

Dear Sirs

We are instructed to act on behalf of Mr Alex Nocton, the Designated Premises Supervisor of the above-mentioned premises which is subject to a Premises Licence Review under Section 51 of the Licensing Act 2003, dated 27th April 2021 . We would be grateful if you could note the position.

On the basis that our client is not the Premises Licence holder, that is a Mr Ronald Woodthorpe, please take this email by way of service upon you of a Representation on behalf of our client so as to ensure that he has rights of audience before the licensing Sub Committee when this matter is brought before them.

Furthermore, to set out in brief our client's position in respect of which further detail will be provided prior to and at the hearing itself.

Firstly, our client would wish to confirm the seriousness with which they take the issue of Review proceedings against them. The Designated Premises Supervisor, Mr Alex Nocton and his team place great stall by their professionalism and the quality of their systems, particularly those which touch upon regulatory matters and in more recent times, the requirements imposed upon both the population and operators arising from the Coronavirus Regulations.

Our client has set out to co-operate very closely with the Authorities in respect of all matters and since having held the position as Designated Premises Supervisor has sought at all times to uphold the Licensing Act 2003 and licensing objectives.

Since taking over operation of the Waverley, Mr Nocton has not received material complaints as to the nature of its operation from the Police or any other Responsible Authority. It is apparent from the Review papers that the only complaint is as to the detailed operation of the premises on one occasion when open to the public under the Coronavirus Regulations and on a second occasion, interpretation by Officers of what was perceived to be a children's party.

At this point in the proceedings we feel that we are compelled to raise issue as to the legitimacy of the Review papers. The documentation was served on the 27th April, some 5 ½ months after the alleged first incident and over 4 months from the second, thereby rendering the ability to recover CCTV to support the defence of the position redundant. Additionally, matters as to the timing and method of service of the Fixed Penalty Notices recited in the papers will be raised.

Should this matter proceed to a Review hearing, we will attend on our client's behalf and will call evidence from third parties to support his defence of the position which may include the Premises Licence holder being the Landlord of the premises.

Prior to the hearing, we reserve the right to adduce additional evidence and documentation in support of our client's position.

We would be grateful if you could kindly acknowledge safe receipt of this email and its status as a Representation which was received during the consultation period.

Yours faithfully



Hello

Following on from my telephone call earlier today in regard to the licensing review P0034, I would like to raise my concerns again around the potential opening hours of the Waverley and the noise impact this has on the surrounding houses in the area, this will increase the anti-social behaviour as well as extend the noise levels for longer periods of time late into the night.

The Waverley is situated at the edge of a residential estate where many young families reside the noise levels and increased anti-social behaviour will impact on these families as well as reduce sleep levels. Weekends are already disturbed outside of COVID lockdowns.

There should also be consideration to the increase in traffic generated when the Waverley holds events on weekend's and bank holidays, the Waverley allows events to take place in the car park meaning cars then park on the Main road to the front of the Waverley as well as onto the adjoining estate where children play etc, on many occasions finding exiting the estate rather dangerous as visibility is significantly reduced to the high volume of parked cars. Issues such as this could be avoided if the landlord took the necessary precautions such as monitoring of parking and only using the green space within the Waverley boundaries so the car park remained available for parking during events.

Additionally the noise increases during the summer months when the live events are on until late with patrons anti-social behaviour on occasions becoming utterly unacceptable (urinating on garden fences that adjoin the Waverley boundary).

The environment also suffers as patrons often through waste onto the Estate when exiting the Waverley establishment rather than leaving at the pub.

regards

A solid black horizontal bar used to redact the signature of the sender.

To The Licensing Team

I refer to the licensing review relating to The Waverley, New Brinsworth Rd., Catcliffe

I have only now seen the posted notice re the above mentioned matter.

The noise emanating from these premises late a night on summer evenings- loud pop and rock music, raucous behaviour in the car park is very disturbing indeed. We have telephoned the premises on numerous occasions to complain about bass noise making our windows vibrate.

Also, people leaving the premises are very noisy, this too can be heard by us - we live at [REDACTED] - very close to the pub.

We strongly object to having our peace disturbed by the inconsiderate actions of the licensees in this way.

Yours sincerely

[REDACTED]

Sent from my iPad

Brinsworth

Rotherham

To Whom it my concern,

I have known Alex Nocton now for in excess of 14 years and in my past I can say that I was not a well behaved person. But Alex has taken me under his wing and shown me what to do to be the great husband and father that I am today. I have come away from my rough and ready past and worked my way up now to a retail manager for Perry's motor group in Rotherham.

Some but not all for this is due to the guidance of Alex and his family that I class as my own and even my daughters call him Uncle Alex and his parent's I see as my own family and call them mum and dad.

During the tire system me and my family came down to the Waverley on several occasions and were told the rules and followed them as stated and at no point did I see these rules been broken by any person entering the pub. Also, during lock down Alex and his daughter we both in my families bubble.

On the 11<sup>th</sup> of December 2020 Alex called me and requested that my daughter [REDACTED] (D.O.B [REDACTED]) came and stayed with his daughter as she was upset still from the cremation of her other uncle [REDACTED] (Alex's brother-in-law) that had happened days earlier. Myself and my wife along with both our daughters walked up and [REDACTED] stayed for the night with Alex and [REDACTED].

This was done because Alex had asked for help (which is not like him) with his daughter, and I knew he was struggling with what had happened himself and he was extremely worried about his nieces and sister, I knew that I had to keep an eye on him for a change as things were now getting him incredibly stressed out. Not only with the business been closed but that all the family were constantly coming to him for help and advice on what was happening with [REDACTED]'s death because of his knowledge and experience.

I gave Alex his birthday card and a bottle of whisky and at no point did we see anyone else in the property apart for Alex and his daughter. The girls went off to play and I spoke to Alex to make sure her was ok. We spoke for some time, but I am not sure for how long and then walked back home.

The following day Alex told me about the Police visit and that he had been reported for have a big birthday party and we both laughed about it. He told me that at the point the Police came the girls where in the children's side watching a film on the big screen and he was sat in the lounge side watching TV and playing on his phone.

Yours Faithfully

[REDACTED]

I attended the waverly pub on the 4th of November when entering with my mum and my children we were asked to sign in told the rules etc when seated we ordered food and was told there would be a slight wait due to it being busier than usual which we were happy to wait while seated someone from the council entered looking around to make sure rules were being followed in my opinion she was being very picky because some people were waiting for food she presumed they weren't having food without knowing the facts even when asking they told the lady they had ordered food and was waiting for it because I was sat with my mum who I live with along with my children she presumed we weren't from the same household without even asking us and I even overheard Alex who runs the waverly tell her we was from the same household but she shot it down without even finding out the facts a group of 4 young men came in and was asked to sit at separate tables which they accepted and did but because they were talking to each other from separate tables the lady had an issue in my opinion she just wanted to find faults I have attended the waverly on many occasions and since Alex has taken over the pub has improved massively all rules are stuck to and enforced by Alex and his staff everyone is made to feel welcome and you can see the money and effort put into improving the waverly for the community I hope you take my opinion into account Many thanks

██████████

Sent from my iPhone

Ive been ask to provide a character reference for Alex Nocton .

Lets start by introducing myself.

My name is [REDACTED],

i live at

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Im currently involved with this ministry as a prayer minister and have been in training and full ministry for the last 2 years.

Now may i offer the relationship with Alex.

I have know Alex for approximately 15 to 17 years as a family friend.

When i first meet Alex he was a serving special constable and thro time became a full time police officer of good standing.

Over the years of the friendship Alex has offten shown a good discernment of not only his character but that of others people's character too .

I was recently back in Rotherham for just a few weeks and spent some time with Alex once the lockdown had been eased for sunday lunch,s ( outside dinning only, due to covid registrations)

At one of his public houses, business)

i have wittnest Alex,s friendly but professional approach and manner to all the patrons the visited Alexs business many time theses character trates that lay within his character.

Alex , once again as described above showed compassion in friendship to many, that are privileged to know Alex .

In conclusion

Alex is of a respected and respectful character,

That stands for full equality in others , with an honest integrity rearly seen in this moden age ..

If i can be of any more help , please dont hesitate to contact myself.

With kind regards

[REDACTED].