrastructure to deal with a large and sustained night-time economy, and the current number of licensed premises is negatively impacting the largely residential properties that are in close proximity to designated retail space.

There are less resources designated to Wickersley currently by the responsible authorities to deal with the impacts of licensed premises, which maximises the impact of these premises on those who live there.

The Council believes that the number of licensed premises within Wickersley is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licenses or certificates in the area, and restrict any changes to licensable activities of existing licences.

Wickersley Cumulative Impact Assessment



Reproduced from the Ordnance Survey mapping with permission Of the Controller of Her Majesty's Stationery Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Rotherham MBC Licence No. 100019587.

The Wickersley Cumulative Impact Zone (CIZ) is situated in the centre of Wickersley and covers parts of both the Wickersley and Hellaby wards. Bawtry Road acts as a boundary between the two wards and this runs throughout the zone. The CIZ is related to the sale of alcohol for consumption on, or on and off the premises, including premises such as, but not limited to, pubs, bars, late night opening restaurants and clubs. The CIZ is saturated with premises of these types.

This zone has been selected by overlaying current premises, LSOA boundaries, local plan data, crime, anti-social behaviour, noise complaints and areas which were raised by residents through consultation. The zone is the outcome of this analysis.

Whilst each individual premise may comply with their licence conditions, and where problems are found they can be dealt with through action plans, or subsequently a review of the licence, this particular zone has become saturated as new businesses open, or existing businesses vary the use of a particular premise.

The Council considers the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in the Wickersley Cumulative Impact Zone, and to restrict changes to licensable activities of existing licenses.

Therefore, it is the Council's policy on receipt of relevant representations that applications for the sale of alcohol for consumption on, or on and off, the premises will

be refused, unless the applicant can show that their licensed premise would not increase the impact of such premises on the zone, as described in this assessment.

To set out the Council's opinion, evidence has been gathered from the responsible authorities and residents. This data has been divided into the four licensing objectives.

1. Public Safety

The Public Safety licensing objective concerns the physical safety of people whilst within the vicinity of licensed premises. This includes both the prevention of accidents and the immediate harms that can result from alcohol consumption, such as alcohol poisoning.

The most recent statistics concerning alcohol-related ambulance call-outs indicates that there were a total of 277 such call-outs in the two Middle Super Output Areas that cover the Wickersley area – this ranked 6th highest in the Borough (out of a total of 32 areas, excluding Rotherham Town Centre).

The higher level of alcohol-related call outs indicates that those who come to the area can drink excessive amounts, sometimes across a number of premises which leads to a medical emergency such as alcohol poisoning.

Furthermore, the Council believe that the setting of Wickersley centre on either side of the A631 (Bawtry Road) should also be considered when assessing public safety, as this is a busy road which links the M1 and M18, as well as Rotherham town centre with outlying urban areas. The density of premises within the area often leads to people, who may be intoxicated, walking between multiple premises within an evening, which is dangerous due to the proximity of this A-road.

Public safety also concerns the safe departure of those using the premises. Currently, there is one agreement in place between a licensed premise and a private hire operator, which has an operator base within its car park. Apart from this, there are not any permanent transport options in Wickersley which would meet the demand of a night-time economy such as a taxi rank, late night bus network or railway station. Although individual premises may advertise private hire companies to their customers, as well as a small number of Hackney Carriages who may ply for hire on side streets, this does not give an adequate and sustainable capacity to move people from the area when premises close. This correlates to the temporal analysis of crime which shows a peak between the hours of 2300-0200. This trend, especially when dealing with offences categorised as anti-social behaviour, suggests that when people are leaving premises, they are not leaving the area immediately, which may be due, in part, to a lack of suitable transport.

Appendix 2

2. Prevention of public nuisance

When considering the licensing objectives, the Council and responsible authorities should focus on the effect of licensable activities on any person living and working in the area around the premises, which may be considered disproportionate and unreasonable. This will usually concern noise nuisance, light pollution, noxious smells and litter.

Although not given a statutory definition in the Licensing Act 2003, it covers anything which may be considered to reduce the living and working amenity and environment of persons living and working in the proximity of premises. It may also cover the impacts of licensed premises where they are prejudicial to the health of residents.

Within Wickersley, there are two key areas of concern which fall under this licensing objective. Many residents cited noise nuisance from premises as a key issue in the area, alongside issues with street scene such as broken glass, fouling and vomiting.

The Council's Environmental Health team record noise complaints and those concerning licensed premises within Wickersley, do not represent a disproportionately high number when compared to other areas.

That said, feedback provided during the consultation period indicated that a significant proportion of those residents that responded to the survey had experienced issues relating to licensed premises and noise, littering and anti-social behaviour. Many that attended the drop-in session said that they did not feel that the current systems in place could deal with noise issues from premises, and therefore felt some unease at the suggestion that the Wickersley Cumulative Impact Zone could be removed. Residents often cite three main areas of concern:

1. Outside drinking and live music in gardens and terraced areas in summer months
2. Noise from customers leaving premises and staying in the area after licensed times
3. Noise from premises staff after licensed hours, such as continuing to play loud music or emptying glass bins outside.

Although the Council understand that these issues are not breaching individual licence conditions, the impact of the noise of several premises to residential properties within close proximity has a detrimental and consistent negative impact. This is intensified in summer months when multiple events happen in the same evening, or when multiple premises clean the outside of premises after licensable hours. This means that residents are not only being impacted to the early hours of the morning by the noise of a licensed premise, but also by other activities related to the running of a licensed premise through the night.

Appendix 2

Another key issue raised under this licensing objective is the negative impact of licensed premises on the overall cleanliness and appearance of the community. Residents are very concerned at the amount of litter that is left in and around premises, which often includes broken glass. Further concern was raised around urine and vomit being present on streets, especially at a weekend, both of which are clearly linked to the use of licensed premises.

3. Prevention of Crime and Disorder

This licensing objective relates to any disorder which takes place on or around premises, including offences such as anti-social behaviour, drug-dealing, theft and assault. South Yorkshire Police is the main partner agency who advises on these matters, although the Council also have teams in place to deal with anti-social behaviour and community protection. Data from both of these sources has been used when evidencing this section.

Although crimes associated with licensed premises in Wickersley have decreased since the zone was introduced in 2020, this is thought to be as a result of changes within the hospitality industry since the lifting of lockdown restrictions. Alcohol related crime remains a concern. The most recently available crime data indicates that offences of violence against a person (where alcohol is a contributing factor) that occurred in the Wickersley North Middle Super Output Area (MSOA) are the 7th highest number in the whole of the Borough (excluding Rotherham Town Centre), this is out of a total of 33 MSOAs.

When the figures for Wickersley North are combined with those of Wickersley South MSOA, the total figure is the highest in the Borough (10.91%) – excluding Rotherham Town Centre.

The most common crimes committed in Wickersley that are connected to licensed premises were offences of a violent or sexual nature, which includes offences such as violence against the person, grievous bodily harm and sexual assault. This was followed by anti-social behaviour which consists of personal and environmental issues, as well as nuisance behaviour. Both of these offence types have a clear link to a night-time economy, or to those people who have visited a licensed premise before committing an offence.

Other offences listed which could be associated to a night-time economy are theft, public order, drugs and theft from the person. Taking all of these offences into account, the majority of all crime recorded in Wickersley could be linked to the night-time economy within the area.

4. Protection of Children from Harm

There is no evidence to show that this licensing objective is being undermined within the Cumulative Impact Zone.

Conclusion

The assessment has been carried out in accordance with Section 5(a) of the Licensing Act 2003. The assessment has been published as the Council remains of the opinion that the number of licensed premises within the area described in the assessment is such that granting any further licences, or varying existing licenses, would be inconsistent with the Council's duty under the Act to promote the licensing objectives.

Factors considered when granting applications in a Cumulative Impact Zone

When considering the presumption against granting or varying a licence in a CIZ, the Council must be satisfied that the applicant will not impact any further on the cumulative impact of existing licensed premises.

Applicants may suggest measures which they believe will demonstrate there will be no further impact from their premise. Examples that the Council may consider as demonstrating that there will be no further impact include:

- Small premises who operate outside of the peak hours of disruption, as described in the CIA.
- Premises which are not alcohol-led and operate during the day-time economy.
- Instances where a business is relocating to a new premise but retaining the same style of business.
- Conditions which ensure the premise will operate in a particular manner, such as a minimum number of waiting staff to secure a food-led premise.

Examples of factors the Council will not consider include:

- That the premise will be well managed and well run.
- That the premise will be constructed to a high specification
- That the applicant operates similar premises in other areas without complaint.

Any representation made which supports the grant of a licence within a Cumulative Impact Zone will also be taken into account by the Council.

Appendix 3

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 **JAXX IRISH BAR 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 JAXX IRISH BAR, 236 BAWTRY ROAD, WICKERSLEY			
Post town	ROTHERHAM	Postcode	S66 1AA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£23,750

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) |
| e) the proprietor of an educational establishment | ☐ | please complete section (B) |
| f) a health service body | ☐ | please complete section (B) |

Appendix 3

- 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 ☒	Mrs ☐	MisMs ☐	Other Title (for example, Rev)	
Surname		First names		
Date of birth		I am 18 years old or over ☒ Please tick yes		
Nationality				
Current residential address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	MisMs ☒	Other Title (for example, Rev)	
Surname		First names		
Date of birth		I am 18 years old or over ☒ Please tick yes		
Nationality				
Current postal address if different from premises address				
Post town		Postcode		
Daytime contact telephone number				
E-mail address (optional)				

Appendix 3

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name JAXX IRISH BAR LTD
Address 236 BAWTRY ROAD, ROTHERHAM, S66 1AA
Registered number (where applicable) 17300299
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 07780472082
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	4	08

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)

The premises comprise a ground floor retail unit situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA, within The Tanyard shopping parade in the centre of Wickersley. The premises occupy a prominent position on Bawtry Road within a well-established commercial area, surrounded by a mixture of retail, hospitality and service businesses. Customer parking is available to the front of the premises, with service access provided to the rear.

The premises will 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 will offer a relaxed and welcoming environment for customers wishing to enjoy craft beers, wines, spirits and other alcoholic beverages.

The internal layout comprises a main customer seating and drinking area, with a bar and service counter located within the main trading space. Seating will be provided throughout the premises, with ancillary storage, cellar/storage facilities and staff welfare areas located to the rear of the premises. The layout has been designed to ensure clear supervision of all customer areas by staff at all times.

The premises will actively promote the licensing objectives through the implementation of the following measures:

- A comprehensive digital CCTV system will be installed and maintained covering all public areas, entrances and exits, with recordings retained for a minimum of 28 days.
- A Challenge 25 age verification policy will operate at all times.
- All staff will receive training in relation to the Licensing Act 2003, age-restricted sales, conflict management and the responsible retailing of alcohol.
- A refusals register and incident log will be maintained and made available for inspection by responsible authorities upon request.
- Appropriate signage will be displayed requesting customers to leave the premises quietly and respect neighbouring residents and businesses.

Appendix 3

- Staff will monitor customer behaviour to minimise noise and prevent disorder both inside and immediately outside the premises.
- The premises will operate in accordance with all relevant fire safety, health and safety and licensing legislation.

Any alcohol supplied. Customers will not be permitted to consume alcohol immediately outside the premises unless within the specifically external seating area as shown on the premises plan.

Cumulative Impact Area

We understand we are in a cumulative impact area however we do not believe we will have any involvement in any further disruptions to the area due to the following precautions.

- The premises will operate as a small community focused micro bar with a limited customer capacity
- The nature and style of the business is fundamentally different from larger pubs, bars and late night venues that may contribute to cumulative impact concerns
- The anticipated customer profile means the potential for crime and disorder is considered low
- We will install a comprehensive CCTV system
- Operate a challenge 25 policy
- Maintenance of an incident and refusals register
- Operate on a “ask for angela” policy
- Not open past midnight apart from new years eve night therefore not contributing to late night disorder

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | ☐ |
| b) films (if ticking yes, fill in box B) | ☐ |
| c) indoor sporting events (if ticking yes, fill in box C) | ☐ |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | ☐ |
| e) live music (if ticking yes, fill in box E) | ☒ |
| f) recorded music (if ticking yes, fill in box F) | ☒ |
| g) performances of dance (if ticking yes, fill in box G) | ☐ |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | ☐ |

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

Appendix 3

A

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

Appendix 3

B

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

Appendix 3

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

Appendix 3

D

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

Appendix 3

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors ☒
					Outdoors ☐
Day	Start	Finish	Both ☐		
Mon			<u>Please give further details here</u> (please read guidance note 4) AMPLIFIED MUSIC ON A VERY LOW LEVEL		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri	20:00	22:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) THE SUNDAY IMMEDIATELY PRECEEDING A BANK HOLIDAY MONDAY. 18:00 - 23:00 CHRISTMAS EVE 18:00 – 23:00 BOXING DAY 18:00 – 23:00 NEW YEARS EVE – 18:00 00:00		
Sat	18:00	23:00			
Sun					

Appendix 3

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon	16:00	22:15	<u>Please give further details here</u> (please read guidance note 4) AMPLIFIED BACK GROUND MUSIC		
Tue	16:00	22:15			
Wed	16:00	22:15	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	16:00	22:45			
Fri	14:00	23:45	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) THE SUNDAY IMMEDIATELY PRECEEDING A BANK HOLIDAY MONDAY. 18:00 - 23:45 CHRISTMAS EVE 18:00 – 23:45 BOXING DAY 18:00 – 23:45 NEW YEARS EVE – 18:00 00:30		
Sat	12:00	23:45			
Sun	12:00	21:45			

Appendix 3

G

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

Appendix 3

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors ☐
Mon				Outdoors ☐
				Both ☐
Tue			<u>Please give further details here</u> (please read guidance note 4)	
Wed			<u>Please give further details here</u> (please read guidance note 4)	
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	

Appendix 3

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish	Please give further details here (please read guidance note 4) JUST DURING THE HOURS CLASSED AS LATE NIGHT REFRESHMENTS UNTIL OUR CLOSING TIME		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6) THE SUNDAY IMMEDIATELY PRECEEDING A BANK HOLIDAY MONDAY. 23:00 - 23:30 CHRISTMAS EVE 23:00 – 23:30 BOXING DAY 23:00 – 23:30 NEW YEARS EVE 23:00 - 00:15		
Fri	23:00	23:30			
Sat	23:00	23:30			
Sun					

Appendix 3

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	☒
				Off the premises	☐
				Both	☐
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	16:00	22:00			
Tue	16:00	22:00			
Wed	16:00	22:00			
Thur	16:00	22:30	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 (please read guidance note 6) THE SUNDAY IMMEDIATELY PRECEEDING A BANK HOLIDAY MONDAY. 12:00 - 23:30 CHRISTMAS EVE 12:00 – 23:30 BOXING DAY 12:00 – 23:30 NEW YEARS EVE 12:00 - 00:15		
Fri	14:00	23:30			
Sat	12:00	23:30			
Sun	12:00	21:30			

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 LEAONA EDWARDS	
Date of birth 18/01/1994	
Address 36 CUTLERS WALK, WICKERSLEY, ROTHERHAM	
Postcode	S66 1BT
Personal licence number (if known) NOT KNOWN – APPLICATION TO BE MADE TO ROTHERHAM COUNCIL	
Issuing licensing authority (if known)	

Appendix 3

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	16:00	22:30	
Tue	16:00	22:30	
Wed	16:00	22:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) THE SUNDAY IMMEDIATELY PRECEEDING A BANK HOLIDAY MONDAY. 12:00 - 00:00 CHRISTMAS EVE 12:00 – 00:00 BOXING DAY 12:00 – 00:00 NEW YEARS EVE – 12:00 00:45
Thur	16:00	23:00	
Fri	14:00	00:00	
Sat	12:00	00:00	
Sun	12:00	22:00	

Appendix 3

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)

The micro bar will operate as a safe, community-focused venue committed to promoting all four licensing objectives. A CCTV system will be in operation, staff will receive regular training, and a strict Challenge 25 policy will be enforced to prevent underage sales. Refusals and incident logs will be maintained, and alcohol will not be served to intoxicated or disorderly persons.

The premises will be maintained in a safe condition with appropriate fire safety measures, regular risk assessments, adequate lighting, and monitored customer numbers. Customers will be encouraged to respect neighbouring residents, with noise kept to a minimum and the surrounding area regularly monitored and kept clean.

The premises licence holder and staff will work proactively to ensure the prevention of crime and disorder, promote public safety, prevent public nuisance, and protect children from harm at all times.

b) The prevention of crime and disorder

To promote the prevention of crime and disorder within the micro bar, the following measures will be implemented:

- A comprehensive CCTV system will be installed and maintained, covering all customer areas, entrances and exits, with recordings retained for a minimum of 28 days and made available to authorised officers upon request.
- All staff will receive training on licensing objectives, conflict management, responsible alcohol retailing, and the prevention of crime and disorder. Refresher training will be provided regularly.
- A Challenge 25 policy will be operated to prevent underage sales, with acceptable forms of identification clearly displayed and enforced at all times.
- An incident and refusals register will be maintained to record any refusals of alcohol sales, anti-social behaviour, or incidents occurring on the premises.
- The premises will operate as a well-managed, community-focused micro bar, promoting a relaxed environment and discouraging excessive drinking.
- Intoxicated persons will not be served alcohol, and customers displaying disorderly or anti-social behaviour will be refused service and asked to leave the premises if necessary.
- Adequate lighting will be provided both inside and outside the premises to promote customer safety and deter criminal activity.
- The licence holder and staff will maintain effective communication with local police, licensing authorities and neighbouring businesses to address any concerns promptly.
- Clear signage will be displayed requesting customers to respect local residents and leave the area quietly.

c) Public safety

To promote public safety within the micro bar, the following measures will be implemented:

- The premises will be maintained in a safe condition at all times, with regular inspections carried out to identify and address any potential hazards.
- A fire risk assessment will be undertaken and reviewed regularly, with appropriate fire safety equipment, including fire extinguishers and smoke detectors, installed and maintained in accordance with legal requirements.
- Clearly marked emergency exits will be provided and kept unobstructed at all times to ensure safe evacuation in the event of an emergency.
- Staff will receive appropriate training in fire safety, emergency procedures, first aid awareness, and the responsible sale of alcohol.
- Adequate lighting will be provided throughout the premises, including entrances, exits, toilets, and external areas, to ensure customer safety.
- The premises capacity will be monitored to prevent overcrowding and ensure a safe and comfortable environment for customers.

Appendix 3

- Floors, walkways, and customer areas will be kept clean, well maintained, and free from trip hazards.
- A fully stocked first aid kit will be available on the premises and incidents involving injury or accidents will be recorded in an accident book.
- Customers who appear intoxicated will not be served further alcohol in order to protect their safety and that of others.
- Suitable public liability insurance will be maintained, and all relevant health and safety legislation will be complied with.

d) The prevention of public nuisance

To promote the prevention of public nuisance within the micro bar, the following measures will be implemented:

- The premises will operate as a small, community-focused micro bar, promoting a relaxed atmosphere and discouraging excessive drinking and anti-social behaviour.
- Clear signage will be displayed at exits requesting customers to respect neighbouring residents and leave the premises and surrounding area quietly.
- Staff will actively monitor customers, particularly during closing times, to minimise noise and ensure patrons disperse in an orderly manner.
- Doors and windows will be kept closed where practical during periods when recorded music is being played, except for access and egress.
- Any recorded music played at the premises will be maintained at a background level appropriate to the size and nature of the venue so as not to cause disturbance to nearby properties.
- A designated smoking area will be monitored by staff to ensure customers do not create excessive noise or obstruction outside the premises.
- Waste disposal, bottle collections and deliveries will take place at reasonable times to minimise disturbance to local residents and neighbouring businesses.
- The area immediately outside the premises will be regularly checked and kept free from litter, cigarette ends and other waste associated with the business.
- Any complaints from local residents or businesses relating to noise or nuisance will be recorded and addressed promptly.
- The premises licence holder and staff will maintain good communication with neighbouring residents and businesses to ensure that any concerns are dealt with quickly and effectively.

e) The protection of children from harm

To promote the protection of children from harm within the micro bar, the following measures will be implemented:

- A strict Challenge 25 policy will be operated at all times. Any person who appears to be under the age of 25 will be required to produce valid photographic identification before being served alcohol.
- Acceptable forms of identification will be limited to a passport, photocard driving licence, or a PASS-accredited proof of age card.
- All staff will receive training on age-restricted sales, recognising acceptable forms of identification, and their responsibilities under the Licensing Act 2003. Refresher training will be provided regularly.
- A refusals register will be maintained to record all refused alcohol sales, including attempted purchases by underage persons or proxy sales.
- Alcohol will not be sold to any person under the age of 18, and staff will remain vigilant to prevent adults purchasing alcohol on behalf of children (proxy sales).
- Children under the age of 16 will only be permitted on the premises when accompanied and supervised by a responsible adult.
- Staff will actively monitor the premises to ensure children are not exposed to inappropriate behaviour, excessive intoxication, or other situations that may cause harm.
- Any incidents involving children, including concerns relating to safeguarding or attempted underage purchases, will be recorded and dealt with appropriately.

Appendix 3

- Appropriate signage relating to age restrictions and the Challenge 25 policy will be prominently displayed throughout the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	• [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
--------------------	---

Appendix 3

	of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>J. White</i>
Date	1 st July 2026
Capacity	Director of applicant Company

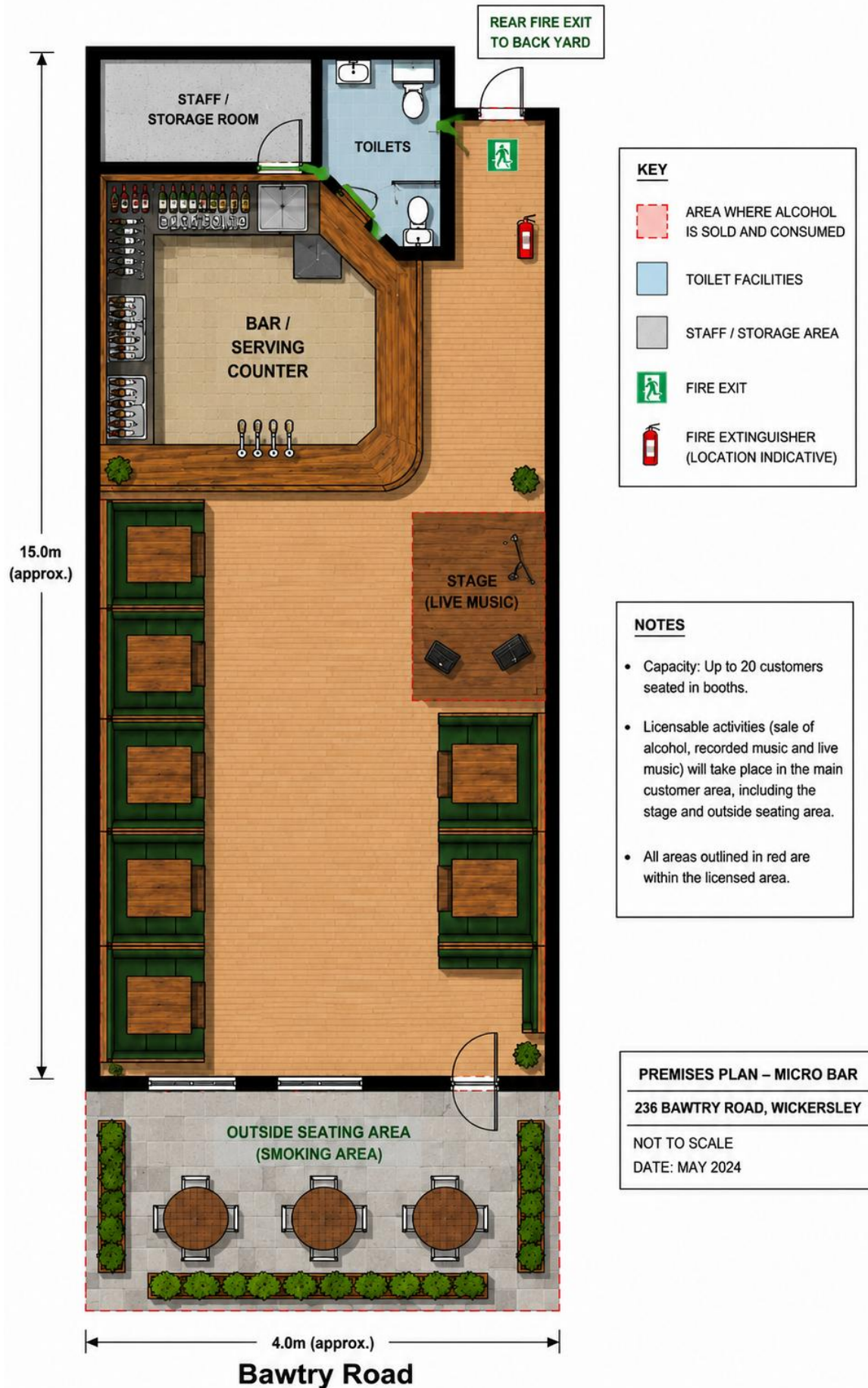
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Joshua White			
Post town		Postcode	
Telephone number (if any)	07780472082		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) joshuakalebwhite14@gmail.com			

Appendix 3

Premises Layout Plan - Jaxx Irish Bar, 236 Bawtry Rd, Wickersley, S66 1AA



Appendix 4

Representations - Opposed to the Application

Rotherham Metropolitan Borough Council - Licensing Authority

My Reference: ASP/1205/170726

Please ask for: Alan Pogorzelec

Date: 17th July 2026

To: Diane Kraus diane.kraus@rotherham.gov.uk

Licensing Act 2003 – Application for the grant of a Premises Licence

Jaxx Irish Bar, 236 Bawtry Road, Wickersley, Rotherham, S66 1AA

I write on behalf of Rotherham MBC acting in the role of a Responsible Authority and with reference to the application for the grant of a Premises Licence in respect of the above premises.

Having reviewed the Operating Schedule provided as part of the application, the Licensing Authority is opposed the grant of this application as it considers that the applicant has not sufficiently demonstrated that the steps they are proposing will sufficiently promote the Prevention of Crime and Disorder and Public Nuisance licensing objectives.

The Licensing Authority is of this view for the following reasons:

1. The premises is located within a Cumulative Impact Zone (as identified in the Council's Cumulative Impact Assessment 2023). The Council has determined that granting any further licences within the zone would be inconsistent with the Council's duty under the Act to promote the Licensing Objectives.
2. There is a presumption that the application would be refused unless the applicant is able to demonstrate that their licensed venue would not increase the impact of such premises within the zone. It is the Licensing Authority's view that the applicant has failed to satisfactorily address the following matters:
 - i. The premises will generate noise as a result of the activities that are proposed to take place on site. These activities include live music, recorded music, noise generated by customers and dispersal noise. This will undermine the Prevention of Public Nuisance licensing objective.
 - ii. The premises will operate primarily as a drinking establishment, and this will include vertical drinking. Vertical drinking is associated with higher levels of alcohol consumption and drunkenness. This will undermine the Prevention of Crime and Disorder and Prevention of Public Nuisance licensing objectives.
 - iii. There is an external area set aside for the consumption of alcohol. Patrons in this area will generate noise that will impact on nearby residential properties. This will undermine the Prevention of Public Nuisance licensing objective.

Appendix 4

3. Although the applicant has outlined a number of steps within the operating schedule that are intended to mitigate the above issues to some degree, the location and nature of the premises is such that these steps will not prevent the activities at the premises from increasing the impact of such premises in the area.

4. It is the Licensing Authority's view that granting the licence as applied for would undermine the licensing objectives specified above, and is inconsistent with the Council's duty under the Act. Consequently, the application as submitted should be refused.

The Licensing Authority is open to further discussion with the applicant with regard to these matters and will consider withdrawing the representation if agreement can be reached with regard to the above concerns.

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
Alan.pogorzelec@rotherham.gov.uk

Councillor Thomas Collingham

From: Cllr Thomas Collingham <thomas.collingham@rotherham.gov.uk>
 Sent: 05 July 2026 12:58
 To: Diane Kraus <Diane.Kraus@rotherham.gov.uk>

I am writing to object to the application for a Premises Licence for Jaxx Irish Bar, 236 Bawtry Road, Wickersley, on the grounds that the application is contrary to the licensing objectives, particularly the prevention of public nuisance, prevention of crime and disorder, and public safety.

This premises sits squarely within the Wickersley Cumulative Impact Zone (CIZ), an area where the Council has already concluded that the concentration of licensed premises has reached a level where granting further licences would be inconsistent with the promotion of the licensing objectives. The Council's 2023 Cumulative Impact Assessment explicitly states that the number of licensed premises in Wickersley is such that it would be inconsistent with the licensing objectives to grant further licences unless the applicant can demonstrate that the proposal will not add to the existing cumulative impact.

The Council's assessment identifies that Wickersley has become one of the busiest evening economy destinations in the borough, with 19 licensed premises located within a 350-metre radius and a density of licensed premises significantly exceeding both the borough and wider area averages. Importantly, the Assessment concludes that the centre lacks the infrastructure necessary to support a large and sustained night-time economy and that the current

Appendix 4

concentration of licensed premises is already having a negative impact on nearby residential properties.

While the applicant describes the proposal as a "community-focused micro bar" with a limited capacity, the application nevertheless seeks the sale of alcohol until 23:30 on Fridays and Saturdays, regulated entertainment including live music, recorded music, and the use of an external seating and smoking area. The premises plan also shows a stage area for live performances and outdoor seating directly onto Bawtry Road. These are precisely the types of activities identified within the Cumulative Impact Assessment as contributing to public nuisance and disturbance, particularly noise from live music, outdoor drinking areas, and customers dispersing late into the evening.

The Council's own evidence highlights that residents consistently raise concerns about:

- Outside drinking and live music.
- Noise from customers leaving premises and remaining in the area after licensed hours.
- Noise associated with premises operations after closing time.
- Litter, broken glass, vomiting and other consequences of the existing night-time economy.

The proposed premises would inevitably contribute further to these cumulative effects. Even if the venue itself is well managed, the issue is not the management of one individual premises but the cumulative impact arising from an additional alcohol-led venue within an already saturated licensing area. The Council's Assessment specifically states that assertions that a premises will be "well run" or "well managed" are not, in themselves, sufficient grounds to overcome the presumption against grant within the CIZ.

Furthermore, the location of the premises is particularly sensitive. Wickersley village centre is 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 proposed late opening hours, outdoor drinking area and live music provision are likely to have a disproportionate impact upon nearby residents, particularly during evenings and weekends when expectations of residential amenity are strongest. The Licensing Act requires consideration not only of activity within a premises but also the effect on those living and working nearby.

I am also concerned that the application does not align with the Council's stated approach towards encouraging premises that positively support the daytime economy. The Cumulative Impact Assessment expressly identifies that applications may be viewed more favourably where premises operate principally within the daytime economy and outside peak hours of disruption. By contrast, this application is clearly focused on alcohol sales and entertainment during the evening and late-night periods when cumulative impacts are already most acute.

The proposal therefore does not fall within the examples that the Council identifies as being less likely to add to cumulative impact.

Appendix 4

The applicant has failed to demonstrate how the grant of an additional alcohol-led premises within the heart of the Wickersley Cumulative Impact Zone will not add to the existing issues of noise, nuisance, crime, disorder and pressure on local infrastructure already identified by the Council. The measures proposed - such as CCTV, incident logs and Challenge 25 - are standard operating controls which would be expected of any licensed premises and do not address the broader cumulative impact concerns identified within the CIZ policy.

For these reasons, I respectfully object to the application. The applicant has not discharged the burden of demonstrating that this additional licensed premises would not add to the cumulative impact already experienced in Wickersley, and the grant of this licence would be contrary to both the Council's Cumulative Impact Assessment and the promotion of the licensing objectives.

Many thanks

Cllr Thomas Collingham

The Conservative Party

Thurcroft & Wickersley South Ward

Email: thomas.collingham@rotherham.gov.uk

Visit our website: <http://www.rotherham.gov.uk>

Facebook: www.facebook.com/TWScouncillors

Wickersley Parish Council

From: clerk@wickersleyparishcouncil.gov.uk <clerk@wickersleyparishcouncil.gov.uk>

Sent: 23 July 2026 15:22

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

Subject: Jaxx Bar

Wickersley Parish Council discussed this licensing application at its meeting of 20th July 2026.

The Parish Council wish to raise concerns around cumulative impact for a further bar in Wickersley. Also having concerns with regard to the outside seating/smoking area which has the potential for noise nuisance and general disturbance for other users of the Tanyard. It would also be difficult for strict conditions to be imposed similar to those on restaurants which require alcohol to be served only to customers seated as, by its very nature, a bar serves customers standing to be served at the bar and who may remain standing. However, it is acknowledged that this is a small premise and capacity will be limited compared with other drinking establishments such as the Masons and the Courtyard.

The council would like to request the outside area be considered to be removed as well as the need for door persons to ensure no drinks leave the premises.

The proposed hours are also more limited than the other drinking establishments which have licences until 1 am or later.

Appendix 4

If a licence is granted then it should be on strict conditions including a maximum number of people, a limitation of hours to those stipulated in the application and a requirement that customers are not permitted to take alcoholic drinks outside of the premises at any time; with the requirement for door persons to enforce this.

It should also be noted that this proposed bar will also require planning permission to change the use from a shop use to a Sui generic use as a bar.

The Parish Council have not currently been made aware of a planning application. The Local Plan policy normally would resist bars in the primary shopping area comprising the Tanyard and there is a Wickersley Neighbourhood Plan policy restricting the number of bars to the 4 that already exist on the north side of Bawtry Road.

Wickersley Parish Council
Wickersley Community Centre
286 Bawtry Road
Rotherham
S66 1JJ

Other Person 1

Sent: 21 July 2026 11:18
To: Licensing <Licensing@rotherham.gov.uk>
Subject: Jaxx's Irish Bar, Tanyard, Wickersley

As a Wickersley resident I wish to object to the above application on the following grounds:

1. The application site is within the Wickersley Cumulative Impact Zone.
2. Wickersley already has a large number of drinking establishments and there is no unmet demand. The Council have clearly taken the view that enough is enough. This is a view that the majority of Wickersley residents would endorse.
3. We already experience anti social behaviour from certain of the existing establishments such as loud music, sporadic minor vandalism, glasses discarded in the street and vomit on pavements. This application is for a so called Irish bar with music. It can be certain that this will be loud music which will be heard over a large area. This would be a public nuisance.
4. There are residential flats above the application site. The existence of a bar below can only lead disturbance and disruption to those residents, again, leading to a public nuisance.
5. The Tanyard area is heavily trafficked by pupils from Wickersley School. Inevitably they will be drawn to any new bar and this will impact public protection for children. It should be noted that there is a big difference between the north and the south sides of Bawtry Road. The north side is already an established drinking area whereas the south side is not. The granting of a licence to premises

Appendix 4

on the Tanyard would set a precedent for future applications for conversion of existing shop units. This would be a clear and serious breach of the CIZ.

Other Person 2

Sent: 28 July 2026 14:32

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

Subject: Ref: 236 Bawtry Road premises application

I am writing on behalf of Wickersley Eye Clinic, an Opticians and Audiology Clinic located in the same shopping area, to make a representation objecting to the above premises licence application.

Our objection is made on the basis that granting the licence would risk undermining the four licensing objectives under the Licensing Act 2003, particularly the prevention of public nuisance, public safety, the prevention of crime and disorder, and the protection of children from harm.

We understand that the application seeks permission for the sale of alcohol for consumption on the premises, recorded music, live music and late-night refreshment. We also understand that the premises falls within the Wickersley Cumulative Impact Zone. This is highly relevant and should be given significant weight, as the Cumulative Impact Zone recognises the existing concentration of licensed premises in Wickersley and the potential impact of any additional alcohol-led premises on the licensing objectives.

The location of the proposed bar, immediately next to a healthcare practice and close to areas heavily used by school pupils and families, makes this application unsuitable in our view. The fact that it is also within the Wickersley Cumulative Impact Zone reinforces the need for a precautionary approach.

1. Prevention of public nuisance

The proposed bar would be directly next door to our practice. This creates a particular concern because audiology assessments require a controlled and quiet acoustic environment.

The British Society of Audiology states that excessive ambient noise can affect test results, and wider audiology guidance recognises that background noise can have detrimental and unpredictable effects on hearing-threshold assessment. Noise and vibration from recorded music, live music, customers, doors opening and closing, and general bar activity could therefore interfere with the accuracy and reliability of hearing tests and disrupt patient care. This is especially concerning because our practice is open daily from 9.00am to 5.30pm and provides both optometry and audiology services. This includes eye examinations, hearing assessments and diagnostic testing for older residents, children, disabled patients and people with sensory, communication or mobility needs.

We are also concerned about public nuisance outside the premises. The shopping area is already a busy shared space used by patients, families, pupils, shoppers, staff and nearby businesses. Customers entering and leaving the bar,

Appendix 4

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 at weekends.

The proposed recorded music, live music and alcohol-led activity immediately next to a healthcare setting creates a clear risk of nuisance to patients, staff and neighbouring businesses.

2. Public safety

Our patients include older residents, people with hearing loss, disabled patients, people with sensory needs, children and families. Some patients may already feel vulnerable or anxious when attending health appointments.

The introduction of a bar directly next door risks changing the character of the immediate area and creating an environment that is less suitable for patients accessing healthcare.

The shared shopping area is already used by patients, families, school pupils, shoppers and staff. Any increase in customer congregation, smoking, vaping, obstruction, vehicle movements, taxis or evening dispersal could affect safe and comfortable access to the clinic and surrounding businesses.

We are particularly concerned that patients attending healthcare appointments should not have to navigate noise, obstruction, intoxicated adults, smoking or alcohol-related activity immediately outside or beside the practice.

3. Protection of children from harm

The application should also be considered in light of children and young people's regular use of the area.

Wickersley School and Sports College is nearby, and pupils regularly use this area at lunchtime and after school, including visiting Greggs and other food outlets in the Tanyard/shopping area. There are benches directly opposite our practice and the empty unit, which are a regular gathering point for pupils.

The area also sits within the catchment of a number of primary schools, and we see many families with young children passing through, particularly in the afternoons.

While the area is not formally designated as a School Superzone, the same underlying principle is relevant. 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 gather.

The protection of children from harm should not be limited to preventing direct underage sales. It should also include the wider safeguarding environment around places where children and young people are known to congregate.

4. Prevention of crime and disorder

Appendix 4

The premises is located within the Wickersley Cumulative Impact Zone, which indicates that the area already has a concentration of licensed premises and associated risks requiring careful consideration.

We are concerned that granting an additional alcohol-led premises in this location could add to the cumulative impact in the area, particularly through increased congregation, alcohol-related behaviour, late-evening activity, smoking, obstruction and disturbance in a shared shopping area used by pupils, families, patients and nearby businesses.

The presence of benches directly opposite the proposed premises and clinic also increases the risk of customers or groups gathering in a way that could affect neighbouring businesses and people using the area.

Given the location, the Council should be satisfied that the applicant has demonstrated how the premises would operate without adding to existing cumulative pressures or undermining the licensing objectives.

Requested outcome:

For the reasons set out above, we ask the Licensing Authority to refuse the application.

If the Licensing Authority is not minded to refuse the application, we ask that it considers whether the risks can only be addressed through strict and enforceable conditions, including:

- no external drinking, smoking or congregation directly outside the premises;
- no speakers, music or amplified sound audible from within Wickersley Eye Clinic;
- no live or recorded music during Wickersley Eye Clinic's opening hours;
- a noise limiter and acoustic assessment before any licence takes effect;
- a clear dispersal policy;
- a litter and smoking-area management plan;
- no alcohol promotions aimed at young people or students;
- no alcohol advertising visible from areas used by school pupils;
- CCTV covering the entrance and immediate external area;
- a named contact for neighbouring businesses to report concerns;
- no use of benches opposite the premises by customers;
- clear arrangements to prevent obstruction of the shared shopping area;
- staff training on safeguarding, vulnerability and underage sales; and
- a review meeting with neighbouring businesses after three months of operation.

We would be grateful if this representation could be taken into account. We understand the deadline for representations is 30 July 2026.



On behalf of Wickersley Eye Clinic

Appendix 4

Email Received from Other Persons 3, 4, 5, 6, 7 and 8 (6 people) - supporting representation made by Other Person 2 above

I work on the Tanyard at Wickersley, and I support the objection and representation submitted [REDACTED] regarding the application by Jaxx Irish Bar Ltd for 236 Bawtry Road.

Email Received from Other Persons 9, 10 and 11 (3 people) - supporting representation made by Other Person 2 above

I am a local resident and often visit the Tanyard precinct at Wickersley. I object to the application by Jaxx Irish bar and support the objection and representation made by Aiysha Rahim on behalf of Wickersley Eye clinic. Please add my name to this objection.

Other Person 12

Sent: 28 July 2026 15:02

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

Subject: Objection: Jaxx Irish Bar Ltd - 236 Bawtry Road, Wickersley, S66 1AA

Re: Notice of Application for the Grant of a Premises Licence, Jaxx Irish Bar Ltd, 236 Bawtry Road, Wickersley, Rotherham S66 1AA

I am writing on behalf of Wickersley Eye Clinic, an opticians and audiology clinic based on the same shopping area, to make a representation against the above application.

The bar in question is directly next door to our practice, and the dividing wall between the two premises is thin. Our practice is open daily from 9am to 5.30pm and includes an audiology and hearing testing room, where patients undergo sensitive diagnostic testing that requires a quiet environment. Given the proximity and the thin wall separating the two units, we have serious concerns about noise disturbance from the proposed recorded music, live music and late night refreshment hours, which would directly affect our ability to carry out hearing tests late office hours.

While we understand that Rotherham does not currently have a formally designated School Superzone, we would ask the Council to apply the same underlying principle when considering this application, particularly in relation to children's exposure to alcohol from a nearby school. School Superzones are designed to reduce children's exposure to harmful commercial and environmental influences on their journeys to and from school, typically covering the area within a five minute walk, around 400 metres, of a school. Relevant considerations include exposure to alcohol, advertising of harmful products, community safety, and the wider planning and licensing environment, all of which we believe are directly relevant here.

The area sits within the catchment of a number of primary schools, and we see a large number of families with young children passing through in the afternoons.

Appendix 4

Wickersley School and Sports College is also nearby, and students regularly congregate here at lunchtimes and after school, drawn particularly to the Greggs located here. There are also benches directly opposite our practice and the empty unit in question, which are a regular gathering point for pupils.

Given the above, we would ask the Council to give careful consideration to the proximity of this application to our practice and to areas where children and young people congregate, and the potential impact of increased alcohol availability in this location.

We would be grateful if this representation could be taken into account, and we understand the deadline for representations is 30th July 2026.

[REDACTED]

Facilities Advisor

Other Person 13 - supporting representation made by Other Person 2 above

Sent: 29 July 2026 22:24

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

Subject: Fw: Ref: 236 Bawtry Road premises application

I support the [REDACTED] objection below and all its content.

My nephew attends Wickersley School as will my niece in September. It concerns me a great deal that the proposed location of this bar will pose a very night risk to them and their safety. They hang around the Tanyard in the evenings with friends to enjoy food from the local pizza takeaway and restaurant . There is a huge safeguarding risk to the school children that frequent this currently safe environment. Equally, I take my elderly mother to the Co-op for her weekly shopping which tends to take place after I finish work on a Friday. With the bar's proposal to be located in the Tanyard the children and my mother are at risk of loud noises, alcohol fuelled anti-social behaviour and intoxicated bar attendees. I do not want to put my mother , my niece or nephew or myself at risk.

Appendix 5

Representation - Supporting the Application

Other Person 1 – Support

Sent: 09 July 2026 14:36

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

Subject: Jaxx Irish Bar Ltd

I would like to give my support to Jaxx Irish bar ltd in Wickersley' s Tanyard area in the old Greggs location.

Wickersley is sorely lacking a live music venue and micro bars are traditionally friendly venues. There are already a few around the area (Yellow Broom, Bean and Barrel, and Dragon's Tap among others). These venues rarely, if ever, cause problems for residents as all close before midnight.

A small bar offers a great alternative for those that don't want to have to deal with the ridiculous crowds in the masons or olive lounge pubs.

I also believe this would be a great business to support local independent artists (something which is sorely lacking in the area), and other local businesses.

The size of this establishment is very unlikely to add any further impact to local residents, and as a Wickersley resident myself I've seen firsthand the benefit that microbars bring to the area with pubs like yellow broom.

This page is intentionally left blank