

LICENSING SUB-COMMITTEE
28th May, 2024

Present:- Councillor Monk (in the Chair); Councillors Bennett-Sylvester and Jones.

APPLICATION (MADE IN ACCORDANCE WITH S.34 OF THE LICENSING ACT 2003) FOR THE VARIATION OF THE PREMISES LICENCE ISSUED TO TBO LIMITED IN RESPECT OF THE PREMISES KNOWN AS YELLOW BROOM SITUATED AT UNIT 2 AEON COURT, 108 MAIN STREET, BRAMLEY, ROTHERHAM. S66 2SE

Consideration was given to an application (made in accordance with Section 34 of the Licensing Act 2003) by TBO Limited for the variation of the Premises Licence currently in force in respect of Yellow Broom, Unit 2 AEON Court, 108 Main Street, Bramley, Rotherham S66 2SE.

The applicant was seeking:-

- to extend the latest hour for the sale of alcohol by one hour on each of the days Monday to Thursday from 9.30 p.m. to 10.30 p.m.
- extend the latest hour for the sale of alcohol on New Year's Eve until 1.00 a.m. on the day following
- allow the sale of alcohol for consumption off the premises on every day of the week

It was noted that the application also requested to extend the latest hour to 10.30 p.m. on Bank Holiday Mondays, Christmas Eve and Boxing Day when they fell on a Monday to Thursday. However, a 10.30 p.m. finish would automatically apply on these dates if the application was granted.

Mr. Simmonite, business owner, Emilie Waller (Supervisor) and Nicola Waller (Manager) were present at the hearing.

Consultation on the application had been carried out in accordance with all statutory requirements and the Council procedure. During the consultation period one objection had been received from a local resident citing concerns around the definition of "specialist craft beer" and a possible increase in the risk of anti-social behaviour.

Detail of the representation had been provided to the applicant, TBO Limited. Mr. Simmonite had responded to the representation on behalf of the company. However, conciliation had failed to lead to the withdrawal of the representation. The Licence holder had offered, should the application be successful, that the following condition be added:-

- the purchase of alcohol for off-site consumption be limited to 'specialist craft beer'

The resident who had made the representations to the application had been invited to attend the hearing but had not attended. The Panel took into account the issues raised by the local resident.

No representations had been made by the Responsible Authorities.

In response to questions, the applicant provided the following information:-

- Yellow Broom was a niche offer with the ethos of bringing the community together
- There were very experienced staff working at the business
- The business model was based on feedback from customers and Bramley community
- There had been no anti-social behaviour issues associated with or emanating from the premises
- The feedback from customers had been the extra hour into New Year's Day morning was needed and be in line with other establishments in the area
- The establishment sold specialised craft beer
- Currently patrons could drink outside on the patio until 9.30 p.m.
- The landlord had been very clear with regard to the management of the public space
- It was not anticipated that members of the public would buy alcohol for consumption off the premises in large quantities due to the cost of the specialist beers

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

- The prevention of crime and disorder.
- Public safety licensing objectives.
- The prevention of public nuisance.

Resolved:- That the application for the variation of the Premises Licence, under the provisions of the Licensing Act 2003, in respect of Yellow Broom situated at Unit 2, AEON Court, 108 Main Street, Bramley, Rotherham, be granted as follows:-

(1) Extension of the latest hour for the sale of alcohol by one hour as follows:-

Monday to Thursday from 9.30 p.m. to 10.30 p.m.

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(2) Extension of the latest hour for the sale of alcohol on New Year's Even until 1.00 a.m. on the day following (New Year's Day).

(3) Allow the sale of alcohol for consumption off the premises on every day of the week.