

Licensing Act 2003 - Hearing Procedure – Grant of a Premises Licence

1. The Chairperson of the Licensing Sub-Committee **will introduce themselves and the other Members** of the Committee and then ask **the following parties to introduce** themselves:
 - Officers of the Council;
 - The Applicant, any person representing them and any witnesses they want to call.
 - Persons who have made representations, any person representing them and any witnesses they want to call
2. The Chairperson will then **ask the Licensing Officer to introduce the report** and provide any updates. Questions to the Licensing Officer may be asked, **solely concerning the report**, by;
 - Members,
 - The Applicant; and
 - Persons making representations.
3. The Chairperson will then invite the **applicant to introduce their application and call any witnesses they may have**. Questions to the Applicant **regarding their application** may be asked by:
 - Members; and
 - Persons making representations.
4. The Chairperson will then invite the **persons making representations to address the Sub Committee and call any witnesses they may have**. Questions to the person making representations may be asked by:
 - Members; and
 - The Applicant.
5. The Chairperson will then invite the **Applicant if they wish to sum up their application**
6. The Chairperson **will then advise** that:
 - The public hearing is now concluded;
 - That Members of the Sub Committee will go into closed session, together with the Councils Solicitor and the Clerk to the meeting; and
 - All parties will be informed of the decision of the Licensing Committee in accordance with the requirements of the Licensing Act 2003 and regulations made thereunder.

Note:

At any time throughout the hearing Members of the Licensing Sub Committee may request legal advice from the Council's Solicitor. Any advice sought during closed session will be included in the notice setting out the decision.

The Committee Hearing will be held in public unless and in accordance with relevant Regulations the Licensing Sub Committee determine that the public should be excluded.

Committee Name and Date of Committee Meeting

Licensing Sub-Committee – 25th August 2026 at 14:00 hours (2pm).

Report Title

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) by Jaxx Irish Bar Ltd for the grant of a Premises Licence in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

Report Author(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene
Tel: 01709 289536.

Report Summary

On 1st July 2026 an application for the grant of a Premises Licence was made by Jaxx Irish Bar Ltd in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

The premises are located within the within the Wickersley Cumulative Impact Zone.

The applicant, seeks authorisation to allow the:

Sale of alcohol, for consumption on the premises, on:

- Monday to Wednesday between 4pm and 10pm;
- Thursday between 4pm and 10.30pm;
- Friday between 2.30pm and 11.30pm;
- Saturday between 12 noon and 11.30pm; and
- Sunday between 12 noon and 9.30pm.

Provision of Recorded Music, inside the premises, on:

- Monday to Wednesday between 4pm & 10.15pm;
- Thursday between 4pm & 10.45pm;
- Friday between 2.30pm & 11.45pm;
- Saturday between 12 noon & 11.45pm; and
- Sunday between 12 noon & 9.45pm.

Provision of Live Music, inside the premises, on:

- Friday between 8pm & 10pm; and
- Saturday between 6pm & 11pm.

Provision of Late Night Refreshment, for consumption on the premises, on:

- Friday and Saturday between 11pm & 11.30pm.

Representations, opposed to the grant of the application, have been received from one of the Responsible Authorities, one local councillor, Wickersley Parish Council and thirteen (13) "Other Persons".

One representation in support of the application has also been received from an "Other Person".

Further detail of the representation is provided within the main body of the report.

Recommendations

1. That the Licensing Sub-Committee considers the information contained within this report (and associated appendices) along with any additional information presented at the hearing and subsequently determines the application that has been made.
2. The Licensing Sub-Committee should inform the Licensing Manager of the decision in accordance with the requirements of the Licensing Act 2003 and Regulations made thereunder.

List of Appendices Included

- Appendix 1 Location Plan
- Appendix 2 RMBC Cumulative Impact Zone
- Appendix 3 Application and Premises Layout Plan
- Appendix 4 Representations - Opposed
- Appendix 5 Representation - Support
- Appendix 6 Supporting Information from Applicant

Background Papers

Rotherham MBC Statement of Licensing Policy 2025 -2030
(available at www.rotherham.gov.uk/licensing)

Revised guidance issued under section 182 of the Licensing Act 2003 (February 2026) available at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>)

Council Approval Required

No

Exempt from the Press and Public

No

Consideration of an application (made in accordance with s.17 of the Licensing Act 2003) by Jaxx Irish Bar Ltd for the grant of a Premises Licence in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

1. Background

- 1.1 The applicant premises, are not currently licensed under the Licensing Act 2003.

2. Key Issues

- 2.1 On 1st July 2026 an application for the grant of a Premises Licence was made by Jaxx Irish Bar Ltd in respect of Jaxx Irish Bar situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA.

Location and Wickersley Cumulative Impact Zone

- 2.2 A location plan, together with street view pictures of the applicant premises, is attached at **Appendix 1**. The premises formerly traded as “Greggs”.
- 2.3 The applicant premises sits within the Wickersley Cumulative Impact Zone (CIZ); and a copy of Rotherham Metropolitan Borough Council’s CIZ policy is attached at **Appendix 2**.
- 2.4 In summary, the Council’s policy states that, on receipt of relevant representations, applications seeking authorisation for the sale of alcohol at a premises located within the Wickersley CIZ will be refused, as it would be inconsistent with the promotion of the licensing objectives to grant any further licences unless an applicant can show that their licensed premise would not increase the impact of such premises.
- 2.5 When considering the presumption against granting a licence in the Wickersley CIZ, the Sub Committee must be satisfied that the applicant will not impact any further on the cumulative impact of existing licensed premises.
- 2.6 Applicants may suggest measures which they believe will demonstrate there will be no further impact from their premise. Examples that the Sub Committee may consider as demonstrating that there will be no further impact include:
- Small premises who operate outside of the peak hours of disruption;
 - Premises which are not alcohol-led and operate during the day-time economy;
 - Where a business is relocating to a new premise but retaining the same style of business; and.
 - Conditions which ensure the premise will operate in a particular manner, such as a minimum number of waiting staff to secure a food-led premise.

2.7 Examples of factors the Sub Committee will not consider include that the:

2.8

- Premise will be well managed and well run;
- Premise will be constructed to a high specification; and
- Applicant operates similar premises in other areas without complaint.

The Applicant

2.9 A search of Company House records, carried out on 1st July 2026, showed that the applicant Company, Jaxx Irish Bar Ltd, has two directors, Ms Leona EDWARDS and Mr Joshua WHITE.

The Application

2.10 A copy of the application form, together with the premises layout plan, is attached at **Appendix 3**.

2.11 The application seeks to allow the:

Sale of alcohol, for consumption on the premises, on:

- Monday to Wednesday between 4pm and 10pm;
- Thursday between 4pm and 10.30pm;
- Friday between 2.30pm and 11.30pm;
- Saturday between 12 noon and 11.30pm;
- Sunday between 12 noon and 9.30pm;
- Sunday before a Bank Holiday Monday between 12 noon and 11.30pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 12 noon and 11.30pm; and
- New Years Eve between 12 noon and 12.15am on the following day.

Provision of Recorded Music, inside the premises, on:

- Monday to Wednesday between 4pm & 10.15pm;
- Thursday between 4pm & 10.45pm;
- Friday between 2.30pm & 11.45pm;
- Saturday between 12 noon & 11.45pm;
- Sunday between 12 noon & 9.45pm;
- Sunday before a Bank Holiday Monday between 12 noon and 11.45pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 12 noon and 11.45pm; and
- New Years Eve between 12 noon and 12.30am on the following day.

Provision of Live Music, inside the premises, on:

- Friday between 8pm & 10pm;
- Saturday between 6pm & 11pm;
- Sunday before a Bank Holiday Monday between 6pm and 11pm;
- Christmas Eve & Boxing Day 6pm and 11pm; and
- New Years Eve between 6pm and 12 midnight.

Provision of Late Night Refreshment, for consumption on the premises, on:

- Friday and Saturday between 11pm & 11.30pm;
- Sunday before a Bank Holiday Monday between 11pm and 11.30pm
- Where Christmas Eve & Boxing Day falls on Sunday to Thursday between 11pm and 11.30pm; and
- New Years Eve between 11pm and 12.15am on the following day.

2.12 The application indicates that the premises would be open to the public between the same hours sought for the provision recorded music.

2.13 The person named in the application as the Designated Premises Supervisor (DPS) is Ms Leona EDWARDS, who is one of the named Directors of the applicant company. At the time of writing Ms Edwards has yet to make an application for a Personal Licence. Any such application would have to be made to the Council's Licensing Team as Ms Edwards lives in Rotherham.

2.14 The description of the premises, as provided in the application, is as follows:

"The premises comprise a ground floor retail unit situated at 236 Bawtry Road, Wickersley, Rotherham, S66 1AA, within The Tanyard shopping parade in the centre of Wickersley. The premises occupy a prominent position on Bawtry Road within a well-established commercial area, surrounded by a mixture of retail, hospitality and service businesses. Customer parking is available to the front of the premises, with service access provided to the rear.

The premises will operate as a micro bar, providing the sale of alcohol for consumption on and off the premises, together with the provision of light refreshments and snacks. The premises will offer a relaxed and welcoming environment for customers wishing to enjoy craft beers, wines, spirits and other alcoholic beverages.

The internal layout comprises a main customer seating and drinking area, with a bar and service counter located within the main trading space. Seating will be provided throughout the premises, with ancillary storage, cellar/storage facilities and staff welfare areas located to the rear of the premises. The layout has been designed to ensure clear supervision of all customer areas by staff at all times".

2.15 Section M of the application provides information regarding the manner in which the premises will operate. Having regard to this information, the following management controls would be made a condition of any Licence that may be granted:

- a) A comprehensive CCTV system shall be installed and maintained at the premises. CCTV cameras shall cover all customer areas, entrances and exits.
- b) CCTV recordings shall be retained for a minimum of 28 days and made available to authorised officers upon request.
- c) A Challenge 25 policy shall be operated at the premises. This policy shall require that any person who appears to be under the age of 25 to produce valid photographic identification before being served alcohol. Acceptable forms of identification will be limited to a:

- I. passport,
 - II. photocard driving licence, or
 - III. PASS-accredited proof of age card.
- d) Notices shall be clearly displayed at the premises notifying customer of the Challenge 25 policy and the acceptable forms of identification.
- e) A refusals register shall be maintained to record all refused alcohol sales, including attempted purchases by underage persons or proxy sales.
- f) Intoxicated persons shall not be served alcohol, and customers displaying disorderly or anti-social behaviour will be refused service and asked to leave the premises if necessary.
- g) An incident register shall be maintained to record any crime, disorder or anti-social behaviour occurring on the premises.
- h) The premises shall be maintained in a safe condition at all times, with regular inspections carried out to identify and address any potential hazards. Suitable public liability insurance shall be in place, and all relevant health and safety legislation shall be complied with
 - I. A fire risk assessment shall be undertaken and reviewed regularly, with appropriate fire safety equipment, including fire extinguishers and smoke detectors, installed and maintained in accordance with legal requirements.
 - II. Clearly marked emergency exits shall be provided and kept unobstructed at all times to ensure safe evacuation in the event of an emergency.
 - III. Adequate lighting shall be provided throughout the premises, including entrances, exits, toilets, and external areas, to ensure customer safety and deter criminal activity.
 - IV. The premises capacity shall be monitored to prevent overcrowding and ensure a safe and comfortable environment for customers.
 - V. Floors, walkways, and customer areas shall be kept clean, well maintained, and free from trip hazards.
 - VI. A fully stocked first aid kit shall be available on the premises and incidents involving injury or accidents will be recorded in an accident book.
- i) Clear signage shall be displayed at exits requesting customers to *“respect neighbouring residents and leave the premises and surrounding area quietly”*.
- j) Staff shall monitor customers at closing time to ensure patrons disperse in an orderly manner.
- k) Any recorded music played at the premises shall be maintained at a background level appropriate to the size and nature of the venue so as not to cause disturbance to nearby properties.

- l) The designated smoking area shall be monitored by staff to ensure customers do not create excessive noise or obstruction outside the premises.
- m) Waste disposal, bottle collections and deliveries shall take place at reasonable times to minimise disturbance to local residents and neighbouring businesses.
- n) The area immediately outside the premises shall be regularly checked and kept free from litter, cigarette ends and other waste associated with the business.
- o) Any complaints from local residents or businesses relating to noise or nuisance shall be recorded, together with any action taken.
- p) Children under the age of 16 shall only be permitted on the premises when accompanied and supervised by a responsible adult.
- q) Any incidents involving children, including concerns relating to safeguarding or attempted underage purchases, shall be recorded and dealt with appropriately.
- r) The DPS, or their nominated deputy, shall effective communication with local police, licensing authorities and neighbouring businesses to address any concerns promptly.
- s) All staff will receive appropriate training on induction, and each year thereafter on, but not limited to:
 - I. The terms, conditions and restrictions of the Licence;
 - II. The operation of the Challenge 25 policy, including acceptable forms of identification and recording any challenge/refusals;
 - III. Preventing proxy sales;
 - IV. Refusing the sale of alcohol to persons who appear to be drunk;
 - V. Fire safety, emergency procedures and first aid awareness;
 - VI. Conflict management and the prevention of crime and disorder;
 - VII. Incident recording, and when to call the Police; and
 - VIII. Safeguarding children and vulnerable adults, including how to report any concerns

Consultation

- 2.16 Consultation on the application has been carried out in accordance with all statutory requirements and the Council's procedure. There is a prescribed period of 28 days following the submission of an application during which time representations in relation to the application may be submitted.
- 2.17 At the end of the consultation period sixteen (16) representations opposed to the grant of the application had been received, together with a single representation in support.

Representations Opposed

- 2.18 Representations, opposed to the application have been received from:
- The Licensing Authority, in their role as a Responsible Authority;
 - A local Ward Councillor;
 - The Parish Council; and
 - Thirteen (13) Other Persons
- 2.19 The detail of the representations objecting to the application is attached at Appendix 4

Representations In Support – Other Person

- 2.20 A copy of the representation received an Other Persons in support of the application is attached at **Appendix 5**.

Additional Information

- 2.21 At the time of writing the applicant company has not provided any additional information in support of the application, nor has any additional information been provided in support of the representations. Should this change, then an oral update will be provided at the hearing

The Hearing

- 2.22 The applicant, relevant Responsible Authorities, ward councillors and “Other Persons” have been invited to the hearing today. All parties attending, will be given the opportunity to address the Sub-Committee in relation to the matters raised in the application and the representations they have made to it.
- 2.23 Members of the Sub-Committee should give full consideration of application submitted and the and representations to it, together any supporting evidence provided by any party prior to the date of the hearing. Documentary evidence provided on the day of the hearing should only be considered with the consent

3. For Information Only

- 3.1 The response from the Council’s Planning Service to the application is provided for information only; and should not form any part of the Sub Committee’s deliberations.

Official response Planning Service sent to applicant

- 3.2 The premise is currently occupied by Greggs and has operated as such for a period exceeding 10 years. Based on the available information, the existing use is considered to likely fall within Use Class E (Commercial, Business and Service), either as:

- Class E(a): retail sale of goods (bakery-type outlet), and/or
- Class E(b): café/restaurant use.

OR Suis Generis (Hot food take-away)

3.3 You are advised that any proposal to change the use of the premises to a micro bar involving the sale of alcohol, whether for consumption on or off the premises, would constitute a material change of use. Such a use would fall within a sui generis category (i.e. a use that does not fall within any defined use class, such as the proposed use. As a result:

- A change of use from **Class E to a sui generis use** requires **planning permission**; and
- Any change between **different sui generis uses** would also require **planning permission**.

3.4 Planning permission must be obtained prior to the commencement of the proposed use of the premises as a bar.

4. Options available to the Licensing Sub-Committee

4.1 A licensing authority must carry out its functions under the Licensing Act with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

4.2 In considering this matter, the Sub-Committee should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement. In relation to this application, the options available to the Sub-Committee are:

- To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Sub-Committee may modify to such extent as they consider appropriate; or
- To reject the whole or part of the application (which may include the omission of certain licensable activities from the licence and / or the refusal to specify a particular individual as the Designated Premises Supervisor).

4.3 The statutory guidance makes it clear that Licensing Authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a

case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

- 4.4 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 4.5 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require the Sub-Committee to decide that no lesser step will achieve the aim, the Sub-Committee should aim to consider the potential burden that the condition would impose on the applicant/premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the Sub-Committee ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the licensing objectives and nothing outside those parameters. The Sub-Committee may consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business (if appropriate).
- 4.6 The Sub-Committee is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination. Conditions may be placed on the licence (if granted) and further information in relation to conditions is provided later in this report.
- 4.7 All licensing determinations should be considered on the individual merits of the application. The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.8 It is important that the Sub-Committee give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

Conditions

- 4.9 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate

is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

- 4.10 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below.

Proposed conditions

- 4.11 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence holder, which they should carry out before making their application for a premises licence. This would be translated into the steps recorded in the operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.
- 4.12 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

Consistency with steps described in operating schedule

- 4.13 The 2003 Act provides that where an operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.
- 4.14 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder must be clear to the licence holder, enforcement officers and the courts.

Imposed conditions

- 4.15 The Sub-Committee may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective

conditions may be included that are aimed at preventing illegal working in licensed premises.

- 4.16 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

Proportionality

- 4.17 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Any decision made by the Licensing Sub-Committee does not have effect until:
- the end of the period given for appealing against the decision; or
 - if the decision is appealed, until the appeal is disposed of.
- 5.2 An appeal may be lodged by either the applicant or a party to the hearing that has made a relevant representation.
- 5.3 Parties to the hearing must be informed of the decision within 5 working days of the hearing (or within 5 working days from the last day of the hearing if it takes place over multiple days).

6. Financial Implications

- 6.1 There are no specific financial implications arising from this application.
- 6.2 However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all of the costs incurred. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

7. Legal Advice and Implications

- 7.1 A Council Solicitor will be in attendance at the hearing to provide appropriate legal advice to the Licensing Sub-Committee in relation to specific aspects of the application / hearing, however the advice below is generally applicable to all applications.
- 7.2 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 7.3 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 7.4 The Sub-Committee may accept hearsay evidence, and it will be a matter for the Sub-Committee to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard but has heard or read about.
- 7.5 The Secretary of State's guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment, and proportionality.
- 7.6 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The guidance is therefore binding on all licensing authorities to that extent. However, the guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 7.7 In addition to the above, members are reminded that all decisions must be taken in accordance with the Council's Statement of Licensing Policy (adopted 3rd June 2020).
- 7.8 Departure from the guidance and / or Statement of Licensing Policy could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

8. Risks and Mitigation

- 8.1 The statutory requirements in relation to the consideration of this application are detailed in this report. It is essential that the Sub-Committee act in accordance with these statutory provisions and take account of statutory guidance.
- 8.2 Failure to do this exposes the Council to significant risk of legal challenge, the consequences of which could result in financial and / or reputational damage to the Council.
- 8.3 Members are therefore urged to fully consider the information in this report when making a decision regarding this application, and to ensure that any decision made is justifiable, proportionate and based on the promotion of one or more of the Licensing Objectives.
- 8.4 Council officers are present at the meeting today and can provide additional advice to members of the Sub-Committee should this be required. In addition, a copy of the statutory guidance and Statement of Licensing Policy is available for members to review should they wish to do so.

9. Accountable Officer(s)

Diane Kraus, Principal Licensing Officer, Community Safety and Street Scene