

Appendix 5

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **Mrs Helen Clayton**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number P1225

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Wigtox Lounge 33 South Street, Rawmarsh			
Post town	Rotherham	Postcode	S62 5RF
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£ Nor currently available		

Part 2 – Applicant details

Daytime contact telephone number	07301000081		
E-mail address (optional)	wigtoxlounge@mail.com		
Current postal address if different from premises address	85 South Street, Rawmarsh,		
Post town	Rotherham	Postcode	S62 5RE

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD MM YYYY
A S A P

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- a. **Extend the authorised hour for the first sale of alcohol on every day of the week to 9am (currently 12 noon - a 3-hour extension);**
- b. **Extend the authorised hour for the playing of recorded music, and the performance of dance on every day of the week to 9am (currently 12 noon - a 3-hour extension);**
- c. **Extend the authorised hour for the exhibition of films on every day of the week to 9am (currently 10am - a 1-hour extension);**
- d. **Extend the latest authorised hour on Friday & Saturday from 12.30am on the following day to 1am on the following day (a 30-minute extension) for the:**
 - **sale of alcohol;**
 - **playing recorded music and the performance of dance;**
 - **exhibition of films; and**
 - **provision of late-night refreshments.**
- e. **Amend the stated premises opening hours, as detailed in the Licence, to show that the premises will open every day of the week at 9am (currently 10am), and will close on Friday & Saturday at 1.30am on the following day (currently 1am).**
- f. **Remove conditions 1 and 2 of Annex 2 to the Licence which state:**
 - 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.***
- g. **Remove conditions 29 of Annex 2 to the Licence which states:**

29. Customers shall not be permitted to use the roof top terrace or the area to rear of the premises (car park) for the outdoor consumption of alcohol, food, and non-alcoholic drinks at any time, nor will they be permitted to smoke in these areas

and replace condition 29 with the following two conditions:

- ***Customers shall be permitted to use the roof top terrace for the outdoor consumption of alcohol, food, and non-alcoholic drinks between 9am and 11pm on every day of the week; and for the purpose of smoking or vaping between 9am and the latest hour that the premises closes to the public.***

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- *Customers shall not be permitted to use the area to rear of the premises (car park) for the outdoor consumption of alcohol, food, and non-alcoholic drinks at any time, nor will they be permitted to smoke in these areas*
- h. Include the first-floor function room (accessed via the roof top terrace) as part of the licensed area and permit all activities currently authorised, together with the amendments sought in this application, to be provided in the first floor function room.
- i. Amend the approved premises layout plan Attached at Annex 4 to the Licence to include the plan attached to this application , shows the layout of the first floor function room and location of the roof top terrace.

Additional Information with regard to the proposed use of the Outdoor Roof Terrace

Independent professional advice has been sought from the following specialist acoustic consultancy regarding the use of the rooftop outdoor terrace.

Environmental Noise Solutions (ENS) Limited

Contact: Tom Crabb

Telephone: 01302 644001

Website: www.environmental-noise-solutions.co.uk

ENS Limited is an established environmental acoustics consultancy with experience in advising on noise mitigation measures for planning and licensing applications. Their advice has been relied upon in assessing the appropriateness of the proposed screening and noise control measures for the rooftop terrace.

ENS's professional advice, with regard to the installation of Level 4 obscure glazing to the perimeter of the rooftop terrace is that:

- *Standard non-acoustic single glazing provides a sound reduction performance of approximately 30 dB as a direct barrier, and when installed with no gaps between adjacent panels or at the base, it forms an effective screen to reduce direct noise transmission.*
- *Regardless of construction type, the practical noise reduction achievable from perimeter screening alone is typically limited to around 10 dB, due to sound travelling upwards and diffracting over the top of the screen. On this basis, there is no material benefit in upgrading to acoustic glazing or replacing the glazing with a solid structure where no overhead enclosure is present.*

Having regard to the above professional advice I am satisfied that the installation on the roof top terrace of Level 4 obscure glazed screening, to a height of 1.8 metres, fully complies with the relevant

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planning condition and represents an appropriate and proportionate noise mitigation measure.

However, in addition to the proposed perimeter screening, it is proposed to install a fixed slanted pergola over the rooftop terrace. This structure is specifically intended to reduce upward sound propagation and limit sound diffraction beyond the perimeter screens.

Manufacturer acoustic data for comparable slanted pergola roof systems indicates that this type of structure can provide up to approximately 19 dB of noise attenuation across relevant frequencies.

When considered together, the perimeter screening (providing an effective reduction of approximately 10 dB) and the fixed slanted pergola form a layered noise control strategy. While acoustic reductions are not strictly additive, the combined effect is expected to deliver a substantial overall reduction in noise breakout, conservatively estimated to be in the region of 30 dB overall, subject to atmospheric conditions and operational factors.

This approach exceeds the minimum requirements of the planning condition and demonstrates a proactive commitment to the prevention of public nuisance.

In addition, as the perimeter screening will be opaque, it will also afford privacy to neighbouring properties, preventing customers from being able to see into their gardens.

Approval of the Noise Management Plan currently on force in respect of the premises that reflects the requested use of the outdoor terrace and the measures to be taken will be sought.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

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Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | √ <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | √ <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | √ <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | √ <input type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | √ <input type="checkbox"/> |

In all cases complete boxes K, L and M

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A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

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B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
Day	Start	Finish	Indoors ✓	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 5) Vary the start time for the exhibition of films on every day of the week to 9am (currently 10am) and the latest time on Friday & Saturday to 1am on the day following (currently 12.30am on the day following)	
Tue	09:00	23:00		
Wed	09:00	23:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)	
Thur	09:00	23:00		
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) Vary authorised start time on New Years Eve to 9am	
Sat	09:00	01:00		
Sun	09:00	23:00		

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C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

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D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

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E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

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F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors ✓ <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 5) Vary the start time for the playing recorded music on every day of the week to 9am (currently 12 noon) and the latest time on Friday & Saturday to 1am on the day following (currently 12.30am on the day following)		
Tue	09:00	23:00			
Wed	09:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	09:00	23:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	09:00	01:00	Vary authorised start time on New Years Eve to 9am		
Sun	09:00	23:00			

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G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors ✓ <input type="checkbox"/>	
Day	Start	Finish	Outdoors <input type="checkbox"/>		
			Both	<input type="checkbox"/>	
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 5) Vary the start time for the performance of dance on every day of the week to 9am (currently 12 noon) and the latest time on Friday & Saturday to 1am on the day following (currently 12.30am on the day following)		
Tue	09:00	23:00			
Wed	09:00	23:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	09:00	23:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	09:00	01:00			
Sun	09:00	23:00	Vary authorised start time on New Years Eve to 9sm		

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H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

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I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors ✓ <input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5) Vary the latest time for the provision of late night refreshment on Friday & Saturday to 1am on the day following (currently 12.30am on the day following)	
Tue				
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur				
Fri	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sat	23:00	01:00		
Sun				

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J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>		
				Off the premises	<input type="checkbox"/>		
Day	Start	Finish		Both ✓	<input type="checkbox"/>		
Mon	09:00	23:00	<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)</p> <p>Vary the start time for the sale of alcohol on every day of the week to 9am (currently 12 noon) and the latest time on Friday & Saturday to 1am on the day following (currently 12.30am on the day following)</p>				
Tue	09:00	23:00					
Wed	09:00	23:00					
Thur	09:00	23:00					
Fri	09:00	01:00		<p><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p> <p>Vary authorised start time on New Years Eve to 9sm</p>			
Sat	09:00	01:00					
Sun	09:00	23:00					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>None – It is an existing licence condition that no adult services or entertainment is provided at the premises</p>

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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	
Thur	09:00	23:00	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	23:00	
<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)			
Amend premises opening time New Years Eve to 9sm			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

a. Remove conditions 1 and 2 of Annex 2 to the Licence which state:

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.

b. Remove conditions 29 of Annex 2 to the Licence which states:

29. Customers shall not be permitted to use the roof top terrace or the area to rear of the premises (car park) for the outdoor consumption of alcohol, food, and non-alcoholic drinks at any time, nor will they be permitted to smoke in these areas

and replace condition 29 with the following two conditions:

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- **Customers shall be permitted to use the roof top terrace for the outdoor consumption of alcohol, food, and non-alcoholic drinks between 9am and 11pm on every day of the week; and for the purpose of smoking or vaping between 9am and the latest hour that the premises closes to the public.**
- **Customers shall not be permitted to use the area to rear of the premises (car park) for the outdoor consumption of alcohol, food, and non-alcoholic drinks at any time, nor will they be permitted to smoke in these areas.**

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

N/A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

None

b) The prevention of crime and disorder

None

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c) Public safety

None

d) The prevention of public nuisance

If the application is granted , I will review and update our Noise Management Plan to reflect the use of the roof top terrace, having regard to the proposed works set out in this application.
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e) The protection of children from harm

None

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ✓
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application. ✓
- I have enclosed the premises licence or relevant part of it or explanation. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

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Signature	<i>Helen Clayton</i>
Date	28.01.2026
Capacity	Premises Licence holder and DPS

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Mrs Helen Clayton

Post town Rotherham

Post code S62 5RE

Telephone number (if any)

07301000081

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

wigtoxlounge@mail.com