

LICENSING SUB-COMMITTEE
Wednesday 12 July 2023

Present:- Councillor Ellis (in the Chair); Councillors Hughes and McNeely.

17. LICENSING ACT 2003 - LICENCE - VARIATION OF THE PREMISES LICENCE ISSUED TO MR STUART CARL FORD IN RESPECT OF THE PREMISES KNOWN AS STEPTOE'S SITUATED AT 192 HIGH STREET, KIMBERWORTH, ROTHERHAM, SOUTH YORKSHIRE, S61 2DT

The Sub-Committee considered an application to vary the premises licence, in accordance with Section 34 of the provisions of the Licensing Act 2003, in respect of Steptoe's situated at 192 High Street, Kimberworth, Rotherham.

The applicant was seeking to vary the terms, conditions and restrictions of the Premises Licence. The application sought to:-

- Extend the current licensed hours in relation to the sale of alcohol and the provision of recorded music, entertainment of a similar nature and the late night refreshment.
- Add the provision of live music and the performance of dance to the current licensable activities.

The premises currently had the benefit of a Premises Licence, copy attached at Appendix 1, which permitted the sale of alcohol (on and of the premises) and the provision of recorded music, entertainment of a like kind and late night refreshment (all indoors only) on: -

- Monday to Thursday between 11:00 hours and 21:30 hours
- Friday to Sunday between 11:00 hours and 22:30 hours
- Christmas Eve between 11:00 hours and 00:00 hours (12 midnight;
- New Year's Eve between 11:00 hours and 00:30 hours on the following day.

In accordance with the procedure, the Principal Licensing Officer, presented the report which set out the application in relation to the hours sought in respect of all licensable activities, that was those currently authorised, and the additions sought in the variation application:-

The provision of recorded music (indoors)

- Monday to Thursday between 09:00 hours and 23:30 hours
- Friday to Sunday between 09:00 hours and 00:30 hours on the following day

- Christmas Eve between 09:00 hours and 02:00 hours on the following day;
- Boxing Day between 09:00 hours and 01:00 hours on the following day;
- New Year's Eve between 09:00 hours and 02:00 hours on the following day.
- Bank Holiday Mondays between 09:00 hours and 00:30 hours on the following day.

The sale of alcohol (on and of the premises) and Live Music(indoors) and Performance of Dance (indoors)

- Monday to Thursday between 11:00 hours and 23:00 hours
- Friday to Sunday between 11:00 hours and 00:00 hours (midnight)
- Christmas Eve between 11:00 hours and 01:00 hours on the following day;
- Boxing Day between 11:00 hours and 00:30 hours on the following day;
- New Year's Eve between 11:00 hours and 01:30 hours on the following day.
- Bank Holiday Mondays between 11:00 hours and 00:0 hours (midnight)

The provision of Late night refreshment (indoors)

- Friday to Sunday between 23:00 hours and 00:00 hours (midnight)
- Christmas Eve between 23:00 hours and 01:00 hours on the following day;
- Boxing Day between 23:00 hours and 00:30 hours on the following day;
- New Year's Eve between 23:00 hours and 01:30 hours on the following day.
- Bank Holiday Mondays between 23:00 hours and 00:0 hours (midnight)

There were no representations made by the Responsible Authorities.

Four letters/emails making representations against the grant of the variation application were received from local residents. The detail of the representation was provided to Mr Ford, who in an attempt to conciliate, responded to the representation through the Licensing Office.

Conciliation led to the withdrawal of one of the representations.

The Sub-Committee heard three representations from Mr. D. Wordsworth, Mr. P. Hampson and Mrs. S. Hampson who were all in attendance.

The objections centred around:-

Noise from the air extraction/conditioning units.
Noise from people outside or leaving at the end of the night.
Increase of noise levels caused by live music and dance.
Parking outside residential properties causing disturbance late at night.
Litter and bottle debris.
Expansion plans and potential for increased public nuisance activity.

Mr. Ford, applicant, addressed the concerns raised by the objectors and again urged local residents that if they had any concerns to approach him to resolve. Action was being taken to address the noise levels on the air extraction/conditioning units and the music/entertainment would remain as licensed unamplified.

The Sub-Committee took due note of the objections made and the action being taken by the applicant to address any concerns that the objectors may have had in relation to the application.

The Sub-Committee considered the application for the grant of the Premises Licence and the representation made specifically in the light of the following Licensing objectives (as defined in the 2003 Act):-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

Resolved:- (1) That the application for the variation of the Premises Licence, under the provisions of the Licensing Act 2003, in respect of Steptoe's situated at 192 High Street, Kimberworth, Rotherham, be granted as follows:-

The provision of recorded music (indoors)

- Monday to Thursday between 09:00 hours and 23:30 hours
- Friday to Sunday between 09:00 hours and 00:30 hours on the following day
- Christmas Eve between 09:00 hours and 02:00 hours on the following day;
- Boxing Day between 09:00 hours and 01:00 hours on the following day;
- New Year's Eve between 09:00 hours and 02:00 hours on the following day.
- Bank Holiday Mondays between 09:00 hours and 00:30 hours on the following day.

The sale of alcohol (on and of the premises) and Live Music(indoors) and Performance of Dance (indoors)

- Monday to Thursday between 11:00 hours and 23:00 hours
- Friday to Sunday between 11:00 hours and 00:00 hours (midnight)
- Christmas Eve between 11:00 hours and 01:00 hours on the following day;
- Boxing Day between 11:00 hours and 00:30 hours on the following day;
- New Year's Eve between 11:00 hours and 01:30 hours on the following day.
- Bank Holiday Mondays between 11:00 hours and 00:0 hours (midnight)

The provision of Late night refreshment (indoors)

- Friday to Sunday between 23:00 hours and 00:00 hours (midnight)
- Christmas Eve between 23:00 hours and 01:00 hours on the following day;
- Boxing Day between 23:00 hours and 00:30 hours on the following day;
- New Year's Eve between 23:00 hours and 01:30 hours on the following day.
- Bank Holiday Mondays between 23:00 hours and 00:0 hours (midnight)

(2) That the applicant should ensure compliance with approvals and conditions received in accordance with both Licensing and Planning functions.