

Licensing Sub-Committee

Tuesday 29 May 2012 at 10.00 am

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors John Robson (Chair), David Barker, Jillian Creasy and Gibson

PUBLIC ACCESS TO THE MEETING

The Licensing Committee carries out a statutory licensing role, including licensing for taxis and public entertainment.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552.

You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

If you require any further information please contact Harry Clarke on 0114 273 6183 or email harry.clarke@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**LICENSING SUB-COMMITTEE AGENDA
29 MAY 2012**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public.
- 4. Licensing Act 2003**
Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX

Report of the Chief Licensing Officer

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

You will have a **personal interest** in a matter if it relates to an interest that you have already registered on the Register of Interests; relates to an interest that should be registered but you have not yet done so; or affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

The definition of family is very wide and includes a partner, step-relations, and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

If you have a personal interest you must: declare the existence and nature of the interest at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.

However, in certain circumstances you may have an **exemption** which means that you might not have to declare your interest.

- You will have an exemption where your interest arises solely from your membership of or position of control/management in a body to which you have been appointed or nominated by the authority; and/or a body exercising functions of a public nature (e.g. another local authority).

In these exceptional cases, provided that you do not have a **prejudicial interest** you only need to declare your interest if you intend to speak on the matter.

- You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest. For example, an application for grant funding to a body on your register of interests or a contract between the authority and that body; or
- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest. For example, considering a planning or licensing application made by you or a body on your register of interests.

Exemptions: You will not have a prejudicial interest if the matter relates to:

- i. the Council's housing functions – if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

If you have a prejudicial interest, you must:

- (a) Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- (b) Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.
- (c) Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.

FURTHER INFORMATION

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk



SHEFFIELD CITY COUNCIL Committee Report

4

Report of: Chief Licensing Officer, Head of Licensing

Date: 29 May 2012

Subject: Licensing Act 2003

Author of Report: Andy Ruston

Summary: To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

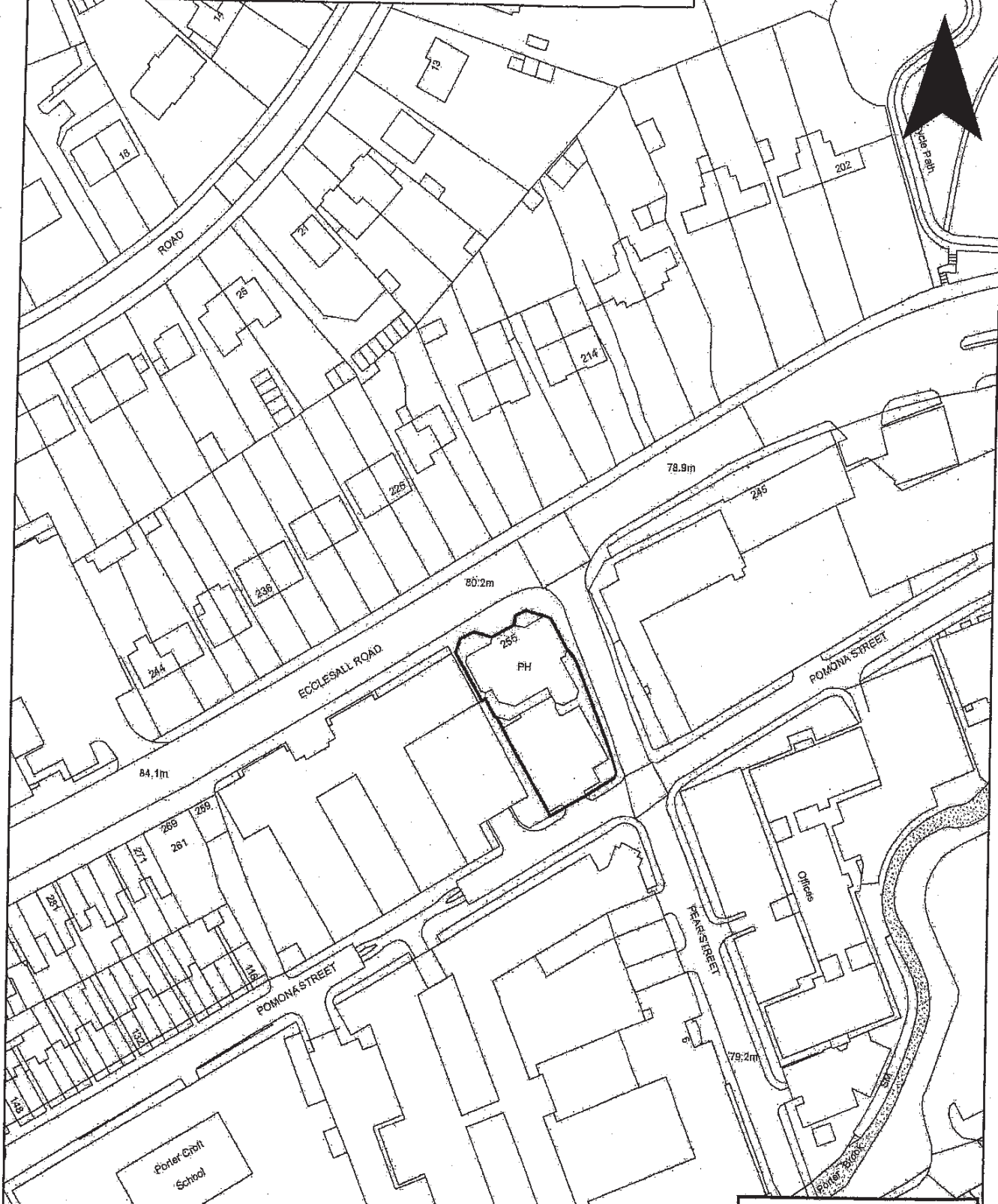
Recommendations: That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

Background Papers: Attached documents

Category of Report: OPEN

255 Ecclesall Road S11 8NX

N



Site

Page 2

Scale: 1:1,250

**Sheffield City Council
Knowledge & Research Team**

*Policy, Partnerships & Research Service
Tel: (0114) 2930239*

**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING, TO THE LICENSING COMMITTEE**

Ref No: 44/12

LICENSING ACT 2003

Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX.

1.0 PURPOSE OF REPORT

1.1 To consider an Application to Vary a Premises Licence made under the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Punch Taverns Plc.

2.2 The application, which was received on 4 April 2012 is attached to this report labelled Appendix 'A'.

2.3 Page 2 of the application form details briefly the proposed variation.

2.4 The current premises licence is attached at Appendix 'B'.

3.0 REASONS FOR REFERRAL

3.1 Representations concerning the application for variation have been received from the following :-

- Health and Safety Attached at Appendix 'C'
- Environmental Protection Services Attached at Appendix 'D'
- Local Resident Attached at Appendix 'E'

3.2 As the representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant and representatives from 3.1 have been invited to attend the hearing. Copies of the front page of the notices are attached to this report labelled Appendix 'F'.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no specific financial implications arising from this application. However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all these costs. The impact of these additional costs (if any) will be kept under review and may be subject of a further report during the year.

5.0 THE LEGAL POSITION

5.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -

- a) the prevention of crime and disorder,
- b) public safety,
- c) the prevention of public nuisance,
- d) the protection of children from harm

5.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

6.0 HEARINGS REGULATIONS

6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.

6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'G'.

6.3 Attached at Appendix 'G' is the following: -

- a) a copy of the Notice of Hearing;
- b) the rights of a party provided in Regulations 15 and 16;
- c) the consequences if a party does not attend or is not represented at the hearing
- d) the procedure to be followed at the hearing.

7.0 APPEALS

7.1 The Licensing Act 2003 section 181 and Schedule 5 makes provision for appeals to be made by the applicant and those making representations against decisions of the Licensing Authority, to the Magistrates' Court.

8.0 RECOMMENDATIONS

8.1 That members carefully consider the representations made and take such steps, as the Committee consider necessary for the promotion of the Licensing Objectives.

9.0 OPTIONS OPEN TO THE COMMITTEE

9.1 To vary the premises licence in the terms requested.

9.2 To vary the premises licence with modified conditions.

9.3 To reject the whole or part of the application.

Stephen Lonnia
Chief Licensing Officer, Head of Licensing
Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road,
Sheffield, S9 3HD.

3

Appendix 'A'

④

Ref. 15433

FORD & WARREN

Solicitors

Westgate Point, Westgate, Leeds, LS1 2AX MDX 706968 Leeds
Email: clientmail@forwarn.com Web Site: http://www.forwarn.com

Tel (+44) (0)113 243 6601

Licensing Department Fax (+44) (0)113 234 5249

General Fax (+44) (0)113 242 0905

SPECIAL DELIVERY

Sheffield City Council
Licensing Services
Block C
Staniforth Road Depot
Staniforth Road
SHEFFIELD
S9 3GZ

Your Ref:

CTW

Our Ref:

ML/27844/**/371820/JGC

3 April 2012

LICENSING GENERAL
04 APR 2012
SECTION

Dear Sirs

LICENSING ACT 2003: APPLICATION FOR A VARIATION TO THE PREMISES LICENCE CHAMPS 255 ECCLESALL ROAD SHEFFIELD S11 8NX

We act on behalf of the Applicant for a variation of a premises licence in relation to the above outlet.

We enclose:

- Application Form with related documentation;
- the appropriate fees

We confirm that copies of the application and any enclosures have been sent to:

- Police - South Yorkshire Police Headquarters
- Fire - South Yorkshire Fire Service
- Planning - Sheffield City Council
- Environmental Health - Sheffield City Council
- Child Protection - Sheffield City Council
- Health & Safety - Sheffield City Council
- Trading Standards - Sheffield Trading Standards

A copy of the newspaper in which the advertisement appears, and confirmation of display of advertisement on site, will follow separately.

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- Elle Wan
- David Chant
- Stephen Fallon
- Chris Luscombe
- John Robson (Executive)
- Lionel Marcus (Executive)
- Patrick Raywood (Executive)

Consultants:

- Stephen Kirkbright
- Gary M Gillman (Barrister & Solicitor - Ontario, and of the Quebec Bar)

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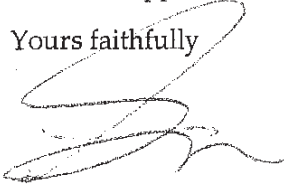
5

FORD & WARREN

Solicitors

Kindly acknowledge receipt confirming the date of receipt. Should you wish to discuss the enclosed Application then please contact the writer. We look forward to hearing from you.

Yours faithfully



EDWARD SMITH
for FORD & WARREN

es
encl

6

Rec. 15433.

LICENSING GENERAL

Application to vary a premises licence under the Licensing Act 2003

04 APR 2012

PLEASE READ THE FOLLOWING INSTRUCTIONS SECTION

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 Punch Taverns PLC

(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	SY 0698
-------------------------	---------

Part 1 – Premises Details

<i>Postal address of premises or, if none, ordnance survey map reference or description</i>			
Champs 255 Ecclesall Road			
OUR REFERENCE: ML/27844/**/371820/JGC			
Post town	SHEFFIELD	Post code	S11 8NX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£45,500

Part 2 – Applicant details

Daytime contact telephone number	01283 501600		
E-mail address (optional)			
Current postal address if different from premises address	Jubilee House Second Avenue		
Post Town	BURTON UPON TRENT	Postcode	DE14 2WF

PART 3 - VARIATION

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

We would like the variation to take effect upon completion of the structural alterations.

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

- Vary the layout of the premises as per new plans submitted with this application. Changes to the layout include;
 - Vary the layout of fixed seating and add pot shelves to existing fixed seating.
 - Add two pool tables.
 - Vary layout of existing chiller units and include dumb waiter.
 - Form new counter-height aperture to kitchen.
 - Include new bi-folding glazed doors to front of premises.
 - Remodel existing car park area and increase the extent of the external licensable area to the rear of the premises.
- Change the name of the Premises from 'Ecclesall' to 'Champs'.

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

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 tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed						
Thur			<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 5)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<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 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<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 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			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 (please read guidance note 5)		

N

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 8)

AWP machine
Cigarette machine

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	01:00	
Tue	07:00	01:00	
Wed	07:00	01:00	
Thur	07:00	02:00	
Fri	07:00	03:30	
Sat	07:00	03:30	<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 5)
Sun	07:00	01:00	
			As per existing licence.

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

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence

P 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,e) (please read guidance note 9)

As per existing premises licence

b) The prevention of crime and disorder

As per existing premises licence

c) Public safety

As per existing premises licence

d) *The prevention of public nuisance*

As per existing premises licence

e) *The protection of children from harm*

As per existing premises licence

Please tick yes

- I have made or enclosed payment of the fee
- 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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

SIGNATURE OF APPLICANT (THE CURRENT PREMISES LICENCE HOLDER) OR APPLICANT'S SOLICITOR OR OTHER DULY AUTHORISED AGENT (PLEASE READ GUIDANCE NOTE 11). IF SIGNING ON BEHALF OF THE APPLICANT PLEASE STATE IN WHAT CAPACITY.

Signature	<i>Tom G. Jensen</i>
Date	3 April 2012
Capacity	Solicitors to applicant

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 12). 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 13)

Ford & Warren Solicitors
Westgate Point
Westgate

Our Ref ML/27844/**/371820/JGC

Post town	LEEDS	Post code	LS1 2AX
Telephone number (if any)	0113 243 6601		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) clientmail@forwarn.com			

es

Hollis Georgina (CEX)

From: Edward Smith [Edward.Smith@forwarn.com]
Sent: 02 May 2012 19:24
To: Hollis Georgina (CEX)
Cc: Andrew Longley; John Coen
Subject: FW: Champs, 255 Ecclesall Road

Attachments: primerus.gif; ATT00001.c; ATT00001.txt



ATT00001.c (64 B) ATT00001.txt (64 B)

FORD & WARREN SOLICITORS

Westgate Point, Westgate, Leeds, LS1 2AX MDX 706968 Leeds
Tel: (+44) (0) 113 2436601 Fax: (+44) (0) 113 2420905
Email: Edward.Smith@forwarn.com WEB site: <http://www.forwarn.com>
<<http://www.forwarn.com/>>

Hi Georgina,

My Client has confirmed to me that the notices have been displayed. All our Full Variation Site Notices are printed on Blue Paper.

Regards,

Edward Smith
Ford & Warren

Ford & Warren are authorised and regulated by the Solicitors Regulation Authority, SRA No. 48427.

Members of the International Society Of Primerus Law Firms.

This email is sent subject to the disclaimer below.

visit our website <<http://www.forwarn.com/>> / email disclaimer <<http://www.forwarn.com/email-disclaimer.asp>> / list of partners <<http://www.forwarn.com/people.asp>> / contact us <<http://www.forwarn.com/contact-us.asp>> / primerus website <<http://www.primerus.com/>> We are pleased to announce our new Online Will writing service at www.quickonlinewills.com <<http://www.quickonlinewills.com?loc=email>> - Free Will for the Over 55s

From: Hollis Georgina (CEX) [mailto:Georgina.Hollis@sheffield.gov.uk]
Sent: 02 May 2012 09:58
To: ClientMail
Subject: Champs, 255 Ecclesall Road

RE: Application to Vary Premises Licence - Champs, 255 Ecclesall Road, Sheffield

FAO. Edward Smith,

Hi Ed,

Regarding the application to vary, please could you confirm that the notices displayed are on blue A4 paper?

Kind Regards

Georgina

Georgina Hollis
 Licensing Officer
 Licensing General Section
 Development Services, Place Portfolio
 Block C, Staniforth Road Depot
 Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 / 2734880
 Fax: 0114 2735410
 Email: georgina.hollis@sheffield.gov.uk www.sheffield.gov.uk

P Please don't print this e-mail unless you really need to

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[Internal]

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Punch Partnerships (PTL) Limited (3512363), Punch Partnerships (PML) Limited (3321199), Punch Partnerships (PGRP) Limited (3988664).

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MessageLabs.

Appendix 'B'

2. Provision of entertainment facilities for:

Indoors

Facility for Dancing

Sunday	10:00 to 24:00 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 01:00 hours the following day
Friday	09:00 to 03:00 hours the following day
Saturday	09:00 to 03:00 hours the following day
Maundy Thursday	10:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

3. Late Night Refreshment:

Indoors

Sunday	23:00 to 01:00 hours the following day
Monday	23:00 to 01:00 hours the following day
Tuesday	23:00 to 01:00 hours the following day
Wednesday	23:00 to 01:00 hours the following day
Thursday	23:00 to 02:00 hours the following day
Friday	23:00 to 03:30 hours the following day
Saturday	23:00 to 03:30 hours the following day
Maundy Thursday	23:00 to 03:00 hours the following day
New Years Eve (31.12)	23:00 to 05:00 hours the following day

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

4. Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Sunday	10:00 to 24:00 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 01:00 hours the following day
Friday	09:00 to 03:00 hours the following day
Saturday	09:00 to 03:00 hours the following day
Maundy Thursday	10:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

The opening hours of the premises are

Sunday	07:00 to 01:00 hours the following day
Monday	07:00 to 01:00 hours the following day
Tuesday	07:00 to 01:00 hours the following day
Wednesday	07:00 to 01:00 hours the following day
Thursday	07:00 to 02:00 hours the following day
Friday	07:00 to 03:30 hours the following day
Saturday	07:00 to 03:30 hours the following day
Maundy Thursday	07:00 to 03:00 hours the following day
New Years Eve (31.12)	07:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption both on and off the premises.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you MUST ONLY operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Punch Taverns Plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DW14 2WF

Telephone Number: 01283 501 600

Registered number of holder, for example company number, charity number (where applicable):

03752645

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Kay Foulk
Keighley Golf Club
Howden Park
Utley
Keighly
BD20 6DH

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence Number: BD/PER2616
Issuing Authority: Bradford Borough Council

State whether access to the premises by children is restricted or prohibited:

Restricted

This Premises Licence shall be in force from the Second Appointed Day.

Issued on: 25 August 2006.



.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing Services
On behalf of Sheffield City Council (issuing licensing authority)

Sheffield City Council – For Office use only		
Variation of Premises Licence	2	Granted 18 th December 2010
Variation of DPS	11	Granted 2 nd December 2011
Transfer of Premises Licence	1	Granted 9 th August 2006
Minor Variation	1	Granted 8 th September 2011
Review of Premises Licence	1	Additional Conditions effective from 13 th October 2007.

Annex 1A – Mandatory Conditions

Mandatory Condition 1 (Section 19 ss 2)

Where a licence authorises the sale of alcohol then no supply of alcohol may be made under the premises licence –

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 2 (Section 19 ss 3)

Where a licence authorises the sale of alcohol then every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 3 (Section 20)

1. Where a premises licence authorises the exhibition of films, the licence includes the following conditions relating to the admission of children to the exhibition:

- (a) The admission of children (under 18) to the exhibition of any film must be restricted in accordance with the classification set by the film classification body (currently the BBFC).
- (b) In a case where there is no classification given by the classification body (the BBFC) the admission of children to the exhibition of any film must be restricted in accordance with any recommendation given by the Licensing Authority.

2. In this section -

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Mandatory Condition 4 (Section 21)

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 1B - Mandatory Conditions effective from 6th April 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The conditions in paragraph 1 to 3 do not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Annex 1C - Mandatory Conditions effective from 1st October 2010:

These mandatory conditions apply where the licence authorises the supply of alcohol. The condition 5 does not apply where the licence authorises the sale by retail or supply of alcohol only for consumption off the premises.

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that-
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) Customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

1. Colour CCTV system as previously agreed with South Yorkshire Police to be maintained and in use at all times the premises are open. CCTV images will be stored for 31 days. Police to be given access to the images for purposes in connection with the prevention and detection of crime and disorder.
2. Persons under 18 years of age will not be permitted to be on the premises after 20:00 hours.
3. A permanent fixed residual current device (RCD) must protect the electrical power supply serving all amplified music equipment used for the purpose of live music and other entertainment.
4. Persons shall only be allowed to remove drinks from the premises in sealed containers.
5. When door staff are used they will be Security Industry Authority (SIA) approved and operate in accordance with the security industry guidelines.
6. A zero tolerance towards illegal drugs will be enforced at all times.
7. If a disk jockey is used on any night then he / she will ask customers to leave quietly.
8. Free drinking water will be available at all times.
9. Additional patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.
10. Signs near the exits of the premises must clearly communicate that guests must respect the needs of local residents, and leave the premises quietly.
11. All persons under the age of 18 to be accompanied by an appropriate adult.
12. A no smoking area will be provided.
13. Anyone who appears to be under the age of 21 shall require appropriate photographic proof of age before being served alcohol.
14. There are to be no irresponsible drinks promotions that encourage immoderate and / or excessive drinking.
15. There shall be no 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, save for the use of authorised AWP machines.

Annex 3 – Conditions attached after a hearing by the licensing authority

Conditions attached following a review of the premises licence by the licensing authority: -
Board Hearing held 20th September 2007 - Conditions effective from 13th October 2007

1. A Personal Licence Holder must be on duty at the premises referred to in this notice at all times when alcohol is on sale at the premises in accordance with the Premises Licence.
2. All door and bar staff must operate the Government Sponsored Challenge 21 scheme and all staff must be trained to operate this system.
3. Signage must be clearly displayed regarding and promoting the Challenge 21 scheme to the satisfaction of the Licensing Authority.
4. A Safeguarder must be assigned who will be responsible for risk assessments and the enforcement of an agreed child protection policy and shall at all times comply with the reasonable recommendations of the Sheffield City Council Safeguarding Children Board.
5. The Designated Premises Supervisor for these premises must be a registered member of Sheffield Licence Watch. Annual membership and meeting attendance should be maintained.
6. The Premises Licence Holder shall, on reasonable demands of the Director of Health Protection Service, produce an Institute of Electrical Engineers IEE Electrical Safety Certificate; CORGI certificate; and Portable Appliance Test Certificate to the satisfaction of the Director of Health Protection Service within 14 days of the request.

Conditions attached following a variation application:

- Board Hearing held 9th October 2008
- Conditions effective from 4th November 2008

1. No recorded music shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall have received the prior written approval of the Environmental Protection Service.
2. The DPS or designated member of staff will take a proactive approach to noise control, checking outside the premises to ensure that noise is kept to a reasonable level, so as not to cause a nuisance to the nearest noise sensitive properties.
3. The outdoor area to the front of the premises shall cease to be used after midnight on any day of the week.
4. No additional persons shall be allowed to enter the premise after 02:00 hours Friday and Saturday, and an A4 sign stating this shall be erected in a prominent place adjacent to the front and rear entrances.
5. On any night where the premises are to open after 01:00 hours, SIA registered Door staff shall be present from 00:30 hours.

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Annex 4 – Plans

Drawing No:2735/05
Dated:Aug 2011

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Appendix 1



LICENSING ACT 2003

Premises Licence Summary

ISSUE NO:12

The Sheffield City Council being the Licensing Authority under the above Act hereby issue this Premises Licence Summary in respect of:

Premises licence number SY 0698 PR

Ecclesall
255 Ecclesall Road
Sheffield
S11 8NX

Telephone Number: 0114 266 5922

Licensable activities authorised by the licence:

1. Provision of regulated entertainment: Indoors

Live Music

Sunday	10:00 to 23:30 hours
Monday	10:00 to 23:30 hours
Tuesday	10:00 to 23:30 hours
Wednesday	10:00 to 23:30 hours
Thursday	10:00 to 23:30 hours
Friday	09:00 to 23:30 hours
Saturday	09:00 to 23:30 hours

Recorded Music

Anything of a similar description to live music, recorded music or performances of dance

Sunday	10:00 to 24:00 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 01:00 hours the following day
Friday	09:00 to 03:00 hours the following day
Saturday	09:00 to 03:00 hours the following day
Maundy Thursday	10:00 to 02:00 hours the following day
New Years Eve (31.12)	10:00 to 24:00 hours
New Years Day (01.01)	00:00 to Standard Terminal Hour

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

2. Provision of entertainment facilities for:

Indoors

Facility for Dancing

Sunday	10:00 to 24:00 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 01:00 hours the following day
Friday	09:00 to 03:00 hours the following day
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The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

3. Late Night Refreshment:

Indoors

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Monday	23:00 to 01:00 hours the following day
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Wednesday	23:00 to 01:00 hours the following day
Thursday	23:00 to 02:00 hours the following day
Friday	23:00 to 03:30 hours the following day
Saturday	23:00 to 03:30 hours the following day
Maundy Thursday	23:00 to 03:00 hours the following day
New Years Eve (31.12)	23:00 to 05:00 hours the following day

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

4. Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Sunday	10:00 to 24:00 hours
Monday	10:00 to 24:00 hours
Tuesday	10:00 to 24:00 hours
Wednesday	10:00 to 24:00 hours
Thursday	10:00 to 01:00 hours the following day
Friday	09:00 to 03:00 hours the following day
Saturday	09:00 to 03:00 hours the following day
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New Years Day (01.01)	00:00 to Standard Terminal Hour

The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

The opening hours of the premises are

Sunday	07:00 to 01:00 hours the following day
Monday	07:00 to 01:00 hours the following day
Tuesday	07:00 to 01:00 hours the following day
Wednesday	07:00 to 01:00 hours the following day
Thursday	07:00 to 02:00 hours the following day
Friday	07:00 to 03:30 hours the following day
Saturday	07:00 to 03:30 hours the following day
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The terminal hour will be extended by one hour on the Friday, Saturday, Sunday and Monday of Bank Holiday Weekends and, with the agreement of the police, St Andrew's Day, St David's Day, St George's Day and St Patrick's Day.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol for consumption both on and off the premises.

PLEASE NOTE:

In the event, that the hours permitted on this premises licence differ from those authorised on your planning consent, you **MUST ONLY** operate to which ever is the most restrictive permission.

Both Licensing and Planning carry out enforcement activities and if you are found to be in breach of either your premises licence and / or your planning consent, it may result in legal action being taken against you.

PART 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Punch Taverns Plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DW14 2WF

Telephone Number: 01283 501 600

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Registered number of holder, for example company number, charity number (where applicable):

03752645

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Kay Faulk

State whether access to the premises by children is restricted or prohibited:

Restricted

The Premises Licence shall be in force from Second Appointed Day.

Issued on: 25 August 2006



.....
Steve Lonnia
Chief Licensing Officer
Head of Licensing Services
On behalf of Sheffield City Council (issuing licensing authority)

Appendix 'C'

Hollis Georgina (CEX)

From: Lobo Rose
Sent: 01 May 2012 12:45
To: Licensing(General)
Cc: Gibbons Sean (DEL)
Subject: CHAMPS FORMERLY POMONA HOTEL, 255 ECCLESALL ROAD, SHEFFIELD S11 8NX

Importance: High

Attachments: Champs.doc



Champs.doc (46 KB)

Hi

Please see attached letter which I am sending on behalf of Sean Gibbons.

Regards

Rose Lobo

Information Officer

Health Protection Service

Environment and Regulatory Services

Sheffield City Council

2-10 Carbrook Hall Road, Sheffield S9 2DB

Tel: 0114 273 4415

Fax: 0114 273 6464

Email: rose.lobo@sheffield.gov.uk

Contact us at:

<http://www.sheffield.gov.uk/env/environmental-health/food/contact>

Business Strategy & Regulation

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Director of Business Strategy & Regulation: Mick Crofts

Health Protection Service

2-10 Carbrook Hall Road • Sheffield • S9 2DB

Fax No. (0114) 273 6464

Officer: Mr S Gibbons

Tel: 0114 273 4616

Ref: Champs/sg

Date: 1 May 2012

Ford & Warren Solicitors
Westgate Point
Westgate
Leeds
LS1 2AX

Dear Sir or Madam

Licensing Act 2003

Application to Vary Premises Licence

Premises: Champs, 255 Ecclesall Road, Sheffield, S11 8NX

I write further to attempts to discuss this application with your clients, and despite a request to set up a meeting in order to establish and discuss the full scope of works as indicated on the variation, no such meeting has taken place to date which is rather disappointing. Therefore, I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety.

I will require the proposed condition set out below to be imposed on the varied premises licence. This representation will be withdrawn subject to the following condition being agreed.

1. The premises licence holder must contact and liaise with the Health Protection Service in order to ensure that relevant works with respect to public safety, as necessary are completed to the satisfaction of the Health Protection Service.

I would be grateful if you would confirm, as a matter of urgency, whether or not your client is prepared to agree to this condition.

Furthermore, on the 27 April 2012, I visited the premises during which I met and discussed the application with site manager, Adam Firth. Mr Firth confirmed that he did not have the details to discuss the full scope of works. During this meeting I asked for confirmation that the residual current device (RCD) units were still protecting the electrical sockets for the purposes of live entertainment.

I was directed to where performers plug in their equipment. These sockets did not have the benefit of RCD protection and if used for performers, would result in a breach of condition 3 under Annex 2 of the current premises licence. I believe that regular live

Email Address: HealthProtection@sheffield.gov.uk

Visit us at: www.sheffield.gov.uk/environment/how-we-work/health-protection/

Large print versions of this letter
are available by telephoning **Page 51**
(0114) 273 4415/273 5774

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entertainment is held at the premises. I have discussed this with Licensing General who may undertake further checks.

The manager was not aware of current conditions on the licence which highlights a serious lack of communication between Punch Taverns and the management of the premises, and gives me great cause for concern. A copy of the full current licence was not available on site for management to refer to.

If you require any further information, please do not hesitate to contact me on the telephone number shown.

Yours faithfully



Mr S Gibbons
Environmental Health Officer

Copy Via Email Legal & Governance – Licensing General Section

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Appendix 'D'

From: Round Jonathan
Sent: 30 April 2012 13:56
To: clientmail@forwarn.com
Cc: Licensing(General)
Subject: Champs - 255 Ecclesall Road. Ford and Warren Ref: ML/27844//371820/JGC

This emailed representation is made in accordance with the agreement with the Licensing Authority on the 18th October 2006 to accept representations by email.

I have the following representation to make with regards to Public Nuisance for the application for a Premises Licence variation for the above premises.

The Premises are located in a mixed commercial and residential area of the city. As such there is an enhanced potential for licensed activity at the premises to give rise to complaints relating to public nuisance. In particular I am concerned that residents in close proximity will potentially be affected by excessive noise disturbance by noise from regulated entertainment in the premises breaking out from the building and patrons outside the premises. The premises have a history of problems with noise and the most recent complaints were received in March 2012. The staff at the premises are not aware of the restrictions on the licence and have not seen a copy of the licence, which has been the case on other occasions with different managers/ staff.

I will have to object to the application as it currently stands but have the following suggestions for amendments/ conditions which could be attached to the licence:

- * Music should only be played within the building such that:(i) Noise breakout from the building to the street should not exceed the ambient* noise levels by more than 3 dB(A) when measured as a 15 minute LAeq;
- (ii) Noise breakout from the building to the street should not exceed the ambient* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute Leq;

*Where ambient noise level is the LAeq, 15 mins in the absence of the specific noise source (breakout from the premises)

* No amplified sound shall be played within the building except through an in-house amplified sound system fitted with a sound limiter, the settings of which shall be to the written satisfaction of the Environmental Protection Service.

* No amplified sound or live music shall be played nor shall loudspeakers be placed at any time outside the building within the proposed outdoor eating and/or drinking area.

* The entrance into the premises shall incorporate an acoustic lobby. The lobby doors should not be left propped open at anytime.

* The proposed bi-folding glazed doors to the front of the premises shall remain closed during regulated entertainment.

* The outdoor seating area shall cease to operate at 22:00hrs on any night of the week.

If you wish to discuss the matter further please reply to this email or call on the number below.

Regards,

S3

Jon.

Jonathan Round
Environmental Health Officer
Environmental Protection Service
Business Strategy and Regulation
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658
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Visit us at: <http://www.sheffield.gov.uk/environment/environmental-health>

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Appendix 'E'

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Hollis Georgina (CEX)

From: Donna Torgius [REDACTED]
Sent: 01 May 2012 17:23
To: Licensing(General); andy.rushton@sheffield.gov.uk
Cc: Tristan Cowell
Subject: The Ecclesall, 255, Ecclesall Road - Variation of Premises Licence

Importance: High

Attachments: image001.jpg

Dear Sirs

We are the owners of and resident at [REDACTED] Ecclesall Road which is directly opposite these premises. We have noted that there is an application to vary the Premises Licence by variation of the plans although we have to say that there were only two notices on the premises both in the window at the front well set back from the road and not legible from the public footpath. The notice was printed on white paper. Despite the size of the site, there were no notices on the side or rear boundaries of the premises.

We wish to make representations about the proposals reflecting our concerns as follows:

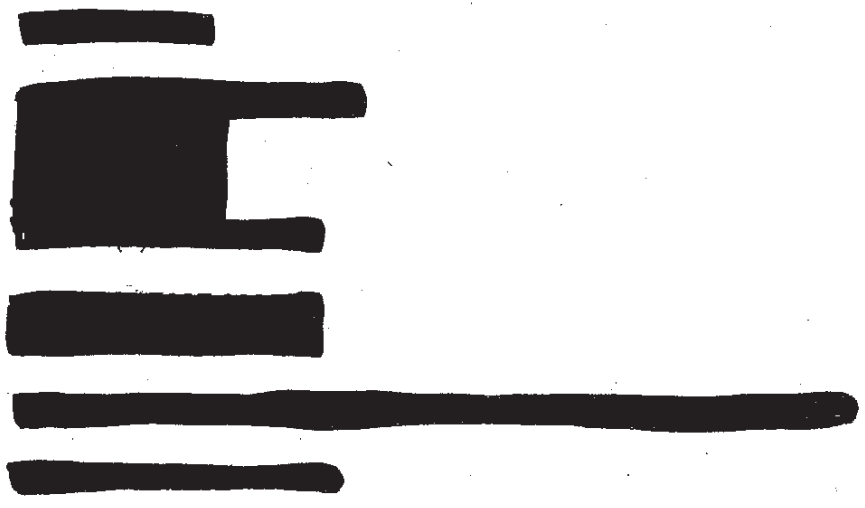
1. We note that the premises are licensed for recorded music until midnight Sunday to Wednesday, 1 am Thursday and 3 am Friday and Saturday. It is not clear from the licence whether recorded music is permitted outside but there are loud speakers outside on the front terrace area that directly face our property and can currently be heard from within the house at the weekends. We would certainly be concerned if external music were allowed, particularly until these hours and if the outside area is to be improved with a view to attracting more customers.
2. We note also that these plans involve developing the front external area which at the moment can be used under the licence up until 12 midnight. We are extremely concerned that this may lead to disturbance to us with noise at night, particularly as we can already hear music noise from the premises when they have music events on.
3. We also note that it is proposed to install fully sliding windows at the front on either side of the main entrance. It appears that these can be slid back to open up the whole front of the pub so there will be nothing to stop noise emanating straight from the pub outside. The potential for noise nuisance for us is obvious, particularly from music, either live or recorded, being played in the pub. Although Ecclesall Road has background noise from the traffic the nature of noise from music, particularly the bass beat would be of a wholly different nature and potentially cause us nuisance.

We should be grateful if you would register our objection to this application

Yours faithfully

Tristan Cowell & Donna Torgius

Donna Torgius



Description: Description: cid:image006.jpg@01CBCD0A.BC6A4800

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P Please consider the environment before printing this e-mail.



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Appendix 'F'

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**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence**

Ford and Warren Solicitors
Westgate Point
Westgate
Leeds
LS1 2AX

The Sheffield City Council being the licensing authority, on the **4 April 2012** received an application in respect of the premises known as **Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX.**

During the consultation period, the Council received representations from the following:

- Health and Safety
- Environmental Protection Services
- Local resident

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **29 May 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD**, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 10/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Place Portfolio

Please address any communications to: Licensing Service, Sheffield City Council Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence**

Sean Gibbons
Health Protection Service
Business Strategy and Regulation
2-10 Carbrook Hall Road
Sheffield
S9 2DB.

The Sheffield City Council being the licensing authority, on the **4 April 2012** received an application in respect of the premises known as **Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX.**

During the consultation period, the Council received representations from the following:

- Health and Safety
- Environmental Protection Services
- Local resident

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **29 May 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 10/5/12 Signed: AR

The officer appointed for this purpose
Licensing Officer, Development Services

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence**

Jonathan Round
Environmental Health Officer
Environmental Protection Service
Business Strategy and Regulation
2-10 Carbrook Hall Road
Sheffield
S9 2DB.

The Sheffield City Council being the licensing authority, on the **4 April 2012** received an application in respect of the premises known as **Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX.**

During the consultation period, the Council received representations from the following:

- Health and Safety
- Environmental Protection Services
- Local resident

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **29 May 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within five (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 10/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Development Services

Please address any communications to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence**

T Cowell and D Torgius
Ecclesall Road
Sheffield
S11 8JD.

The Sheffield City Council being the licensing authority, on the **4 April 2012** received an application in respect of the premises known as **Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX.**

During the consultation period, the Council received representations from the following:

- Health and Safety
- Environmental Protection Services
- Local resident

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **29 May 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) The representations you have made with reference to these particular premises and the four core objectives.
- 2) You may also be asked questions by the parties to the hearing, relating to your representations.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD, within (5) working days before the day or the first day on which the hearing is to be held.**

Dated: 10/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Development Services

Please address any communications to: Licensing Service, Sheffield City Council Block C, Staniforth Road Depot Staniforth Road Sheffield S9 3GZ.

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Appendix 'G'



**Notice of hearing of representations
in respect of the following application:
LA03 Application to Vary a Premises Licence**

Ford and Warren Solicitors
Westgate Point
Westgate
Leeds
LS1 2AX

The Sheffield City Council being the licensing authority, on the **4 April 2012** received an application in respect of the premises known as **Ecclesall, 255 Ecclesall Road, Sheffield, S11 8NX**.

During the consultation period, the Council received representations from the following:

- Health and Safety
- Environmental Protection Services
- Local resident

on the likely effect of this application on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **29 May 2012 at 10am**; following which the Council will issue a notice of determination of the application.

The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.

The particular points on which the Council considers that it will want clarification at the hearing from a party are as follows:

- 1) Your response to the representations made, upon which you may ask and be asked questions by the parties to the hearing.
- 2) You may also be asked questions by the parties to the hearing, relating to your application for a licence.

Please complete the attached form LAR1 and return it to: **Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield S9 3HD**, within five (5) working days before the day or the first day on which the hearing is to be held.

Dated: 10/5/12

Signed: 

The officer appointed for this purpose
Licensing Officer, Place Portfolio

Please address any communications to: Licensing Service, Sheffield City Council Block C Staniforth Road Depot, Staniforth Road Sheffield, S9 3HD.

Right of attendance, assistance and representation

15. Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

Representations and supporting information

16. At the hearing a party shall be entitled to –
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
 - (b) if given permission by the authority, question any other party; and
 - (c) address the authority

Failure of parties to attend the hearing

20. – (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may:–
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the party's absence.
- (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

Procedure at hearing

21. Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
22. At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
23. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
24. The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for at regulation 16.
25. The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may –
- (a) refuse to permit that person to return, or
 - (b) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

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Licensing Act 2003 – Hearing Procedure – Regulation 7 (1)

This procedure has been drawn up in accordance with the Licensing Act 2003 to assist those parties attending Licensing Committee hearings.

1. The hearing before the Council is Quasi Judicial.
 2. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
 3. The Chair will ask the applicants to formally introduce themselves.
 4. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
 5. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The Licensing Officer will introduce in turn representatives for the Responsible Authority and Interested Parties who will be asked to detail their relevant representations.
 - (d) Members may ask questions of those parties
 - (e) With the leave of the Chair the applicant or his representative may cross examine the representatives of the Responsible Authorities and Interested Parties.
 - (f) The applicant/licensee (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (g) The applicant/licensee (or his/her nominated representative) may then be asked questions by members and with the leave of the Chair from the other parties present.
 - (h) The applicant will then be given the opportunity to sum up the application.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for members to take legal advice and consider the application.
 6. The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.
- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.



LICENSING ACT 2003

Premises: Ecclesall
Type of App: LA03_Application to Vary a Premises Licence
Hearing Date: 29 May 2012

Form LAR 1
Regulation 8

Notice of actions following receipt of notice of hearing

To Licensing Service,
Sheffield City Council
Block C Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Of Ford and Warren Solicitors
Westgate Point
Westgate
Leeds
LS1 2AX

hereby confirm that I have received the Notice of Hearing dated and notify you as follows
(please complete):

- I intend to attend the hearing
- I do not intend to attend the hearing
- I intend to be represented at the hearing by:
- I do not intend to be represented at the hearing by:
- I consider the hearing to be unnecessary because:
- I request that should appear at the hearing and set out below the point or points on which this person may be able to assist the authority in relation to this application, representations or notice of the party making the request.

Dated: Signed:

Please see Regulation 8 overleaf

Please complete this form and return it to: Licensing Service, Sheffield City Council, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.

Regulation 8

- (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –
 - (a) whether he intends to attend or be represented at the hearing;
 - (b) whether he considers a hearing to be unnecessary
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under –
 - (a) section 48(3)(a) (cancellation of interim authority notice following police objection), or
 - (b) section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.

- (4) In the case of a hearing under –
 - (a) section 167(5)(a) (review of premises licence following closure order),
 - (b) paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence), paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
 - (c) paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.

- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

