

# **Licensing Sub-Committee**

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**Wednesday 15 October 2014 at 10.30  
am**

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

**The Press and Public are Welcome to Attend**

## **Membership**

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**Councillors Geoff Smith (Chair), Jillian Creasy and Stuart Wattam  
George Lindars-Hammond (Reserve)**

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## **PUBLIC ACCESS TO THE MEETING**

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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.

Whilst recording is allowed at Committee meetings under the direction of the Chair of the meeting, Licensing Sub-Committee meetings may not be suitable for recording due to the nature of some of the evidence to be given, and the Chair will use discretion to decide if recording is allowed. Please see the website or contact Democratic Services for details of the Council's protocol on audio/visual recording and photography at council meetings.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://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.

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

If you require any further information please contact Harry Clarke on 0114 273 6183 or email [harry.clarke@sheffield.gov.uk](mailto:harry.clarke@sheffield.gov.uk).

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## **FACILITIES**

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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.

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**LICENSING SUB-COMMITTEE AGENDA  
15 OCTOBER 2014**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Licensing Act 2003 - Chapeltown Grill, 17 Station Road, Chapeltown, Sheffield S35 2XE**  
Report of the Chief Licensing Officer

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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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.

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 (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

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 DPIs 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.

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.

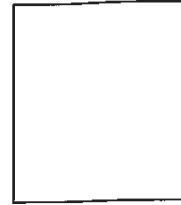
Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



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**Report of:** Chief Licensing Officer, Head of Licensing

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**Date:** 15<sup>th</sup> October 2014

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**Subject:** Licensing Act 2003

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**Author of Report:** Matt Proctor

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

Chapelton Grill, 17 Station Road, Chapelton, S35 2XE

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

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**Background Papers:** Attached documents

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**Category of Report:** OPEN

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

Ref No: 101 / 14

**LICENSING ACT 2003**

**Chapeltown Grill, 17 Station Road, Chapeltown, Sheffield, S35 2XE**

**1.0 PURPOSE OF REPORT**

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

**2.0 THE APPLICATION**

2.1 The applicant is Mr Sadegh Navaseri.

2.2 The application, which was received on 11<sup>th</sup> August 2014 is attached to this report labelled Appendix 'A'. Blank pages have been omitted to save paper, but the full original application will be available at the hearing.

2.3 Pages 2 & 3 of the application form details briefly the proposed variation. In short, the applicant wishes to add the sale of alcohol for consumption off the premises to the licence. It is intended to provide an alcohol delivery service to customers.

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

**3.0 REASONS FOR REFERRAL**

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

- |    |  |              |
|----|--|--------------|
| a) | Sheffield City Council Health Protection Service             | Appendix 'C' |
| b) | Ecclesfield Parish Council<br>( & associated correspondence) | Appendix 'D' |

3.2 The Sheffield Safeguarding Children Board has agreed 3 conditions with the applicant which would be added to any varied licence, details of which are included within Appendix 'E'

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

**4.0 FINANCIAL IMPLICATIONS**

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

## **5.0 THE LEGAL POSITION**

- 5.1 The Licensing Act 2003 at section 4 (1) requires the Licensing Authority to carry out its functions with a view to promoting the Licensing Objectives which section 4(2) sets out as: -
- a) the prevention of crime and disorder,
  - b) public safety,
  - c) the prevention of public nuisance,
  - d) the protection of children from harm.
- 5.2 Section 4(3) of the Licensing Act also requires the Licensing Authority to have regard to the published statement of Licensing Policy and any guidance issued by the Secretary of State under section 182.

## **6.0 HEARINGS REGULATIONS**

- 6.1 Regulations governing hearings under the Licensing Act 2003 have been made by the Secretary of State.
- 6.2 The Licensing Authority has provided all parties with the information required in the Regulations to the 2003 Act as set out at Appendix 'F'.
- 6.3 Also attached at Appendix 'F' is the following: -
- a) a copy of the Notice of Hearing;
  - b) the rights of a party provided in Regulations 15 and 16;
  - c) the consequences if a party does not attend or is not represented at the hearing
  - d) the procedure to be followed at the hearing.

## **7.0 APPEALS**

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

## **8.0 RECOMMENDATIONS**

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

## **9.0 OPTIONS OPEN TO THE COMMITTEE**

- 9.1 To vary the premises licence in the terms requested.
- 9.2 To vary the premises licence with modified conditions.
- 9.3 To reject the whole or part of the application.

*Stephen Lonnia*

Stephen Lonnia  
Chief Licensing Officer,  
Head of Licensing, 15<sup>th</sup> October 2014

# Appendix A

## The Application



# Application to vary a premises licence under the Licensing Act 2003

(1)

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) I/we Sadegh Navaseri

being the premises licence holder, apply to vary  
a premises licence under section 34 of the Licensing Act 2003 for the premises described in  
Part 1 below

Premises licence number

SY0757PR

### Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description

17 STATION RD  
S35 2XE

Post town S35 2XE

Post code

Telephone number at premises (if any)

01142646111

Non-domestic rateable value of premises

£ 4400 -

### Part 2 - Applicant details

Daytime contact telephone number

E-mail address  
(optional)

Current postal address if different from premises address

Post town

Post code

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

**Part 3 - Variation**

Please tick  yes

A2

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

If not do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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

\*

TO SERVE ALCOHOL TO  
CUSTOMERS

ON A DELIVERY BASIS +  
OF SALES SUNDAY 16.30-23.30  
MON-SAT 16.30 24.00

## Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

A3

### Provision of regulated entertainment

Please tick ✓ yes

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

### Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A4

**L**

**Late night refreshment**  
Standard days and timings (please read guidance note 6)

Will the provision of late night refreshment take place indoors or outdoors or both - please tick  (please read guidance note 2)

Indoors  Outdoors  Both

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Please give further details here (please read guidance note 3)

State any seasonal variations for the provision of late night refreshment (please read guidance note 4)

Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 5)

**M**

**Supply of alcohol**  
Standard days and timings (please read guidance note 6)

Will the sale of alcohol be for consumption - please tick box  (please read guidance note 7)

On the premises  Off the premises  Both

Day	Start	Finish
Mon	4:30pm	11:00pm 2400
Tue	4:30pm	11:00pm 2400
Wed	4:30pm	11:00pm 2400
Thur	4:30pm	11:00pm 2400
Fri	4:30pm	11:30pm 2400
Sat	4:30pm	11:30pm 2400
Sun	4:30pm	11:00pm 23:30

State any seasonal variations for the supply of alcohol (please read guidance note 4)

Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)

ALL year round IN SHOP

N/A



N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

A5

N/A

O

Hours premises are open to the public

Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	4:30pm	11pm
Tue	4:30pm	11pm
Wed	4:30pm	11pm
Thur	4:30pm	11pm
Fri	4:30pm	11:30pm
Sat	4:30pm	11:30pm
Sun	4:30pm	11pm

State any seasonal variation (please read guidance note 4)

All year Round - no stop

Non-standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

2400  
2400  
2400  
2400  
23:30

N/A

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

A6

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

Just Delivery of Alcohol

b) The prevention of crime and disorder

~~NOT SERVED TO SHOP TO GO~~  
~~AND CUSTOMER.~~

c) Public safety

NOT TO ~~BUY~~ ARGUE  
who is already very much  
under influence of Alcohol.

d) The prevention of public nuisance

I.D. will BE CHECKED FOR AT ALL  
TIMES  
CHALLENGE 25 SCHEME

e) The protection of children from harm

N/A - ASK FOR DRIVEN LICENCE No  
OUR PASSPORT No. over THE  
PHONE and in. Side and at



Please tick  yes

A7

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

\* insert amount

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [ \* ], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (please read guidance note 11)

If signing on behalf of the applicant please state in what capacity.

Signature [Handwritten Signature]

Date 20.07.14

Capacity Owner

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12)

If signing on behalf of the applicant please state in what capacity.

Signature \_\_\_\_\_

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

MR. SADEGH NAVASERI  
17 STATION ROAD  
CITAPELTOWN

Post town SHEFFIELD

Post code S35 2XE

Telephone number (if any) 07999990444

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

# Appendix B

## Current Premises Licence

**THE LICENSING ACT 2003**

**Premises Licence No: SY 0757 PR**

**ISSUE NO:2**

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

**PART 1 – Premises details**

Chapelton Grill  
17 Station Road  
Chapelton  
Sheffield  
S35 2XE

**Telephone Number: 0114 2467918**

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

**1. Late Night Refreshment:**

Indoors & Outdoors

Sunday	23:00 to 23:30 hours
Monday	23:00 to 24:00 hours
Tuesday	23:00 to 24:00 hours
Wednesday	23:00 to 24:00 hours
Thursday	23:00 to 24:00 hours
Friday	23:00 to 24:00 hours
Saturday	23:00 to 24:00 hours

**The opening hours of the premises are**

Sunday	17:00 to 23:30 hours
Monday	17:00 to 24:00 hours
Tuesday	17:00 to 24:00 hours
Wednesday	17:00 to 24:00 hours
Thursday	17:00 to 24:00 hours
Friday	17:00 to 24:00 hours
Saturday	17:00 to 24:00 hours

**PLEASE NOTE:**

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

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

**PART 2**

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

Mr Sadegh Navasari  
40 Kingston Street  
Sheffield  
S4 7SU

**Telephone Number:** 07999990444

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

Not Applicable

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

Restricted

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

**Issued on: 4th November 2005.**



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

<b>Sheffield City Council – For Office use only</b>	
Variation of Premises Licence	No: Issue Date:
Variation of DPS	No: Issue Date:
Transfer of Premises Licence	No: 1 Issue Date: 21st February 2012
Minor Variation	No: Issue Date:
Change of Name/Address	No: Issue Date:
Amendment to Premises Licence	No: Issue Date:
Review	No: Issue Date:
Summary Review	No: Issue Date:

### **Annex 1A – Mandatory Conditions**

#### **Mandatory Condition 1 (Section 19 ss 2)**

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

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

#### **Mandatory Condition 2 (Section 19 ss 3)**

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

#### **Mandatory Condition 3 (Section 20)**

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

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

**2. In this section -**

**“children” means persons aged under 18; and**

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

#### **Mandatory Condition 4 (Section 21)**

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

**Annex 1B - Mandatory Conditions effective from 6<sup>th</sup> April 2010:**

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

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



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

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

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures.

**Annex 2 – Conditions consistent with the operating schedule**

1. There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
  
2. CCTV shall be in operation when the premises are trading and maintained within the premises at all times.

B7

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

# Appendix C

Objection -  
SCC Health Protection Service

**Business Strategy & Regulation**

Director of Business Strategy & Regulation: Mick Crofts

**Health Protection Service**

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

Fax No. (0114) 273 6464

Officer: Mr S Pitts

Ref: ChapeltownG/ri

Tel: 0114 273 4616

Date: 19 September 2014



CI

Mr Sadegh Navaseri  
Chapeltown Grill  
17 Station Road  
Chapeltown  
SHEFFIELD  
S35 2XE

Dear Sir

**Licensing Act 2003**

**Application to vary a Premises Licence**

**Premises: Chapeltown Grill, 17 Station Road, Chapeltown, Sheffield S35 2XE**

I write with reference to the above application and would inform you that, at this stage, I have no alternative than to make a formal representation (objection) as the Responsible Authority towards public safety.

I will require the proposed conditions set out below to be imposed on the premises licence and my representation will be withdrawn subject to the conditions being agreed.

1. A satisfactory electrical certificate shall be provided for the premises.
2. The sale of alcohol shall be subject to the provision of food.

I would be grateful if you would confirm in writing, as a matter of urgency, whether or not you are prepared to agree to these conditions.

Other issues that require your attention that are not proposed to be conditions:

1. You will need to provide gas safety certificates for all gas appliances at the premises. This shall include any boilers and all appliances supplied by gas in the kitchen.

The Gas Safety (Installation and Use) Regulations 1988 (as amended) places duties on gas consumers, installers, suppliers and landlords.

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Email Address: [HealthProtection@sheffield.gov.uk](mailto:HealthProtection@sheffield.gov.uk)

Visit us at: [www.sheffield.gov.uk/environment/how-we-work/health-protection/](http://www.sheffield.gov.uk/environment/how-we-work/health-protection/)

Large print versions of this letter  
are available by telephoning **Page 25**  
**(0114) 273 4415/273 5774**

C2

It is against the law for any person who is not registered or covered by his/her employer's registration with the Gas Safe Register, to work on the maintenance or installation of gas fittings. This includes not only employers, employees and self-employed but also any handyman, kitchen installers, or builders who may only work on gas fittings occasionally.

All registered gas engineers will carry a Gas Safe Register ID card with their own unique licence number, showing the type of gas work they are qualified to do. Before any gas work is carried out, make sure you check their Gas Safe Register ID card.

To check registration details visit [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk) or telephone 0800 4085500. Their address is Gas Safe Register, PO Box 6804, Basingstoke RG24 4NB.

If you require any further information please do not hesitate to contact myself.

Yours faithfully



PP

Mr S R Pitts  
Environmental Health Technician

Copy Via Email      Licensing Service, Business Strategy & Regulation

# Appendix D

Objection -  
Ecclesfield Parish Council  
(& associated correspondence)

**Gough Jayne (CEX)**

---

**From:** ecclesfieldpc@aol.com  
**Sent:** 17 September 2014 10:50  
**To:** Gough Jayne (CEX)  
**Subject:** Re: Licence Application - Chapelton Grill

Good morning Jayne - the Committee considered the licence application and the comments from the applicant but they still wish to object to the delivery of alcohol with takeaways as they feel it will be hard to enforce all the checks and it would set a precedent for other takeaways to apply for the delivery service. They feel that there are already a lot of problems in the Parish with underage drinking and that this would exacerbate the situation. The Committee have no objection to the sale of alcohol from the premises.

Gill Kress  
Administration Officer  
Ecclesfield Parish Council

-----Original Message-----

From: Gough Jayne (CEX) <Jayne.Gough@sheffield.gov.uk>  
To: 'ecclesfieldpc@aol.com' <ecclesfieldpc@aol.com>  
Sent: Wed, 17 Sep 2014 10:26  
Subject: RE: Licence Application - Chapelton Grill

Hi Gill,

Further to your meeting last night, I'm just wondering if there are any further comments you would wish to make or withdrawal of objection regarding Chapelton Grill, 17 Station Rd, as I conscious the last date for comments is Friday this week.

Kindest regards  
Jayne

**Jayne Gough**

**Licensing Enforcement and Technical Officer**

Licensing Services

Business Strategy and Regulation

Place Portfolio

Sheffield City Council

**Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD**

Tel: 0114 2734264

Fax: 0114 2734073

E Mail: [jayne.gough@sheffield.gov.uk](mailto:jayne.gough@sheffield.gov.uk)

Team E Mail: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

**PLEASE NOTE OUR NEW DETAILS BELOW**

**Opening Times: Monday to Friday, 10am till 4pm**

**Email address: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)**

**Telephone: 0114 273 4264**

**From:** [ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com) [mailto:[ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com)]

**Sent:** 16 September 2014 12:21

**To:** Gough Jayne (CEX)

**Subject:** Re: Licence Application - Chapelton Grill



D2

Good afternoon Jayne - just wondered if you had received any comments back from the Safeguarding Children's Board as this item is on the agenda for further discussion tonight?

Gill Kress  
Administration Officer  
Ecclesfield Parish Council

-----Original Message-----

From: Gough Jayne (CEX) <Jayne.Gough@sheffield.gov.uk>  
To: ecclesfieldpc <ecclesfieldpc@aol.com>  
Sent: Tue, 9 Sep 2014 11:00  
Subject: RE: Licence Application - Chapeltown Grill

Hi Gill,

This is fine.

The last date for comments to be received is the 19<sup>th</sup> September to your speedy response will be welcomed. I will be in touch if I receive any further correspondence from the Safeguarding Children's Board in regards to this matter also.

Kindest regards  
Jayne

**From:** [ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com) [<mailto:ecclesfieldpc@aol.com>]  
**Sent:** 09 September 2014 10:40  
**To:** Gough Jayne (CEX)  
**Cc:** [alanhoops@alanhoops.F9.co.uk](mailto:alanhoops@alanhoops.F9.co.uk)  
**Subject:** Re: Licence Application - Chapeltown Grill

Thank you for this - I will put it on as an item of correspondence for our Planning Committee for their meeting next Tuesday 16 September and will also put it on the agenda for that meeting and will respond back to you next Wednesday with their decision. I have copied Alan Hooper into this e-mail as he is the Chair of our Planning Committee.

Gill Kress  
Administration Officer  
Ecclesfield Parish Council

-----Original Message-----

From: Gough Jayne (CEX) <Jayne.Gough@sheffield.gov.uk>  
To: 'ecclesfieldpc@aol.com' <ecclesfieldpc@aol.com>  
Sent: Tue, 9 Sep 2014 9:47  
Subject: RE: Licence Application - Chapeltown Grill

Hi Gill,

Thank you for this confirmation.

Just to give you further information about the application in direct connection with your concerns.

The applicant has offered up a condition as part of the delivery of the alcohol, to ensure that an ID such as a Driving Licence number is taken over the phone and then checked at the address at the point of delivery to ensure that the person who is buying the alcohol is over the age of 18, and that the photograph matches the person who it is delivered to.

He also plans to operate a Challenge 25 Scheme.

I am still waiting to hear from Julie Hague (Safeguarding Children's Board) to see what in out she will be having with the application.

Following this information, please confirm if you wish to maintain your objection.

Kind regards  
Jayne

**Jayne Gough**  
**Licensing Enforcement and Technical Officer**  
Licensing Services  
Business Strategy and Regulation

D3

Place Portfolio  
Sheffield City Council  
Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD

Tel: 0114 2734264  
Fax: 0114 2734073  
E Mail: [jayne.gough@sheffield.gov.uk](mailto:jayne.gough@sheffield.gov.uk)  
Team E Mail: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

**PLEASE NOTE OUR NEW DETAILS BELOW**

**Opening Times: Monday to Friday, 10am till 4pm**

**Email address: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)**

**Telephone: 0114 273 4264**

**From:** [ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com) [<mailto:ecclesfieldpc@aol.com>]  
**Sent:** 08 September 2014 15:44  
**To:** Gough Jayne (CEX)  
**Subject:** Re: Licence Application - Chapelton Grill

The Planning Committee have no objection to the sale of alcohol from the premises but they wish to object to the delivery of alcohol for the reasons stated - safeguarding children from underage drinking.

Gill Kress  
Administration Officer  
Ecclesfield Parish Council

-----Original Message-----

**From:** Gough Jayne (CEX) <[Jayne.Gough@sheffield.gov.uk](mailto:Jayne.Gough@sheffield.gov.uk)>  
**To:** '[ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com)' <[ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com)>  
**Sent:** Mon, 8 Sep 2014 14:54  
**Subject:** RE: Licence Application - Chapelton Grill

Dear Gill,  
Please could you confirm if you are wishing to formally object to this application?  
Kind regards  
Jayne

**Jayne Gough**  
**Licensing Enforcement and Technical Officer**  
Licensing Services  
Business Strategy and Regulation  
Place Portfolio  
Sheffield City Council  
**Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD**

Tel: 0114 2734264  
Fax: 0114 2734073  
E Mail: [jayne.gough@sheffield.gov.uk](mailto:jayne.gough@sheffield.gov.uk)  
Team E Mail: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)

D4

**PLEASE NOTE OUR NEW DETAILS BELOW**

**Opening Times: Monday to Friday, 10am till 4pm**

**Email address: [licensing@sheffield.gov.uk](mailto:licensing@sheffield.gov.uk)**

**Telephone: 0114 273 4264**

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**From:** Gough Jayne (CEX) **On Behalf Of** licensing@sheffield.gov.uk  
**Sent:** 08 September 2014 14:48  
**To:** Gough Jayne (CEX)  
**Subject:** FW: Licence Application - Chapelton Grill

**From:** [ecclesfieldpc@aol.com](mailto:ecclesfieldpc@aol.com) [<mailto:ecclesfieldpc@aol.com>]  
**Sent:** 08 September 2014 13:53  
**To:** licensing@sheffield.gov.uk  
**Subject:** Licence Application - Chapelton Grill

Good afternoon - the Planning Committee at Ecclesfield Parish Council considered the above licence application at their meeting on the 4 September 2014. They have no objection to the sale of alcohol from the premises, however they did raise concerns about the delivery service and how this could potentially lead to underage drinking and feel that this should not be permitted in order to safeguard children.

Gill Kress  
Administration Officer  
Ecclesfield Parish Council

P.S. I took the e-mail address [general.licensing@sheffield.gov.uk](mailto:general.licensing@sheffield.gov.uk) from your original notification to us - and was sent an automated e-mail with the above address. I don't know how recent the change has been but this needs to be changed on the notifications that you send out.

# Appendix E

Agreed Conditions –  
Sheffield Safeguarding  
Children Board

E1

**Conway Gary (CEX)**

---

**From:** Hague Julie  
**Sent:** 26 September 2014 12:55  
**To:** Sadegh Navaseri  
**Cc:** licensingservice  
**Subject:** RE: WITHDRAWAL OF REPRESENTATION AND CONFIRMATION OF AGREED LICENCE CONDITIONS: 17 STATION ROAD, CHAPELTOWN S35 2XE  
**Attachments:** Code of Conduct Shop Staff final version.pdf; Guidance for Operators Delivery Drivers.pdf  
**Importance:** High

Dear Sir

Thank you for your email in which you confirm that the following conditions have been agreed for the above varied premises licence:

**condition 1:**

The Challenge 25 scheme must be implemented by all sales and delivery staff at the points of taking the order and delivery. The scheme must include the maintenance of refusals records, staff training records and the display of signage at the points of sale.

**condition 2:**

Staff making deliveries of alcohol will only deliver to adult recipients producing a valid photo ID (for example a passport or photo driving licence or PASS card). Details of the identification must be recorded by staff when taking an order and cross-checked with the identification produced at the point of delivery to ensure a match. If the recipient refuses to produce appropriate ID, or if the person delivering remains in doubt that the recipient is not 18 years of age or over, or if the identification is suspected of being invalid, delivery will be terminated. A refusals book must be maintained to record occasions when a delivery was terminated.

**condition 3:**

The signature of the adult receiving the alcohol must be obtained and signatures must be retained as a record of due diligence with respect to deliveries of alcohol.

In addition to these conditions I would also strongly recommend that you train all of your staff to operate to the attached 'Code of Good Safeguarding Conduct'. Please note that free staff training is available for safeguarding, if you wish to book places please let me know.

I will notify the Licensing Authority of the above agreed conditions and withdraw the representation.

Kind regards

Julie

**Julie Hague**  
**Licensing Project Manager, Sheffield Safeguarding Children Board**  
Floor 2, Redvers House, Union Street, Sheffield S1 2JQ  
0114 2736753

# Appendix F

Hearing Notices, Regulations  
& Procedure

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

Mr Sadegh Navasari  
Chapelton Grill  
17 Station Road  
Sheffield  
S35 2XE

The Sheffield City Council being the licensing authority, on the 11<sup>th</sup> August 2014 received your application in respect of the premises known as;

**Chapelton Grill, 17 Station Road, Chapelton, Sheffield, S35 2XE**

During the consultation period, the Council received representations from the following authorities/interested parties: Sheffield City Council Health Protection Services and Ecclesfield Parish Council, on the likely effect of this application and on the promotion of the licensing objectives, should it be granted.

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **15<sup>th</sup> October 2014 at 10.30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 1<sup>st</sup> October 2014

Signed:



The officer appointed for this purpose  
Licensing Officer

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



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

Mr Steve Pitts / Mr Sean Gibbons  
Health Protection Service  
Sheffield City Council  
2-10 Carbrook Hall Road  
Sheffield  
S9 2DB

The Sheffield City Council being the licensing authority, on the 11<sup>th</sup> August 2014 received an application in respect of the premises known as;

**Chapelton Grill, 17 Station Road, Chapelton, Sheffield, S35 2XE**

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

- **Sheffield City Council Health Protection Service**
- **Ecclesfield Parish Council**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **15<sup>th</sup> October 2014 at 10.30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 1st October 2014

Signed: **Matt Proctor**  
The officer appointed for this purpose  
Licensing Officer



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

Ms Gill Kress  
Ecclesfield Parish Council

ecclesfieldpc@aol.com

The Sheffield City Council being the licensing authority, on the 11<sup>th</sup> August 2014 received an application in respect of the premises known as;

**Chapelton Grill, 17 Station Road, Chapelton, Sheffield, S35 2XE**

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

- **Sheffield City Council Health Protection Service**
- **Ecclesfield Parish Council**

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

The Council now **GIVES YOU NOTICE** that representations will be considered at a hearing to be held in a meeting room at Sheffield City Council, The Town Hall, Pinstone Street, Sheffield S1 2HH, on the **15<sup>th</sup> October 2014 at 10.30am**; following which the Council will issue a notice of determination of the application.

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

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

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

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

Dated: 1st October 2014

Signed: **Matt Proctor**  
The officer appointed for this purpose  
Licensing Officer

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

**Right of attendance, assistance and representation**

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

**Representations and supporting information**

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

**Failure of parties to attend the hearing**

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

**Procedure at hearing**

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

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

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

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

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