

LICENSING SUB-COMMITTEE
10th July, 2020

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

9. APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) FOR THE GRANT OF A PREMISES LICENCE FOR THE PREMISES DESCRIBED AS A CONTAINER UNIT IN THE CAR PARK OF PIT STOP CAR WASH, 93 FITZWILLIAM ROAD, EASTWOOD, 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 described as a container unit in the car park of Pitstop Car Wash, 93 Fitzwilliam Road, Eastwood, Rotherham. The premises were located within the car park of an existing hand car wash and the applicant was seeking a licence to permit the provision of late night refreshment from the container unit on Friday and Saturday night between the hours of 2300 hrs and 0200 hrs the following morning. In addition, the applicant requested that where Eid, on the two occasions a year where it was not on a day that was a Friday or a Saturday, the premises be permitted to open until 0200 hours.

The Licensing Authority had received three representations from interested parties and from the Responsible Authority (four in total), which were not withdrawn, and the Sub-Committee considered in full those representations.

South Yorkshire Police outlined the basis of their representation and the concerns about the potential for anti-social behaviour and public nuisance and how the area was the subject to a Public Space Protection Order.

The written representation submitted by Rotherham MBC Children and Young People's Services cited concerns regarding anti-social activity and child sexual and/or criminal exploitation in this area and how the premises may contribute to further exploitation.

The Licensing Authority (in its role as Responsible Authority) outlined the basis of their representation and the concerns about sexual and/or criminal exploitation, crime and disorder and public nuisance.

Councillor Reeder outlined the basis of her representation and her concerns regarding anti-social behaviour and the area being subject to a Public Space Protection Order.

The Applicant had agreed to add three conditions to his licence that addressed many of the concerns raised by the Responsible Authorities, but this was superseded by a further representation from South Yorkshire

LICENSING SUB-COMMITTEE – 10/07/20

Police. The conditions related to the timing restrictions placed on persons under the age of eighteen, installation of CCTV and storage timeframes and mandatory safeguarding children training.

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 as set out in his application.

The Applicant referred to his own background and experience, his business acumen and partnership, his wish to promote and develop his local community and his standing and respect in the area. It was his wish to create an experience enjoyed elsewhere in the country, the opportunities that could be created, the potential to enrich the lives of others and to become an asset to the area.

The Sub-Committee was also updated by the Applicant regarding his co-operation with Responsible Authorities, security measures and the challenges and restrictions he would enforce should the area become a hotspot for group congregation.

In conclusion, the Sub-Committee took due note of all the representations made and the concerns about the potential increase in anti-social behaviour, public nuisance, child sexual and/or criminal exploitation, crime and disorder and with the area being subject to a Public Space Protection Order.

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, under the provisions of the Licensing Act 2003, in respect of the premises described as a container unit in the car park of Pitstop Car Wash, 93 Fitzwilliam Road, Eastwood, Rotherham be refused.