

APPENDIX 3

South Yorkshire Police

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

Cc: Diane Kraus <Diane.Kraus@rotherham.gov.uk>; Jo Belton <Jo.Belton@southyorkshire.police.uk>; John Omalley <John.OMalley@southyorkshire.police.uk>

Subject: Objection to application for premise Licence application, Today's Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY

Sent on behalf of Licensing, South Yorkshire Police

Licensing General
Rotherham Metropolitan Borough Council
Riverside House
Main Street,
Rotherham
S60 1AE

14th February 2025

Licensing Act 2003

Objection to application for premise licence application

Today's Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham S61 3QY

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

My representation is based on all four licensing objectives; the prevention of crime & disorder, public safety, prevention of public nuisance & the protection of children from harm.

The application seeks to operate under a 24hr license. The premise is situated in the centre of a housing estate, whilst adjoining a residential property. This locality has previously had issues with ASB, the area attracting "young people" who congregate in the area drinking alcohol, vaping and taking drugs.

Through the work carried out by both Rotherham Council and South Yorkshire Police, this issue is at present under control.

It is our opinion that without reasonable conditions placed upon this license, including reduced operating hours, there is an increased risk of the ASB returning and effecting the local community once again.

South Yorkshire Police contacted the applicant representative requesting the following changes to operating hours and additional conditions adding.

Changes to operating hours

From 24hrs Monday to Sunday to 06:00hrs – 23:00hrs Monday - Sunday

Additional conditions adding to the proposed premise licence:-

- No singular alcoholic drinks, including beer, lager & cider in cans will be sold; a minimum purchase of 4 will be required.
- No Beers, Lager or Cider of 6.5% ABV and above to be sold at this premise.

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Following discussions with the applicants representative, they agreed to reduce the hours to 06:00hrs – 23:00hrs Sunday – Thursday & 06:00hrs – Midnight Friday & Saturday, but we are unable to reach an agreement regarding adding the additional conditions, I feel that without these conditions adding it would potentially lead to an increase in the issues previously seen in this area.

With this in mind I request that the premise licence application be rejected.

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

Regards.

Tracey Klein
South Yorkshire Police Licensing Department
E-mail: Rotherham_Licensing@southyorks.pnn.police.uk

Licensing Authority

Community Safety and Street Scene Licensing,
Riverside House, Main Street, Rotherham, S60 1AE

Direct Line: 01709 254955
My Reference: ASP/1744/140225
Please ask for: Alan Pogorzelec

E.mail: licensing@rotherham.gov.uk

Your Reference:

Date: 14th February 2025

To: Diane Kraus - diane.kraus@rotherham.gov.uk
Copy to: Audrey Bailey - audrey.bailey@rotherham.gov.uk

Dear Mrs Kraus,

Today's, Unit 4 Ox Close Avenue, Kimberworth Park, Rotherham

I write with reference to the application for the grant of a Premises Licence relating to the above premises and to inform you that the Licensing Authority is not satisfied that the application, as submitted, adequately promotes the licensing objectives.

The Licensing Authority is opposed the grant of the application, as submitted, as it considers that it will undermine the following licensing objectives:

- Preventing Crime & Disorder; and
- Public Nuisance

Grounds

Public Health data, which excludes the Town Centre, specifies the density of alcohol licensed premises in the locality of the applicant premises as being "very low". Despite this, the same data identifies instances of anti-social behaviour and alcohol related ambulance call outs as "high"; and alcohol flagged violence against the person "medium".

To expand, with regard to instances of:

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- anti-social behaviour (ASB), it is the location of ASB incident that is recorded rather than home address of the victim/suspect;
- alcohol related ambulance call outs are based on a clinical judgement, and it is of the location of the callout that is recorded rather than home postcode of the patient; and
- alcohol flagged violence against the person means that in the opinion of the responding police officer alcohol has contributed to the offence, again it is of the location of incident rather than rather than home address of the victim/suspect that is recorded

This data supports that the applicant premises is in an area that is currently subject to alcohol related crime and disorder and anti-social behaviour.

The applicant premises are located amongst a group of small retail outlets, surrounded by residential housing. There are no 24-hour businesses operating in this locality. If the applicant is granted there is a likelihood that local resident will be subject to noise nuisance from traffic, both vehicular and pedestrian, during the nighttime hours, and from people congregating in the immediate vicinity of the premises.

Whilst need is not a matter for the licensing process, the promotion of the licensing objectives is.

The grant of a licence that allows the 24-hour sale of alcohol and the all-night provision of late-night refreshment is likely to undermine the objectives of preventing crime and disorder and preventing public nuisance.

Consideration of the withdrawal of this representation will be given if the application is amended so as to:

- seek the consent for the sale of alcohol between 08:00 hours and 23:00 hours;
- withdraw the request to provide late night refreshment; and
- offer the following additional management controls as a condition of any licence that is granted:
 - No singular alcoholic drinks of beer, lager & cider in cans or bottles (smaller than 500ml) shall be sold. A minimum purchase of 4 cans or bottles shall be required;
 - No beers, lager, or cider of 6.5% ABV and above shall be sold.

The additional management controls to deter street drinkers from purchasing alcohol given that public health data indicates that alcohol related ambulance call outs in the locality are high.

Given this, representations are made on behalf of the Licensing Authority that the application for the grant of a licence is refused.

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