

LICENSING SUB-COMMITTEE
Monday, 14th October, 2019

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and McNeely.

4. LICENSING ACT 2003 - LICENCE - PLATINUM LOUNGE, UNIT 5, IMPERIAL BUILDINGS, HIGH STREET, ROTHERHAM

The Sub-Committee considered an application for the grant of a premises licence, in accordance with Section 17 of the provisions of the Licensing Act 2003, in respect of the premises known as the Platinum Lounge, Unit 5, Imperial Buildings, High Street, Rotherham.

The premises were previously a hair/beauty salon and the applicant had redeveloped the unit into a bar/coffee shop.

Following the submission of the application paperwork, it became apparent that an error had been made during the application process. The consequence of this was that the twenty-eight day period for consultation was extended until the 18th September, 2019. During this consultation period, a number of concerns were raised by representatives of the Responsible Authorities that had dealings with the applicant. In addition, two representations were received from interested parties that wished to voice their concerns in relation to the application that had been made.

The Applicant had agreed to add a number of conditions to his licence that addressed many of the concerns raised by the Responsible Authorities. However, the Licensing Authority remained concerned by the conduct of the applicant and the general condition of the premises and had submitted a representation to the application (in its role as a Responsible Authority).

The Licensing Authority having received two representations from interested parties and from the Responsible Authority, which were not withdrawn, and the Sub-Committee considered those representations. In addition, the Responsible Authority further circulated witness statements from other Responsible Authorities which were considered by all present.

The Licensing Authority (in its role as Responsible Authority) outlined the basis of their representation and the concerns about the general condition of the premises, the risks to individuals attending the premises, why it was not confident the Applicant would be willing to manage, engage, comply and co-operate and the Applicant's ability to promote the licensing objectives.

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The Applicant referred to his own background and experience, the negativity in the representations, the intended use of the building, proposed opening times and informed the Sub-Committee that he had been operating legally by way of Temporary Event Notices.

The Sub-Committee was also updated by the Applicant on the current compliance works and upgrades, co-operation with Responsible Authorities, challenges to the security staff recommendations and the tighter discriminatory restrictions being placed on these premises (all of which could be evidenced).

Included within the bundle of documents submitted to this hearing were the additional conditions of licence suggested by the Borough Council as Licensing Authority.

The Applicant confirmed his acceptance of these conditions, as well as the intention to promote the four Licensing objectives as defined by the Licensing Act 2003.

The representations were given full consideration as they related to the condition of the premises, compliance and undermining of the Public Safety and Prevention of Crime and Disorder licensing objectives and the co-operation and demeanour of the Applicant.

The Sub-Committee were also advised that the Applicant intended initially being the Designated Premises Supervisor, but would eventually transfer this responsibility and management to two female members of staff.

The Applicant's representative spoke of his own involvement, support and admiration for the Applicant in his drive to succeed. He acknowledged the difficulties being faced making the premises fully compliant and how the Applicant's general demeanour could be perceived by others in his passion to make the project work.

In conclusion, the Sub-Committee took due note of all the representations made and the concerns about the venue's condition, management of the premises, the inconsistencies in the Applicant's perception and behaviour and lack of engagement with the Responsible Authorities in respect of this application.

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

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

Resolved:- That the application for a Premises Licence made by the Platinum Lounge, under the provisions of the Licensing Act 2003, in respect of Unit Five, Imperial Buildings, High Street, Rotherham, be refused.