

LICENSING SUB-COMMITTEE
13th August, 2018

Present:- Councillor Ellis (in the Chair); Councillors Beaumont and Clark.

**2. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE -
BIG APPLE PLAY CITY, OLD SHEFFIELD ROAD, ROTHERHAM**

The Sub-Committee considered an application for the grant of a premises licence, in accordance with the provisions of the Licensing Act 2003, in respect of the premises known as Big Apple Play City, Old Sheffield Road, Rotherham. The applicant company operated a business in this former warehouse as a children's indoor soft play centre with a large café and also offered the venue for hire for private functions such as corporate events, wedding receptions and private parties for both children and adults. This application was for the grant of a premises licence for the one licensable activity of the supply of alcohol every day during the period from 1100 hours until 1800 hours and also until 2000 hours on the days and occasions when the venue was hired for private events and was closed to the general public.

The Licensing Authority had received one representation from a local Borough Councillor for the electoral Ward in which the premises were situated, which was not withdrawn and the Sub-Committee considered that representation.

The applicant's representative referred to the submitted plan of the premises' interior and informed the Sub-Committee of the intention that only part of the whole premises would be the subject of the premises licence (if granted). This area was adjacent to the kitchen and included the bar and measured approximately three square metres and was capable of accommodating only twelve persons or so, seated on chairs at tables. The alcohol purchased would be restricted to this licensed area and would not be permitted to be taken elsewhere on the premises. Children would not be allowed to enter this licensed area. A closed circuit television system was installed and in operation at the premises.

The Sub-Committee was also informed of the detail of staff employed at the premises, the training they had already received and the intention of the applicant company to operate the Challenge 25 scheme (relating to the sale of alcohol). It was also confirmed that persons entering the premises were required to sign a register and that children must be accompanied by a person aged 18 years or older. Many of these measures taken were requirements of the insurance policy for the premises and the activities taking place at the premises.

Included within the bundle of documents submitted to this hearing were the additional conditions of licence suggested by the Borough Council as Licensing Authority and also by the South Yorkshire Police. The

representative of the applicant company confirmed the company's acceptance of these conditions, as well as the intention to promote the four Licensing objectives as defined by the Licensing Act 2003, in particular the protection of children from harm.

The representation from the local Ward Councillor referred to concerns about children gaining access to the licensed area and to the possibility of adults leaving alcoholic drinks unguarded. There were also concerns about private functions possibly continuing later into the evening than the premises' stated closing time of 2000 hours, which may lead to issues of anti-social behaviour. Specific reference was made to an unpleasant incident at the premises which had been reported by the local press. The representative of the applicant company explained the measures which were already in place to ensure the safety of children at all times on the premises, including the necessary training of staff. The company would close the premises no later than 2000 hours each day, with the premises being closed for children's play activities at 1800 hours. On those days when the premises were hired for private functions, there would be no access for the general public. The specific incident which had been reported in the press had been a single isolated incident, which had occurred in the outdoors area of the car park adjacent to the premises and had involved only members of one family. There had been no other occurrences of that type of incident at or near the premises.

The Sub-Committee was satisfied that the measures to be put in place by the applicant company to ensure the protection of children from harm were sufficient. However, Members were of the view that it would be beneficial for there to be an additional member of staff at the premises who is a personal licence holder (under the terms of the Licensing Act 2003), because of the likelihood of the frequent absence of the Designated Premises Supervisor.

The Sub-Committee also considered the application in terms of the Borough Council's stated policy as a child-centred Borough, as well as noting that research had been published recently by the Institute of Alcohol Studies about the possible detrimental effects upon young children of being in the company of adults who are drinking alcohol. The research is published at:-

<http://www.ias.org.uk/News/2017/18-October-2017-Like-sugar-for-adults-report-highlights-anxiety-about-parents-drinking.aspx>

In conclusion, the Sub-Committee took due note of all of the written representations made and also of the fact that there had been no representations made by the South Yorkshire Police in respect of this application.

The Sub-Committee considered the application for this premises licence and the representations made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- Public safety;
- The protection of children from harm.

Resolved:- (1) That the application for a Premises Licence, under the provisions of the Licensing Act 2003, in respect of the Big Apple Play City, Old Sheffield Road, Rotherham, be granted and be subject to the standard conditions and to all of the various conditions suggested by the Licensing Authority and by the South Yorkshire Police as set out within the bundle of documents submitted to this hearing.

(2) That, further to resolution (1) above, the Premises Licence shall also be subject to the following additional conditions:-

(a) the licence shall be effective only on those days and at those times when the premises are being hired for private functions and are closed to the general public and only between the hours of 11.00am and 8.00pm;

(b) in addition to the Designated Premises Supervisor, at all times one other member of staff employed at the premises shall be a personal licence holder (in accordance with the terms of the Licensing Act 2003).