

LICENSING SUB-COMMITTEE
29th April, 2024

Present:- Councillor Hughes (in the Chair); Councillors Clark and McNeely.

CONSIDERATION OF AN APPLICATION (MADE IN ACCORDANCE WITH S.17 OF THE LICENSING ACT 2003) FOR THE GRANT OF A PREMISES LICENCE AT VALENTINES, UNIT 1 ATLAS COURT, BRINSWORTH, ROTHERHAM, S60 5DL

Consideration was given to an application (made in accordance with Section 17 of the Licensing Act 2003) for the grant of a Premises Licence at Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham S60 5DL.

The applicants, Mr. C. Valentine and Mrs. S. Valentine, were seeking authorisation to allow the sale of alcohol for consumption on and off the premises on every day of the week between 0930 hours and 2130 hours as well as the provision of live and recorded music (inside) on every day of the week between 0800 hours and 2200 hours.

Mr. and Mrs. Valentine were present at the hearing.

It was noted that a licence was not required for the playing of live or recorded music if a premises had an alcohol licence subject to certain criteria. Any condition attached to a licence referring to the playing of live or recorded music would not come into force between 08.0 hours and after 23.0 hours as it was unlicensable during those hours.

Consultation on the application had been carried out in accordance with all statutory requirements and the Council procedure. During the consultation period one objection had been received from a local resident citing concerns regarding the level of noise created by the activities taking place at the premises. The applicant had responded to the representation.

The resident had been invited to attend the hearing but had not attended.

Also, the applicant had engaged with the Licensing Service and had agreed a number of conditions that were considered appropriate for the promotion of the licensing objectives:-

1. A CCTV system shall be operational in the premises. The system shall record clear images that show the date and time that the recording was made. Recordings shall be retained for 30 days.
2. The Premises Licence Holder or Designated Premises Supervisor shall be fully trained on the operation of the CCTV system and shall routinely check that the equipment is operating properly.

3. CCTV shall be made available to the Police or authorised officers of the Licensing Authority upon request. Where requested a copy of a recording shall be immediately provided or within 12 hours at the latest.
4. The premises shall operate a “Challenge 25” proof of age policy. This means that persons who appear to be under the age of 25 must produce proof of identity/age before being sold/supplied alcohol. Only the following forms of ID shall be accepted:-
 - a. Passport or photo card driving licence or
 - b. Proof of age card bearing the official “PASS” accreditation hologram
5. The premises shall maintain a refusals log in which a record of the details of all occasions that a member of staff has refused to sell alcohol to a person suspected of being under the age of 25 shall be recorded.
6. The refusals log shall be made available to the Police or authorised officers of the Licensing Authority upon request.
7. An incident book/register shall be maintained in which the following shall be recorded:-
 - a. All incidents of crime and disorder occurring at the premises and
 - b. Details of occasions when the Police are called to the premises.
8. The incident book/register shall be made available for inspection by a Police Officer or other authorised officers of the Licensing Authority upon request.
9. On occasions that live or recorded music (other than background music) is being provided, regular checks shall be made to the outside of the premises so as to ensure that noise emanating from the premises is not at a level to cause nuisance. These checks shall be recorded and records made available to a Police Officer or other authorised officers of the Licensing Authority upon request.
10. No adult entertainment or services shall be provided.
11. Clear and legible notices shall be displayed:
 - a. Inside the premises advertising that a “Challenge 25 Policy” is in operation
 - b. At all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly; and
 - c. In the WC provision advertising “Ask Angela”

12. All staff engaged shall be trained in:-
 - a. Responsible Alcohol Retailing – to include the
 - i. Challenge 25 Policy and the need to record refusals
 - ii. Prevention of proxy sales
 - iii. Not selling alcohol to persons who appear drunk
 - b. “Ask for Angela” and
 - c. The terms and conditions of the licence
13. Staff training shall take place upon commencement of employment and every 6 months thereafter. A written record of this training shall be kept and this record shall be made available to the Police or authorised officers of the Council upon request.
14. A zero drugs policy will be adhered to:-
 - a. All staff engaged will be trained on a zero drugs policy
 - b. A locked facility e.g. locked box will be available for any substances found on the premises.
 - c. A logbook will be maintained for this purpose.

The following additional 3 conditions were also agreed with the applicant during the 28 day consultation period:-

15. Alcohol will only be purchased by people that are seated at a table and the drinks will be taken to their table by a member of staff. There will be no service direct to the customer at a bar or other servery.
16. Alcohol will only be sold to patrons with or after food purchased or supplied onsite or for takeaway purposes.
17. Patrons will not be permitted to leave the premises whilst in possession of any drinking vessel or open glass bottle/can whether empty or containing any beverage, with the exception of part bottles of wine or similar product that has been recorked/recapped prior to the customer leaving the premises.

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

- It was a small café with approximately 30 covers
- The application was to give the customer the choice of having an alcoholic drink with their meal
- Last orders would be 9.30 p.m.
- The application for consumption of alcohol on and off the premises was to allow the taking home of a bottle of wine if not finished
- it was not the intention to have an off-licence or be a bar
- The application was for 0800 hours-2130 hours every day but in reality it was envisaged 4 nights a week with Bank Holidays

LICENSING SUB-COMMITTEE – 29/04/24

Resolved:- That the application for the grant of a Premises Licence in respect of Valentines, Unit 1 Atlas Court, Brinsworth, Rotherham S60 5DL, be approved subject to the above conditions.