

Licensing Sub-Committee

Thursday 9 May 2013 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 Clive Skelton (Deputy Chair), Vickie Priestley and Geoff Smith

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
9 MAY 2013**

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. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Lion's Lair, 31 Burgess Street, Sheffield S1 2HF**
Report of the Chief Licensing Officer.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

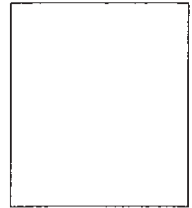
To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

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

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SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of: Chief Licensing Officer, Head of Licensing

Date: 9th May 2013

Subject: Licensing Act 2003

Author of Report: Matt Proctor

Summary: To consider an application to vary a premises licence made under the Licensing Act 2003.

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

Background Papers: Attached documents

Category of Report: OPEN

LICENSING ACT 2003

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

1.0 PURPOSE OF REPORT

1.1 To consider an application for the variation of the premises licence made under section 34 of the Licensing Act 2003.

2.0 THE APPLICATION

2.1 The applicant is Mr Charles Hall.

2.2 The application, which was received on 7th February 2013 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 :-

- | | | |
|----|---|--------------|
| a) | Local resident | Appendix 'C' |
| b) | Local resident | Appendix 'D' |
| c) | Local resident | Appendix 'E' |
| d) | Sheffield City Council Environmental Protection Service | Appendix 'F' |

3.2 The Environmental Protection Service removed their objection prior to the original hearing of 11th April (Appendix F3-F6). As the local residents representations have not been resolved, the matter is referred to the Licensing Committee.

3.3 The applicant failed to attend the original hearing of 11th April. Members adjourned the hearing to allow Mr Hall a further opportunity to attend and present his case. The Sub Committee also stated that they wished to question the Environmental Protection Service further regarding the application.

3.4 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 'G'.

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 Also 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, 9th May 2013

Appendix A

Application to vary a premises licence under the Licensing Act 2003

(1)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

(2) I/We *Charles Hall*

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

Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description <i>Lions Lair 31 Burgess Street Sheffield</i>	
Post town <i>Sheffield</i>	Post code <i>S1</i>

Telephone number at premises (if any)

Non-domestic rateable value of premises £

Part 2 - Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address <i>30 School Green Lane Fulwood</i>	
Post town <i>Sheffield</i>	Post code <i>S10 4GQ</i>

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

Part 3 - Variation

Please tick yes

A2

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

If not do you want the variation to take effect from

Day		Month		Year	

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

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

To update the plans for the premises to include the works that have been undertaken to the premises which are to:

- Move Ladies toilets to kitchen area
- Move Gents toilets to Ladies toilet area
- Turn Old Gents toilets into staff area / DJ Booth / Acoustic works
- Increase Bar length and remove all fixed seating

To amend the licence to reduce the closing times for the premises on Friday, Saturday and Sunday to 05:00 hours and for the sale of alcohol to cease at 04:30 hours on Friday Saturday and Sunday.

To extend the hours for recorded music, sale of alcohol and hours of opening to 02:30 hours on Monday, Tuesday, Wednesday and Thursday.

~~with running~~

A

A3

Plays			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)
Tue			
			State any seasonal variations for performing plays (please read guidance note 4)
Wed			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 5)

B

Films			Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)
Tue			
			State any seasonal variations for the exhibition of films (please read guidance note 4)
Wed			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)
Sun			
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 5)

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.

A4

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 for:

- 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

A5

Indoor sporting events			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

A6

E

Live music			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)
Wed			Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

F

Recorded music			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon	10:00		Please give further details here (please read guidance note 3)
		02:30	
Tue	10:00		State any seasonal variations for playing recorded music (please read guidance note 4)
		02:30	
Wed	10:00		<i>As per existing licence -</i>
		02:30	
Thur	10:00		Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
		02:30	
Fri	10:00		<i>As per existing licence</i>
		05:00	
Sat	10:00		
		05:00	
Sun	10:00		
		05:00	

G

A7

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)
Tue			
Wed			
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur			
Fri			
			Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

Provision of facilities for making music			Please give a description of the facilities for making music you will be providing	
Standard days and timings (please read guidance note 6)			Will the facilities for making music be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (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				
Wed				State any seasonal variations for the provision of facilities for making music (please read guidance note 4)
Thur				
Fri			Non-standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing			Please give a description of the facilities for dancing you will be providing	
Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (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				
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 entertainment at different times from those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

K

A9

Provision of facilities for entertainment of a similar description to that falling within J or K			Please give a description of the type of entertainment facility you will be providing
Standard days and timings (please read guidance note 6)			Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for the provision of the facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)
Thur			
Fri			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 j or k at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

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

A10

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 the premises licence

will send on in post.

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

All

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

b) The prevention of crime and disorder

The last entry time to the premises on Friday, Saturday and Sunday will be 03:30 hours.

c) Public safety

Capacity for the premises will be ¹¹⁰ ~~100~~ persons at any one time. The real fire if used prior to 6pm, will be protected by a suitable fire guard. The real fire will not be used after 6pm on any day. A suitable table and chairs will be located in front of the DJ booth to discourage dancing as dancing is not included on the licence. The aforementioned has been agreed with Sean Gibbons, Health and Safety.

d) The prevention of public nuisance

Acoustic works have been undertaken to the ceiling area to the licensed part of the premises above the DJ area. Speaker located in skylight area in front of DJ desk has now been removed, and the area has been sound proofed.

e) The protection of children from harm

Condition 2 Annex 2 of the licence will be amended to read:
"The Challenge 25 Scheme must operate. All staff to be trained to enforce this scheme and staff records must be maintained. A refusals log must be maintained. Signage to promote the scheme must be displayed throughout the premise including door and bar areas".
Conditions 5 and 6 Annex 2 will be removed and replaced with "Persons, under the age of 18 years are prohibited at all times". The aforementioned has been agreed with
LA 34 Julie Hague, Sheffeld Safeguarding Children Board.

Please tick yes

A12

- 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

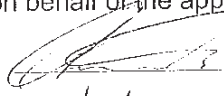
insert amount

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



Date

29/1/13

Capacity

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

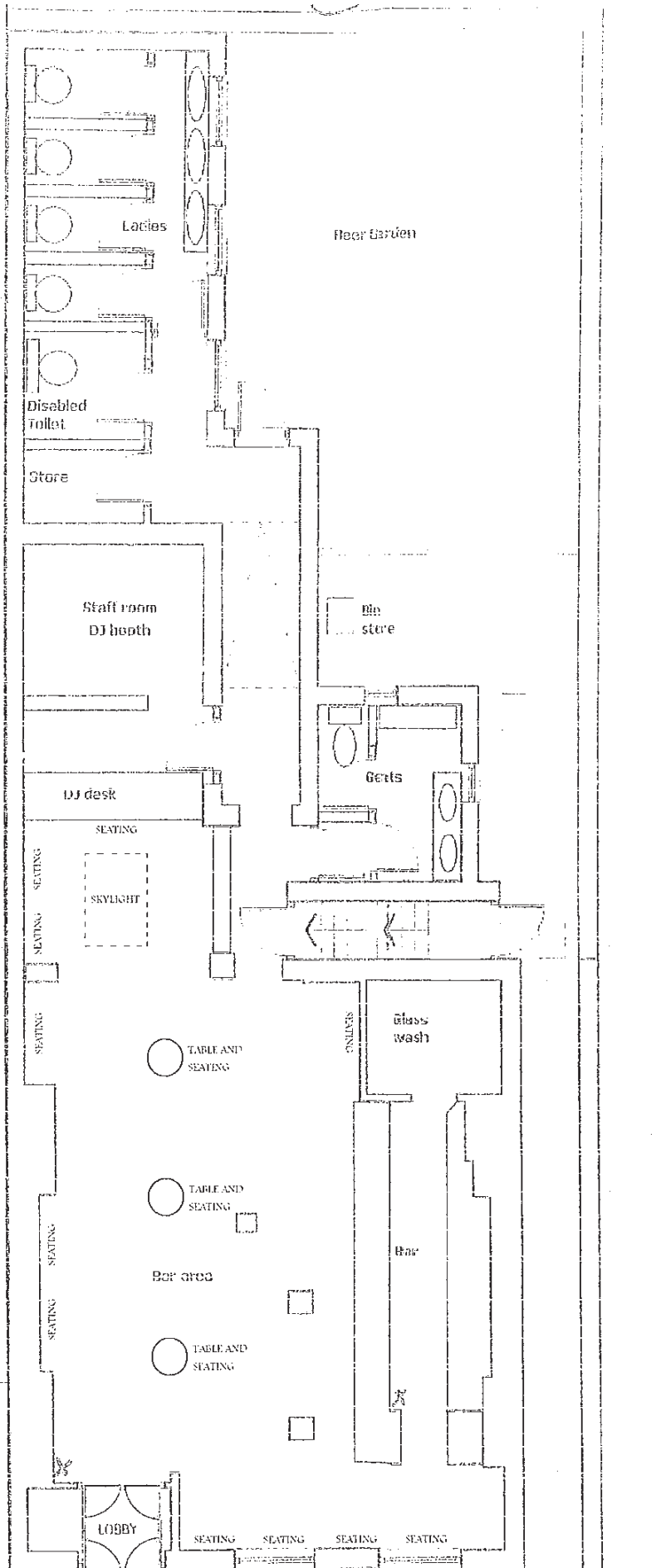
Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

31 Burgess Street
Sheffield
S1 2HF

Existing Plan
Ground floor
August 2012

A13



X FIRE EX.

Appendix B

THE LICENSING ACT 2003**Premises Licence No: SY 0820 PR**

ISSUE NO:9

The Sheffield City Council being the Licensing Authority under the above Act, hereby grant this licence in accordance with the requirements of the Licensing Act 2003 in respect of and subject to the conditions attached:

PART 1 – Premises details

Lions Lair
31 Burgess Street
Sheffield
S1 2HF

Telephone Number: 0114 2634264

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Provision of regulated entertainment:**Live Music (maximum of 2 performers)**

Indoors

Sunday	11:00 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 24:00 hours
Friday	10:00 to 01:00 hours the following day
Saturday	10:00 to 01:00 hours the following day

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsuntide Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

Recorded Music

Indoors

Sunday	11:00 to 06:00 hours the following day
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 24:00 hours
Friday	10:00 to 06:00 hours the following day
Saturday	10:00 to 06:00 hours the following day
New Year's Eve (31.12)	10:00 to 24:00 hours
New Year's Day (01.01)	00:00 to end of permitted hours

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

2. Sale by retail of alcohol

a) for consumption on the premises

b) for consumption off the premises

Sunday	11:00 to 06:00 hours the following day
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 24:00 hours
Friday	10:00 to 06:00 hours the following day
Saturday	10:00 to 06:00 hours the following day
New Year's Eve (31.12)	10:00 to 24:00 hours
New Year's Day (01.01)	00:00 to end of permitted hours

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

The opening hours of the premises are

Sunday	11:00 to 06:30 hours the following day
Monday	10:00 to 00:30 hours the following day
Tuesday	10:00 to 02:30 hours the following day
Wednesday	10:00 to 00:30 hours the following day
Thursday	10:00 to 00:30 hours the following day
Friday	10:00 to 06:30 hours the following day
Saturday	10:00 to 06:30 hours the following day
New Year's Eve (31.12)	10:00 to 24:00 hours
New Year's Day (01.01)	00:00 to end of permitted hours

The opening hours will be extended to 06:30 hours for the days when the sale of alcohol cease at 06:00 hours.

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:**

Mr Charles Hall
30 School Green Lane
Fulwood
Sheffield
S10 4GQ

Telephone Number: 07545214978

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

Not Applicable

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

www.sheffield.gov.uk

Mr Kevan Johnson
The Priory Lodge Hotel
40 Wostenholm Road
Sheffield
S7 1LJ

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: SY 1310 Per
Issuing Authority: Sheffield City Council

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

Restricted

This Premises Licence shall be in force from the 24th November 2005

Issued on: 28th September, 2005

Steve Lonnia
.....

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	No: 2 Issue Date: 14th November 2006
Variation of DPS	No: 8 Issue Date: 21st September 2012
Transfer of Premises Licence	No: 2 Issue Date: 4th October 2012
Minor Variation	No: Issue Date:
Change of Name/Address	No: Issue Date:
Amendment to Premises Licence	No: Issue Date:
Review	No: Issue Date:
Summary Review	No: Issue Date:

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 to 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. The Lion's Lair will remain a member of the local pub watch scheme or any replacement as long as it exists.
2. Anyone who appears to be under the age of 21 must provide appropriate proof of age before being served alcohol.
3. There will be zero tolerance of illegal drugs.
4. Fire action notices to be posted, and emergency escape routes to be signposted and illuminated as appropriate. The fire alarm system should be regularly checked.
5. No unaccompanied children are allowed in the premises.
6. Accompanied children must be off the premises by 20:00 hours.
7. A colour CCTV system to the specification of South Yorkshire Police (attached) will be fitted, maintained and in use at all times the premises are open. CCTV images will be stored for 28 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.
8. Persons shall only be allowed to remove drinks from the premises in sealed containers.
9. Each entrance to the premises will be monitored by at least one member of door staff from 21.00 hours on any day the premises remains open after 01.00 hours.
10. To acquire a suitable number of radio set(s) for that premises and take the CCRAC Radio Scheme into use at all times when trading, and continue to be a user whilst this system / facility is in use in Sheffield.
11. Not to trade the requested 'new' hours subject of this application, until South Yorkshire Police have inspected the premises.
12. 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.
13. Noise or vibration shall not emanate from the premises, so as to cause nuisance to nearby properties after 23.30 hours each day.
14. The licensee shall prominently display large (minimum A4 size) notices on all exits reminding patrons to leave the premises in a quiet and orderly fashion, to respect the local neighbours' needs.
15. All windows and the inner front door shall be closed, except for access and egress, when regulated entertainment is present in the premises after 23.30 hours each day.
16. The use of the outside area to cease at: Sunday to Thursday 24:00 hours
Friday and Saturday 01:00 hours the following day.

17. 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.

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

Annex 4 – Plans

655lic/B Lions Lair, 31 Burgess Street, S1 2HF
24TH November 2005

B12

Appendix 1

LICENSING ACT 2003**Premises Licence Summary** ISSUE NO:9

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 0820 PR**

Lions Lair
31 Burgess Street
Sheffield
S1 2HF

Telephone Number: 0114 2634264

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

1. Provision of regulated entertainment:

Live Music (maximum of 2 performers)

Indoors

Sunday	11:00 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 24:00 hours
Friday	10:00 to 01:00 hours the following day
Saturday	10:00 to 01:00 hours the following day

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsuntide Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday, and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

Recorded Music**Indoors**

Sunday	11:00 to 06:00 hours the following day
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 24:00 hours
Friday	10:00 to 06:00 hours the following day
Saturday	10:00 to 06:00 hours the following day
New Year's Eve (31.12)	10:00 to 24:00 hours
New Year's Day (01.01)	00:00 to end of permitted hours

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

2. Sale by retail of alcohol

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

Sunday	11:00 to 06:00 hours the following day
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 24:00 hours
Friday	10:00 to 06:00 hours the following day
Saturday	10:00 to 06:00 hours the following day
New Year's Eve (31.12)	10:00 to 24:00 hours
New Year's Day (01.01)	00:00 to end of permitted hours

Additional Hours - 10:00 to 06:00 hours the following day for all Bank Holiday weekends, to include Thursday and Monday evenings, as well as Christmas Eve, Christmas Day, Boxing Day and New Year's Day, whichever days they may fall on.

Appendix C

CI

LICENSING GENERAL

12 MAR 2013

SECTION

Apt. [REDACTED]
 58 Pinstone Street,
 Sheffield S1 2HZ

Rmcooley [REDACTED]
 March 8th, 2013

Dear Sir/Madam

I wish to make an objection to the application by Mr Charles Hall of the Lion's Lair, 31 Burgess Street, Sheffield S1 2HF, to vary the Premises Licence for that address. The applicant wishes to extend the hours during which the pub can play recorded music on Mondays to Thursdays from midnight to 02.30 hours. I wish to object to the application under the Prevention of Public Nuisance Licensing Objective.

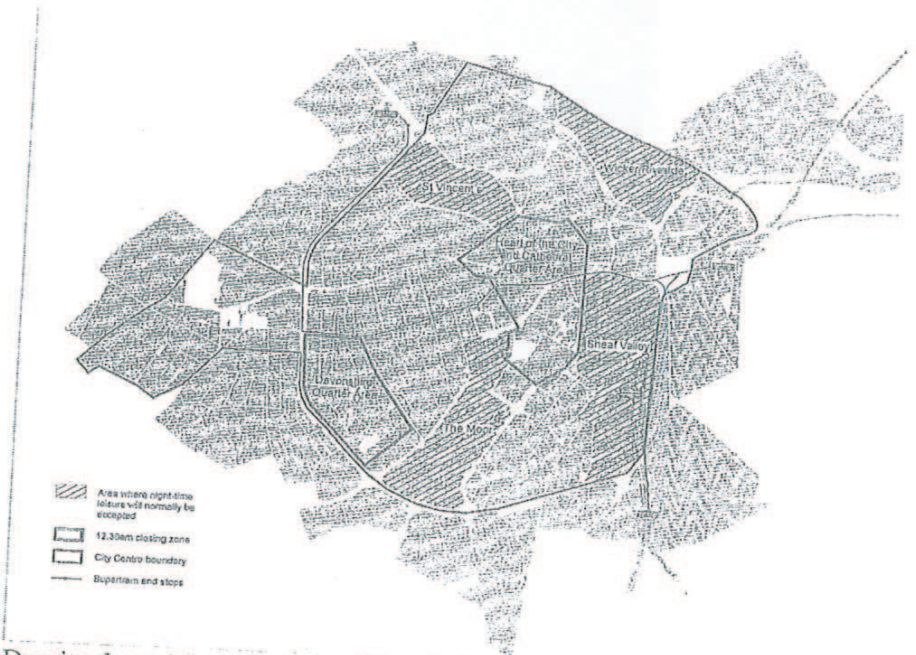
I am a resident of one of the flats in Pinstone Chambers which backs onto the beer garden of the Lion's Lair. There have been problems with noise from the pub dating back to the spring of 2009 when I first complained to the Environmental Protection Service about this issue. Initially the complaints referred to the noise from the beer garden, both from the people using the beer garden and from the music breaking out from the pub when the back door was wedged open, as was frequently the case. This situation continued until late 2010 when, after numerous complaints to the 101 service and a face to face altercation between myself and the then premises manager, the situation improved for a few months due to better management control of the hours people were allowed to stay in the beer garden and to the back door being kept closed except for access.

However, from late 2011 the noise problem, from inside the pub, not from the beer garden, increased dramatically, apparently due to structural alterations which had worsened the soundproofing of the pub. Extremely loud and constant music could be heard until around 05.00 hours every weekend. I often, and I mean by that at least one night every weekend, had to move in the middle of the night from my bedroom, which backs onto the pub, to my study, which is at the front of the building. I know that the residents of another flat had to do the same thing. We should not have to change the room we choose to sleep in because of noise from neighbours. We are lucky though to be able to do this as many of the 11 flats in my building which back onto the pub do not have rooms at the front of the building, so they have no alternative than to put up with the noise. I know of one owner who sold his flat because he could not stand the noise any longer and a tenant who gave in his notice for the same reason. This situation is completely unacceptable.

I must acknowledge that in recent weeks the noise from music inside the pub has been less of a problem and I have been able to sleep in my own bedroom but we have now returned to noise coming from the beer garden during the early hours of the morning. On Friday March 1st I was woken up at 02.35 hours by people outside in the beer garden and again on the following night at 03.50 by an argument going on in the beer garden. Bearing in mind that my bedroom window is at the far end of our building from the pub, and I was still woken up, it must be considerably worse for those flats whose windows are immediately behind the premises.

It is already a cause of some amazement to me that any pub which is adjacent to a residential building should have been granted a music licence until 06.00 hours in the first place. This is exceptionally surprising as the ruling contravenes Planning Guideline 11 as stated in the *City Centre Living, Supplementary Planning Guidance (Updated 2011, Originally approved by Cabinet 28 April 2004)*. According to note added to that Guideline:

Night-Time Uses IPG Guideline 1 removes the small area bounded by Pinstone Street, Cross Burgess Street and the rear of properties on Burgess Street from an "area where night-time leisure will be normally accepted" identified in City Centre Living SPG Guideline 11. This small area is included in the "12.30am closing zone" shown on Plan 1.



Despite the public nuisance caused by this decision to ignore the Planning guidelines and to allow the Lion's Lair to have a beer garden and to have music until 06.00 hours, the residents of my building have been trying to live with this situation without asking for the pub's licence to be revoked, as we do not want the premises manager to lose his living. However, we have now had almost 4 years of disturbance during which time the pub has regularly flouted its licensing regulations by allowing people to use the beer garden outside permitted hours and by leaving the back door open to allow music breakout. Allowing the premises to have music until 02.30 hours instead of midnight can only make a bad situation worse as the premises manager appears to be completely unconcerned about the regular complaints that have been made against the premises and there seems to be no guarantee that he will comply with regulations in the future.

I hope that the views of the pub's neighbours will be taken into consideration when this application is being considered.

Yours sincerely
Linda Cooley, local resident

Appendix D

DI

Rhodes Emma (CEX)

From: Licensing(General)
 Sent: 14 February 2013 14:26
 To: Rhodes Emma (CEX)
 Cc: Ruston Andy (CEX)
 Subject: FW: Lions Lair, 31 Burgess St, S1 2HF
 Importance: High

From: patrick carroll [mailto:paddycarrolluk@██████████]
 Sent: 14 February 2013 14:12
 To: Licensing(General)
 Cc: eamonn.ward@btopenworld.com
 Subject: Lions Lair, 31 Burgess St, S1 2HF

FAO: Councillor Rob Murphy
 RE: Lions Lair revised hours application

Dear Councillor, -

I am the owner of Apartment ██████ Pinstone Chambers, one of the few apartments in Pinstone Chambers which has a bedroom window that overlooks the Lions Lair beer garden.

I strongly oppose their application to extend their opening hours every evening to 2.30am. I oppose the application under the licensing objective **The prevention of public nuisance.**

I have lived at Pinstone Chambers for nearly 6 years and have complained to the council on 2-3 occasions throughout that time about the nuisance the pub causes by playing loud music late at night, and into the early hours of the morning. It has now become part of my life, and to some extent, at the weekends, I have learnt to live with it.

However, to permit the pub to open until 2.30am every night is ludicrous when us residents have to get up for work at 7am. They don't observe the noise policies which their current license dictate, i.e. Moving people out of the beer garden into the pub after 11pm (I know, because I overlook the garden). Keeping the fire exit door to the pub shut at all times to contain noise within the pub (which again I overlook). As soon as summer comes around, I am afraid that the heat of the pub will encourage people to go outside and as such I won't get any sleep.

The current owners gave me their mobile number and asked to call whenever things got too loud. It worked at first, then they just started ignoring me. Their current opening hours are too late as it is, because the pub is in a residential area. The new proposal would force me to want to move out of the area.

I urge the council to reject their application. In fact I beg the council to ignore their application. This isn't fair to residents.

Kind Regards,

Patrick Carroll

Appendix E

E1

Rhodes Emma (CEX)

From: lynne.j.thomas@
Sent: 21 February 2013 14:01
To: Licensing(General)
Cc: Rhodes Emma (CEX)
Subject: RE: Lion's Lair 31 Burgess street

My address is St Paul's Chambers, 6 St Paul's Parade Sheffield S1 2JL.
Regards

Name: Lynne Thomas
Mobile:+44 (0)77

From: Licensing(General) [mailto:General.Licensing@sheffield.gov.uk]
Sent: 21 February 2013 13:22
To: Thomas,I,J,Lynne,TGFB4 R
Cc: Rhodes Emma (CEX)
Subject: RE: Lion's Lair 31 Burgess street

Hi Lynne,

In order for your objection to be valid, I will require details of your residential address.

Please do not hesitate to contact the Licensing Service should you wish to discuss this any further.


Kind Regards

Georgina

Georgina Hollis
Licensing Officer
Licensing Service
Business Strategy & Regulation
Block C, Staniforth Road Depot
Staniforth Road, Sheffield, S9 3HD.

Telephone: 0114 2734264 / 2734880
Fax: 0114 2735410
Email: General.Licensing@sheffield.gov.uk www.sheffield.gov.uk

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E2

From: lynne.j.thomas@[REDACTED] [mailto:lynne.j.thomas@[REDACTED]]
Sent: 21 February 2013 11:51
To: Licensing(General)
Subject: Lion's Lair 31 Burgess street

I wish to oppose the new application request on the grounds of "The prevention of Public Nuisance"

I currently reside at St Paul's Chambers and we have had an increase in nightly disturbances following the 24 hour opening of the Genting club. I would like to ensure that the disturbances do not increase and I feel this application would only exacerbate this.

Regards

Name: Lynne Thomas
Mobile: +44 (0)77 [REDACTED]

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Appendix F

Rhodes Emma (CEO)

From: Round Jonathan
 Sent: 15 March 2013 16:51
 To: Licensing(General)
 Cc: 'charieshallf1@
 Subject: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence

Follow Up Flag: Follow up
 Due By: 15 March 2013 00:00
 Flag Status: Flagged

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 to vary the Premises Licence for the above premises.

The premises are in close proximity to residential property. The premises have a history of noise complaints, which prior to 2011 mainly related to the use of the outdoor area to the rear. There have been complaints about the noise of patrons, also music breaking out of the venue when the outside area is being accessed. These issues had largely been resolved by restricting access to the outside, and better management control ensuring the door is closed except for access.

Around November 2011 we started to receive complaints from residents to the rear about more constant music breakout, initially thought to be emanating from another premises. Upon investigation it became apparent that the music breakout was emanating from the Lions Lair as a result of structural alterations (which this variation seeks to address).

It would appear that the removal of an internal wall had exposed an acoustically weak ceiling/ roof and possibly some un baffled ventilation. Works have been carried out to the ceiling and a noise limiting device has been fitted to the sound system which has meant that the music has been adequately controlled/ restricted, when the rear door is closed. However over the past few months there have been issues with patron noise with the rear area being used after midnight. The applicant has suggested that these were perhaps issues to do with changing door staff and policy about ejection.

I will have to object to the application as it currently stands but have discussed the application with the applicant at length and propose the following amendments to hours applied for and additional conditions to control the current activities at the premises:

There shall be no increase in hours for regulated entertainment or sale of alcohol on Monday, and Tuesday nights (i.e. to cease at midnight) and the opening hours, sale of alcohol and regulated entertainment applied for cease at 02:00hrs on Wednesday and Thursday nights.

Proposed conditions:

- Music should only be played within the building such that:
 - (i) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient* noise levels by more than 3 dB(A) when measured as a 15 minute L_{Aeq} ;
 - (ii) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute L_{eq} ;

**Where ambient noise level is the $L_{Aeq, 15 mins}$ 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.
- The use of the outside area to the rear shall cease at midnight on every day of the week, and staff shall regularly check that the area is not being accessed. *(to replace existing Annex 2 - condition 16. The use of the outside area to cease at: Sunday to Thursday 24:00 hours Friday and Saturday 01:00 hours the following day.*
- Signs shall be put on the rear fire door reminding patrons that the rear area is not in use after midnight and that the door should not be opened after midnight save for emergency purposes.

I'm happy to discuss alternative wording on the sign on the rear door which will achieve the same result and suggest that a check sheet is produced for the regular checks of outdoor area which can be signed and timed. I have checked the current licence and for some reason the opening hours on a Tuesday are 02:30hrs, but all licensable activity should cease at midnight. If you wish to discuss the matter further please call or reply to this email. Please note I shall not pick up my emails until 19th March 2013.

Regards,

Jon.

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

Tel +44 (0)114 273 4658

Fax +44 (0)114 273 6464

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Proctor Matthew

From: Licensing(General)
Sent: 10 April 2013 12:10
To: Proctor Matthew
Cc: Rhodes Emma (CEX)
Subject: FW: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence
Importance: High

From: Singh Bob
Sent: 10 April 2013 12:09
To: Licensing(General)
Cc: 'charleshalf1@aol.com'; Round Jonathan
Subject: FW: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence

Dear Sirs,

Please read e-mail thread below. The applicant has agreed all conditions recommended by Jonathan Round in respect to the above premises.

I therefore confirm, the Environmental Protection Service wish to withdraw Mr Rounds representation and negate the need to attend the Licensing committee scheduled on 11/04/13 at 10:00 hours.

Should you wish to discuss the above in further detail then please do not hesitate to contact me.

Regards Bob (on behalf of Jonathan Round)

Bob Singh
bob.singh@sheffield.gov.uk
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658
Fax +44 (0) 114 273 6464

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From: Charles Hall [mailto:charleshalf1@aol.com]
Sent: 10 April 2013 11:21
To: Singh Bob
Subject: Re: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence

Bob

Following my recent phone call and emails with both yourself and Jon Round i am happy to agree to the terms listed above, i hope this is satisfactory and everything can now proceed.

Regard

Charles Hall

On 8 Apr 2013, at 11:19 AM, Singh Bob <Gursharn.Singh@sheffield.gov.uk> wrote:

Charles,

Thank you for your time during our recent telephone conversation. As discussed, please find attached a copy of Jonathans representation in respect to the above premises. Can you please consider and respond accordingly.

If you require any further information the please do not hesitate to contact me by telephone.

Regards Bob (on behalf of Jonathan Round)

Bob Singh
bob.singh@sheffield.gov.uk
Environmental Protection Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658
Fax +44 (0) 114 273 6464

Charter Mark Standard for Customer Service Excellence
Visit us at: <http://www.sheffield.gov.uk/environment/environmental-health>

From: Round Jonathan
Sent: 15 March 2013 16:51
To: Licensing(General)
Cc: 'charleshallf1@aol.com'
Subject: Lion's Lair, 31 Burgess Street, Sheffield - Application to Vary Premises Licence

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 to vary the Premises Licence for the above premises.

The premises are in close proximity to residential property. The premises have a history of noise complaints, which prior to 2011 mainly related to the use of the outdoor area to the rear. There have been complaints about the noise of patrons, also music breaking out of the venue when the outside area is being accessed. These issue had largely been resolved by restricting access to the outside, and better management control ensuring the door is closed except for access.

Around November 2011 we started to receive complaints from residents to the rear about more constant music breakout, initially thought to be emanating from another premises. Upon investigation it became apparent that the music breakout was emanating from the Lions Lair as a result of structural alterations (which this variation seeks to address).

It would appear that the removal of an internal wall had exposed an acoustically weak ceiling/ roof and possibly some un baffled ventilation. Works have been carried out to the ceiling and a noise limiting device has been fitted to the sound system which has meant that the music has been adequately controlled/ restricted, when the rear door is closed. However over the past few months there have been issues with patron noise with the rear area being used after midnight. The applicant has suggested that these were perhaps issues to do with changing door staff and policy about ejection.

I will have to object to the application as it currently stands but have discussed the application with the applicant at length and propose the following amendments to hours applied for and additional conditions to control the current activities at the premises:

There shall be no increase in hours for regulated entertainment or sale of alcohol on Monday, and Tuesday nights (i.e. to cease at midnight) and the opening hours, sale of alcohol and regulated entertainment applied for cease at 02:00hrs on Wednesday and Thursday nights.

Proposed conditions:

- Music should only be played within the building such that:
 - (i) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient* noise levels by more than 3 dB(A) when measured as a 15 minute L_{Aeq} ;
 - (ii) Noise breakout from the building to the street, or rear outdoor area should not exceed the ambient* noise levels in any octave band centre frequency by more than 3dB when measured as a 15 minute L_{eq} ;

**Where ambient noise level is the $L_{Aeq, 15 mins}$ 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.
- The use of the outside area to the rear shall cease at midnight on every day of the week, and staff shall regularly check that the area is not being accessed. *(to replace existing Annex 2 - condition 16. The use of the outside area to cease at: Sunday to Thursday 24:00 hours Friday and Saturday 01:00 hours the following day.*
- Signs shall be put on the rear fire door reminding patrons that the rear area is not in use after midnight and that the door should not be opened after midnight save for emergency purposes.

I'm happy to discuss alternative wording on the sign on the rear door which will achieve the same result and suggest that a check sheet is produced for the regular checks of outdoor area which can be signed and timed. I have checked the current licence and for some reason the opening hours on a Tuesday are 02:30hrs, but all licensable activity should cease at midnight. If you wish to discuss the matter further please call or reply to this email. Please note I shall not pick up my emails until 19th March 2013.

Regards,

Jon.
Jonathan Round
Environmental Health Officer
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

Tel +44 (0)114 273 4658

Fax +44 (0)114 273 6464

Visit us at: <http://www.sheffield.gov.uk/environment/environmental-health>

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Appendix G

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

Mr Charles Hall
30 School Green Lane
Fulwood
Sheffield
S10 4GQ

The Sheffield City Council being the licensing authority, on the **7 February 2013** received your application in respect of the premises known as;

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

During the consultation period, the Council received representations from the following authorities/interested parties: three local residents on the likely effect of this application and 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 **9th May 2013 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: 30th April 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

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**

Mr Jonathan Round
Environmental Protection Service
Sheffield City Council
2-10 Carbrook Hall Road
Sheffield
S9 2DB

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service (objection removed)**

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 **9th May 2013 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: 30th April 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

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**

Ms Linda Cooley
Apartment ■
58 Pinstone Street
Sheffield
S1 2HZ

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service (objection removed)**

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 **9th May 2013 at 10am**; following which the Council will issue a notice of determination of the application.

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- 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: 30th April 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

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**

Ms Lynne Thomas
St Pauls Chambers
6 St. Pauls Parade
Sheffield
S1 2JL

The Sheffield City Council being the licensing authority, on the 7 February 2013 received an application in respect of the premises known as;

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

- 3 No. Local Residents
- Sheffield City Council Environmental Protection Service (objection removed)

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 9th May 2013 at 10am; following which the Council will issue a notice of determination of the application.

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- 1) The representations you have made with reference to these particular premises and the four core objectives.
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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: 30th April 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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

Mr Patrick Carroll
Apartment ■
Pinstone Chambers
Sheffield

The Sheffield City Council being the licensing authority, on the **7 February 2013** received an application in respect of the premises known as;

Lions Lair, 31 Burgess Street, Sheffield, S1 2HF

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

- **3 No. Local Residents**
- **Sheffield City Council Environmental Protection Service (objection removed)**

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 **9th May 2013** 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.

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- 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: 30th April 2013

Signed: _____
The officer appointed for this purpose
Licensing Officer

Please address any communications to:

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

General.licensing@sheffield.gov.uk

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.

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.

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