

Licensing Committee

Thursday 21 March 2013 at 10.00 am

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

The Press and Public are Welcome to Attend

Membership

Councillors John Robson (Chair), David Barker, Nikki Bond, Jillian Creasy, Neale Gibson, George Lindars-Hammond, Vickie Priestley, Ian Saunders, Nikki Sharpe, Clive Skelton (Deputy Chair), Geoff Smith, Stuart Wattam and Philip Wood

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 would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

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 COMMITTEE AGENDA
21 MARCH 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. Minutes of Previous Meetings**
To approve the minutes of the meetings held on:-

14 January 2013
15 January 2013
17 January 2013
21 January 2013
22 January 2013
24 January 2013
28 January 2013
29 January 2013
31 January 2013
4 February 2013
5 February 2013
7 February 2013
- 6. Animal Boarding Establishments Act 1963 - Proposed New Standard Conditions for Day Care Boarding Establishments for Dogs**
Report of the Chief Licensing Officer
- 7. Licensing Fees Review (Determination of Fees) - Determination of a Schedule of Fees for the Licensing Service**
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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Licensing Sub-Committee

Meeting held 14 January 2013

PRESENT: Councillors John Robson (Chair), Geoff Smith and Stuart Wattam

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence. Councillor Neale Gibson attended the meeting as a reserve Member but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 **RESOLVED:** That the public and press be excluded from the meeting before discussion takes place on agenda item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

4.2 The applicant in Case No. 01/13 attended the hearing and addressed the Sub-Committee.

4.2 The applicant in Case No. 02/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.3 The applicant in Case No. 03/13 attended the hearing with a representative and they both addressed the Sub-Committee.

4.4 **RESOLVED:** That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
01/13	Application for a first Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the normal term of nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewal, an 18

		month licence, subject to there being no further cause for concern and (b) the applicant be given a written warning as to his future conduct.
02/13	Application for a Hackney Carriage Vehicle Licence	Refuse to grant a licence under the current specification and age of vehicle policy on the grounds that the applicant had failed to demonstrate that there are any exceptional circumstances to deviate from the policy.
03/13	Application for a new Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the normal term of nine months and, on the first renewal, authority be given to grant the applicant a 12 month licence and, on any subsequent renewal, an 18 month licence, subject to there being no further cause for concern and (b) the applicant be given a written warning as to his future conduct.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 15 January 2013

PRESENT: Councillors Clive Skelton (Deputy Chair), David Barker and Neale Gibson

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from the Chair (Councillor John Robson).

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - RAWSON SPRING, LANGSETT ROAD, SHEFFIELD S6 2LN

4.1 The Chief Licensing Officer submitted a report to consider an application to vary a Premises Licence made under Section 34 of the Licensing Act 2003, in respect of the premises known as Rawson Spring, Langsett Road, Sheffield, S6 2LN.

4.2 Present at the meeting were Deborah Hay (Solicitor representing the Applicants), Emma Parkinson (Area Manager, JD Weatherspoon), Grace Hopkins (Designated Premises Supervisor, Rawson Spring), Andy Ruston (Licensing Officer), Kavita Ladva (Solicitor to the Sub-Committee), Louise Slater (Solicitor, observing) and John Turner (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that representations had been received from a local resident and were attached at Appendix 'C' to the report. The local resident did not attend the hearing.

4.5 Deborah Hay stated that the premises were one of four JD Weatherspoon pubs situated in suburban areas of the City. The pub premises were generally very busy and customer demand was the main reason for the application to extend the opening hours. The premises were very well run and there had been no complaints or concerns raised by the Police or any of the other responsible authorities. In terms of the representations made by the local resident, Ms Hay stated that there were around five other licensed premises in the surrounding area and that the objector had provided no evidence to prove that the incidents of public nuisance

were linked directly to the premises. With regard to the problems caused by taxis parking opposite the premises on Rudyard Road, there was no evidence to suggest that the proposed extension to the opening hours would result in an increase in the use of taxis at this location. The majority of customers who frequented the premises lived locally, and generally walked to and from the premises. In terms of noise nuisance, there were signs on both access doors requesting customers to leave quietly and, on those occasions when there were DJs at the premises, which was generally at weekends, they would request that customers left quietly at the end of the night.

- 4.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, it was confirmed that the present operating hours were 09:00 to 23:30 hours Sunday to Thursday and 09:00 to 01:00 hours Friday and Saturday. Whilst there had been no direct requests from customers for the opening hours to be extended, the management had taken the decision to apply for the extended hours based on the numbers of customers in the premises at the end of the night. The age of the clientele was mixed and there was no entertainment, in terms of amplified music or otherwise, from Sunday to Thursday. Staff held regular meetings to discuss any issues of concern but, to date, management had not received any complaints from local residents regarding noise or other anti-social behaviour. Whilst it could not be confirmed, it was believed that other public houses in the area opened until 00:00 hours Sunday to Thursday. If any complaints from local residents were received, they would be addressed, in the first instance, by the Manager and if they were still not resolved, a meeting would be called with the Area Manager. In such cases, the complainants would be provided with the telephone numbers of members of staff at the premises so that they could contact them if any further problems arose. Management had no reported records of any incidents of crime and disorder caused by clientele from the premises. There were very few problems during the week as food was served up until 22:00 hours and there was more of a family atmosphere during this time. If there were any accidents or incidents at the premises, the Manager on duty at the time was required to complete a relevant form, copies of which were maintained on the company's website, and which could be viewed by senior management. Any officer from the responsible authorities would be able to visit the premises and view such forms on request. Any comments raised by local residents would be logged by the Designated Premises Supervisor and raised at one of the regular Managers' meetings. Further to Annexe 2 – Conditions consistent with the operating schedule, it was confirmed that the arrangements in terms of the reduction in the volume of music to a suitable level, thirty minutes prior to closing, would continue if the opening hours were extended.
- 4.7 RESOLVED: That the public and press and attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.

- 4.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.10 RESOLVED: That the Sub-Committee agrees to grant the variation to the Premises Licence in respect of Rawson Spring, Langsett Road, Sheffield, S6 2LN, in the terms now requested.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 17 January 2013

PRESENT: Councillors John Robson, Vickie Priestley and Clive Skelton

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - SAINSBURY'S, 2 WORTLEY ROAD, SHEFFIELD, S35 4LU

4.1 The Chief Licensing Officer submitted a report to consider an application for a Premises Licence made under Section 17 of the Licensing Act 2003, in respect of the premises known as Sainsbury's, 2 Wortley Road, Sheffield, S35 4LU.

4.2 Present at the meeting were Sabrina Cader (Solicitor for the Applicants), Phil Ronan (Area Manager, Sainsbury's), Andy Bainbridge (Ecclesfield Parish Council, Objector), Andy Ruston (Licensing Officer), Louise Slater (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and it was noted that representations had been received from Ecclesfield Parish Council, and were attached at Appendix 'B' to the report.

4.5 Andy Bainbridge, representing Ecclesfield Parish Council, stated that the Council was concerned at the impact of the long hours in terms of the sale of alcohol, both in terms of a potential increase in anti-social behaviour and the adverse effects on the business of other licensed premises in the surrounding area. He stated that the proposed store was very close to residential properties and there were concerns regarding the impact of the large delivery lorries on the village. There were also two primary schools close by and the potential increase in traffic, together with the fact that the footpath was very narrow on the street the premises were located, raised safety concerns for the primary school children as well as other residents of the village.

- 4.6 Sabrina Cader referred to the proposed opening hours regarding the supply of alcohol, indicating that, following the representations raised by the Parish Council, the hours on the application had been amended from 06:00 to 24:00 hours to 07:00 to 23:00 hours. The premises comprised a public house, which was still currently trading, but was to be redeveloped. The shop would be a convenience store, selling a basic range of goods, and alcohol would only form a small part of the overall sales. The planned trading hours would be between 07:00 and 23:00 hours, in line with other Sainsbury's convenience stores across the country. Deliveries to the store would be made by small lorries, which would park in the car park, and the goods would be delivered via a loading bay. Although the hours in which alcohol would be on sale were long, it was not envisaged that this would adversely affect other licensed premises in the surrounding area as there would only be a limited range of alcohol on sale. Challenge 25 would be in operation at the store and all employees would be required to pass the relevant training, which would be refreshed every six months. All information held as part of Challenge 25 would be retained electronically, and would be accessible to the Police and other responsible authorities on request. Sainsbury's also used a mystery shopper, who visited its stores to carry out test purchases with regard to alcohol and tobacco. Ms Cader concluded by stating that Sainsbury's would be happy to liaise with the Parish Council and any other concerned residents if there were any problems linked to the operation of the premises.
- 4.7 In response to questions from Members of the Sub-Committee, it was stated that, in the light of the safety concerns relating to the delivery lorries and the dangers they posed to primary school children, arrangements would be made for deliveries to the store to be made at such a time as not to clash with the children going to the schools in the morning. There would be approximately 25 people employed at the store, comprising approximately 30% full-time and 70% part-time staff, and it was envisaged that this would be a high number of local people. It was not envisaged that the long hours in terms of the sale of alcohol would adversely affect alcohol sales at other licensed premises in the area. In addition, the other licensed premises would have an opportunity to apply to change their operating hours if they so wished.
- 4.8 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.9 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.10 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.11 **RESOLVED:** That the Sub-Committee agrees to grant the Premises Licence in respect of Sainsbury's, 2 Wortley Road, Sheffield, S35 4LU, in the terms now requested, and subject to the operating schedule, agreed conditions and to the

modified condition relating to the change of the operating hours in terms of the sale of alcohol from 06:00 to 24:00 hours to 07:00 to 23:00 hours.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the written Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 21 January 2013

PRESENT: Councillors John Robson, Stuart Wattam and Philip Wood

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

4.2 The applicant in Case No. 04/13 attended the hearing and addressed the Sub-Committee.

4.3 The licence holder in Case No. 05/13 did not attend the hearing on the grounds that his representative was unable to attend.

4.4 The licence holder in Case No. 06/13 attended the hearing and addressed the Sub-Committee.

4.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
04/13	Renewal application for a Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the normal term of 18 months, subject to there being no further cause for concern and (b) the applicant be given a written warning as to his future conduct.
05/13	Review of a Hackney Carriage and Private	Defer consideration of the review on the grounds that the licence holder's

	Hire Driver's Licence	representative was unable to attend the hearing, and arrangements be made for the review to be considered at the earliest possible opportunity.
06/13	Review of a Hackney Carriage and Private Hire Driver's Licence	Immediately revoke the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, as amended by Section 52 of the Road Safety Act 2006, on the basis that the Sub-Committee was satisfied that the licence holder posed an immediate and ongoing risk to the public in the light of his apparent disregard for other road users and himself.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 22 January 2013

PRESENT: Councillors John Robson (Chair), George Lindars-Hammond and Ian Saunders

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence received. Councillor Geoff Smith attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - PSALTER TAVERN, 180 PSALTER LANE, SHEFFIELD S11 8US

4.1 The Chief Licensing Officer submitted a report to consider an application, made under Section 34 of the Licensing Act 2003, to vary the Premises Licence in respect of the premises known as the Psalter Tavern, 180 Psalter Lane, Sheffield, S11 8US.

4.2 Present at the meeting were Michelle Hazlewood (John Gaunt and Partners, Solicitors, representing the applicants), Charlotte Pinson (John Gaunt and Partners, Solicitors, observing), Ian Brown (Area Manager, Bramwell Pubs and Bars Limited), Thomas O'Reilly (Manager, Psalter Tavern), Claire Bower (Licensing Officer), Matthew Proctor (Licensing Officer, observing), Kavita Ladva (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Claire Bower presented the report to the Sub-Committee and it was noted that representations had been received from a local resident and were attached at Appendix 'D' to the report. The local resident did not attend the hearing. Ms Bower added that the representations received from the Environmental Protection Service had been resolved.

4.5 Michelle Hazlewood commenced by referring to the resolution of the representations raised by the Environmental Protection Service, and circulated a schedule of the agreed conditions. Ms Hazlewood referred to the change in

clientele at the premises, indicating that, following the closure of the Psalter Lane University campus, there had been a shift from students to local residents frequenting the premises. A number of functions had been held at the premises, using Temporary Events Notices (TENs), but the increased demand for such functions had prompted the management to apply for a variation to include the provision of regulated entertainment. There had been no complaints received in connection with any of the functions held using the TENs. The last complaint against the premises was received in May 2010, and related to noise nuisance with regard to the external bins. Prior to submitting this application, the Manager of the premises had sent out 50 letters to residents living in the immediate vicinity of the premises, informing them of the proposed variation, and inviting them to a meeting on 3rd October 2012, to discuss any concerns. Six residents attended the meeting, including the Chair of the Psalter Court Residents' Association. In terms of the representations of the Environmental Protection Service, the Service was happy with the suggested conditions to deal with any potential noise breakout, as set out in paragraphs 5 and 6 of the Schedule of Agreed Conditions circulated at the meeting. The only other change to the licence was the removal of the condition requiring staff to conduct a litter pick and general glass sweep within a 50 yard radius of the premises, which had been amended to the extent that the litter pick would now include the perimeter of the premises. In connection with the letter of objection from the local resident, Ms Hazlewood stated that the issues raised did not relate to the licensing objectives or the details of the application. They related more to the fear of change as there was no history of any complaints of noise nuisance at the premises. She concluded by stating that now the Manager had made contact with the Chair of the Psalter Court Residents' Association, this had introduced an opportunity for further dialogue if he had any concerns regarding the future operation of the premises.

- 4.6 In response to questions from Members of, and the Solicitor to, the Sub-Committee, it was indicated that the Psalter Lane campus had closed about four years ago and an explanation was provided as to the location of Psalter Court and its proximity to the premises. There had been considerable objections from local residents to the proposal to include the provision of regulated entertainment on the Premises Licence in 2005. In terms of this application, the management were happy to accept the conditions suggested by the Environmental Protection Service, as they would help to minimise any potential noise nuisance both for local residents and also to customers staying at the premises. It was confirmed that the local resident who had raised the objection had received a letter sent from the Manager, but she did not attend the meeting on 3rd October 2012. Further to a query by the Solicitor to the Sub-Committee, Ms Hazlewood confirmed that reference to the sale of alcohol by retail in the pavement café areas, under the public safety heading of Section M of the Premises Licence, had been included in error and should be deleted. In terms of the functions, it was stated that the management had used the maximum of 12 TENs during 2012, and had been forced to refuse requests for functions over and above this number. There were 19 rooms at the premises, with an approximate 65% occupancy rate throughout the year. If someone who had booked a room arrived late at night, subject to there being a member of staff around, they would be allowed to purchase a drink from the bar and take it to their room or sit at the bar whilst staff were clearing up prior to closing. Generally, people who had attended a function and wished to stay and purchase further drinks

from the bar would be allowed to do so. In certain circumstances, people who were not stopping for the night, would be able to accompany people who had booked a room, to continue drinking in their rooms. The final decision on the above situations would rest with the Manager and his staff, and would depend on the individual circumstances at the time. Ms Hazlewood stated that the applicants would be willing to leave in the existing condition regarding a litter pick and general glass sweep up to a 50 yard radius from the premises, as detailed in Annexe 3 of the existing Premises Licence.

- 4.7 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.8 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.9 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.10 **RESOLVED:** That the Sub-Committee agrees to grant a variation to the Premises Licence in respect of the Psalter Tavern, 180 Psalter Lane, Sheffield, S11 8US, in the terms now requested, and subject to the operating schedule, agreed conditions and to the modified condition as follows:-

The Designated Premises Supervisor or designated member of staff conducts a litter pick and general glass sweep during opening hours up to a 50 yard radius from the premises, including the frontage of the premises, but excluding any private dwellings.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the written Notice of Determination.)

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 24 January 2013

PRESENT: Councillors John Robson (Chair), Vickie Priestley and Geoff Smith

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received. Councillor Philip Wood attended the meeting as a reserve Member, but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - UNIT 4, SIDNEY STREET, SHEFFIELD, S1 4RG

4.1 The Chief Licensing Officer submitted a report to consider a notice of objection submitted by Environmental Protection Services relating to a temporary event notice for the premises known as Unit 4, 77 Sidney Street, Sheffield S1 4RG.

4.2 Present at the meeting were Daniel Metcalfe (Applicant), Paul Thornton (Environmental Protection Officer), Claire Bower and Matthew Proctor (Licensing Officers), Louise Slater (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Matthew Proctor presented the report to the Sub-Committee and it was noted that the objection to a Temporary Event Notice by Environmental Protection Services was attached at Appendix "A" to the report.

4.5 Paul Thornton reported that his objection to this application was on the grounds that this event is likely to cause a noise nuisance to occupants of nearby residential properties. He stated that the Environmental Protection Service had received numerous complaints regarding excessive noise breakout from the premises when previous temporary events had been held. He added that the main problem is weakness in the structure of the building of 77 Sidney Street which has proved to be unsuitable to adequately control noise from the type of music events held. Mr. Thornton stated that sound attenuation from Unit 4 proved to be the most difficult due to its design. He said that fewer complaints had been received relating to Units 1 and 2.

- 4.6 In response to questions, Mr. Thornton stated that Noise Abatement Notices had been served in the past, but these Notices apply to individual applicants and not to premises.
- 4.7 Daniel Metcalfe stated that he had been responsible for running an event in Unit 2 but had never applied to use Unit 4. He outlined a proposed sound management plan at the Unit which he felt would control noise levels and cause no disturbance at all to local residents. He was aware that the majority of complaints related to noise from the rear of the premises and he produced to Members the general layout of the Unit and showed a different layout inside the room where he intended to install a stud wall using high density materials which would create a gap so that sound would bounce back into the room.
- 4.8 He added that he was willing to work with the Environmental Protection Service prior to holding the event so that testing of his sound systems could take place and that during the event he would take a decibel metre reading hourly to ensure that noise was not increased and if it was, he would take measures to reduce the sound immediately.
- 4.9 RESOLVED: That the public and press and attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.10 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.11 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.12 RESOLVED: That the Sub-Committee acknowledges the Temporary Event Notice, allowing the event to go ahead on the proposed date in the terms requested.

(The full reasons for the Sub-Committee's decision and the operating conditions will be included in the Notice of Determination).

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 28 January 2013

PRESENT: Councillors John Robson (Chair), Neale Gibson and Clive Skelton

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Nikki Sharpe.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on agenda item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

4.2 The applicants/licence holders in Case Nos. 07/13, 08/13 and 09/13 attended the hearing and addressed the Sub-Committee.

4.3	Case No.	Licence Type	Decision
	07/13	Review of a Hackney Carriage and Private Hire Driver's Licence	In view of the incidents now reported, suspend the licence under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, until the licensee successfully completes an NVQ course "The introduction to the role of a professional private hire and hackney carriage driver" or similar course approved by the City Council.
	08/13	Application for a Hackney Carriage/Private Hire Driver's Licence	Defer the application until the outcome of a pending Court hearing is known.
	09/13	Review of a Hackney Carriage/Private Hire	Immediately revoke the licence under Section 61 of the Local Government

Driver's Licence

(Miscellaneous Provisions) Act 1976 (as amended by Section 52 of the Road Safety Act 2006) as the Sub-Committee considers that, in the light of the nature of the offences now reported, the applicant poses an immediate and ongoing threat to the public.

SHEFFIELD CITY COUNCIL

Licensing Committee

Meeting held 29 January 2013

PRESENT: Councillors John Robson (Chair), Neale Gibson, George Lindars-Hammond, Ian Saunders, Clive Skelton (Deputy Chair), Geoff Smith and Philip Wood

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Nikki Bond, Nikki Sharpe and Stuart Wattam.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of the meetings of the Licensing Committee held on 25th October and 8th November 2012, and the Licensing Sub-Committee held on 16th, 18th, 22nd and 30th October, 5th, 12th, 19th, 20th, 26th and 29th November, and 3rd, 4th and 6th December 2012, were approved as correct records.

5. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - HACKNEY CARRIAGES FARES REVIEW (DETERMINATION OF FARES)

5.1 The Committee received a report of the Chief Licensing Officer reviewing the fare structure and tariffs for Hackney Carriages licensed by the Council. The Committee, at its meeting held on 8th November 2012, had deferred making a decision on this matter to enable the taxi trades to provide documentary written evidence of overall running costs to drivers and mile by mile costs of running a licensed Hackney Carriage, including details regarding insurance, fuel, road tax and license fee costs.

5.2 In attendance were Clive Stephenson, Principal Licensing Officer, and Hafeas Rehman and Zulfiqar Ahmed Sheffield Taxi Trade Association (STTA).

5.3 Hafeas Rehman (STTA) stated that, in the light of rises in the costs of road tax, fuel and insurance, it was reasonable that the Association should request an increase in fares. Mr Rehman confirmed that the Association had not provided any evidence with regard to running costs to drivers, as had been requested, other than submitting a letter from Avant Garde, Insurance Brokers, setting out details of the

percentage increases in taxi insurance since 2009.

5.4 Clive Stephenson, Principal Licensing Officer, provided details of a rough calculation in terms of overall running costs to drivers, based on two models of Hackney Carriages.

5.5 In response to questions from Members of the Committee, it was reported that it would cost approximately £20 for each driver to have their meter reprogrammed if a decision was taken to increase fares, and confirmed that the last fare increase had been made in October 2011, when they had been increased by 4%.

5.6 **RESOLVED:** That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.

5.7 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the report.

5.8 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.

5.9 **RESOLVED:** That the Committee:-

(a) notes the contents of the report now submitted, together with the representations now made; and

(b) agrees that, in the light of (i) the lack of documentary evidence from the Sheffield Taxi Trades Association of the overall running costs of Hackney Carriage drivers and (ii) the difficulties being faced by members of the public due to the present economic climate, there should be no increase in Hackney Carriage fares at this time.

6. **GOVERNMENT CONSULTATION - DELIVERING THE GOVERNMENT'S POLICIES TO CUT ALCOHOL FUELLED CRIME AND ANTI-SOCIAL BEHAVIOUR**

6.1 The Chief Licensing Officer submitted a report informing Members of a consultation paper released by the Home Office - 'Delivering the Government's Policies to Cut Alcohol Fuelled Crime and Anti-Social Behaviour'. The report contained, at Appendix 'A', a draft response from the Licensing Authority and the views of Members were sought on the contents of the draft response.

6.2 In attendance for this item was Claire Bower, Principal Licensing Officer.

6.3 Members raised their concerns with regard to the lack of detail on the response form, as well as the lack of opportunity provided for the Licensing Authority to provide detailed responses to the questions raised as part of the consultation.

6.4 **RESOLVED:** That the Committee:-

- (a) notes the contents of the report now submitted;
- (b) requests that a letter, to be signed by the Chair of the Committee, be sent to the Home Office, expressing the concerns now raised with regard to the lack of detail on the response form, and that copies of the letter be forwarded to the Sheffield Members of Parliament; and
- (c) agrees that the proposed response from the Licensing Authority to the consultation paper “delivering the Government’s Policies to Cut Alcohol Fuelled Crime and Anti-Social Behaviour”, as set out in Appendix “A” to the report now submitted, be sent to the Home Office, subject to the following amendments:-
 - (i) the response to Question 7 – Should other factors or evidence be considered when considering a ban on multi-buy promotions? – be amended from ‘No’ to ‘Don’t know’; and
 - (ii) the response to Question 21 – Do you think that the following proposals would impact adversely on one or more of the licensing objectives? – be amended from ‘No’ to ‘Yes’.

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SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 31 January 2013

PRESENT: Councillors John Robson (Chair), Stuart Wattam, Philip Wood and George Lindars-Hammond

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - STREET TRADING CONSENT - PORTOBELLO ROAD

4.1 The Chief Licensing Officer submitted a report to consider an application under the Local Government (Miscellaneous Provisions) Act 1982, for a Street Trading Consent for a site on Portobello Road (Ref No. 7/13).

4.2 Present at the meeting were Shasha Wu (Applicant), Xingguang Liu (Applicant's husband), Paul Turner (Highway Licenses and Regulation, Objector), Elizabeth Taylor (University of Sheffield, representing the Objector), Kathy Stockdale (Senior Licensing Officer), Caroline Forster (Solicitor to the Sub-Committee) and John Turner (Democratic Services).

4.3 The Solicitor to the Sub-Committee outlined the procedure which would be followed during the hearing.

4.4 Kathy Stockdale presented the report to the Sub-Committee and it was noted that objections to the application had been received from the Council's Highways Service and the University of Sheffield, and were attached at Appendix 'C' to the report.

4.5 Xingguang Liu, representing the applicant, stated that his wife wished to sell Chinese fast food and soft drinks on the site on Portobello Road, specifically targeting Chinese students and residents. It was reported that their target market did not particularly like the Chinese food sold in Chinese restaurants and takeaways, and the food they

would be selling would be different to this. They would be using a small trailer, which was totally different to the trading unit shown in the report. Mr Liu referred to his wife's food hygiene certificates, and indicated that arrangements had been made for a company to collect and safely dispose of any waste oil.

- 4.6 In response to questions raised by Members of the Sub-Committee, Mr Liu stated that at the time of making the application, his wife was not sure what model of trading unit she was going to use, so they had simply downloaded some examples of trading units from the internet. He confirmed that his wife would be using a trailer which they were getting off someone who had now stopped street trading. There were plans to have one or two waste bins next to the trailer. He stated that the reason for choosing this particular site was that, as well as it being close to the University, there used to be a trader selling Japanese fast food, but he had now left. The trailer they planned to use would be initially transported to the site using a vehicle but, on the basis that they would not be able to transport it on and off site every day, it would be left on the site overnight. The planned trading hours were 10:00 hours to 15:30 hours, Monday to Friday. Mr Liu indicated that he was not aware of any parking restrictions on Portobello Road and was under the impression that, as there had been a previous trader on this site, this would not be an issue. The applicant planned to use portable gas bottles for heating and cooking, and car batteries for powering the fridge and lighting. They did not plan to use a generator due to potential noise nuisance. Mr Liu indicated, on a photograph circulated at the meeting, the precise location of where they planned to site the trailer. He stated that he did not envisage any problems as vehicles could only access the road from one end and only residents could park on the road. In terms of the security, it was stated that it would be secured overnight with nothing left in view, and the gas bottles would be stored in a box at the rear.
- 4.7 Paul Turner stated that, whilst there was restricted access to Portobello Road, with permanent bollards at its junction with Mappin Street, it was still classed as a public highway, with all vehicles having unrestricted access. As well as residents' parking, the road was also used for deliveries to the University of Sheffield Enterprise (USE) building. The Highways Service had concerns with regard to potential problems with customers blocking the footway, particularly for people with a disability or in a wheelchair. There were also concerns with regard to the trailer being left on the public highway overnight. Mr Turner also made reference to the fact that the proposed location of the trailer on Portobello Road was different to the location indicated when the application was made.
- 4.8 In response to questions from Members of the Sub-Committee and the applicant, Mr Turner stated that the City Council had given consideration to restricting access to Portobello Road at certain times during the day, but at the present time, it was accessible at one end

by vehicles, at all times. He confirmed that he was now clear where the applicant wished to locate the trailer and confirmed that, based on the dimensions of the trailer, there would only be approximately 2 foot 6 inch of footway remaining, which would mean that if there were customers queuing to purchase food, other people would be forced to walk on the carriageway. Even if there were not any people queuing at the trailer, wheelchair-users required a minimum of 1.2 metres of footway.

- 4.9 Elizabeth Taylor, representing Sarah Pates, University of Sheffield Enterprise, stated that the University considered that a street trading unit on Portobello Road would not be in keeping with the close proximity of St George's Churchyard, it would result in an increase in litter and encourage the unauthorised use of the University's commercial waste facilities and the trailer, if sited at the proposed location, would obscure the student cycle racks from the view of the security cameras. The proposed location of the trailer was also very close to the fire exit for the University of Sheffield Enterprise building. Ms Taylor also referred to the potential for an increase in theft or vandalism, particularly if the trailer was left on the footway overnight.
- 4.10 In response to questions from Members of the Sub-Committee and the applicant, Ms Taylor stated that she was not sure whether the University had objected to the application for the Street Trading Consent in respect of the Japanese fast food trader as she wasn't employed there at the time of that application. However, she stated that she would have made formal objections if she had been there at the time. The previous street trader had not been trading at the site since September 2012, following a number of thefts from the stall. She confirmed that the location of the previous trader's stall had caused problems in terms of the USE building's fire exit. Kathy Stockdale confirmed that the consent at this location had been renewable at the end of 2012, but the previous trader had not renewed the consent. Despite the applicant indicating that their trailer was considerably smaller than the previous trading stall, Ms Taylor stated that she would still have concerns regarding the size of the gap for people exiting the building, particularly if there were any wheelchair-users. Whilst there had not been any contact with the South Yorkshire Fire Service on this issue, she had raised her concerns with staff at the University who deal with fire safety issues.
- 4.11 **RESOLVED:** That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.12 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.

- 4.13 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.14 **RESOLVED:** That the application for a Street Trading Consent (Ref No. 7/13) be not granted on the grounds that (a) there were no details regarding the design of the proposed trading unit to be used and (b) the Sub-Committee had concerns regarding (i) the safety and security implications of the trading unit being left on the footway overnight, (ii) the fire safety implications for students and employees at the University of Sheffield Enterprise building and (iii) the obstruction to the footway, particularly for wheelchair-users.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 4 February 2013

PRESENT: Councillors John Robson (Chair), Nikki Sharpe, Clive Skelton and Philip Wood

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on agenda item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING - INDIVIDUAL CASES

4.1 The Chief Licensing Officer submitted details in respect of three cases relating to Hackney Carriage and Private Hire Licensing.

4.2 The applicant in Case No. 10/13 attended the hearing and addressed the Sub-Committee.

4.3 The applicant in Case No. 11/13 attended the hearing and addressed the Sub-Committee.

4.4 The applicant in Case No. 70/12 attended the hearing and addressed the Sub-Committee.

4.5 RESOLVED: That the cases now submitted be determined as follows:-

<u>Case No.</u>	<u>Licence Type</u>	<u>Decision</u>
10/13	Application for the renewal of a Hackney Carriage and Private Hire Driver's Licence	Grant for the normal term of 18 months, on the condition that the applicant successfully completes an NVQ course "The introduction to the role of a professional private hire and hackney carriage driver" or similar course approved by the City Council, due to the

		number of points accrued by the applicant for speeding.
11/13	Application for the renewal of a Hackney Carriage and Private Hire Driver's Licence	(a) Grant a licence for the term of nine months, subject to there being no further cause for concern and (b) the applicant be given a written warning as to his future conduct.
70/12	Application for a Private Hire Operator's Licence	Defer a decision on the application in the light of the challenge by the applicant with regard to the result of his Criminal Records Bureau (CRB) check, and arrangements be made for the application to be considered as soon as is practicable, after confirmation has been received from the applicant as to the outcome of his CRB check and his intention as to how he wishes to proceed with his application.

SHEFFIELD CITY COUNCIL

Licensing Committee

Meeting held 5 February 2013

PRESENT: Councillors John Robson (Chair), Neale Gibson and Stuart Wattam

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors David Barker, Nikki Bond, Jillian Creasy, George Lindars-Hammond, Vickie Priestley, Ian Saunders, Nikki Sharpe, Clive Skelton (Deputy Chair), Geoff Smith and Philip Wood.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

4.1 The minutes of the meetings of the Licensing Sub-Committee held on 11th, 13th and 17th December 2012, and 3rd and 7th January 2013, were approved as correct records.

**5. GOVERNMENT CONSULTATION - STREET TRADING AND PEDLARY LAWS
- COMPLIANCE WITH THE EUROPEAN SERVICES DIRECTIVE**

5.1 The Chief Licensing Officer submitted a report informing Members of a consultation paper that had been released by the Department for Business, Innovation and Skills, regarding the new proposed draft regulations, amendments to the Local Government (Miscellaneous Provisions) Act 1982, and seeking their comments on the draft response of the Licensing Authority, which was attached at Appendix 'A' to the report.

5.2 Steve Lonnia, Chief Licensing Officer, indicated that the Licensing Authority was generally in favour of the new proposed draft regulations.

5.3 In response to questions from Members of the Committee, Mr Lonnia stated that officers had similar concerns regarding the fact that the legislation does not define the minimum age a Pedlar could be and that whilst there was nothing the Licensing Authority could do about this, it had sought the views of the Sheffield Safeguarding Children Board, and the Board's views had been included in the consultation response. In terms of the extent of Pedlars operating in the City Centre, he stated that although there had been a reduction in the number of Pedlars following the action taken by officers in December 2012, it was expected that the numbers would

gradually increase throughout 2013. He added that this issue was a particular problem as the Licensing Service had no specific budget for enforcement, but officers would continue to liaise with the City Centre Management Team and the City Centre Ambassadors.

5.4 **RESOLVED:** That the Committee:-

- (a) notes the contents of the report now submitted, together with the responses to the questions now raised; and
- (b) approves the response to the consultation on Street Trading and Pedlary Laws, as set out in Appendix 'A' to the report, for submission to the Department for Business, Innovation and Skills.

6. **CRIMINAL JUSTICE AND POLICE ACT 2001 - DESIGNATED PUBLIC PLACE ORDER (DPPO) - WOODHOUSE**

6.1 The Chief Licensing Officer submitted a report on the results of the consultation undertaken in connection with the proposed extension of the Designated Public Place Order (DPPO) which had been implemented in respect of the area known as Market Square, Woodhouse, into Tannery Park. The report indicated that approval had been given to the continuation of the Order at a meeting of the Licensing Sub-Committee held on 16th October 2012 and, as part of the decision at that meeting, the Sub-Committee had agreed that consultation be undertaken with relevant individuals, groups and organisations on the extension of the Order into Tannery Park, as requested by the Sheffield South East Safer Neighbourhood Area (SNA).

6.2 Although Inspector Jason Booth, Sheffield South East SNA, was not present at the meeting, the Committee considered a presentation which he had prepared on the results of the consultation. The information contained in the presentation indicated that the three Woodhouse Ward Councillors, local residents, community groups and organisations and the Police were all in favour of the Order being extended into Tannery Park.

6.3 **RESOLVED:** That the Committee:-

- (a) notes the contents of the report now submitted, together with the comments now made;
- (b) in the light of the information contained in the report, specifically the comments and views expressed as part of the consultation, approves the extension of the Designated Public Place Order (DPPO) for Woodhouse into Tannery Park; and
- (c) expresses its thanks and appreciation for the work undertaken by the Police and the other statutory and voluntary organisations, in respect of the excellent manner in how the DPPO had been operated in Woodhouse.

7. **PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - IMAGE RECORDING EQUIPMENT IN LICENSED VEHICLES REVIEW**

- 7.1 The Chief Licensing Officer submitted a report on a review of the policy and specification of image recording equipment (CCTV) in licensed vehicles. The former Licensing Board, at its meeting held on 23rd May 2003, had agreed a policy and specification to allow licensees to install image recording equipment in their licensed vehicles, and a copy of the agreed specification was attached at Appendix 'A' to the report submitted to this meeting. The policy and specification was further reviewed at a meeting of the former Licensing Board on 17th April 2007, and whilst the issue of a mandatory policy was discussed at this meeting, the Board had made no changes to the policy.
- 7.2 The issue had been further considered at the meeting of this Committee held on 25th October 2012, at which the Committee deferred making a decision pending investigations into a number of issues, relating mainly to the technical specifications of the various image recording systems available, how such systems had been operating in those local authority areas which had adopted mandatory policies and seeking the views of South Yorkshire Police.
- 7.3 Clive Stephenson, Principal Licensing Officer, Taxi Licensing, referred to the views of the Taxi Trades, indicating that they were still opposed to any mandatory requirement in terms of the installation of image recording equipment in their vehicles. He also referred to the legal position, relating specifically to a judgement made in November 2011, when an appeal was made against the introduction of mandatory recording equipment, both audio and visual, in licensed vehicles in Southampton. Mr Stephenson added that there would be no financial implications for the Council, in that the drivers would have to pay for the equipment and its installation, which ranged from £300 to £2,000, depending on specification. He had received considerable information in terms of the various different systems available, including a submission from Autotek, a company which had installed a number of systems in licensed vehicles in the City, and a representative of the company was in attendance at this meeting to respond to any questions on technical issues.
- 7.4 The Chair provided an explanation of the reasoning behind the Council's decision to review whether the installation of equipment should be made mandatory, reporting on a number of examples where both drivers and customers had been subject to physical or sexual assaults or had suffered verbal abuse, including racist abuse. He also made reference to an increasing number of 'run offs', where passengers had run away without paying their fare, and indicated that if there was a mandatory requirement on drivers to install image recording equipment, this would stop, or result in a considerable reduction in such incidents.
- 7.5 In response to questions from Members of the Committee, it was reported that if any mandatory policy was implemented, the checking of the image recording equipment would most likely form part of drivers' compliance certification. There would be an onus on drivers to ensure the equipment was working as the introduction of such a system, whilst protecting public safety, would also protect drivers. There were issues in terms of how the equipment could be tested on the basis that the testing operators would not be able to have access to any images. With regard to the length of image recording, the present systems only had limited

recording time, with some systems working on a loop basis, whereby when a disc was full, the system would start recording again on the same disc, thereby recording over the previous images. The longest recording times for current systems was approximately eight hours. Further to the above responses, Mark Barker, Autotek, stated that some of the more advanced systems in S1 taxis used 32 GB memory cards, which could accommodate up to 72 hours of recording. These systems however, would cost between £1,500 and £2,000. The standard systems in the S1 taxis comprised two cameras, and became operational as soon as the ignition was switched on, and were presently on the market for between £450 and £500.

- 7.6 Hafeas Rehman, Sheffield Taxi Trade Association (STTA), indicated that the views of the Hackney Carriage trade remained the same, in that the Council should continue with the present discretionary policy in terms of image recording equipment. He stated that it would be unfair, predominantly from a financial point of view, to force drivers to have to pay and install operating systems, and added that Hackney Carriage drivers suffered relatively low levels of physical assault or verbal abuse. He indicated that he would be happy to continue to encourage drivers to install such systems, but considered that the requirement should not be mandatory.
- 7.7 In response to questions from Members of the Committee, Mr Rehman stated that anyone committing physical or sexual assaults against passengers should not have been, and never should be, able to drive taxis again. He stated however, that there was still a very low rate of such incidents involving taxi drivers in Sheffield. Taxi drivers would always report incidents of physical assaults against them to the Police, but would not necessarily report incidents of verbal/racial abuse or "run offs" due to the length of time it took to deal with such cases and the perceived low success rates following such reporting. Although he appreciated that having signs both externally and internally, on vehicles, indicating that image recording equipment was in operation, would make it much safer for the public, Mr Rehman still did not consider that the level of reported incidents in Sheffield warranted the Council implementing a mandatory policy. In terms of the financial implications, Mr Rehman stated that he did not consider it reasonable that drivers would have to purchase the equipment and pay for its installation, particularly at a time when many drivers were struggling to make a living. He added that he did not believe that the problems in Sheffield were at such a level as to warrant the expense of all drivers having to pay for the equipment, even if it was paid for by the Council or through grant-funding.
- 7.8 Clive Stephenson stated that the Taxi Licensing Service received between 50 and 70 complaints a year from passengers regarding the conduct of taxi drivers, with around 95% of such complaints relating to drivers' attitudes or standard of driving, and that having image recording equipment in vehicles would assist in resolving a large number of disputes.
- 7.9 In response to a question from the Solicitor to the Committee, Mark Barker confirmed that there was the facility to install an 'on/off' switch, which would enable the driver to activate the audio system in cases where they were receiving verbal or racist abuse, or any other relevant circumstances, which could be to their benefit in terms of any consequent disputes.

- 7.10 **RESOLVED:** That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 7.11 The Solicitor to the Committee reported orally, giving legal advice on various aspects relating to this issue.
- 7.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 7.13 **RESOLVED:** That the Committee:-
- (a) notes the contents of the report now submitted, together with the comments and representations now made and the responses to the questions raised; and
 - (b) agrees, in principle, and in light of the information contained in the report now submitted and the representations now made, that the Hackney Carriage and Private Hire Licensed Vehicle Specifications be amended to the effect that the installation of image recording equipment in both Hackney Carriage and Private Hire licensed vehicles be deemed as a mandatory requirement, but requests the Chief Licensing Officer to submit a report to a meeting of this Committee, to be held before the 2013 Annual Meeting of the Council, containing detailed information on the legal and technical implications raised at this meeting, as follows:-
 - (i) Data Protection compliancy;
 - (ii) Level of encryption;
 - (iii) Ownership of, access to and security of recorded data;
 - (iv) Duration of recordings;
 - (v) Specification and procedure regarding potential audio recording at the discretion of drivers;
 - (vi) Costs and tendering;
 - (vii) Positioning of equipment and cameras and number of cameras;
 - (viii) Timescales regarding installation in both existing and new vehicles; and
 - (ix) Including an additional module on the NVQ Course – “The Introduction to the Role of a Professional Private Hire and Hackney Carriage Driver”.

8. PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING - LONG SERVICE AWARDS 2012

- 8.1 The Chief Licensing Officer submitted a report on the nominations received for the Private Hire and Hackney Carriage Long Service Awards 2012.

- 8.2 **RESOLVED:** That the public and press and attendees be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972, as amended.
- 8.3 The Committee considered a shortlist of 12 nominees and, arising therefrom, it was:-
- 8.4 **RESOLVED:** That (a) Long Service Awards be granted to the three drivers and operative now mentioned; and
- (b) the Chief Licensing Officer be requested to (i) arrange an appropriate awards ceremony and (ii) convey the thanks and appreciation of the Committee to the four drivers and operatives.

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 7 February 2013

PRESENT: Councillors John Robson (Chair), Vickie Priestley and Ian Saunders

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence. Councillor George Lindars-Hammond attended the meeting as a reserve Member but was not required to stay.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LOCAL AUTHORITIES (ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES) REGULATIONS 2007 - CITY CENTRE DESIGNATED PUBLIC PLACE ORDER - REVIEW

4.1 The Chief Licensing Officer submitted a report to review the City Centre Designated Public Place Order.

4.2 Present at the meeting were Superintendent Martin Hemingway, South Yorkshire Police, Inspector Alex Murthi, South Yorkshire Police, Matthew Burdett, City Centre Safer Neighbourhood Area Officer, Richard Eyre, Head of City Centre Management and Major Events, Tracey Ford, Sheffield Drug and Alcohol Co-ordination Team, Carolyn Forster, Solicitor to the Sub-Committee, Claire Bower and Matt Proctor, Licensing Officers and Jennie Skiba, Democratic Services.

4.3 Superintendent Martin Hemingway gave a presentation which summarised the City Centre Designated Public Places Order (DPPO). He stated that the DPPO essentially is an alcohol exclusion or controlled zone which gives the Police additional powers to seize alcohol from anyone causing anti-social behaviour in the area. He added that since the introduction of the zone in the City Centre there had been a significant decrease in the number of incidents of anti-social behaviour. He said that whilst it is not an offence to consume alcohol within a "designated" area, the Police and other trained officers have powers to control the consumption of alcohol in that place. An offence is committed if an individual refuses to comply with the officer's request and refrain from drinking, which is then punishable by a fixed penalty notice or a fine.

4.4 Superintendent Hemingway showed a map of the existing area covered by the Order which is an area of land within the inner ring road but extended to Sheaf

Street and the Midland Station and stated that the purpose of the review is to extend the Zone from the City Centre to Broomhall and London Road/Highfields. He said that consultation events had been organised within the areas, with invitations being sent out to the voluntary sector and community groups and all treatment providers. Consultation papers and questionnaires had been circulated widely to capture the views of interested persons who were unable to attend the events. He added that the majority of responses received had been fully supportive of the existing Zone and were keen for it to continue.

- 4.5 With regard to extending the Zone to the Broomhall area, he stated that although businesses were in favour of the DPPO, there was strong opposition from local community groups and local councillors as they felt that the Broomhall area did not have issues with alcohol related anti-social behaviour. The main concern was that they did not want their area being labelled as having negative issues with alcohol and felt that street signage would infer this.
- 4.6 Superintendent Hemingway referred to the London Road area and reported that after consultation with local businesses many had stated that they would be fully supportive of the Order as alcohol related anti-social behaviour does impact on their businesses.
- 4.7 Richard Eyre stated that he firmly believed that the DPPO has had a positive effect. He indicated that prior to its introduction there were large numbers of alcohol related incidents in the City Centre and whilst the Order had not solved these issues completely, it had helped the Police to prevent a large number of incidents occurring. There were concerns initially that the Order would alienate street drinkers and displace them to other areas of the City, but this had been found not to be the case. Richard Eyre added that Sheffield had become the first City in Yorkshire to gain a "Purple Flag", which is an accreditation for having a good, safe and vibrant night time. He felt that with the proposed opening of the new Market on The Moor later this year, there was a strong case for keeping the restriction zone to prevent the problems that there had been in the past outside the Castle Market. In response to questions, he stated that the problems in the Castle Market area were now under control.
- 4.8 Tracey Ford stated that street drinkers tended to be people who were vulnerable, problematic drinkers and/or taking prescription drugs. She said that the officers who currently patrol the City Centre were familiar with these vulnerable people and a lot of intelligence had been gathered to help deal with this. She reiterated that the Order had not displaced people and that hardened drinkers tended to drink more discreetly.
- 4.9 In response to questions from Members of, and the Solicitor to, the Sub-Committee, it was confirmed that signs have to be permanently erected on lamp posts to make the Order lawful and that plans for alternative signs would be put in place at a financial cost to the Police.
It was confirmed that whilst the guidance indicated that signage should be A4 size, the legislation provided discretion in that pursuant to paragraph 8 of Statutory Instrument 2007/806 signage needed to be "sufficient". Superintendent Hemingway confirmed that notwithstanding those consulted within the Broomhall

area did not perceive issues with alcohol related anti-social behaviour, the evidence was that nuisance or annoyance to members of the public or a section of the public has been associated with the consumption of intoxicating liquor in that area. He further confirmed his assessment of the likelihood that the problem would continue unless the powers were adopted and his belief that the problem could be remedied by the use of the powers contained within Section 13 of the Criminal Justice and Police Act 2001.

- 4.10 RESOLVED: That the public and press and attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in Paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.11 The Solicitor to the Sub-Committee reported orally, giving legal advice on various aspects of the application.
- 4.12 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.13 RESOLVED: That (a) the existing Designated Public Place Order (DPPO) in the City Centre be maintained and that a further review be held in five years' time; and
(b) the necessary process do proceed with formal consultation to extend the area of the DPPO. Such consultation to be meaningful consultation held with the residents of the Broomhall and London Road/Highfield areas and the outcome of such consultations be submitted to a future meeting of the Licensing Committee.
- 4.14 The Chair of the Sub-Committee wished to formally thank everyone involved in the City Centre DPPO for its success.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 21st March 2013

Subject: Animal Boarding Establishments Act 1963
Proposes new conditions for day care boarding establishments for dogs.

Author of Report: Shimla Rani - 2037752

Summary: To inform members of proposed new conditions for day care boarding establishments for dogs under the Animal Boarding Establishments Act 1963 and for the proposed conditions to be approved.

Recommendations: That Members consider the details of the attached documents and make any relevant comments.

That Members approve the introduction of the new conditions.

Background Papers: Attached to this report

Category of Report: OPEN

**Animal Boarding Establishments Act 1963
Proposed New Standard Conditions for Day Care Boarding Establishments
for Dogs**

1.0 PURPOSE AND OUTCOME

- 1.1 The purpose of this report is to inform members of proposed new conditions for day care boarding establishments for dogs under the Animal Boarding Establishments Act 1963.
- 1.2 The expected outcome of the report is to ensure the proposed conditions comply with the above legislation which relates to animal welfare and for the proposed conditions to be approved.

2.0 LEGISLATION

- 2.1 Sheffield City Council is the authority responsible for dealing with and enforcing the legislation relating to the Animal Boarding Establishments Act 1963 in the Sheffield area.
- 2.2 The Animal Boarding Establishment Act 1963 makes it an offence for the keeping of a boarding establishment for animals (cats and dogs) except under the authority of a licence granted by the Local Authority.
- 2.3 In determining whether to grant a licence, the Local Authority shall have regard to securing:
- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
 - (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
 - (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
 - (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraphs (a) to (e) of this subsection.

2.4 In securing the above objectives, each licence is subject to compliance of standard conditions in respect of the welfare and safety of animals. Currently Sheffield City Council have the following conditions under the Act:

- Home Boarding Conditions
- Model Licence Conditions for Dog Boarding Establishments (Kennels)
- Model Licence Conditions for Cat Boarding Establishments (Catteries)

In addition to the standard conditions a licence may also contain special conditions that are only applicable to the specific premises.

2.5 The Licensing Authority of Sheffield City Council has promoted consistency across the operators of animal boarding establishments by utilising standard or “model” conditions, based on a number of different authorities such as the Chartered Institution of Environmental Health (CIEH) or the Local Authority Coordinators of Regulatory Services (LACORS).

2.6 The CIEH has produced a document “Model licence conditions and guidance for dog boarding establishments” and LACORS have produced a similar document for home boarding.

2.7 The Council uses these generic model conditions for each operator. A copy of the conditions set out at 2.4 will be sent to members separately to reduce the size of this report.

3.0 BACKGROUND AND PROPOSALS

3.1 In Sheffield an increasing number of establishments are being set up to care for dogs in a crèche style environment, mainly during the day where limited accommodation is provided but dogs are encouraged to mix and play together in a shared exercise area.

3.2 These establishments are licensable as they are “providing accommodation for other people’s animals” - Animal Boarding Establishments Act 1963, Section 5.

3.3 The current conditions in 2.4 are not appropriate for day care boarding establishments customers are setting up and it is deemed necessary for the welfare and safety of animals for model conditions to be drafted.

3.4 A copy of the proposed conditions and rationale used to reach the standard are attached at Appendix ‘A’, a tracked version will be sent to members prior to the meeting.

3.5 In drafting the proposed conditions, Animal Health Officers have consulted other Local Authorities including: Barnsley MBC, Cleveland DC, York CC, Leeds CC, and Salford MBC. Officers have also visited a licensed establishment in Barnsley as well as discussing the conditions with other operators including one based at Stockton (regulated by Cleveland DC). Model conditions issued by Lichfield DC have also informed the process.

- 3.6 To be consistent with the Council's existing approach to animal boarding establishment licensing, the day care boarding establishment conditions were derived in a generic manner so that they could be readily used across the city and promote consistency.
- 3.7 Officers considered the nearest existing match for the conditions needed for the day care boarding establishments were the conditions contained in the LACORS "home boarding" document. The reason for this is that dogs in a home boarding establishment share exercise areas, whereas in kennels this is discouraged. The day care / crèche arrangement revolves around shared exercise areas.
- 3.8 To promote consistency Officers altered the "home boarding" conditions as little as possible but took into account:
- The establishment is not a domestic home or dwelling, so construction standards should match those set for boarding kennels, including the provision of a kitchen for the preparation of food and the washing of bowls, and a double gate arrangement for entrances and exits.
 - More dogs will be in closer contact with each other than in traditional home boarding and this will give rise to a greater risk of the spread of infection, so inoculation standards should be higher.
 - There is more likelihood of dogs being injured through for example dogs fighting, colliding whilst playing, or slipping on the floor. Greater supervision, a higher standard of initial "first aid" care, adequate space, and non slip flooring to the shared exercise area were considered essential
 - Dogs may not be suitable for, or wish to participate in, the shared exercise sessions, and a proportion of separate accommodation would be required for these animals.
 - Enhanced record keeping especially those records relating to the dog's suitability to use the shared exercise areas
- 3.9 The conditions have been derived in such a way that a combined operation, such as a traditional boarding operation and a day care / crèche could be accommodated by means of issuing separate sets of conditions under one licence, as per current practice.
- 3.10 Animal Health Officers have been invited to this meeting to provide any further clarification.

4.0 CONSULTATION

- 4.1 A consultation letter was sent to proposed applicants and all existing animal boarders in Sheffield inviting their comments on this matter by the 19th March 2013. Details of the comments will be provided at the meeting.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications for the Council arising from this report as the fees on application cover the costs of advertising and inspecting this licensing function.

6.0 RECOMMENDATIONS

- 6.1 That Members consider the details of the attached documents and make any relevant comments.
- 6.2 That Members approve the introduction of the new conditions.

7.0 OPTIONS OPEN TO THE BOARD

- 7.1 That Members of the Licensing Committee approve the new conditions.
- 7.2 That Members of the Licensing Committee make further amendments before approving the new conditions.
- 7.3 That Members of the Licensing Committee defer the decision pending any further information that may be requested.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation
Place

March 2012

APPENDIX 'A'

LICENCE CONDITIONS FOR DAY CARE BOARDING ESTABLISHMENTS FOR DOGS

ANIMAL BOARDING ESTABLISHMENTS ACT 1963

Local Authorities issue licences to proprietors of boarding kennels under the provision of The Animal Boarding Establishments Act 1963. The licence can stipulate a number of conditions to secure the following objectives:

- i) that dogs are kept in accommodation suitable in respect of construction, size, temperature, lighting, ventilation and cleanliness;
- ii) that dogs are adequately supplied with suitable food and drink, and are visited at suitable intervals;
- iii) that dogs are kept secure;
- iv) that reasonable precautions are taken to prevent the spread of infectious diseases;
- v) that appropriate steps be taken in the event of an emergency;
- vi) that a suitable consistent level of management is maintained.

This document has been prepared in the best interests of animal welfare and to improve kennel management. No liability rests with the Council for circumstances arising out of the application of conditions contained within.

1. INTRODUCTION

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or which are used in association with the day care boarding of dogs.
- 1.2 No dog registered under the Dangerous Dogs Act 1991 must be accepted for day care boarding.
- 1.3 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for day care boarding.
- 1.4 Entire males and bitches in season or bitches due to be in season or bitches due to be in season during boarding, including resident dogs, must not be boarded together.
- 1.5 Puppies must not be boarded with other dogs until completion of initial inoculations.

2. LICENCE DISPLAY

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

3. NUMBERS OF ANIMALS

3.1 The maximum number of dogs to be kept at any one time shall be as specified in the licence document.

4. CONSTRUCTION

4.1 All materials used in the construction of walls, floors, partitions, doors and door frames to be made durable, smooth and impervious. There must be no projections or rough edges liable to cause injury

4.2 The premises shall have its own entrance and must not have shared access e.g. communal stairs.

4.3 There must be adequate space, light, heat and ventilation for the dogs.

4.4 All areas/rooms within the premises to which boarded dogs have access must have no physical or chemical hazards that may cause injury to the dogs.

4.5 There must be sufficient space available to be able to keep the dogs separately if required.

4.6 There must be a separate kennel for at least 50% of the capacity of day boarded dogs. These kennels shall be at least 2.3 m², and constructed so as to comply with the Council's conditions for dog boarding establishments.

5. MANAGEMENT

5.1 TRAINING

5.1.1 A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 CLEANLINESS

5.2.1 All areas where the dogs have access to, including the kitchen etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.

5.2.2 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the authorised officer of the Council.

5.2.3 All bedding areas must be kept clean and dry.

5.2.4 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases.

5.2.5 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

5.3 FOOD AND WATER SUPPLIES

- 5.3.1 All dogs shall have an adequate supply of suitable food as directed by the client.
- 5.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 5.3.3 Suitable bedding, bowls, grooming materials etc must be provided. These items must be cleaned regularly to prevent cross-infection.
- 5.3.4 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

5.4 KITCHEN FACILITIES

- 5.4.1 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 5.4.2 All bulk supplies of food shall be kept in vermin proof containers.
- 5.4.3 Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs
- 5.4.4 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash hand basin with hot and cold water must be provided for staff use.

5.5 DISEASE CONTROL AND VACCINATION

- 5.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 5.5.2 Proof must be provided that dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus, kennel cough and other relevant diseases as specified by the Local Authority from time to time. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.
- 5.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site. All staff must be trained in animal first aid.

- 5.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 5.5.6 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in dogs. Written records must be maintained of all routine and emergency treatment for parasites given to the dogs whilst at the premises.
- 5.5.7 The premises shall be treated for fleas and parasites with an effective product as necessary.
- 5.5.8 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

5.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK

- 5.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective isolation of any sick animal.
- 5.6.2 The Licensee must inform the Council without delay if a dog develops an infectious disease.
- 5.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new dogs are admitted. This period will be specified by an Authorised Officer of the Council with advice from a veterinary surgeon.
- 5.6.4 The Council must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return unless directed otherwise by the owner or their representative.

5.7 REGISTER

- 5.7.1 A register must be kept of all dogs boarded. The information kept must include the following:
- Date and time of arrival
 - Name of dog, any identification system such as microchip number, tattoo
 - Description, breed, age and gender of dog
 - Name, address and telephone number of owner or keeper
 - Name, address and telephone number of contact person whilst boarded
 - Name, address and telephone number of dog's veterinary surgeon
 - Anticipated and actual date of departure
 - Proof of current vaccinations, medical history and requirements
 - Details of any treatment administered whilst the dog is being boarded. If any dog is involved in an incident which gives rise to concern for the animals welfare, even if no injury is visible or apparent, the owner must be notified of the incident in writing and any follow up advice given.
 - Health, welfare nutrition and exercise requirements
 - Copy of written consent from the owner to their dog having contact with other dogs
 - Date of the last season of any entire bitch

- 5.7.2 Such a register is to be available for inspection at all times by an authorised officer of the Council and/or a veterinary surgeon.
- 5.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.
- 5.7.4 If medication is to be administered, this must be recorded.
- 5.7.5 Where records are computerised, a back-up copy must be kept. The register must also be available to members of staff of the establishment at all times.

5.8 SUPERVISION

- 5.8.1 A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence. There shall be one such person present in any shared exercise area when dogs are being exercised. There shall be a ratio of no less than one person for every 5 dogs in the area.
- 5.8.2 Dogs must not be left unattended at any time .
- 5.8.3 The staff / licensee of the property must be aware of the location of the dogs in the property at all times.
- 5.8.4 A thorough assessment and introduction session must be carried out for all dogs prior to them interacting with existing day boarders, the record of this to be retained and available to staff at all times

5.9 EXERCISE

- 5.9.1 Dogs must be exercised in accordance with their owner's wishes. When dogs are taken off the premises, they must be kept on leads unless with the owners prior written permission.
- 5.9.2 Where there is access to an outside area, the area must only be for use by the licensee. The area must be kept clean.
- 5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be double and able to be locked.
- 5.9.4 If there is a pond at the premises, it must be suitably protected so as to prevent access by dogs.
- 5.9.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
- 5.9.6 The Council and the 101 Service shall be informed without delay if a dog is lost. The Council number to call is 0114 203 7410.

- 5.9.7 Internal shared exercise areas must be covered with a non slip, non permeable, cushioned material. Any gaps in the material used must be sealed
- 5.9.8 Shared exercise areas shall be sufficient to allow at least 100ft² of space per dog.

5.10 FIRE / EMERGENCY PRECAUTIONS

- 5.10.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 5.10.2 Careful consideration needs to be given to the resting area for dogs to ensure that they can be easily evacuated in the event of a fire or other emergency, without putting the occupiers of the property at risk.
- 5.10.3 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the operation and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises are rendered uninhabitable.
- 5.10.4 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The premises must have smoke detectors in appropriate locations.
- 5.10.5 All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
- 5.10.6 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or unsealed oil appliances. Any other freestanding appliances must be kept in a safe, secure manner and should not be easily knocked over by boarding dogs.

5.11 TRANSPORT OF ANIMALS

- 5.11.1 If a collection or delivery service is provided, a suitable vehicle with a dog guard, cage or other suitable restraint must be used.

ADVICE – Note: These are not conditions

The following section is intended as advice for licensees.

Insurance

The Licensee is advised to ensure that the establishment is covered by adequate and suitable public liability insurance, employers liability insurance and pet insurance.

Planning permission

This licence does not give any permission or approve any development under planning legislation. The operator is advised to ensure that the business does not require planning permission by contacting Planning Services at Sheffield City Council.

Nuisance Complaints

This licence does not give any exemption from the requirements of the Environmental Protection Act 1990 provisions on statutory nuisances, particularly those relating to odour or noise. The operator is advised to ensure that the business is run in such a manner as to ensure there are no grounds for complaint.

Health and safety

The operator is reminded of their responsibilities under the Health and Safety at Work Etc Act 1974, in particular to the requirements for risk assessments. These assessments need to include for the potential impact of the business on those who are not their employees, especially family members including children.

Waste disposal

All waste generated in the course of a business must be disposed of in accordance with current waste regulations.

Transport of animals

If a collection or delivery service is provided, a suitable vehicle with a dog guard, cage or other suitable restraint must be used.

OTHER RELEVANT LEGISLATION

Health and Safety at Work Etc Act 1974
Environmental Protection Act 1990
Electricity at Work Regulations 1989
Control of Substances Hazardous To Health
Regulations 1988
Controlled Waste Regulations 1992
The Control of Dogs Order 1992
Dangerous Dogs Act 1991

Additional / Enhanced Conditions and Rationale

Enhanced / New Condition	Rationale for enhancement from home boarding conditions
<p>4.1 All materials used in the construction of walls, floors, partitions, doors and door frames to be made durable, smooth and impervious. There must be no projections or rough edges liable to cause injury</p>	<p>These conditions are direct from the boarding kennels conditions. The original conditions for home boarding are for limited numbers of dogs and do not envisage purpose built facilities</p>
<p>4.6 There must be a separate kennel for at least 50% of the capacity of day boarded dogs. These kennels shall be at least 2.3m², and constructed so as to comply with the Council's conditions for dog boarding establishments</p>	<p>Not all dogs in a day care will want to participate in the shared exercise areas. They may be old or tired or simply disinterested, and need somewhere to rest away from the stimulus of the shared area. The 50% ratio is used by another Local Authority. The size is that specified by the CIEH document as a "holding kennel" where a dog could be held for less than 24 hours.</p>
<p>5.4.3 Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs</p> <p>5.4.4 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash hand basin with hot and cold water must be provided for staff use.</p>	<p>These conditions are direct from the boarding kennels conditions. The original conditions for home boarding are for limited numbers of dogs and do not envisage purpose built facilities</p>
<p>5.5.2 Proof must be provided that dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (L. canicola and L. icterohaemorrhagicae) and Canine Parvovirus, kennel cough and other relevant diseases as specified by the Local Authority from time to time. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.</p>	<p>The list has been extended to include kennel cough. This is in common with most conditions in use by other Councils</p>

Enhanced / New Condition	Rationale for enhancement from home boarding conditions
5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site. All staff must be trained in animal first aid.	The addition of animal first aid will ensure that any dog injured at the establishment will be able to receive prompt and appropriate care.
5.8.1 A fit and proper person with relevant experience must always be available to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence. There shall be one such person present in any shared exercise area when dogs are being exercised. There shall be a ratio of no less than one person for every 5 dogs in the area.	The sentences in bold have been added. It is considered essential that the dogs in the shred area are supervised at all times in case of a dog fight, bullying of a dog, or injury to a dog. The requirement for a ratio of 1 person to 5 dogs is that based on professional advice, Manchester City Council state that a single person should only walk 4 dogs at a time as 5 or more dogs establish a “pack mentality” and are less likely to obey a human command. In an enclosed environment with experienced staff it may be easier to establish a human as a leader.
5.8.4 A thorough assessment and introduction session must be carried for all dogs prior to them interacting with existing day boarders, the record of this to be retained and available to staff at all times	This new condition will ensure that dogs are suitable to mix with other dogs before they are allowed in the shared exercise area.
5.9.7 Internal shared exercise areas must be must be covered with a non slip, non permeable, cushioned material. Any gaps in the material used must be sealed	The floor exercise area is critical and if slippery may cause injury to a running dog. It needs to be able to be effectively cleaned and gaps will hinder this.
5.9.8 Shared exercise areas shall be sufficient to allow at least 100ft ² of space per dog.	A crowded exercise area may cause dogs to collide with each other or with the walls of the area. The area has been specified by another Local Authority.

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 21st March 2013

Subject: Licensing Fees Review (Determination of Fees).

Author of Report: Stephen Lonnia - 2053798

Summary: A report to members to determine a schedule of fees for the Licensing Service.

Recommendations: That members consider all the information provided in the report and that included in any attachments before determining the licence fee(s) as set out in the report and detailed in the attachments.

Background Papers: Attached

Category of Report: OPEN

Licensing Fees Review (Determination of Fees)

1.0 PURPOSE AND OUTCOMES

1.1 The purpose of this report is for members to determine the fees for the following systems where we propose no increase at this moment in time:

- Private Hire & Hackney Carriage Drivers, Vehicles and Operators etc;
- Animal Health (pets shops, animal boarding establishments, dangerous wild animals, riding establishments and breeders of dogs);
- Street Trading (football, static, mobile, schools, and short term consents);
- Motor Salvage Operators;
- Sex Establishment Licensing (sex shops and sexual entertainment venues);
- Gambling Act 2005 (casino, bingo, betting and track premises etc.);
- Approved Marriage Premises (secular and religious)
- Poisons Registration;
- Pavement Café Licences; and
- Second Hand Dealers Registration.

1.2 To note the following fee(s) that are statutory and are prescribed by the Secretary of State and can not be changed by the Local Authority. These include;

- Licensing Act 2003
- Gambling Act 2005 (certain fees)

1.4 To inform members of the systems that are administered by the Licensing Service, where the legislation states we are unable to charge a fee;

- Safety at Sports Grounds
- Street Collections
- House to House Collections
- Hypnotism
- Commons Registration
- Scrap Metal Dealers

1.5 The intended outcomes of this report are to ensure that:-

- The Licensing Service recovers the reasonable costs for administering and enforcing the terms and conditions of certain licensing systems;
- The Council fees and charges are set in accordance with the Councils Fair Charging principles set out in the Future Shape Policy Handbook and the Provision of Service Regulations 2009; and
- All fees are determined on an annual basis whether they remain the same, increase or decrease.

2.0 FAIR CHARGING POLICY

- 2.1 It is agreed that fees and charges should be set in a consistent way across the Council and that we are transparent about the fees we expect people to pay.
- 2.2 Licence fees must also be set in accordance with the relevant legislation and the Provision of Services Regulations 2009 and any other associated legislation.
- 2.3 We have set the proposed fees so that they do not prevent us from delivering on our priorities and also on the principle of the polluter pays where it is appropriate.
- 2.4 The Council intends to recover its reasonable costs of the Licensing Service with regards to the administration and enforcement of the terms and conditions of each of the above licensing systems. Each licensing system has its fee calculated separately to ensure we are only recovering the costs in relation to that individual system.

3.0 THE LAW

- 3.1 It is clear from *R v Manchester City Council. Ex p. King*, *The Times*, April 3, 1991 that the power to set fees does not permit the Council to raise revenue generally.
- 3.2 It has also been established in many cases such as *R-v-The Greater London Council Ex Parte The Rank Organisation Limited* where it was stated “the level of fees was a matter of policy and as long as the total fee income did not exceed the cost of the licensing system the court should not and could not see to interfere”.
- 3.3 The Provision of Services Regulations 2009 which came into force on 28 December 2009, Para 18(4) states any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of these procedures and formalities.
- 3.4 The case of *R (Hemmings and Others) v Westminster City Council* has changed the way we must consider setting fees and what legitimate costs we can recover.

Keith J upheld that the procedures the costs of which could be recharged to licensees are;

“... the steps which an applicant for a licence has to take if he wishes to be granted a licence or to have his licence renewed, and when you talk about the cost of those procedures, you are talking about the administrative costs of vetting the application and the costs of investigating their compliance with the terms of the licence. There is simply no room for the costs of authorisation procedures to include costs which are significantly in excess of those costs...”

- 3.5 With regards to private hire and hackney carriage licensing. A district council may charge fees in order to recover the reasonable costs incurred in operating the licensing function.
- 3.6 Any proposed variation to the fees for vehicles and operators must be advertised

and objections received within 28 days of the advertisement considered. There is no requirement for drivers or other fees to be advertised or for objections to be considered.

- 3.7 Following the advertisement where no objections are received the new scale of fees comes in to effect on a specified date no less than 28 days after the advertisement appeared.
- 3.8 Should objections be received (that are not withdrawn) then those objections must be considered. After consideration of any objections by the Council the new scale of fees, whether modified or not, will come in to effect on a new date that is within two months of the original date.
- 3.9 Members should note that we can not recover enforcement costs from drivers licence applications. Any enforcement must be recovered through vehicle licence fees.
- 3.10 Members should note that it can only recover the actual costs of delivering each individual system from the fees it charges applicants / licensees. It can not make a surplus from fees and must not use fees to subsidise any other licensing system; to offset other budgets or raise income generally.

4.0 THE LICENSING SERVICE

- 4.1 Licensing operates as a single service. However, it works in four teams with regards to specific areas (Alcohol & Entertainment, Taxis, Safety at Sports Grounds and Gambling / Street Trading etc.). Each team delivers that particular area/specialism of licensing, with staff moving across the four teams and undertaking work throughout the service to give increased flexibility, in line with fluctuations in demand.
- 4.2 The Licensing Service is permitted to recover the cost of certain enforcement activities (terms and conditions) via licence fees. This is only relevant to those systems that fall within the scope of the European Services Directive such as Sex Establishments and Street Trading etc.

5.0 NON STATUTORY FEES

- 5.1 The Licensing Service has undertaken an extensive review of fees with Finance. There are many fees charged across the service and we are proposing no increase as we are satisfied that in all these areas the fees already in place recover the reasonable costs of administering that system for 2013/14.
- 5.2 Members will note that fees are reviewed / determined every year. Members will be aware that the fees were last determined in July 2012.
- 5.3 The Licensing Service has taken on several new systems over the last twelve months and those new systems where fees are charges are included in this report.
- 5.4 The fees set by the Licensing Authority which are proposed to remain the same are attached at **Appendix "A" to "H"**.

6.0 STATUTORY FEES

- 6.1 The Licensing Service also administers several systems where the fee is determined by the Secretary of State through regulation. This includes all the fees under the Licensing Act 2003 and also several fees under the Gambling Act 2005.
- 6.2 The Licensing Authority has no powers to change these fees. See **Appendix “J” and “K”**.

7.0 NON FEE PAYING

- 7.1 The last few systems the service administers are ones which in accordance with the legislation the Licensing Authority are unable to charge a fee. These systems include duties that are placed upon us by statute and must be undertaken.
- 7.2 These systems include Safety at Sports Grounds, Street Collections, House to House Collections, Hypnotism, Commons Registration and Scrap Metal Dealers.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications for the Council arising from this report as fees are proposed to remain the same. Should Members agree to determine the licence fees as detailed in the report above and attachments, the Council will continue to recover its reasonable costs of the Licensing Service in relation to administering and enforcing the above licensing systems.

9.0 RECOMMENDATIONS

- 9.1 That members consider all the information provided in the report and that included in any attachments before determining the licence fee(s) as set out in the report and detailed in the attachments.

10.0 OPTIONS OPEN TO THE BOARD

- 10.1 To determine the fees and authorise the Chief Licensing Officer and Head of Service to maintain the fees at the current level as detailed above and in the attachments.
- 10.2 To determine the fees and instruct the Chief Licensing Officer and Head of Service to increase the fees or reduce them as per Members considerations.
- 10.3 To defer the decision to determine the fees for further consideration.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation, Place

March 2013

APPENDIX "A"

HACKNEY CARRIAGE VEHICLES

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£215	£0	£215
Renewal	£160	£0	£160
Transfer	£21	£0	£21

PRIVATE HIRE VEHICLES

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£215	£0	£215
Renewal	£160	£0	£160
Transfer	£21	£0	£21

HACKNEY CARRIAGE & PRIVATE HIRE DRIVERS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£215	£0	£215
Renewal with DBS	£140	£0	£140
Renewal without DBS	£96	£0	£96

PRIVATE HIRE OPERATORS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£1200	£0	£1200
Renewal 1-2	£200	£0	£200
3-10	£600	£0	£600
11-50	£800	£0	£800
51-100	£1000	£0	£1000
101+	£1200	£0	£1200

REPLACEMENT PLATES / BADGES

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Replacement Plate	£23	£0	£23
Replacement Badges	£15	£0	£15

APPENDIX "B"

PET SHOPS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£156	£0	£156
Renewal	£134	£0	£134

ANIMAL BOARDING ESTABLISHMENTS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£205	£0	£205
Renewal	£183	£0	£183

DOG BREEDERS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£150	£0	£150
Renewal	£150	£0	£150

RIDING ESTABLISHMENTS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£210	£0	£210
Renewal	£179	£0	£179

DANGEROUS WILD ANIMALS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£182	£0	£182
Renewal	£159	£0	£159

APPENDIX “C”

STREET TRADING

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Mobile (Ice Cream)	£236	£0	£236
Mobile (Fruit & Veg.)	£315	£0	£315
Football (hot & cold food)	£505	£0	£505
Football (memorabilia)	£100	£0	£100
Schools	£37	£0	£37
1 Month Consent	£118	£0	£118
1 Week Consent	£75	£0	£75
1 Day Consent	£48	£0	£48
Variation	£100	£0	£100
Assistant Registration / Badge	£15	£0	£15
Replacement Badge	£7:50	£0	£7:50
Replacement Certificate	£7:50	£0	£7:50
Change of Details (Minor)	£15	£0	£15

APPENDIX “D”

STREET TRADING – STATIC FEES

STATIC SITE	CURRENT FEE	INCREASE	PROPOSED FEE
Bottom of Fargate	£6,000.00	£0	£6,000.00
Peace Gardens	£6,000.00	£0	£6,000.00
Barkers Pool	£3,257.00	£0	£3,257.00
Norton Avenue	£2,620.00	£0	£2,620.00
Fargate	£1,994.00	£0	£1,994.00
Fargate	£1,994.00	£0	£1,994.00
Howard Street	£1,994.00	£0	£1,994.00
Barkers Pool	£1,994.00	£0	£1,994.00
Portebello	£0	£0	£0
Leadmill Road	£1,575.00	£0	£1,575.00
Hallam FM Arena	£1,375.00	£0	£1,375.00
Brightside Lane	£1,000.00	£0	£1,000.00
B & Q Penistone Road	£930.00	£0	£930.00
B&Q Queens Road	£928.00	£0	£928.00
Churchill Way, Chapeltown	£920.00	£0	£920.00
Top of Hounsfield Road	£912.00	£0	£912.00
Weedon street	£912.00	£0	£912.00
Kilner Way Wadsley Bridge	£912.00	£0	£912.00
Bookers Car Park	£912.00	£0	£912.00
Job Lot Car Park - Barnsley Road	£880.00	£0	£880.00
Botanical Gardens	£829.00	£0	£829.00
Botanical Gardens - Clarkehouse Road Entrance	£829.00	£0	£829.00
New Street, Holbrook Industrial Estate	£818.00	£0	£818.00
Rivelin Valley Road	£818.00	£0	£818.00
Carbrook Hall Road	£797.00	£0	£797.00
LAYBY Ecclesfield Road	£795.00	£0	£795.00
Wooley Wood Bottom	£795.00	£0	£795.00
President Way	£727.00	£0	£727.00
Lowedges Bus Terminus	£712.00	£0	£712.00
Drakehouse Retail Park	£612.00	£0	£612.00
Woodfall Lane, Low Bradfield	£588.00	£0	£588.00
Endcliffe Park	£588.00	£0	£588.00
Wickes Car Park	£542.00	£0	£542.00
Wicks Car Park Young	£542.00	£0	£542.00

street			
Wickes Car Park Penistone Road	£542.00	£0	£542.00
B And Q Greenland Road Darnall	£454.00	£0	£454.00
Sheffield University Student Concourse (Weston Bank)	£343.00	£0	£343.00
Ribston Road Darnall	£300.00	£0	£300.00
Orchard Square	£300.00	£0	£300.00
Osgathorpe Road	£268.00	£0	£268.00
Wincobank Lane (Madni jamia Masjid & Islamic Centre)	£268.00	£0	£268.00
Idsworth Road (firth park working men's club-car park)	£268.00	£0	£268.00
Cowley Hill, Chapeltown	£224.00	£0	£224.00
In the Sports Grounds of Red Rose JFC	£165.00	£0	£165.00
Drake House Retail Park	£125.00	£0	£125.00
Weston Park - Outside South West Gates	£119.00	£0	£119.00
Millhouses Park	£100.00	£0	£100.00
Hillsborough Park	£100.00	£0	£100.00
Shiregreen Cemetery	£82.00	£0	£82.00
Milton Street	£0.00	£0	£0.00
Livesey Street	£0.00	£0	£0.00
Roman Ridge Road, Sheffield S9 1G	£0.00	£0	£0.00

APPENDIX “E”

MOTOR SALVAGE OPERATORS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£77	£0	£77
Renewal	£77	£0	£77

APPENDIX “F”

CIVIL MARRIAGE & PARTNERSHIPS

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£970	£0	£970
Renewal	£970	£0	£970

Note: This includes £100 Registry Office Fee and £300 Advertising Costs.

APPENDIX “G”

SEX ESTABLISHMENTS (Sex Shops)

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£5200	£0	£5200
Renewal	£4400	£0	£4400
Quarterly Payments Renewal	£1100	£0	£1100
Transfer	£2000	£0	£2000
Variation	£1000	£0	£1000

SEXUAL ENTERTAINMENT VENUES

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Grant	£1335	£0	£1335
Renewal	£1000	£0	£1000
Transfer	£500	£0	£500
Variation	£1000	£0	£1000

SEX SHOP ASSISTANTS REGISTRATION

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Assistants Registration	£37	£0	£37

APPENDIX “H”

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
CASINOS			
Grant	N/A	N/A	N/A
First Annual Fee	£1097	£0	£1097
Annual Fee	£1567	£0	£1567
Variation	£958	£0	£958
Transfer	£874	£0	£874
Re-instatement	£874	£0	£874
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
TRACKS			
Grant	£1366	£0	£1366
First Annual Fee	£556	£0	£556
Annual Fee	£795	£0	£795
Variation	£866	£0	£866
Transfer	£782	£0	£782
Re-instatement	£782	£0	£782
Provisional Statement	£1366	£0	£1366
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
BINGO			
Grant	£1274	£0	£1274

First Annual Fee	£496	£0	£496
Annual Fee	£709	£0	£709
Variation	£774	£0	£774
Transfer	£690	£0	£690
Re-instatement	£690	£0	£690
Provisional Statement	£1274	£0	£1274
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
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BETTING			
Grant	£1182	£0	£1182
First Annual Fee	£198	£0	£198
Annual Fee	£283	£0	£283
Variation	£682	£0	£682
Transfer	£598	£0	£598
Re-instatement	£598	£0	£598
Provisional Statement	£1182	£0	£1182
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
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FAMILY ENTERTAINMENT CENTRE			
Grant	£906	£0	£906
First Annual Fee	£299	£0	£299
Annual Fee	£428	£0	£428
Variation	£590	£0	£590
Transfer	£506	£0	£506
Re-instatement	£506	£0	£506
Provisional Statement	£906	£0	£906
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
ADULT GAMING CENTRE			
Grant	£1182	£0	£1182
First Annual Fee	£343	£0	£343
Annual Fee	£491	£0	£491
Variation	£710	£0	£710
Transfer	£626	£0	£626
Re-instatement	£626	£0	£626
Provisional Statement	£1182	£0	£1182
Change of Details	£25	£0	£25
Copy of Licence	£15	£0	£15

APPENDIX “J”

LICENSING ACT

STATIC SITE	CURRENT FEE	INCREASE	PROPOSED FEE
Premises New Band A	£100.00	£0	£100.00
Premises New Band B	£190.00	£0	£190.00
Premises New Band C	£315.00	£0	£315.00
Premises New Band D	£450.00	£0	£450.00
Premises New Band E	£635.00	£0	£635.00
Premises New Band D x 2	£900.00	£0	£900.00
Premises New Band E x 3	£1,905.00	£0	£1,905.00
Premises Annual Fee Band A	£70.00	£0	£70.00
Premises Annual Fee Band B	£180.00	£0	£180.00
Premises Annual Fee Band C	£295.00	£0	£295.00
Premises Annual Fee Band D	£320.00	£0	£320.00
Premises Annual Fee Band E	£350.00	£0	£350.00
Premises Annual Fee Band D x 2	£640.00	£0	£640.00
Premises Annual Fee Band E x 3	£1,050.00	£0	£1,050.00
Premises Provisional Statement	£315.00	£0	£315.00

Premises Variation Band A	£100.00	£0	£100.00
Premises Variation Band B	£190.00	£0	£190.00
Premises Variation Fee Band C	£315.00	£0	£315.00
Premises Variation Band D	£450.00	£0	£450.00
Premises Variation Band E	£635.00	£0	£635.00
Premises Variation Band D x 2	£900.00	£0	£900.00
Premises Variation Band E x 3	£1,905.00	£0	£1,905.00
Minor Variation	£89.00	£0	£89.00
Variation of DPS	£23.00	£0	£23.00
Premises Transfer	£23.00	£0	£23.00
TEN's	£21.00	£0	£21.00
Notification of Freeholder Interest	£21.00	£0	£21.00
Theft or Loss of Licence	£10.50	£0	£10.50
Change of Address	£10.50	£0	£10.50
CPC New Band A	£100.00	£0	£100.00
CPC New Band B	£190.00	£0	£190.00
CPC New Band C	£315.00	£0	£315.00
CPC New Band D	£450.00	£0	£450.00
CPC New Band E	£635.00	£0	£635.00
CPC New Band D x 2	£900.00	£0	£900.00
CPC New Band E x 3	£1,905.00	£0	£1,905.00
CPC Variation Band A	£100.00	£0	£100.00
CPC Variation Band B	£190.00	£0	£190.00
CPC Variation Band C	£315.00	£0	£315.00
CPC Variation Band D	£450.00	£0	£450.00
CPC Variation Band E	£635.00	£0	£635.00
CPC Variation Band D x 2	£900.00	£0	£900.00
CPC Variation Band E x 3	£1,905.00	£0	£1,905.00
CPC Annual Fee Band A	£70.00	£0	£70.00
CPC Annual Fee Band B	£180.00	£0	£180.00
CPC Annual Fee Band C	£295.00	£0	£295.00
CPC Annual Fee Band D	£320.00	£0	£320.00
CPC Annual Fee Band E	£350.00	£0	£350.00
CPC Annual Fee Band D x 2	£640.00	£0	£640.00
CPC Annual Fee Band E x 3	£1,050.00	£0	£1,050.00
Theft or Loss of CPC	£10.50	£0	£10.50
Change of Details CPC	£10.50	£0	£10.50
Personal Licence Grant	£37.00	£0	£37.00
Personal Licence Renewal	£37.00	£0	£37.00
Personal Licence Change of Address	£10.50	£0	£10.50
Personal Licence Duplicate / Copy	£10.50	£0	£10.50

APPENDIX “K”

GAMBLING ACT

SYSTEM	CURRENT FEE	INCREASE	PROPOSED FEE
Lotteries New	£40.00	£0	£40.00
Lotteries Renewal	£20.00	£0	£20.00
Notification of Two Machines	£50.00	£0	£50.00
LPGMP	£150.00	£0	£150.00
Club Machine Permit	£200.00	£0	£200.00
Club Gaming Permit	£200.00	£0	£200.00
Unlicensed FEC Permit	£300.00	£0	£300.00
Prize Gaming Permits	£300.00	£0	£300.00