

## **Additional Information provided by the Responsible Authorities**

### **Licensing Authority**

The applicant has agreed the following additional conditions with the Licensing Authority:

1. Subject to condition 2, no person shall be admitted to the premises after 23:00hrs.
2. Condition 1 will not apply to persons that were present in the premises at any point between 22:45hrs and 23:00hrs
3. The DPS or premise licence holder will risk assess the need for door supervisors to be employed at the premises. If such a risk assessment indicates that door supervision is required, then a minimum of two SIA door supervisors are to be employed at the premises at any particular time (as determined by the risk assessment).
4. Unless a risk assessment indicates otherwise, on days when higher risk activities are taking place at or in the vicinity of the premises then at least two SIA door supervisors are to be employed at the premises during the hours that the higher risk activities are taking place. A higher risk activity would be one that could reasonably be expected to result in a significant increase in the number of people attending the venue and / or a change in the nature or behaviour of the people that attend the venue when compared with what would be expected had the activity not been taking place (for example a major sporting event).
5. When carrying out a risk assessment regarding the provision of door supervisors, the licence holder and / or DPS should have regard to any information provided to the licence holder by the Licensing Authority, South Yorkshire Police or any other reliable source of information.
6. All door supervisors when working shall wear a uniform which clearly identifies them to the public as door supervisors, wearing high visibility jackets or vests.
7. A register shall be maintained for persons engaged as door supervisors to include the name and SIA number of the staff. SIA to be briefed as to details of any events and to record the time and dates of deployment including start and finish time. The register is to be retained onsite for a period of at least 12 months.

8. A written copy of any risk assessment referred to in these conditions must be retained for a period of at least 12 months and available for inspection at the premises by any authorised officer.
9. In addition to being monitored by the CCTV system, the external areas to which patrons have access whilst using the premises will be directly monitored via the coffee bar servery window and the use of glass collectors for both internal and external areas.

Consequential removal from application form of:

- It is considered that, for the nature of the operation of the premises, door supervisors will not be ordinarily required. However, the use of door supervisors shall be risk assessed on an event-by-event basis. A written record of this risk assessment shall be kept on the premises, for a minimum of 6 months, and made available to the Police or an Officer of the Licensing Authority upon request.
- Where engaged, door staff shall be licensed by the SIA

## **Community Protection Unit**

From: Kirsty Leonard <Kirsty.Leonard@rotherham.gov.uk>

Sent: 26 August 2025 09:58

Subject: RE: Application for Grant of a Premises Licence - Wigtox Lounge, 33 South Street, Rawmarsh, Rotherham S62 5RF (WEB52/1)

Our refusal is based on the potential for noise nuisance and anti-social behaviour.

This could potentially be mitigated by a reduction in operating hours, as the main concern is noise from patrons being seated outside and leaving the premises late at night.

If the licensing hours were reduced to 23:00hrs, in line with other premises in the local area, we would look to withdraw our representations.

Kirsty Leonard  
Community Protection Officer  
Community Protection Unit  
Regeneration and Environment  
Rotherham Borough Council

## **Additional Information provided by “Other Persons” opposed to the application**

### **Other Person 1**

May i add to this post that , if you come and look at the parking after say 7pm , it is a nightmare parking to the right of the club, the comments by the previous owner cannot in my opinion be trusted due to under the last owner it had its licence taken away.

Also this commenting about the noise etc, clearly do not live directly across and would be severely affected by the excess noise from outside drinking. What has been done to protect our properties and cars from drunks?

As for anyone in rawmarch having a say in this, surely someone from more than 2 streets away should t have a say, as it won't effect them in anyway. Seems to me that the mention on social media got anyone from Rawmarsh to support it. That is clearly wrong.

If this is allowed to be open until stupid hours, can the council please offer to buy my house at full market value , pay for moving as it will make our lives unbearable, especially living with social and mental issues. Not that the council will care as they dont live across from it.

They shouldn't be allowed anything past 10pm full stop.

As for parking, if the council wan this to go ahead, then the parking outside of homes should be reserved for residents only , before the club is all9wed to reopen.

Yes I am aware it was a club before but more people have cars, the old club had a car park.

### **Other Person 2**

I notice that there are 9 objections from residents who live in the immediate vicinity of the Wigtox Lounge and only 7 of the 45 people who are in favour of the application actually live nearby to the premises, so most won't be affected by the noise and associated problems as pointed out by the objectors

### **Other Person 3**

It's a complete over development of a small site on a residential street and even highways put this in their report.

Also most of the people who have voted in favour of the establishment don't live on South street and have just come from what they have seen online. They haven't ensured the issues what a drinking establishment brought on to south street.

Us, that have objected to it have physically witnessed the uproar it will bring as we formally had to ensure issues when it was previously a drinking establishment.

## **Other Person 4**

My original application still is relevant however please see my personal response to the bundle to support continued concerns a request for changes made to the license:

The Applicant has raised concerns about similarities in residents' representations. Any queries can be confirmed directly with the Licensing Authority, which holds the original submissions and can verify their authenticity.

The Applicant distinguishes this application from the former Working Men's Club by citing reduced capacity (approx. 250). However, the previous operation failed due to insufficient footfall. Residents recall that attendance rarely exceeded 250, yet police were frequently called for crime, disorder, and nuisance. A reduction in capacity does not safeguard against such issues (Licensing Act 2003, s.4).

The Applicant claims to offer a "family-friendly" environment, but a request to sell alcohol until 1am contradicts this. Government Guidance (s.182 Licensing Act 2003, paras. 2.22–2.26) stresses that protecting children from harm requires earlier terminal hours. Late alcohol sales increase risks of nuisance, disorder, and harm to children.

Noise concerns are not limited to residents in newly converted properties. Objections have also come from surrounding homes, which were previously affected. This resident recalls regular disturbance from noise inside and outside the premises, often requiring police intervention. Preventing public nuisance is a key licensing objective (s.4(2)(c)).

Litter issues cannot be dismissed. Since conversions began, there has been increased litter, and for a time, the Applicants failed to provide proper waste facilities, causing nuisance and rodents. Rotherham council should be able to supply information regarding this through freedom of information if the applicant so wishes.

Unlike previous proprietors, the Applicants propose outdoor seating, heightening risks of children encountering intoxicated patrons. The type of barrier to separate the area remains undefined, leaving risks inadequately mitigated (s.182 Guidance, paras. 2.21–2.29).

The Applicant's photographs do not accurately show the proximity of nearby housing. The Licensing Committee should give limited weight to images that fail to reflect the real residential impact (Hope & Glory [2011] EWCA Civ 31).

The Applicant seeks to sell alcohol until 12:30am with closing at 1am. Such hours are unsuitable for a quiet residential street. Licensing authorities must promote the objectives of preventing public nuisance and protecting children from harm (Licensing Act 2003, s.4). Government Guidance (s.182, paras. 14.51–14.64) supports earlier terminal hours in residential areas.

Case law confirms this approach:

- Hope & Glory [2011] EWCA Civ 31 – Licensing Authorities may give decisive weight to resident impact.
- Thwaites v Wirral [2008] EWHC 838 – Refusal upheld on public nuisance grounds.
- East Lindsey DC v Hanif [2016] EWHC 1265 – Restricting hours justified to prevent nuisance.

Local precedent also supports refusal. Nearby venues such as Rawmarsh Tap operate with 11pm terminal hours. Granting later hours would encourage anti social behaviour and disturbance.

Even with a condition barring new entrants after 11pm, serving alcohol until 12:30am and closing at 1am remains disproportionate and incompatible with this residential location. Licensing Authorities must prevent nuisance before it arises. Case studies, including Claire's Kitchen in Sheffield, show significant disturbance from later hours. The Applicant has proposed no robust noise management.

This application risks undermining all four licensing objectives. It fails to demonstrate how these will be upheld. In light of statutory duties (s.4 Licensing Act 2003) and case law (Hope & Glory, Thwaites), granting hours beyond 11pm would be inappropriate and disproportionate.

The Sub-Committee is respectfully invited to refuse the application, or at minimum, restrict alcohol sales to 11pm with strict security, outdoor and waste management conditions.

## **Other Person 5**

It is also noted that in the solicitors letter it is claimed that the original club could hold 1000 people. This is totally wrong as the club was small and the main room could not accommodate more than 200 people.